

City Commission

Enid Weisman, Mayor

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



City Manager

Eric M. Soroka, ICMA-CM

City Clerk

Ellisa L. Horvath, MMC

City Attorney

Weiss Serota Helfman
Cole & Bierman

CITY COMMISSION MEETING AGENDA

MAY 3, 2016

6:00 p.m.

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

1. **CALL TO ORDER\ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **ELECTION OF VICE MAYOR**
4. **AGENDA:** Request for Deletions/Emergency Additions
5. **SPECIAL PRESENTATIONS:**
 - Employee Service Awards
6. **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:**
 - March 30, 2016 Commission Workshop Meeting
 - April 5, 2016 Commission Regular Meeting
 - April 28, 2016 Commission Regular Meeting
 - April 28, 2016 Commission Workshop Meeting

- B. 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 FOR AN EFFECTIVE DATE.**
- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 16-03-23-2, ELECTRICAL MAINTENANCE SERVICE TO O & J ELECTRIC CORP., UNIVERSAL ELECTRIC OF FLORIDA, INC. AND G & R ELECTRIC CORP. AT THE INDIVIDUAL BID PRICES CONTAINED IN EXHIBIT "A" ATTACHED; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.**
- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 16-03-30-2, NE 213TH STREET MILLING & RESURFACING IMPROVEMENTS TO H & J ASPHALT, INC. AT THE BID PRICE OF \$334,356.75; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.**
- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 16-04-19-2, NE 29TH PLACE SOUTH ROADWAY, DRAINAGE AND STREET LIGHTING IMPROVEMENTS TO METRO EXPRESS, INC. AT THE BID PRICE OF \$721,027.05; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.**
- F. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 16-04-21-2, YACHT CLUB WAY BRIDGE REPAIRS TO CONTRACTING SPECIALISTS, INC. SOUTH EAST AT THE BID PRICE OF \$55,565.00; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.**
- G. MOTION TO APPROVE ANNUAL APPROPRIATION FOR SCHOLARSHIP AWARD TO KROP HIGH SCHOOL STUDENTS.**

- H. MOTION AUTHORIZING THE APPROPRIATION OF UP TO \$1,000 FOR THE MIAMI-DADE URBAN DEBATE LEAGUE FROM THE POLICE FORFEITURE FUNDS IN ACCORDANCE WITH THE CITY MANAGER’S MEMORANDUM.**
- I. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE GREEN MARKET TO BE HELD IN FOUNDERS PARK SOUTH FROM NOVEMBER 2016 TO APRIL 2017; AUTHORIZING THE CITY MANAGER TO ISSUE A SPECIAL EVENT PERMIT TO SEASTAR EVENT CORPORATION, BASED ON THE CONDITIONS CONTAINED IN EXHIBIT “A” ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

7. 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.

RESOLUTION – PUBLIC HEARING:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO PERMIT LOT COVERAGE OF 61.64% WHERE MAXIMUM LOT COVERAGE OF 40% IS PERMITTED BY CODE AND TO PERMIT FLOOR AREA RATIO OF 2.0 WHERE MAXIMUM FLOOR AREA RATIO OF 1.39 IS PERMITTED BY CODE; GRANTING CONDITIONAL USE APPROVAL TO PERMIT A RELIGIOUS FACILITY AND SCHOOL; GRANTING VARIANCE TO PERMIT A MINIMUM FRONT YARD SETBACK OF 4 FEET, WHERE A MINIMUM 25 FOOT FRONT YARD SETBACK IS REQUIRED BY CODE; GRANTING VARIANCE APPROVAL TO PERMIT A HEIGHT OF 47 FEET 4 INCHES FOR THE SYNAGOGUE, WHERE A MAXIMUM HEIGHT OF 37 FEET 6 INCHES IS PERMITTED BY CODE, ALL FOR AN OFFICE BUILDING AND RELIGIOUS/SCHOOL FACILITY ON PROPERTY AT 21001 BISCAYNE BOULEVARD, CITY OF AVENTURA PROPOSED TO BE CONSTRUCTED UNDER THE CITY’S GREEN BUILDING PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

8. ORDINANCE - FIRST READING/PUBLIC HEARING:

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; AMENDING THE CITY CODE BY AMENDING CHAPTER 30 “ENVIRONMENT”, BY CREATING ARTICLE VIII "DRONE REGULATIONS AND PRIVACY PROTECTIONS", BY CREATING SECTION 30-210 "DRONE RESTRICTIONS AT PUBLIC GATHERINGS"; TO REGULATE AND RESTRICT DRONE USE IN AND OVER OUTDOOR PUBLIC GATHERINGS, AND BY CREATING SECTION 30-211 “PROTECTION OF PRIVACY FROM DRONE USE” TO PROVIDE FOR A CODE ENFORCEMENT MECHANISM CONCERNING ANY USE OF A DRONE THAT VIOLATES INDIVIDUAL PRIVACY AS PROTECTED BY SECTION 934.50, FLORIDA STATUTES; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR PENALTY; PROVIDING FOR IMPLEMENTATION; AND

PROVIDING FOR AN EFFECTIVE DATE.

9. ORDINANCES - SECOND READING/PUBLIC HEARINGS:

- A. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO CITY CHARTER SECTION 7.06 "CHARTER REVISION", REVISING CHARTER AMENDMENT ELECTION TIMING PROCEDURES APPLICABLE TO THE PERIODIC CHARTER REVIEW PROCESS; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; CALLING A SPECIAL ELECTION ON THE PROPOSED AMENDMENT TO THE CITY CHARTER TO BE HELD ON TUESDAY, THE 8TH DAY OF NOVEMBER 2016, IN CONJUNCTION WITH THE GENERAL ELECTION BEING HELD ON SAID DATE; PROVIDING NOTICE OF ELECTION; PROVIDING FOR ELECTION PROCEDURE; PROVIDING FOR INCLUSION IN THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

CITY COMMISSION, IN ITS CAPACITY AS THE AVENTURA CITY OF EXCELLENCE SCHOOL BOARD OF DIRECTORS:

- B. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE ATTACHED CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2016/2017 (JULY 1 – JUNE 30), PURSUANT TO SECTION 4.05 OF THE CITY CHARTER; AUTHORIZING EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; PROVIDING FOR BUDGETARY CONTROL; PROVIDING FOR PERSONNEL AUTHORIZATION; PROVIDING FOR GIFTS AND GRANTS; PROVIDING FOR AMENDMENTS; PROVIDING FOR ENCUMBRANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**
- C. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2015-04, WHICH ORDINANCE ADOPTED A CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2015/2016 (JULY 1 – JUNE 30) BY REVISING THE 2015/2016 FISCAL YEAR BUDGET DOCUMENT AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

10. RESOLUTIONS – PUBLIC HEARINGS: None

11. REPORTS

12. PUBLIC COMMENTS

- State Representative Joseph "Joe" Geller

13. **OTHER BUSINESS:** None

14. **ADJOURNMENT**

FUTURE MEETINGS*

**COMMISSION MEETING – JUNE 7, 2016 AT 6 PM
COMMISSION CHAMBER**

**COMMISSION WORKSHOP – JUNE 21, 2016 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.



CALL TO ORDER/ROLL CALL: The meeting was called to order by Mayor Enid Weisman at 6:00 p.m. The following were present: Mayor Enid Weisman, Vice Mayor Robert Shelley, Commissioner Enbar Cohen, Commissioner Teri Holzberg, Commissioner Denise Landman¹, Commissioner Marc Narotsky, 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. iPREP HIGH SCHOOL (City Manager/Mayor Weisman):

Mayor Weisman noted that the topic of the iPrep was being discussed in response to concerns on the location of the school, from the Sky Lake-Highland Lakes Area Homeowners Association.

The Commission reviewed certain portions of a video of the Miami-Dade County Superintendent's Town Hall Meeting in December 2015, in which a commitment was made to build an iPrep high school with a 500 seat capacity, to provide relief to Krop High School. It was noted that Aventura residents had overwhelmingly voted in favor of the GOB bond, in response to the Superintendent's prior commitment to add high school capacity in the area.

Mayor Weisman discussed a letter received from Marc Hurwitz, President of the Sky Lake-Highland Lakes Area Homeowners Association, opposing construction of the Krop iPrep Annex at Highland Oaks Middle School, as well as an Article in The Miami Herald regarding the issue.

The Commission discussed the following issues: in favor of the 500-seat capacity, noting that Aventura had no input on the proposed iPrep location, the request of Aventura parents for more high school options in or closer to Aventura, the proposed location chosen by the School Board due to no cost for land acquisition, requesting the School Board to do what they agreed to with the MAST Academy @ FIU to prevent losing it, inviting the MAST Academy @ FIU to a meeting, passing a resolution either supporting the iPrep or not, supporting Aventura's residents if the City needed to take a position, whether or not County School Board Member Dr. Martin Karp was in favor of the iPrep at the proposed location, concern that traffic and congestion was the issue instead of the education component, having the iPrep located as close as possible to Aventura, a proposed resolution supporting the iPrep at the current proposed location, including the construction of permanent classrooms at the MAST Academy at FIU.

City Manager Summary: It was the consensus of the City Commission to place a Resolution on the April 5, 2016 Commission Meeting Agenda supporting both the construction of permanent classrooms at MAST Academy at FIU and iPrep at the current proposed location (Highland Oaks Middle School).

¹ Commissioner Landman participated via telephone.

The following members of the public provided comments: Howard Weiner (21252 N.E. 18 Place, Miami - Sky Lake–Highland Lakes Area Homeowners Association Board of Directors Member and Chair of the Krop iPrep Annex at HOMS Committee).

2. **ADJOURNMENT:** There being no further business to come before the Commission, the meeting was adjourned by consensus at 6:55 p.m.

Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on May 3, 2016

1. **CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 6:00 p.m. The roll was called and the following were present: Mayor Weisman, Vice Mayor Robert Shelley, Commissioner Enbar Cohen, Commissioner Teri Holzberg, Commissioner Denise Landman, Commissioner Marc Narotsky, 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 Howard Weiner.
3. **AGENDA: REQUESTS FOR DELETIONS/EMERGENCY ADDITIONS:** None.
4. **SPECIAL PRESENTATIONS:**
 - **“State of the “City” – Mayor Weisman:** Mayor Weisman presented the State of the City for 2016, including projects, initiatives, and goals.
5. **CONSENT AGENDA:** There were no requests from the public to address the Commission.

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

A. Minutes were approved as follows:

- March 1, 2016 Commission Regular Meeting
- March 17, 2016 Commission Workshop Meeting

B. Resolution No. 2016-21 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 FOR AN EFFECTIVE DATE.

C. Resolution No. 2016-22 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 MEDLEY 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.

D. Resolution No. 2016-23 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 AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF AVENTURA AND MIAMI-DADE COUNTY RELATING TO USE OF THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (AFIS); AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

E. Resolution No. 2016-24 was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE REVISED ICMA 401 PLAN ADOPTION AGREEMENTS AND TRANSMIT SAME TO THE ICMA RETIREMENT CORPORATION; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTIONS – PUBLIC INPUT: Mr. Wolpin read the following Resolution by title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, SUPPORTING THE DEVELOPMENT AND CONSTRUCTION OF AN IPREP HIGH SCHOOL FOR 500 STUDENTS ON VACANT LANDS ON THE GROUNDS OF HIGHLAND OAKS MIDDLE SCHOOL IN NORTHEAST MIAMI-DADE COUNTY, FLORIDA; URGING THE MIAMI-DADE COUNTY PUBLIC SCHOOLS BOARD TO CONSTRUCT PERMANENT CLASSROOMS FOR THE MAST ACADEMY AT FLORIDA INTERNATIONAL UNIVERSITY IN NORTH MIAMI; PROVIDING FOR DISTRIBUTION; PROVIDING IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

A motion for approval of the Resolution was offered by Commissioner Weinberg and seconded by Vice Mayor Shelley.

Mayor Weisman explained the Resolution.

Dr. Matthew Welker, Principal – MAST Academy @ FIU Biscayne Bay Campus presented a video on the MAST Academy.

Dr. Martin Karp, Miami-Dade County School Board Member (District 3), provided comments.

Mr. Wolpin explained the process for public input and the meeting rules of decorum.

Mayor Weisman recognized the students in attendance and opened the item for public input.

The following members of the public provided comments:

Marc Hurwitz (1925 N.E. 213 Terrace, Miami - President of the Sky Lake–Highland Lakes Area Homeowners Association), Howard Weiner (21252 N.E. 18 Place, Miami - Sky Lake–Highland Lakes Area Homeowners Association Board of Directors Member and Chair of the Krop iPrep Annex at HOMS Committee), Ellen Elias (21224 Harbor Way, Aventura), Susan Fried (1875 N.E. 197 Terrace, North Miami Beach), Sharon Gayoso (20355 NE 22 Place, Highland Lakes), Reyna Behar (19930 NE 22 Court, Miami), Riley Elias Bruchette (21224 Harbor Way #232, Aventura), Jacci Seskin (1921 NE 188 Street, North Miami Beach), Melba Leiman (3350 NE 192 Street #5B, Aventura), Steve Marcus (20411 NE 22nd Place, Highland Lakes), Jay Gayoso (20355 NE 22 Place, Highland Lakes), Jacob Singer (student at Krop High School), Charles Safdie (2341 N.E. 193 Street, Miami - Councilman with the Miami-Dade County Community Council Area 2), Jeffrey Mazor (21200 N.E. 19th Avenue, Highland Gardens), Sima Lambert (Aventura), Corbin Bolies (20381 N.E. 30th Avenue #112, Aventura), Nicolas Chmielewski (Editor of the Krop High School Lighting Strike Newspaper), Marina Blachman (Aventura), Rachel Friedland (21019 NE 38 Avenue, Aventura), and Frida Lapidot (20953 N.E. 30th Court, Aventura).

Mayor Weisman closed the item for public input.

The Commission provided comments individually.

The motion for approval of the Resolution passed (6-1), by roll call vote, and **Resolution No. 2016-25** was adopted.

Dr. Karp provided additional comments.

7. ORDINANCES - FIRST READING – PUBLIC HEARINGS: Mr. Wolpin read the following Ordinance by title:

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO CITY CHARTER SECTION 7.06 “CHARTER REVISION”, REVISING CHARTER AMENDMENT ELECTION TIMING PROCEDURES APPLICABLE TO THE PERIODIC CHARTER REVIEW PROCESS; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; CALLING A SPECIAL ELECTION ON THE PROPOSED AMENDMENT TO THE CITY CHARTER TO BE HELD ON TUESDAY, THE 8TH DAY OF NOVEMBER 2016, IN CONJUNCTION WITH THE GENERAL ELECTION BEING HELD ON SAID DATE; PROVIDING NOTICE OF ELECTION; PROVIDING FOR ELECTION PROCEDURE; PROVIDING FOR INCLUSION IN THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion for approval of the Ordinance was offered by Commissioner Landman and seconded by Commissioner Cohen.

Mr. Soroka explained the Ordinance.

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

The motion for approval of the Ordinance on first reading passed unanimously, by roll call vote.

8. ORDINANCES - SECOND READING/PUBLIC HEARINGS:

Mr. Wolpin read the following Ordinance by title:

- A. **AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING ARTICLE VIII., SECTION 31-171, "OFF-STREET PARKING, LOADING AND DRIVEWAY STANDARDS", OF CHAPTER 31 "LAND DEVELOPMENT REGULATIONS" OF THE CITY CODE BY AMENDING SECTION 31-171(a)(6)d. TO ADD MINIMUM WIDTHS FOR ONE-WAY AND TWO-WAY DRIVE AISLES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion for approval of the Ordinance was offered by Commissioner Holzberg and seconded by Vice Mayor Shelley.

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

Mr. Soroka explained the Ordinance.

The motion for approval of the Ordinance on second and final reading passed unanimously, by roll call vote, and **Ordinance No. 2016-04** was adopted.

Mr. Wolpin read the following Ordinance by title:

- B. **AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING CHAPTER 14, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE VI., "GREEN BUILDING PROGRAM" TO ADD CLARIFICATION TO SECTION 14-115, INCENTIVES AND BONUSES; AGREEMENT AND BOND REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion for approval of the Ordinance was offered by Commissioner Narotsky and seconded by Commissioner Landman.

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

Mr. Soroka explained the Ordinance.

The motion for approval of the Ordinance on second and final reading passed unanimously, by roll call vote, and **Ordinance No. 2016-05** was adopted.

Mr. Wolpin read the following Ordinance by title:

- C. **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2015-09 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2015/2016 FISCAL YEAR BY REVISING THE 2015/2016 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; AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion for approval of the Ordinance was offered by Commissioner Holzberg and seconded by Commissioner Cohen.

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

The motion for approval of the Ordinance on second and final reading passed unanimously, by roll call vote, and **Ordinance No. 2016-06** was adopted.

9. ZONING HEARINGS: QUASI-JUDICIAL PUBLIC HEARINGS: Mr. Wolpin reviewed the quasi-judicial procedures and read the following Resolution by title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL PURSUANT TO SECTION 31-144(c)(2) l. AND m. OF THE CITY CODE TO ALLOW LOT COVERAGE OF 42.23% WHERE MAXIMUM LOT COVERAGE OF 40% IS PERMITTED BY CODE AND TO ALLOW FLOOR AREA RATIO OF 1.93 WHERE MAXIMUM FLOOR AREA RATIO OF 1.61 IS PERMITTED BY CODE, BOTH FOR A HOTEL DEVELOPMENT IN THE COMMUNITY BUSINESS (B2) DISTRICT, TO BE CONSTRUCTED PURSUANT TO THE CITY'S GREEN BUILDING PROGRAM, LOCATED AT 2875 NE 191 STREET, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Horvath administered the oath to all those wishing to offer testimony.

A motion for approval of the Resolution was offered by Commissioner Landman and seconded by Commissioner Weinberg.

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 2 of the resolution.

Members of the Commission provided comments.

Larry Abbo, Manager - Turnberry Plaza Ltd. (4651 Sheridan Street, Suite 480, Hollywood, FL) provided testimony on behalf of the Applicant.

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

The motion for approval of the Resolution passed unanimously by roll call vote, and **Resolution No. 2016-26** was adopted.

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

11. **REPORTS:**

Commissioner Landman reminded residents of the April 12, 2016 Aventura Special Election via mail ballot, regarding proposed Charter revision amendments.

Mayor Weisman discussed the upcoming Earth/Arbor Day celebration on April 29, 2016.

12. **PUBLIC COMMENTS:** The following members of the public provided comments: Ellen Elias (21224 Harbor Way, Aventura) and Eli Gorin (1910 211 Terrace, Highland Gardens - Sky Lake—Highland Lakes Area Homeowners Association Board of Directors Member).

13. **OTHER BUSINESS:** None.

14. **ADJOURNMENT:** There being no further business to come before the Commission, a motion to adjourn was offered by Commissioner Cohen, seconded by Commissioner Landman, and unanimously approved; thus adjourning the meeting at 8:18 p.m.

Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on May 3, 2016.



**CITY COMMISSION
REGULAR MEETING MINUTES
APRIL 28, 2016 – 9:00 A.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 9:00 a.m. The following were present: Mayor Enid Weisman, Commissioner Enbar Cohen, Commissioner Teri Holzberg, Commissioner Denise Landman, Commissioner Marc Narotsky, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. Vice Mayor Robert Shelley was absent. As a quorum was determined to be present, the meeting commenced.

2. **ORDINANCES - FIRST READING – PUBLIC INPUT:**

Mr. Wolpin read the following ordinance by title:

CITY COMMISSION, IN ITS CAPACITY AS THE AVENTURA CITY OF EXCELLENCE SCHOOL BOARD OF DIRECTORS:

- A. **AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE ATTACHED CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2016/2017 (JULY 1 – JUNE 30), PURSUANT TO SECTION 4.05 OF THE CITY CHARTER; AUTHORIZING EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; PROVIDING FOR BUDGETARY CONTROL; PROVIDING FOR PERSONNEL AUTHORIZATION; PROVIDING FOR GIFTS AND GRANTS; PROVIDING FOR AMENDMENTS; PROVIDING FOR ENCUMBRANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion for approval was offered by Commissioner Cohen and seconded by Commissioner Holzberg.

Mr. Soroka reported that the overall budget increased 1.8%, largely due to salary increases for the teachers and technology items.

Mayor Weisman recognized and commended Julie Alm on her work as the ACES Principal.

Mayor Weisman opened the item for public input. There being no speakers, the item was closed for public input.

The motion for approval passed unanimously, by roll call vote, with Vice Mayor Shelley absent, and the Ordinance passed on first reading.

Mr. Wolpin read the following ordinance by title:

CITY COMMISSION, IN ITS CAPACITY AS THE AVENTURA CITY OF EXCELLENCE SCHOOL BOARD OF DIRECTORS:

B. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2015-04, WHICH ORDINANCE ADOPTED A CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2015/2016 (JULY 1 – JUNE 30) BY REVISING THE 2015/2016 FISCAL YEAR BUDGET DOCUMENT AS OUTLINED IN EXHIBIT “A” ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion for approval was offered by Commissioner Narotsky and seconded by Commissioner Landman.

Mr. Soroka explained the budget amendment, due to unanticipated revenues and expenditures (\$67,000) associated with the State of Florida’s Best and Brightest Teacher Scholarship Program.

Julie Alm – ACES Principal, discussed the eight out of the 80 teachers at ACES, who had applied and met the criteria for the program.

Mayor Weisman opened the item for public input. There being no speakers, the item was closed for public input.

The motion for approval passed unanimously, by roll call vote, with Vice Mayor Shelley absent, and the Ordinance passed on first reading.

3. RESOLUTION: Mr. Wolpin read the following resolution by title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ACCEPTING AND ADOPTING THE ELECTION RESULTS OF THE APRIL 12, 2016 MUNICIPAL SPECIAL MAIL BALLOT ELECTION, AS CERTIFIED BY THE CANVASSING BOARD AND ATTACHED HERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion for approval was offered by Commissioner Cohen and seconded by Commissioner Landman.

Mrs. Horvath reported that 2,945 ballots were cast in the mail ballot election, which was 16.6% of the total registered voters in the City of Aventura.

The motion for approval passed unanimously, with Vice Mayor Shelley absent, and **Resolution No. 2016-27** was adopted.

4. The following motion title was read by Mayor Weisman:

MOTION TO APPROVE CITY MANAGER’S PERFORMANCE EVALUATION AS OUTLINED ON EXHIBIT “A”:

A motion for approval was offered by Commissioner Holzberg and seconded by Commissioner Landman.

Mayor Weisman and members of the Commission commended Mr. Soroka on his work as the City Manager for Aventura, over the past 20 years.

The motion for approval passed unanimously, with Vice Mayor Shelley absent.

5. **ADJOURNMENT:** There being no further business to come before the Commission, a motion to adjourn the regular meeting was offered by Commissioner Landman, seconded by Commissioner Holzberg, and passed unanimously; thereby adjourning the meeting at 9:20 a.m.

Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on May 3, 2016.



CALL TO ORDER/ROLL CALL: The meeting was called to order by Mayor Enid Weisman at 9:20 a.m. The following were present: Mayor Enid Weisman, Commissioner Enbar Cohen, Commissioner Teri Holzberg, Commissioner Denise Landman, Commissioner Marc Narotsky, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. Vice Mayor Robert Shelley was absent. As a quorum was determined to be present, the meeting commenced.

1. UPDATE ON AG OPINION REGARDING DRONES (City Attorney): Mr. Wolpin discussed the favorable opinion received from Attorney General Pam Bondi and summarized that the City had the power to utilize an Ordinance to apply a code enforcement process, in order to address privacy regulations regarding drones. He reviewed the following items included in the agenda packet: FS 934.50, the code enforcement process, and a draft ordinance providing for drone restrictions at public gatherings, protection of privacy from drone use, and certain authorizations for the City Manager for the safe immobilization of drones.

Per his recommendation, Mr. Wolpin received authorization to contact the FAA Office of Regional Counsel for a statement of "no objection" from the FAA concerning the Ordinance, prior to second reading.

City Manager Summary: It was the consensus of the City Commission to proceed with placing an Ordinance for first reading on the May 3, 2016 Commission Meeting Agenda.

2. PROPOSED LDR TEXT AMENDMENT FOR ELECTRIC VEHICLE SHOWROOMS (City Manager): Mr. Soroka explained the request from Turnberry Associates to amend the City's Land Development Code, to allow for electric vehicle showrooms in the B-2 zoning district, as outlined in the agenda.

The following provided comments: Michael J. Marrero – Attorney representing Turnberry Associates (Bercow Radell & Fernandez), Tim Brown - Chief Development Officer for Turnberry Associates, and Christie Ortins, representing Tesla.

City Manager Summary: It was the consensus of the City Commission to proceed with the proposed amendment language, for placement on a future Commission Meeting Agenda.

3. DISCUSSION ON NOISE ORDINANCE (Commissioner Narotsky): Commissioner Narotsky requested a discussion on the City's current noise ordinance, in response to complaints received regarding noise from maintenance equipment. Mr. Soroka reviewed City Code Section 30-33, which provides for regulated hours for operating maintenance equipment and discussed the options that individual

condominiums had to provide stricter hours. The Commission discussed whether or not the weekend hours should be changed, based on the minimal amount of complaints that had been received.

City Manager Summary: It was the consensus of the City Commission for Mr. Soroka to ensure that the condominium buildings were adhering to the noise ordinance and to report back to the Commission regarding the standard for maintenance hours.

4. PROPOSED REORGANIZATION PLAN (City Manager): Mr. Soroka reviewed his recommendation to divide the current Community Services and Public Works/Transportation Department into two departments, after the Director's retirement in September. He reviewed the reorganization plan and reported that it would be further detailed in the upcoming proposed budget for 2016/2017.

City Manager Summary: It was the consensus of the City Commission to proceed with the proposed reorganization plan as presented.

5. SITE PLAN APPLICATION UPDATE (City Manager): Community Development Director Joanne Carr reviewed an application for Shalev Development, in the hospital district, for the following project:

- Shalev Development – NE 213 Street and 28 Court (11 story mixed use building with offices, a hotel with 99 rooms, and 400 parking spaces), requiring conditional use and variance approvals.

City Manager Summary: No action - this item was provided for informational purposes.

The following additional items were discussed:

Mr. Soroka provided the following informational updates: schedule for the Publix shopping center construction, work continues with the County on improving the landscaping and providing a coffee room at the library in Aventura, a company was hired to relocate a rooster seen in Aventura in response to complaints received, and Mayor Weisman and he met with the consulate from Argentina in which ideas for a shared program with the schools were discussed.

After a request from Commissioner Landman to reschedule the June Workshop Meeting, it was the consensus of the Commission to change the Workshop Meeting from June 23, 2016 to June 21, 2016 at 9:00 a.m.

6. ADJOURNMENT: There being no further business to come before the Commission at this time, a motion to adjourn the workshop meeting was offered by Commissioner Holzberg, seconded by Commissioner Landman, and passed unanimously; thereby adjourning the meeting at 10:08 a.m.

Ellisa L. Horvath, MMC, City Clerk

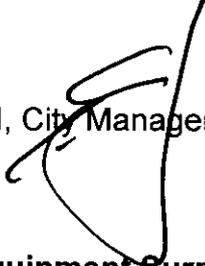
Approved by the Commission on May 3, 2016

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: April 4, 2016

SUBJECT: **Resolution Declaring Equipment Surplus**

May 3, 2016 City Commission Meeting Agenda Item 10B

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

RESOLUTION NO. 2016-__

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 FOR 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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

CITY OF AVENTURA

INFORMATION TECHNOLOGY DEPARTMENT

MEMORANDUM

TO: Eric M. Soroka, City Manager
FROM: Karen J. Lanke, Information Technology Director
DATE: April 1, 2016
SUBJECT: Surplus Computer Equipment - ACES

I am requesting that the computer equipment listed on the attached list be declared surplus property as the equipment no longer meets the needs of the Aventura City of Excellence School.

Please let me know if you have any questions regarding this request.

Attachment

cc: Julie Alm, Principal

**Aventura City of Excellence School
Computer Equipment Inventory**

Exhibit A

Brand	Model	Serial#	Type
Avaya	1 Box		22 Used Phones
Dell	OptiPlex 790	8WC4ZQ1	Desktop
Dell	OptiPlex 790	8W67ZQ1	Desktop
Dell	OptiPlex 790	8W95ZQ1	Desktop
Dell	OptiPlex 790	8WF1ZQ1	Desktop
Dell	OptiPlex 790	8VN5ZQ1	Desktop
Dell	OptiPlex 790	8WB5ZQ1	Desktop
Dell	OptiPlex 790	8VR32ZQ1	Desktop
Dell	OptiPlex 790	8WH2ZQ1	Desktop
Dell	OptiPlex 790	8W93ZQ1	Desktop
Dell	OptiPlex 790	8VP1ZQ1	Desktop
Dell	OptiPlex 790	8WC5ZQ1	Desktop
Dell	OptiPlex 790	8W86ZQ1	Desktop
Dell	OptiPlex 790	8VN2ZQ1	Desktop
Dell	OptiPlex 790	8VP2ZQ1	Desktop
Dell	OptiPlex 790	8WD3ZQ1	Desktop
Dell	OptiPlex 790	8VP4ZQ1	Desktop
Dell	OptiPlex 790	8VR6ZQ1	Desktop
Dell	OptiPlex 790	8WF3ZQ1	Desktop
Dell	OptiPlex 790	8WD1ZQ1	Desktop
Dell	OptiPlex 790	8WB1ZQ1	Desktop
Dell	OptiPlex 790	8WG6ZQ1	Desktop
Dell	OptiPlex 790	8W96ZQ1	Desktop
Dell	OptiPlex 790	8W61ZQ1	Desktop
Dell	OptiPlex 790	8VL6ZQ1	Desktop
Dell	OptiPlex 790	8VM2ZQ1	Desktop
Dell	OptiPlex 790	8VL1ZQ1	Desktop
Dell	OptiPlex 790	8WC3ZQ1	Desktop
Dell	OptiPlex 790	8WD5ZQ1	Desktop
Dell	OptiPlex 790	8WB4ZQ1	Desktop
Dell	OptiPlex 790	8VS4ZQ1	Desktop
Dell	OptiPlex 790	8VM3ZQ1	Desktop
Dell	1 Box		Mice
Dell	11707/8 FPT	7161855A459	Monitor
Dell	1707/8 FPT	7161855MJA994	Monitor
Dell	1707/8 FPT	7161855MA970	Monitor
Dell	1707/8 FPT	7161876DB845	Monitor
Dell	1707/8 FPT	7444595KARLS	Monitor
Dell	1707/8 FPT	7161865CACSS2	Monitor
Dell	1707/8 FPT	7161865CACSSJ	Monitor
Dell	1707/8 FPT	7161876DB775	Monitor
Dell	1707/8 FPT	7161876DB897	Monitor
Dell	1707/8 FPT	7161855MAG8U	Monitor
Dell	1707/8 FPT	7444595KA8LS	Monitor
Dell	1707/8 FPT	7161885QAA51	Monitor
Dell	1707/8 FPT	7161885CACE7	Monitor
Dell	1707/8 FPT	7444595KA585	Monitor
Dell	1707/8 FPT	7161855MAA09	Monitor
Dell	1707/8 FPT	7161885QAARY	Monitor
Dell	1707/8 FPT	7161865CACSSH	Monitor
Dell	1707/8 FPT	7161855MAG88	Monitor
Dell	1707/8 FPT	7161855MAA14	Monitor
Dell	1707/8 FPT	7161855MAA32	Monitor
Dell	1707/8 FPT	7161855MA844	Monitor

**Aventura City of Excellence School
Computer Equipment Inventory**

Exhibit A

Brand	Model	Serial#	Type
Dell	1707/8 FPT	7161855MAG7T	Monitor
Dell	1707/8 FPT	7161855MAG7S	Monitor
Dell	1707/8 FPT	7161885UAAX3	Monitor
Dell	1707/8 FPT	7161876DB389	Monitor
Dell	1707/8 FPT	7161855MAG89	Monitor
Dell	1707/8 FPT	7161855AA0L	Monitor
Dell	1707/8 FPT	7161885CACD6	Monitor
Dell	1707/8 FPT	7161885QAARW	Monitor
Dell	1707/8 FPT	7161876DB623	Monitor
Dell	1707/8 FPT	7161876ABARL	Monitor
Dell	1707/8 FPT	7444585KA6V5	Monitor
Dell	1707/8 FPT	7161885QAAX2	Monitor
Dell	1707/8 FPT	7161885QAAS0	Monitor
Dell	1707/8 FPT	7161855MAA411	Monitor
Dell	1707/8 FPT	7161865CACSK	Monitor
Dell	1707/8 FPT	7161876DB771	Monitor
Dell	1707/8 FPT	7161876DB450	Monitor
Dell	1707/8 FPT	7161855MA323	Monitor
Dell	1707/8 FPT	71618850ABJ3	Monitor
Dell	1707/8 FPT	71618850AAXB	Monitor
Dell	1707/8 FPT	71618850ABHW	Monitor
Dell	1707/8 FPT	71618850AAXD	Monitor
Dell	1707/8 FPT	7161855MAGJP	Monitor
Dell	1707/8 FPT	7161885CACDJ	Monitor
Dell	1707/8 FPT	71618850ABJ5	Monitor
Dell	8 Boxes		Keyboards
DirecTV	D10	PB028	TV Receiver
DirecTV	D10	PB036	TV Receiver
DirecTV	D10	PB03E	TV Receiver
DirecTV	D10	PB030	TV Receiver
DirecTV	D10	PA0U0	TV Receiver
DirecTV	D10	PA0LC	TV Receiver
DirecTV	D10	PA0TW	TV Receiver
DirecTV	D10	PB03J	TV Receiver
DirecTV	D10	PB03Z	TV Receiver
DirecTV	D10	PB03A	TV Receiver
DirecTV	D10	PB035	TV Receiver
DirecTV	D10	PB04A	TV Receiver
DirecTV	D10	PA0UX	TV Receiver
DirecTV	D10	PA0UF	TV Receiver
DirecTV	D10	PA0SF	TV Receiver
DirecTV	D12-100	30177	TV Receiver
DirecTV	D12-100	11383	TV Receiver
DirecTV	D12-100	30180	TV Receiver
DirecTV	D12-100	30155	TV Receiver
DirecTV	D12-100	30174	TV Receiver
DirecTV	D12-100	30151	TV Receiver
DirecTV	D12-100	11144	TV Receiver
DirecTV	D12-100	11414	TV Receiver
DirecTV	D12-100	11408	TV Receiver
DirecTV	D12-100	11336	TV Receiver
Dukane	IP8923H	FOEU03823	Projector
HP	LaserJet 1000	129148	Printer
HP	LaserJet 1000	230807	Printer

**Aventura City of Excellence School
Computer Equipment Inventory**

Exhibit A

Brand	Model	Serial#	Type
HP	LaserJet 1000	230799	Printer
HP	LaserJet P1006	3607	Printer
HP	LaserJet P1006	1948	Printer
JVC	DR-MV150	R1689	DVD Recorder
JVC	DR-MV150	R1566	DVD Recorder
JVC	DR-MV150	R1745	DVD Recorder
JVC	DR-MV150	R1805	DVD Recorder
JVC	DR-MV150	R1567	DVD Recorder
LG	RC897T	282353	DVD Recorder
LightSpeed	LES780IR	A0244	Audio Amp
LightSpeed	LES780IR	A0122	Audio Amp
LightSpeed	LES780IR	A0007	Audio Amp
LightSpeed	LES780IR	O0052	Audio Amp
LightSpeed	LES780IR	A0347	Audio Amp
LightSpeed	LES780IR	O0045	Audio Amp
LightSpeed	LES780IR	A0194	Audio Amp
LightSpeed	LES780IR	O0047	Audio Amp
LightSpeed	LES780IR	A0360	Audio Amp
LightSpeed	LES780IR	A0423	Audio Amp
LightSpeed	LES8S0IR	A1144	Audio Amp
LightSpeed	LES8S0IR	1336	Audio Amp
Misc	3 Boxes		Power Cords
NEC	M260X	1502924FC	Projector
NEC	NP300	9200149FG	Projector
NEC	VT595	7502872FD	Projector
NEC	VT695	8601858FK	Projector
Samsung	UF 80ST	1865	Digital Presenter
Samsung	UF 80ST	802	Digital Presenter
Samsung	UF 80ST	1028	Digital Presenter
Samsung	UF 80ST	1501	Digital Presenter
Samsung	UF 80ST	733	Digital Presenter
Samsung	UF 80ST	1199	Digital Presenter
Samsung	UF 80ST	1478	Digital Presenter
Samsung	UF 80ST	1045	Digital Presenter
Samsung	UF 80ST	523	Digital Presenter
Samsung	UF 80ST	1044	Digital Presenter
Samsung	UF 80ST	1023	Digital Presenter
Smartech	SB680	557046	Smart Board
Smartech	SB680	367998	Smart Board
Smartech	SB680	367980	Smart Board
Smartech	SB680	367977	Smart Board
Smartech	SB680	367976	Smart Board
Sony	SLV-D370P	552233	DVD Player
Sony	SLV-D370P	428939	DVD Player
Sony	SLV-D370P	428896	DVD Player
Sony	SLV-D370P	428848	DVD Player
Sony	SLV-D370P	428811	DVD Player
Sony	SLV-D370P	428223	DVD Player
Toshiba	DR570KU	B20F1987	DVD Recorder
Toshiba	DVR6700KV	A21D9167	DVD/ Cass Recorder
Toshiba	DVR6700KV	A21D9736	DVD/ Cass Recorder
Toshiba	DVR6700KV	A21D9357	DVD/ Cass Recorder

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

TO: Eric M. Soroka, City Manager
FROM: ~~Steven Steinberg, Chief of Police~~
DATE: 19 April 2016
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:

Hotpoint refrigerator City Asset # 0528

This refrigerator has suffered an electrical malfunction and is no longer serviceable. Once it is declared surplus it should be disposed of.

CITY OF AVENTURA

COMMUNITY SERVICES DEPARTMENT

MEMORANDUM

TO: City Commission

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

BY: Robert M. Sherman, Director of Community Services

DATE: April 20, 2016

SUBJECT: **Bid No. 16-03-23-2 Electrical Maintenance Services**



May 3, 2016 City Commission Meeting Agenda Item 10C

Recommendation

It is recommended that the City Commission adopt the attached Resolution awarding Bid No. 16-03-23-2 Electrical Maintenance Services to the lowest responsible and responsive bidders, O & J Electric Corp., Universal Electric, Inc. and G & R Electric Corp. at the unit prices as contained in Exhibit "A" and in accordance with the City Engineer's attached recommendation.

Background

In accordance with the City's Purchasing Ordinance, bids for this maintenance contract were solicited, advertised and opened on March 23, 2016.

The bid requested hourly rates for licensed electricians, electrician's helpers, and the necessary equipment for the routine repair of street lights, bollards and ground lighting.

O and J Electric, Universal Electric, Inc., and G & R Electric Corp. have provided the lowest combined unit pricing for labor and equipment rates for the services request by the City.

All work will be subject to the review and inspection of the City Electrical Inspector. This contract is for a one year period, with a one year extension, at the City's sole discretion. Please feel free to contact the City Manager if you have any questions.

Attachments

RESOLUTION NO. 2016-___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARING AND LETTING A BID/CONTRACT FOR BID NO. 16-03-23-2, ELECTRICAL MAINTENANCE SERVICE TO O & J ELECTRIC CORP., UNIVERSAL ELECTRIC OF FLORIDA, INC. AND G & R ELECTRIC CORP. AT THE INDIVIDUAL BID PRICES CONTAINED IN EXHIBIT "A" ATTACHED; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Aventura, Florida, has, pursuant to the various laws of the State of Florida and the Code of the City of Aventura, properly solicited and accordingly accepted bids for BID NO. 16-03-23-2, ELECTRICAL MAINTENANCE SERVICE; and

WHEREAS, sealed bids have been submitted to and received by the City pursuant to the City's Invitation to Bid/Notice to Bidders, specifications, proposals, and requirements for the project/work as cited above; and

WHEREAS, staff has determined that O & J Electric Corp., Universal Electric of Florida, Inc. and G & R Electric Corp. have submitted the lowest responsible and responsive bids for said project/work; and

WHEREAS, the City Commission, upon the recommendation of the City Manager, is therefore desirous of awarding said bid/contract to said lowest responsible and responsive bidders;

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

Section 1: That bid/contract for BID NO. 16-03-23-2, ELECTRICAL MAINTENANCE SERVICE is hereby awarded to O & J Electric Corp., Universal

Electric of Florida, Inc. and G & R Electric Corp. at the individual bid prices contained in Exhibit "A" attached.

Section 2: That the City Manager is hereby authorized to execute, on behalf of the City, a contract by and between the parties embodying the terms, conditions, specifications as set forth in the subject Invitation to Bid/Notice to Bidders, bid specifications, bid proposal and bid requirements and said parties shall execute said prepared contracts on behalf of the City.

Section 3: That the City Manager is hereby authorized and requested to take all necessary and expedient action to carry out the aims of this Resolution in awarding this bid/contract.

Section 4: 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 the General Fund Line Item Nos. 001-5001-539-4301, 001-5001-539-4311, and 001-5001-539-4640.

Section 5: This Resolution shall be 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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

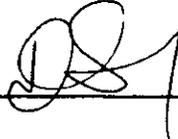
APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

CITY OF AVENTURA
 BID TABULATION
 BID #16-03-23-2
 ELECTRICAL MAINTENANCE SERVICES
 Bid Opening After 2:00pm on Wednesday, March 23, 2016

Titles	UNIVERSAL ELECTRIC OF FL. INC.		G & R ELECTRIC CORP.		AGC ELECTRIC, INC.		O & J ELECTRIC CORP.	
	Regular Hours	OverTime Rate	Regular Hours	OverTime Rate	Regular Hours	OverTime Rate	Regular Hours	OverTime Rate
Licensed Electrician	\$ 42.70	\$ 58.00	\$ 41.50	\$ 63.00	\$ 45.00	\$ 65.00	\$ 40.00	none
Electrician's Helper	\$ 27.40	\$ 39.10	\$ 30.00	\$ 45.00	\$ 38.00	\$ 56.00	\$ 21.50	none
Bucket Truck	\$ 39.10	\$ 39.10	\$ 85.00	\$ 120.00	\$ 200.00	\$ 250.00	\$ 75.00	\$ 95.00
Crane	\$ 64.30	\$ 84.10	\$ 95.00	\$ 150.00	\$ 280.00	\$ 350.00	\$ 75.00	none
Scissor Truck	\$ 39.10	\$ 39.10	\$ 80.00	\$ 120.00	\$ 200.00	\$ 250.00	\$ 45.00	none

Offers listed from the vendors herein are the only offers received timely as of the above opening date and time. All other offers submitted in response to this solicitation, if any, are hereby rejected as late.



 Indra K. Sarju
 Purchasing Agent



 Date

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

BY: Antonio F. Tomei, Capital Projects Manager *afj*

DATE: April 11, 2016

SUBJECT: **Recommendation: Bid No: 16-03-30-2 – NE 213th Street Milling and Resurfacing Improvements**

May 3, 2016 City Commission Meeting Agenda Item 107

Recommendation

It is recommended that the City Commission adopt the attached Resolution awarding Bid No. 16-03-30-2, NE 213th Street Milling and Resurfacing Improvements to the lowest responsible and responsive bidder, H & J Asphalt, Inc. for the price of \$334,356.75. The budgeted amount for this project is \$335,000. This project will be funded by Budget Line Item Number 120-5001-541-6305.

Background

In accordance with the City's Purchasing Ordinance, bids for this project were solicited, advertised, and opened on March 30, 2016. The City received the following seven (7) bids for this project:

H & J Asphalt, Inc.	\$334,356.75
General Asphalt Co., Inc., Inc.	\$334,999.90
Metro Express, Inc.	\$363,201.75
Williams Paving Co., Inc.	\$369,328.96
Weekley Asphalt Paving, Inc.	\$386,566.35
H & R Paving, Inc.	\$399,652.95
Community Asphalt Corporation	\$442,181.36

This bid price allows for asphalt milling and resurfacing together with signage, marking, bicycle sharrow marking and signage and sidewalk improvements on NE 213th Street from Biscayne Boulevard east to NE 34th Avenue.

If you have any questions or need any additional information, please feel free to contact me.

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 16-03-30-2, NE 213TH STREET MILLING & RESURFACING IMPROVEMENTS TO H & J ASPHALT, INC. AT THE BID PRICE OF \$334,356.75; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager has, pursuant to the various laws of the State of Florida and the Code of the City of Aventura, properly solicited and accordingly accepted bids for BID NO. 16-03-30-2, NE 213th Street Milling & Resurfacing Improvements; and

WHEREAS, sealed bids have been submitted to and received by the City pursuant to the City's Invitation to Bid/Notice to Bidders, specifications, proposals, and requirements for the project/work as cited above; and

WHEREAS, staff has determined that H & J Asphalt, Inc. submitted the lowest responsible and responsive bid for said project/work; and

WHEREAS, the City Commission, upon the recommendation of the City Manager, is therefore desirous of awarding said bid/contract to said lowest responsible and responsive bidder;

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

Section 1: That bid/contract for BID NO. 16-03-30-2, NE 213th Street Milling & Resurfacing Improvements is hereby awarded to H & J Asphalt, Inc. in the amount of \$334,356.75.

Section 2: That the City Manager is hereby authorized to execute, on behalf of the City, a contract by and between the parties embodying the terms, conditions, and specifications as set forth in the subject Invitation to Bid/Notice to Bidders, bid specifications, bid proposal and bid requirements, or if a City prepared contract was part of said bid proposal, said parties shall execute said prepared contract on behalf of the City.

Section 3: That the City Manager is hereby authorized and requested to take all necessary and expedient action to carry out the aims of this Resolution in awarding this bid/contract.

Section 4: 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 120-5001-541-6305.

Section 5: This Resolution shall be 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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

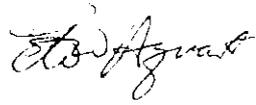
CITY ATTORNEY

MEMORANDUM

CRAVEN THOMPSON AND ASSOCIATES, INC.

Date: April 11, 2016

To: Antonio F. Tomei, Capital Projects Manager
Office of the City Manager

From: Peter W. Aquart, PE, Consulting Engineer 

Reference: N.E. 213th Street Milling and Resurfacing
Bid Number 16-03-30-2

We have reviewed the results for the above referenced request for bids. The following contractors submitted a bid:

- H & J Asphalt, Inc.
- General Asphalt Company, Inc.
- H & R Paving, Inc.
- Weekley Asphalt Paving, Inc.
- Williams Paving Company, Inc.
- Community Asphalt Corporation
- Metro Express, Inc.

Enclosed is a bid tabulation spreadsheet showing all of the individual unit prices and extended prices.

The apparent low bidder is H & J Asphalt, Inc. We consider them to be a responsible bidder.

We requested that H & J Asphalt confirm their unit prices (see attached letter). They did so via e-mail (see attached).

It is our opinion that H & J Asphalt, Inc. is the lowest responsible bidder and recommend awarding the contract to them for the total amount of \$334,356.75.

If you have any questions or require any additional information, please call.

Enclosures: Bid Tabulation
Letter to H & J Asphalt
E-mail response from H & J Asphalt

SECTION 00410

SCHEDULE OF VALUES – BIDDER'S COMPANY NAME: H & J Asphalt, Inc.

Time to Substantial Completion: 60 calendar days upon issuance of the Notice to Proceed.

Time to Final Completion: 30 calendar days.

TOTAL CONTRACT TIME = 90 CALENDAR DAYS

Pay Item	Estimated Quantity	Description	Unit	Unit Price	Extended Price
		GENERAL			
100	1	General Conditions and Mobilization	LS	5,000.-	5,000.-
101	1	Provide Maintenance Of Traffic per FDOT 600 Series Design Standards	LS	10,000.-	10,000.-
102	1	Provide Erosion Control Measures	LS	1,000.-	1,000.-
		PAVING			
103	350	Remove and Dispose of Existing Curb (Type D, Type E, Type F, Drop Curb etc.)	LF	2.00	700.-
104	266	Remove And Dispose of Existing Concrete	SY	14.00	3,724.-
105	185	Remove And Dispose of Existing Pavement Section	SY	20.00	3,700.-
106	9	Clearing and Grubbing	SY	14.00	126.-
107	4	Backfill and Sod	SY	200.00	800.-
108	16,365	Mill 1" Asphalt, Including Removal and Disposal of Existing Pavement	SY	2.50	40,912.50
109	16,761	1" Superpave SP-9.5 Asphaltic Concrete Pavement, Including Tack Coat	SY	6.75	113,136.75
110	198	8" Limerock Base (min. LBR of 100), including Prime Coat	SY	20.00	3,960.-
111	198	12" Stabilized Subgrade (min. LBR of 40)	SY	7.00	1,386.-

N.E. 213th Street Milling and Resurfacing
 City of Aventura Bid No. 16-03-30-2
 CTA Project No. 01-0103-210

112	185	Pavement Repairs; Includes Removal and Disposal of Existing Pavement	SY	30. ⁰⁰	5,550-
113	20	Type "F" Curb & Gutter, Including 4" Limerock Pad	LF	25. ⁰⁰	500-
114	90	Type "D" Curb	LF	25. ⁰⁰	2,250-
115	40	Drop Curb, Including 4" Limerock Pad	LF	25. ⁰⁰	1,000-
116	126	4" Concrete Sidewalk (min. 3,000 psi) with Compacted Subgrade	SY	45. ⁰⁰	5,670-
117	55	4" Thick Sidewalk With Thickened Edge and Handrails On Compacted Subgrade	SY	45. ⁰⁰	2,475-
118	85	Structural Retaining Wall	LF	300-	25,500-
119	6	Spalled Concrete Repair	SY	300-	1,800-
120	1	Accessible Ramp Type CR-A	EA	1,000-	1,000-
121	1	Accessible Ramp Type CR-C (Modified)	EA	2,000-	2,000-
122	9	Accessible Ramp Type CR-G	EA	2,000-	18,000-
123	1	Accessible Ramp Type CR-L	EA	2,000-	2,000-
124	13	Adjust Existing Storm and Sanitary Sewer Manhole Rim	EA	400-	5,200-
125	8	Adjust Existing Water/Force Main Valve Box	EA	350-	2,800-
126	3	Replace Roadway Loop Detectors	EA	1,500-	4,500-
127	1	Install Electrical Hand Hole Cover	EA	800-	800-
128	1	Replace Traffic Control Box Cover	EA	600-	600-
		SIGNING AND MARKING			
129	4,945	6" Solid Yellow (Thermoplastic)	LF	1. ⁰⁰	4,945-
130	6,310	6" Solid White (Thermoplastic)	LF	1. ⁰⁰	6,310-
131	950	12" Solid White (Thermoplastic)	LF	2.20	2,090-
132	140	24" Solid White (Thermoplastic)	LF	3.50	490-
133	1,170	6" Skip White 10'-30' (Thermoplastic) [Net length of	LF	1. ⁰⁰	1,170-

		Thermoplastic Markings]			
134	60	6" Skip White 6'-10' (Thermoplastic) [Net length of Thermoplastic Markings]	LF	1.00	60-
135	254	6" Skip White 2'-4' (Thermoplastic) [Net length of Thermoplastic Markings]	LF	1.20	304.80
136	27	Pavement Message – per letter (Thermoplastic)	EA	110-	2,970-
137	13	Arrow (Thermoplastic)	EA	60-	780-
138	23	Sharrow (Thermoplastic)	EA	340-	7,820-
139	4,945	6" Solid Yellow (Paint)	LF	0.50	2,472.50
140	6,310	6" Solid White (Paint)	LF	0.50	3,155-
141	950	12" Solid White (Paint)	LF	1.20	1,140-
142	140	24" Solid White (Paint)	LF	2.00	280-
143	1,170	6" Skip White 10'-30' (Paint) [Net length of Thermoplastic Paint]	LF	1.00	1,170-
144	60	6" Skip White 6'-10' (Paint) [Net length of Thermoplastic Paint]	LF	1.00	60-
145	254	6" Skip White 2'-4' (Paint) [Net length of Thermoplastic Paint]	LF	1.00	254-
146	27	Pavement Message – per letter (Paint)	EA	24.00	648-
147	13	Arrow (Paint)	EA	24.00	312-
148	10	Yellow Reflective Paint (Bullnose)	SY	3.00	30-
149	179	Reflective Pavement Marker (RPM) White / Red	EA	4.20	751.80
150	152	Reflective Pavement Marker (RPM) Yellow / Yellow	EA	4.20	638.40
151	3	Reflective Pavement Marker (RPM) Blue / Blue	EA	5.00	15.00

152	12	Remove Existing Sign and Post	EA		50. ⁰⁰	600-
153	24	Furnish and install new sign and new post.	EA		275. ⁰⁰	6,600-
154	4	Furnish and install new post and install existing sign	EA		275. ⁰⁰	1,100-
MISCELLANEOUS						
155	1	Loop Detector Replacement Permit Fees (Miami Dade County Traffic Signals)	AL		\$2,100	2,100-
156	1	Off-Duty Police Services	AL		\$20,000.00	20,000-
SUB-TOTAL						334,356.75

TOTAL COST						334,356.75
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*** BIDS SHALL BE AWARDED BY THE CITY TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER. IN ANALYZING BIDS, THE CITY MAY ALSO TAKE INTO CONSIDERATION ALTERNATE AND UNIT PRICES. REFER TO SECTION 00710, GENERAL CONDITIONS, ARTICLE 2.1.**

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

BY: Antonio F. Tomei, Capital Projects Manager *afj*

DATE: April 21, 2016

SUBJECT: **Recommendation: Bid No: 16-04-19-2 – NE 29th Place South Roadway, Drainage and Street Lighting Improvements**

May 3, 2016 City Commission Meeting Agenda Item UE

Recommendation

It is recommended that the City Commission adopt the attached Resolution awarding Bid No. 16-04-19-2, NE 29th Place South Roadway, Drainage and Street Lighting Improvements to the lowest responsible and responsive bidder, Metro Express, Inc. for the price of \$721,027.05. The low bid is well below the budgeted figure. This project will be funded by Budget Line Item Numbers 120-5001-541-6305, 410-5001-538-6306 and 120-5001-541-6307.

Background

In accordance with the City's Purchasing Ordinance, bids for this project were solicited, advertised, and opened on April 19, 2016. The City received the following four (4) bids for this project:

Metro Express, Inc.	\$721,027.05
Williams Paving Company, Inc.	\$729,402.23
JVA Engineering Contractor, Inc.	\$772,297.50
Team Contracting, Inc.	\$796,865.65

This base bid price allows for roadway resurfacing, sidewalk, signage, roadway markings, drainage system and street lighting improvements on NE 29th Place South from Aventura Boulevard to the Mall Ring Road.

In order to expedite permitting, landscape and irrigation improvements were not included in the bid but will be completed by the City's Landscape Contractor at a cost of \$35,251.58.

If you have any questions or need any additional information, please feel free to contact me.

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 16-04-19-2, NE 29TH PLACE SOUTH ROADWAY, DRAINAGE AND STREET LIGHTING IMPROVEMENTS TO METRO EXPRESS, INC. AT THE BID PRICE OF \$721,027.05; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager has, pursuant to the various laws of the State of Florida and the Code of the City of Aventura, properly solicited and accordingly accepted bids for BID NO. 16-04-19-2, NE 29th Place South Roadway, Drainage and Street Lighting Improvements; and

WHEREAS, sealed bids have been submitted to and received by the City pursuant to the City's Invitation to Bid/Notice to Bidders, specifications, proposals, and requirements for the project/work as cited above; and

WHEREAS, staff has determined that Metro Express, Inc. submitted the lowest responsible and responsive bid for said project/work; and

WHEREAS, the City Commission, upon the recommendation of the City Manager, is therefore desirous of awarding said bid/contract to said lowest responsible and responsive bidder;

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

Section 1: That bid/contract for BID NO. 16-04-19-2, NE 29th Place South Roadway, Drainage and Street Lighting Improvements is hereby awarded to Metro

Express, Inc. in the amount of \$721,027.05.

Section 2: That the City Manager is hereby authorized to execute, on behalf of the City, a contract by and between the parties embodying the terms, conditions, and specifications as set forth in the subject Invitation to Bid/Notice to Bidders, bid specifications, bid proposal and bid requirements, or if a City prepared contract was part of said bid proposal, said parties shall execute said prepared contract on behalf of the City.

Section 3: That the City Manager is hereby authorized and requested to take all necessary and expedient action to carry out the aims of this Resolution in awarding this bid/contract.

Section 4: 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 Numbers 120-5001-541-6305, 410-5001-538-6306 and 120-5001-541-6307.

Section 5: This Resolution shall be 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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

MEMORANDUM

CRAVEN THOMPSON AND ASSOCIATES, INC.

Date: April 21, 2016

To: Antonio F. Tomei, Capital Projects Manager
Office of the City Manager

From: Peter W. Aquart, PE, Consulting Engineer 

Reference: N.E. 29th Place South Roadway and Drainage Improvements
Bid Number 16-04-19-2

We have reviewed the results for the above referenced request for bids. The following contractors submitted a bid:

- Metro Express, Inc.
- Williams Paving, Inc.
- JVA Engineering Contractor
- Team Contracting

Enclosed is a bid tabulation spreadsheet showing all of the individual unit prices and extended prices.

The apparent low bidder is Metro Express, Inc. We consider them to be a responsible bidder.

It is our opinion that Metro Express, Inc. is the lowest responsible bidder and recommend awarding the contract to them for the total amount of \$721,027.05.

If you have any questions or require any additional information, please call.

Enclosures: Bid Tabulation

Bid Evaluation
N.E. 20th Place (South) Roadway and Drainage Improvements
City of Aurora Bid No. 18-04-19-2

Pay Item	Estimated Quantity	Description	Unit	Williams Paving		Team Contracting		JVA Engineering Contractor		Metro Express	
				Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
GENERAL											
100	1	General Conditions and Mobilization	LS	\$58,192.27	\$58,192.27	\$25,000.00	\$25,000.00	\$28,740.00	\$28,740.00	\$35,000.00	\$35,000.00
101	1	Provide Maintenance Of Traffic per FDOT 600 Series Design Standards	LS	\$39,613.82	\$39,613.82	\$30,000.00	\$30,000.00	\$46,550.00	\$46,550.00	\$18,000.00	\$18,000.00
102	1	Provide Erosion Control Measures	LS	\$1,794.07	\$1,794.07	\$7,500.00	\$7,500.00	\$4,830.00	\$4,830.00	\$3,000.00	\$3,000.00
DEMOLITION											
200	1420	Remove and Dispose of Existing Curb (Type D, Type E, Type F, Drop Curb etc.)	LF	\$5.82	\$7,980.40	\$2.00	\$2,840.00	\$7.00	\$9,940.00	\$2.00	\$2,840.00
201	349	Remove and Dispose of Existing Concrete	SY	\$11.27	\$3,933.23	\$9.00	\$3,141.00	\$13.00	\$4,537.00	\$9.00	\$3,141.00
202	163	Remove and Dispose of Existing Pavement Section (Asphalt, Base, Subgrade)	SY	\$22.88	\$3,696.84	\$9.00	\$1,467.00	\$8.00	\$1,304.00	\$9.00	\$1,467.00
203	7	Remove And Dispose of Existing Drainage Structures	EA	\$965.76	\$6,760.32	\$800.00	\$5,600.00	\$960.00	\$6,720.00	\$300.00	\$2,100.00
204	460	Remove And Dispose of Existing Drainage Pipe (Up to 36")	LF	\$21.74	\$10,000.40	\$15.00	\$6,900.00	\$29.00	\$13,340.00	\$25.00	\$11,500.00
205	15	Remove Existing Sign and Post	EA	\$33.95	\$509.25	\$80.00	\$1,200.00	\$50.00	\$750.00	\$50.00	\$750.00
206	360	Clearing and Grubbing	SY	\$11.30	\$4,068.00	\$40.00	\$14,400.00	\$6.00	\$2,160.00	\$25.00	\$9,000.00
DRAINAGE											
300	1	Catch Basin (Type C-5 - 60" x 60" Square)	EA	\$6,121.17	\$6,121.17	\$6,000.00	\$6,000.00	\$4,750.00	\$4,750.00	\$5,500.00	\$5,500.00
301	2	Catch Basin (Type C-5 - 24" x 37" Square)	EA	\$4,235.97	\$8,471.94	\$3,000.00	\$6,000.00	\$3,100.00	\$6,200.00	\$5,000.00	\$10,000.00
302	3	Curb Inlet (Type P-8 - 42" Round)	EA	\$4,991.50	\$14,974.50	\$4,700.00	\$14,100.00	\$4,760.00	\$14,280.00	\$5,000.00	\$15,000.00
303	1	Curb Inlet (Type P-6 - 48" Round)	EA	\$5,377.75	\$5,377.75	\$5,500.00	\$5,500.00	\$6,140.00	\$6,140.00	\$5,500.00	\$5,500.00
304	1	Curb Inlet (Type J-6 - 60" Round)	EA	\$6,883.97	\$6,883.97	\$6,800.00	\$6,800.00	\$7,060.00	\$7,060.00	\$5,800.00	\$5,800.00
305	1	Curb Inlet (Type L-6 - 60"x60" Square)	EA	\$7,219.36	\$7,219.36	\$8,900.00	\$8,900.00	\$7,300.00	\$7,300.00	\$5,800.00	\$5,800.00
306	2	Storm Manhole (Type M-4 - 48" Round)	EA	\$5,055.68	\$10,111.36	\$5,400.00	\$10,800.00	\$3,800.00	\$7,600.00	\$4,800.00	\$9,600.00
307	1	Storm Manhole (Type M-5 - 60" Round)	EA	\$5,675.60	\$5,675.60	\$6,200.00	\$6,200.00	\$6,700.00	\$6,700.00	\$5,000.00	\$5,000.00
308	3	Storm Manhole (Type M-5 - 60" x 60" Square)	EA	\$6,553.42	\$19,660.26	\$8,600.00	\$25,800.00	\$6,700.00	\$20,100.00	\$5,000.00	\$15,000.00
309	8	Pollution Retardant Baffle	EA	\$488.25	\$3,906.00	\$500.00	\$4,000.00	\$440.00	\$3,520.00	\$500.00	\$4,000.00
310	146	Pipe - 18" Diameter Solid R.C.P. (Installation Includes All Bedding, Shoring, etc. as necessary to provide work)	LF	\$86.89	\$12,830.12	\$60.00	\$8,880.00	\$92.00	\$13,616.00	\$160.00	\$23,880.00
311	250	Pipe - 24" Diameter Slotted R.C.P. (Installation Includes All Bedding, Shoring, etc. as necessary to provide work)	LF	\$146.64	\$36,660.00	\$150.00	\$37,500.00	\$140.00	\$35,000.00	\$180.00	\$45,000.00
312	88	Pipe - 24" Diameter Solid R.C.P. (Installation Includes All Bedding, Shoring, etc. as necessary to provide work)	LF	\$82.19	\$7,232.72	\$80.00	\$7,040.00	\$98.00	\$8,624.00	\$160.00	\$14,080.00
313	300	Pipe - 36" Diameter Solid R.C.P. (Installation Includes All Bedding, Shoring, etc. as necessary to provide work)	LF	\$95.13	\$34,246.80	\$120.00	\$42,000.00	\$140.00	\$50,400.00	\$180.00	\$64,800.00
314	1	Connect Prop. Drainage Pipe to Exist. Drainage Structure	EA	\$1,385.46	\$1,385.46	\$2,000.00	\$2,000.00	\$1,070.00	\$1,070.00	\$800.00	\$800.00
315	4	Connect Exist. Drainage Pipe to Prop. Drainage Structure	EA	\$2,602.75	\$10,411.00	\$1,000.00	\$4,000.00	\$1,070.00	\$4,280.00	\$800.00	\$2,400.00
316	600	Pavement Restoration, Includes Removal and Disposal of Existing Pavement	SY	\$42.56	\$25,536.00	\$80.00	\$36,000.00	\$38.00	\$22,800.00	\$18.00	\$10,800.00
ROADWAY											
400	3597	Mill 1" Asphalt, Including Removal and Disposal of Existing Pavement	SY	\$2.60	\$9,352.20	\$3.50	\$12,589.50	\$4.00	\$14,388.00	\$2.50	\$8,992.50
401	3527	1" Superpave SP-9.5 Asphalt Concrete Pavement, Including Tack Coat	SY	\$7.77	\$28,181.79	\$24.00	\$87,048.00	\$10.00	\$36,270.00	\$9.50	\$34,456.50
402	15	8" Limerock Base (min. LBR of 100), including Prime Coat	SY	\$87.47	\$1,312.05	\$80.00	\$1,200.00	\$72.00	\$1,080.00	\$12.00	\$180.00
403	15	12" Stabilized Subgrade (min. LBR of 40)	SY	\$36.34	\$545.10	\$80.00	\$1,200.00	\$70.00	\$1,050.00	\$8.00	\$120.00
404	10	Pavement Repairs, Includes Removal and Disposal of Existing Pavement	SY	\$103.97	\$1,039.70	\$80.00	\$800.00	\$350.00	\$3,500.00	\$25.00	\$250.00
405	1459	Pavement Reconstruction (8" to 6" SP-9.5 Asphalt Concrete as Necessary)	SY	\$15.43	\$22,512.37	\$36.00	\$52,524.00	\$36.00	\$52,524.00	\$18.00	\$26,262.00
406	1042	Type "F" Curb & Gutter, Including 4" Limerock Pad	LF	\$20.91	\$21,788.22	\$30.00	\$31,280.00	\$21.00	\$21,882.00	\$16.00	\$16,672.00
407	616	4" Concrete Sidewalk (min. 3,000 psi) with Compacted Subgrade	SY	\$34.56	\$21,286.96	\$45.00	\$27,720.00	\$40.00	\$24,640.00	\$42.00	\$25,872.00
408	1	Accessible Ramp Type CR-A with Embedded Detectable Warning Surface	EA	\$1,847.90	\$1,847.90	\$1,400.00	\$1,400.00	\$1,200.00	\$1,200.00	\$1,300.00	\$1,300.00
409	1	Accessible Ramp Type CR-C with Embedded Detectable Warning Surface	EA	\$1,589.62	\$1,589.62	\$1,400.00	\$1,400.00	\$1,200.00	\$1,200.00	\$1,300.00	\$1,300.00
410	1	Accessible Ramp Type CR-D (Modified) with Embedded Detectable Warning Surface	EA	\$1,479.82	\$1,479.82	\$1,400.00	\$1,400.00	\$1,200.00	\$1,200.00	\$1,300.00	\$1,300.00
411	2	Accessible Ramp Type CR-G with Embedded Detectable Warning Surface	EA	\$1,479.82	\$2,959.64	\$1,400.00	\$2,800.00	\$1,200.00	\$2,400.00	\$1,300.00	\$2,600.00
412	1	Accessible Ramp Type CR-K with Embedded Detectable Warning Surface	EA	\$1,479.82	\$1,479.82	\$1,400.00	\$1,400.00	\$1,200.00	\$1,200.00	\$1,300.00	\$1,300.00
413	3	Detectable Walking Surface (Non-FDOT Curb Ramp)	SY	\$230.05	\$690.15	\$500.00	\$1,500.00	\$225.00	\$675.00	\$225.00	\$675.00
414	6	Adjust Utility Pull Box Lids to Grade	EA	\$277.19	\$1,663.14	\$450.00	\$2,700.00	\$250.00	\$1,500.00	\$300.00	\$1,800.00
415	350	Relocate Existing Conduit and Cables beneath Proposed Sidewalk	LF	\$22.07	\$7,724.50	\$15.00	\$5,250.00	\$15.00	\$5,250.00	\$12.00	\$4,200.00
416	3	Replace Roadway Loop Detectors	EA	\$769.47	\$2,308.41	\$2,500.00	\$7,500.00	\$1,200.00	\$3,600.00	\$2,800.00	\$8,400.00
417	102	Fill (adjacent to proposed sidewalk)	SY	\$9.61	\$980.22	\$42.00	\$4,284.00	\$42.00	\$4,284.00	\$9.00	\$918.00
LIGHTING											
500	10800	Provide and install #8, 600V rated, XHW conductor installed in new/existing conduit system	LF	\$2.14	\$23,112.00	\$1.40	\$15,120.00	\$3.00	\$32,400.00	\$2.25	\$24,300.00
501	200	Provide and install one 2" schedule 40 PVC conduit direct buried in earth, complete in place	LF	\$22.63	\$4,526.00	\$17.00	\$3,400.00	\$13.00	\$2,600.00	\$11.50	\$2,300.00
502	1500	Provide and install one 2" HDPE, schedule 40 PVC conduit directional bored 48" deep beneath existing roadway and sidewalks	LF	\$20.37	\$30,555.00	\$17.00	\$25,500.00	\$18.00	\$27,000.00	\$21.00	\$31,500.00
503	5	Install single roadway street light and pole with concrete base and pullbox in earth/existing pavement, complete in place	EA	\$6,532.24	\$32,661.20	\$2,200.00	\$11,000.00	\$3,850.00	\$18,250.00	\$3,000.00	\$15,000.00
504	4	Install single roadway street light, pole, banner arm with concrete base and pullbox in earth/existing pavement, complete in place	EA	\$6,757.59	\$27,030.36	\$2,200.00	\$8,800.00	\$3,850.00	\$14,600.00	\$3,000.00	\$12,000.00
505	1	Install double roadway street light and pole with concrete base and pullbox in earth/existing pavement, complete in place	EA	\$8,559.50	\$8,559.50	\$2,200.00	\$2,200.00	\$4,000.00	\$4,000.00	\$3,500.00	\$3,500.00
506	1	Install double roadway street light, pole, banner arm with concrete base and pullbox in earth/existing pavement, complete in place	EA	\$8,784.75	\$8,784.75	\$2,200.00	\$2,200.00	\$4,000.00	\$4,000.00	\$3,200.00	\$3,200.00
507	1	Provide and install all items for the modification to existing Service Point A, for a complete working system in place.	LS	\$2,828.95	\$2,828.95	\$4,000.00	\$4,000.00	\$11,200.00	\$11,200.00	\$8,000.00	\$8,000.00
508	2	Removal of existing light pole, complete	EA	\$1,810.53	\$3,621.06	\$600.00	\$1,200.00	\$960.00	\$1,920.00	\$800.00	\$1,600.00
509	1	Intercept existing pullbox in existing pavement and connect to conduit system.	EA	\$430.00	\$430.00	\$1,500.00	\$1,500.00	\$1,400.00	\$1,400.00	\$500.00	\$500.00
510	5	Provide single luminaire and pole, complete in place	EA	\$5,856.50	\$29,282.50	\$8,000.00	\$40,000.00	\$7,900.00	\$39,500.00	\$9,200.00	\$46,000.00
511	4	Provide single luminaire, pole and banner arms, complete in place	EA	\$6,081.74	\$24,326.96	\$8,000.00	\$32,000.00	\$8,050.00	\$32,200.00	\$9,400.00	\$37,600.00
512	1	Provide double luminaires and pole, complete in place	EA	\$7,883.75	\$7,883.75	\$12,000.00	\$12,000.00	\$11,950.00	\$11,950.00	\$15,000.00	\$15,000.00
513	1	Provide double luminaires, pole and banner arms, complete in place	EA	\$8,109.00	\$8,109.00	\$12,000.00	\$12,000.00	\$12,115.00	\$12,115.00	\$15,500.00	\$15,500.00
SIGNING AND MARKING											
600	1358	6" Solid Yellow (Thermoplastic)	LF	\$0.96	\$1,303.68	\$1.20	\$1,629.60	\$2.00	\$2,716.00	\$1.00	\$1,358.00
601	1410	6" Solid White (Thermoplastic)	LF	\$0.96	\$1,353.60	\$1.20	\$1,692.00	\$2.00	\$2,820.00	\$1.00	\$1,410.00
602	135	8" Solid White (Thermoplastic)	LF	\$1.30	\$175.50	\$1.50	\$202.50	\$2.50	\$337.50	\$1.20	\$162.00
603	506	12" Solid White (Thermoplastic)	LF	\$1.75	\$888.00	\$4.00	\$2,032.00	\$3.50	\$1,778.00	\$2.25	\$1,143.00
604	32	18" Solid Yellow (Thermoplastic)	LF	\$2.15	\$688.00	\$8.00	\$256.00	\$5.00	\$1,600.00	\$2.50	\$80.00
605	34	18" Solid White (Thermoplastic)	LF	\$2.15	\$73.10	\$6.00	\$204.00	\$5.00	\$170.00	\$2.50	\$85.00
606	291	24" Solid White (Thermoplastic)	LF	\$3.62	\$1,053.42	\$8.00	\$2,328.00	\$6.00	\$1,746.00	\$3.25	\$945.75
607	230	6" Skip White 10'-30' (Thermoplastic) (Net length of Thermoplastic Markings)	LF	\$0.96	\$220.80	\$1.20	\$276.00	\$2.00	\$460.00	\$1.00	\$230.00
608	16	Pavement Message - per letter (Thermoplastic)	EA	\$24.89	\$398.24	\$120.00	\$1,920.00	\$60.00	\$960.00	\$50.00	\$800.00
609	9	Arrow (Thermoplastic)	EA	\$62.24	\$560.16	\$250.00	\$2,250.00	\$80.00	\$720.00	\$150.00	\$1,350.00
610	1358	6" Solid Yellow (Paint)	LF	\$0.51	\$692.58	\$0.60	\$814.80	\$1.00	\$1,358.00	\$0.90	\$1,222.20
611	1410	6" Solid White (Paint)	LF	\$0.51	\$719.10	\$0.60	\$846.00	\$1.00	\$1,410.00	\$0.90	\$1,269.00
612	135	8" Solid White (Paint)	LF	\$0.62	\$83.70	\$0.75	\$101.25	\$1.50	\$202.50	\$1.00	\$135.00
613	508	12" Solid White (Paint)	LF	\$0.79	\$401.32	\$2.00	\$1,016.00	\$2.00	\$1,016.00	\$1.50	\$762.00
614	32	18" Solid Yellow (Paint)	LF	\$1.19	\$38.08	\$3.00	\$96.00	\$3.00	\$96.00	\$1.60	\$51.20
615	34	18" Solid White (Paint)	LF	\$1.19	\$40.46	\$3.00	\$102.00	\$3.00	\$102.00	\$1.60	\$54.40
616	291	24" Solid White (Paint)	LF	\$1.41	\$410.31	\$4.00	\$1,164.00	\$3.50	\$1,018.50	\$2.00	\$582.00
617	230	6" Skip White 10'-30' (Paint) (Net length of Paint)	LF	\$0.51	\$117.30	\$0.60	\$138.00	\$1.00	\$230.00	\$0.90	\$207.00

618	16	Pavement Message – per letter (Paint)	EA	\$11.32	\$181.12	\$80.00	\$960.00	\$40.00	\$640.00	\$25.00	\$400.00
619	9	Arrow (Paint)	EA	\$30.55	\$274.95	\$150.00	\$1,350.00	\$80.00	\$540.00	\$100.00	\$900.00
620	6	Yellow Reflective Paint (Bulkuse)	SY	\$10.18	\$61.08	\$600.00	\$3,600.00	\$72.00	\$432.00	\$9.00	\$54.00
621	46	Reflective Pavement Marker (RPM) White / Red	EA	\$4.24	\$195.04	\$9.00	\$368.00	\$4.00	\$184.00	\$5.00	\$230.00
622	127	Reflective Pavement Marker (RPM) Yellow / Yellow	EA	\$4.24	\$538.48	\$10.00	\$1,270.00	\$4.00	\$508.00	\$5.00	\$635.00
623	1	Reflective Pavement Marker (RPM) Blue / Blue	EA	\$5.66	\$5.66	\$50.00	\$50.00	\$4.00	\$4.00	\$5.50	\$5.50
624	10	Furnish and install new sign and new post	EA	\$373.99	\$3,739.90	\$450.00	\$4,500.00	\$400.00	\$4,000.00	\$300.00	\$3,000.00
MISCELLANEOUS											
700	1	Loop Detector Replacement Permit Fee	AL	\$2,100.00	\$2,100.00	\$2,100.00	\$2,100.00	\$2,100.00	\$2,100.00	\$2,100.00	\$2,100.00
701	1	Off-Duty Police Services	AL	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
TOTAL COST					\$729,402.63		\$796,865.65		\$772,297.50		\$721,027.05
				Williams Paving		Team Contracting		JVA Engineering Contractor		Metro Express	

Note: Metro Express, Inc. - Total Cost adjusted to \$721,027.05 due to incorrect addition on submitted Schedule of Values (\$729,427.05).

SECTION 00410

SCHEDULE OF VALUES – BIDDER’S COMPANY NAME: Metro Express Inc

Time to Substantial Completion: 90 calendar days upon issuance of the Notice to Proceed.

Time to Final Completion: 45 calendar days.

TOTAL CONTRACT TIME = 135 CALENDAR DAYS

Pay Item	Estimated Quantity	Description	Unit	Unit Price	Extended Price
		GENERAL			
100	1	General Conditions and Mobilization	LS	35,000.00	35,000.00
101	1	Provide Maintenance Of Traffic per FDOT 600 Series Design Standards	LS	18,000.00	18,000.00
102	1	Provide Erosion Control Measures	LS	3,000.00	3,000.00
		DEMOLITION			
200	1420	Remove and Dispose of Existing Curb (Type D, Type E, Type F, Drop Curb etc.)	LF	2.00	2,840.00
201	349	Remove And Dispose of Existing Concrete	SY	9.00	3,141.00
202	163	Remove And Dispose of Existing Pavement Section (Asphalt, Base, Subgrade)	SY	9.00	1,467.00
203	7	Remove And Dispose of Existing Drainage Structures	EA	300.00	2,100.00
204	460	Remove And Dispose of Existing Drainage Pipe (Up to 36")	LF	25.00	11,500.00
205	15	Remove Existing Sign and Post	EA	50.00	750.00
206	360	Clearing and Grubbing	SY	25.00	9,000.00
		DRAINAGE			

N.E. 29th Place (South)
 Roadway and Drainage Improvements
 City of Aventura Bid No. 16-04-19-2
 CTA Project No. 01-0103-189
 Addendum No. 1

300	1	Catch Basin (Type C-5 - 60" x 60" Square)	EA	5,500.00	5,500.00
301	2	Catch Basin (Type C - 24"x37" Square)	EA	5,000.00	10,000.00
302	3	Curb Inlet (Type P-6 - 42" Round)	EA	5,000.00	15,000.00
303	1	Curb Inlet (Type P-6 - 48" Round)	EA	5,500.00	5,500.00
304	1	Curb Inlet (Type J-6 - 60" Round)	EA	5,600.00	5,600.00
305	1	Curb Inlet (Type J-6 - 60"x60" Square)	EA	5,600.00	5,600.00
306	2	Storm Manhole (Type M-4 - 48" Round)	EA	4,800.00	9,600.00
307	1	Storm Manhole (Type M-5 - 60" Round)	EA	5,000.00	5,000.00
308	3	Storm Manhole (Type M-5 - 60" x 60" Square)	EA	5,000.00	15,000.00
309	8	Pollution Retardant Baffle	EA	500.00	4,000.00
310	148	Pipe - 18" Diameter Solid R.C.P. (Installation Includes All Bedding, Shoring, etc. as necessary to provide work)	LF	160.00	23,680.00
311	250	Pipe - 24" Diameter Slotted R.C.P., Including Exfiltration Trench (Installation Includes All Bedding, Shoring, etc. as necessary to provide work)	LF	180.00	45,000.00
312	88	Pipe - 24" Diameter Solid R.C.P. (Installation Includes All Bedding, Shoring, etc. as necessary to provide work)	LF	160.00	14,080.00
313	360	Pipe - 36" Diameter Solid R.C.P. (Installation Includes All Bedding, Shoring, etc. as necessary to provide work)	LF	180.00	64,800.00
314	1	Connect Prop. Drainage Pipe to Exist. Drainage Structure	EA	900.00	900.00
315	4	Connect Exist. Drainage Pipe to Prop. Drainage Structure	EA	600.00	2,400.00
316	600	Pavement Restoration; Includes Removal and Disposal of Existing Pavement	SY	18.00	10,800.00
		ROADWAY			
400	3597	Mill 1" Asphalt, Including Removal and Disposal of Existing Pavement	SY	2.50	8,992.50
401	3627	1" Superpave SP-9.5 Asphaltic Concrete Pavement, Including Tack	SY	9.50	34,456.50

N.E. 29th Place (South)
Roadway and Drainage Improvements
City of Aventura Bid No. 16-04-19-2
CTA Project No. 01-0103-189
Addendum No. 1

		Coat			
402	15	8" Limerock Base (min. LBR of 100), including Prime Coat	SY	12.00	180.00
403	15	12" Stabilized Subgrade (min. LBR of 40)	SY	8.00	120.00
404	10	Pavement Repairs; Includes Removal and Disposal of Existing Pavement	SY	25.00	250.00
405	1459	Pavement Reconstruction (0" to 6" SP-9.5 Asphaltic Concrete as Necessary)	SY	18.00	26,262.00
406	1042	Type "F" Curb & Gutter, Including 4" Limerock Pad	LF	16.00	16,672.00
407	616	4" Concrete Sidewalk (min. 3,000 psi) with Compacted Subgrade	SY	42.00	25,872.00
408	1	Accessible Ramp Type CR-A (Modified) with Embedded Detectable Warning Surface	EA	1,300.00	1,300.00
409	1	Accessible Ramp Type CR-C with Embedded Detectable Warning Surface	EA	1,300.00	1,300.00
410	1	Accessible Ramp Type CR-D (Modified) with Embedded Detectable Warning Surface	EA	1,300.00	1,300.00
411	2	Accessible Ramp Type CR-G with Embedded Detectable Warning Surface	EA	1,300.00	2,600.00
412	1	Accessible Ramp Type CR-K (Modified) with Embedded Detectable Warning Surface	EA	1,300.00	1,300.00
413	3	Detectable Walking Surface (Non-FDOT Curb Ramp)	SY	225.00	675.00
414	6	Adjust Utility Pull Box Lids to Grade	EA	300.00	1,800.00
415	350	Relocate Existing Conduit and Cables beneath Proposed Sidewalk	LF	12.00	4,200.00
416	3	Replace Roadway Loop Detectors	EA	2,800.00	8,400.00
417	102	Fill (Adjacent to Proposed Sidewalk)	SY	9.00	918.00
		LIGHTING			
500	10800	Provide and install #6, 600V rated, XHHW conductor installed in new/existing conduit system.	LF	2.25	24,300.00

N.E. 29th Place (South)
Roadway and Drainage Improvements
City of Aventura Bid No. 16-04-19-2
CTA Project No. 01-0103-189
Addendum No. 1

501	200	Provide and install one 2" schedule 40 PVC conduit direct buried in earth, complete in place	LF	11.50	2,300.00
502	1500	Provide and install one 2" HDPE, schedule 40 PVC conduit directional bored 48" deep beneath under existing roadway and sidewalks	LF	21.00	31,500.00
503	5	Install single roadway street light and pole with concrete base and pullbox in earth/existing pavement, complete in place.	EA	3,000.00	15,000.00
504	4	Install single roadway street light, pole, banner arm with concrete base and pullbox in earth/existing pavement, complete in place.	EA	3,000.00	12,000.00
505	1	Install double roadway street light and pole with concrete base and pullbox in earth/existing pavement, complete in place.	EA	3,500.00	3,500.00
506	1	Install double roadway street light, pole, banner arm with concrete base and pullbox in earth/existing pavement, complete in place.	EA	3,200.00	3,200.00
507	1	Provide and install all items for the modification to existing Service Point A, for a complete working system in place.	LS	8,000.00	8,000.00
508	2	Removal of existing light pole, complete.	EA	800.00	1,600.00
509	1	Intercept existing pullbox in existing pavement and connect to conduit system.	EA	500.00	500.00
510	5	Provide single luminaire and pole, complete in place.	EA	9,200.00	46,000.00
511	4	Provide single luminaire, pole and banner arms, complete in place.	EA	9,400.00	37,600.00
512	1	Provide double luminaires and pole, complete in place.	EA	15,000.00	15,000.00
513	1	Provide double luminaires, pole and banner arms, complete in place	EA	15,500.00	15,500.00
SIGNING AND MARKING					
600	1358	6" Solid Yellow (Thermoplastic)	LF	1.00	1,358.00

N.E. 29th Place (South)
Roadway and Drainage Improvements
City of Aventura Bid No. 16-04-19-2
CTA Project No. 01-0103-189
Addendum No. 1

618	16	Pavement Message – per letter (Paint)	EA	25.00	400.00
619	9	Arrow (Paint)	EA	100.00	900.00
620	6	Yellow Reflective Paint (Bullnose)	SY	9.00	54.00
621	46	Reflective Pavement Marker (RPM) White / Red	EA	5.00	230.00
622	127	Reflective Pavement Marker (RPM) Yellow / Yellow	EA	5.00	635.00
623	1	Reflective Pavement Marker (RPM) Blue / Blue	EA	5.50	5.50
624	10	Furnish and install new sign and new post.	EA	300.00	3,000.00
		MISCELLANEOUS			
700	1	Loop Detector Replacement Permit Fee	AL	\$2,100	2,100.00
701	1	Off-Duty Police Services	AL	\$20,000	20,000.00
SUB-TOTAL					729,427.05

TOTAL COST	729,427.05
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DEDUCT ALTERNATE 1 – ROADWAY CLOSURE ALLOWED FROM APPROXIMATELY 30 FEET SOUTH OF THE NE BRANCH LIBRARY ENTRANCE TO ABIGAIL ROAD. MAXIMUM DURATION OF ROADWAY CLOSURE SHALL BE 2 WEEKS. (SEE DEDUCT ALT 1 EXHIBIT)

800	1	Reduction in Overall Cost	LS	32,000.00
801	1	Reduction in Overall Schedule	Days	14

N.E. 29th Place (South)
 Roadway and Drainage Improvements
 City of Aventura Bid No. 16-04-19-2
 CTA Project No. 01-0103-189
 Addendum No. 1

DEDUCT ALTERNATE 2 -ROADWAY CLOSURE ALLOWED FROM APPROXIMATELY 5 FEET SOUTH OF THE PUBLIX SHOPPING CENTER ENTRANCE TO ABIGAIL ROAD. MAXIMUM DURATION OF ROADWAY CLOSURE SHALL BE 2 WEEKS (SEE DEDUCT ALT 2 EXHIBIT)

900	1	Reduction in Overall Cost	LS		
901	1	Reduction in Overall Schedule	Days		

*** BIDS SHALL BE AWARDED BY THE CITY TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER. IN ANALYZING BIDS, THE CITY MAY ALSO TAKE INTO CONSIDERATION ALTERNATE AND UNIT PRICES. REFER TO SECTION 00710, GENERAL CONDITIONS, ARTICLE 2.1.**

Pay Item Notes

	Contractor shall furnish and install all items, and provide work for all items described in Schedule of Values.
	Contractor shall obtain City of Aventura Public Works Permit. City shall pay any required permit fees.
102	Includes and is limited to all erosion control measures within the roadway limits.
300-305	Includes cost of "No Dumping" medallion. Contractor shall coordinate with City to provide same style of medallion used throughout the City.
316	Includes installation of asphalt to match surrounding grades. Restoration of trenches to an elevation below surrounding grades will not be permitted.
408-412	Includes sidewalk curb, curb and gutter and embedded detectable warning surface.
500-513	Refer to section 16050 for Pay Item Notes.
701	The Contractor understands and agrees to the following: As per a contract between the City of Aventura and the PBA, police officers get a three (3) hour minimum for off duty work regardless if the detail is less than the three hours. The Contractor, or their representative, is authorized by the City of Aventura to approve off duty slips submitted by officers that reflect the actual time worked by the officer(s) assigned to a detail for the date indicated on the slip. The Contractor, or their representative, is not authorized by the City of Aventura to approve any off duty time that an officer is not actually on site and working a specific detail as covered by this contract, except for the three (3) hour minimum. The Contractor, or their representative, agrees and understands that any request for payment regarding any portion of this contract is for amounts of actual expenses incurred by the Contractor in conjunction with the Work or services performed or rendered. Any amount less than the allotted amount will be retained by the City of Aventura; any amount that is over the allotted amount must be pre-approved by the City of Aventura prior to being expended. The Contractor will be reimbursed for any amount over the allotted amount as approved by the City.
416, 700	Includes securing the necessary permit approvals from the Miami-Dade County Traffic Signals Division; Includes restoration of all components necessary to provide full operational system. Loops, lead-in cable, etc.

N.E. 29th Place (South)
 Roadway and Drainage Improvements
 City of Aventura Bid No. 16-04-19-2
 CTA Project No. 01-0103-189
 Addendum No. 1

**CITY OF AVENTURA
 BID TABULATION
 N.E. 29th PLACE (SOUTH) ROADWAY AND DRAINAGE IMPROVEMENTS
 BID # 16-04-19-2**

Bid opening after 2:00 pm on Tuesday, April 19, 2016

<u>Company</u>	<u>TOTAL COST</u>	<u>Deduct Alternate #1</u>	<u>Deduct Alternate #2</u>	<u>Addendum Acknowledged</u>	<u>Proper Bid Bond</u>	<u>Subs Listed</u>	<u>Bidder Qual. Stmt</u>
JVA Engineering	\$772,297.50	\$1,000.00	\$1,000.00	Yes	Yes	Yes	Yes
Team Contracting, Inc.	\$796,865.65	\$10,000.00	\$5,000.00	Yes	Yes	Yes	Yes
Williams Paving Co., Inc.	\$729,402.23	\$1,000.00	\$1,000.00	Yes	Yes	Yes	Yes
Metro Express, Inc.	\$721,027.05*	\$32,000.00	Blank	Yes	Yes	Yes	Yes

Offers listed from the vendors herein are the only offers received timely as of the above opening date and time. All other offers submitted in response to this solicitation, if any, are hereby rejected as late.

Note:

*Metro Express, Inc. – Total Cost was incorrectly add and Total Cost should be \$721,027.05 instead of \$729,427.05

Purchasing Agent:


 Indra Sarju, CPPB

April 20th, 2016

Dated:

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

BY: Antonio F. Tomei, Capital Projects Manager *afj*

DATE: April 25, 2016

SUBJECT: **Recommendation: Bid No: 16-04-21-2 – Yacht Club Way Bridge Repairs**

May 3, 2016 City Commission Meeting Agenda Item LF

Recommendation

It is recommended that the City Commission adopt the attached Resolution awarding Bid No. 16-04-21-2, Yacht Club Way Bridge Repairs to the lowest responsible and responsive bidder, Contracting Specialists, Inc. South East for the price of \$55,565. This project will be funded by Budget Line Item Number 120-5001-541-6305.

Background

In accordance with the City's Purchasing Ordinance, bids for this project were solicited, advertised, and opened on April 21, 2016. The City received the following three (3) bids for this project:

Contracting Specialists, Inc. South East	\$ 55,565.00
Lambert Bros., Inc.	\$ 57,870.00
Southern Road & Bridge, LLC	\$121,100.00

The bid price allows for repair work to the Yacht Club Way Bridge based on the recommendations in Bridge Inspection Report 878500 made by KCA, a structural consultant contracted with the Florida Department of Transportation.

If you have any questions or need any additional information, please feel free to contact me.

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 16-04-21-2, YACHT CLUB WAY BRIDGE REPAIRS TO CONTRACTING SPECIALISTS, INC. SOUTH EAST AT THE BID PRICE OF \$55,565.00; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; 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 BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager has, pursuant to the various laws of the State of Florida and the Code of the City of Aventura, properly solicited and accordingly accepted bids for BID NO. 16-04-21-2, Yacht Club Way Bridge Repairs; and

WHEREAS, sealed bids have been submitted to and received by the City pursuant to the City's Invitation to Bid/Notice to Bidders, specifications, proposals, and requirements for the project/work as cited above; and

WHEREAS, staff has determined that Contracting Specialists, Inc. South East submitted the lowest responsible and responsive bid for said project/work; and

WHEREAS, the City Commission, upon the recommendation of the City Manager, is therefore desirous of awarding said bid/contract to said lowest responsible and responsive bidder;

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

Section 1: That bid/contract for BID NO. 16-04-21-2, Yacht Club Way Bridge Repairs is hereby awarded to Contracting Specialists, Inc. South East in the amount of \$55,565.00.

Section 2: That the City Manager is hereby authorized to execute, on behalf of

the City, a contract by and between the parties embodying the terms, conditions, and specifications as set forth in the subject Invitation to Bid/Notice to Bidders, bid specifications, bid proposal and bid requirements, or if a City prepared contract was part of said bid proposal, said parties shall execute said prepared contract on behalf of the City.

Section 3: That the City Manager is hereby authorized and requested to take all necessary and expedient action to carry out the aims of this Resolution in awarding this bid/contract.

Section 4: 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 120-5001-541-6305.

Section 5: This Resolution shall be 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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Mayor Enid Weisman	_____

PASSED AND ADOPTED this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

MEMORANDUM

CRAVEN THOMPSON AND ASSOCIATES, INC.

Date: April 25, 2016

To: Antonio F. Tomei, Capital Projects Manager
Office of the City Manager

From: Peter W. Aquart, PE, Consulting Engineer 

Reference: Yacht Club Way Bridge Repairs
Bid Number 16-04-21-2

We have reviewed the results for the above referenced request for bids. The following contractors submitted a bid:

- Contracting Specialists, Inc. South East
- Lambert Bros, Inc.
- Southern Road & Bridge, LLC

Enclosed is a bid tabulation spreadsheet showing all of the individual unit prices and extended prices.

The apparent low bidder is Contracting Specialists, Inc. South East. We consider them to be a responsible bidder.

It is our opinion that Contracting Specialists, Inc. South East is the lowest responsible bidder and recommend awarding the contract to them for the total amount of \$55,565.00.

If you have any questions or require any additional information, please call.

Enclosures: Bid Tabulation

**BID EVALUATION
YACHT CLUB WAY BRIDGE REPAIR
CITY OF AVENTURA BID NO 16-04-21-2**

Pay Item	Estimated Quantity	Description	Unit	Contracting Specialists, Inc. South East		Lambert Bros. Inc.		Southern Road & Bridge, LLC	
				Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
100	1	General Conditions and Mobilization	LS	\$39,065.00	\$39,065.00	\$36,000.00	\$36,000.00	\$46,000.00	\$46,000.00
101	5.9	Repair Mortar	CF	\$2,500.00	\$14,750.00	\$2,900.00	\$17,110.00	\$10,000.00	\$59,000.00
102	3	Bridge Deck Brick Pavers	SY	N/A	N/A	N/A	N/A	N/A	N/A
103	42	Poured Joint Seal	LF	\$35.00	\$1,470.00	\$80.00	\$3,360.00	\$300.00	\$12,600.00
104	35	Penetrant Sealer	SF	\$8.00	\$280.00	\$40.00	\$1,400.00	\$100.00	\$3,500.00
TOTAL COST					\$55,565.00		\$57,870.00		\$121,100.00

SECTION 00410

SCHEDULE OF VALUES – BIDDER'S COMPANY NAME: Contracting Specialists Inc South East

Time to Substantial Completion: 60 calendar days upon issuance of the Notice to Proceed.

Time to Final Completion: 30 calendar days.

TOTAL CONTRACT TIME = 90 CALENDAR DAYS

Pay Item	Estimated Quantity	Description	Unit	Unit Price	Extended Price
100	1	General Conditions and Mobilization	LS	\$39,065.00	\$39,065.00
101	5.9	Repair Mortar	CF	\$2,500.00	\$14,750.00
102	3	Bridge Deck Brick Pavers	SY	N/A	N/A
103	42	Poured Joint Seal	LF	\$35.00	\$1,470.00
104	35	Penetrant Sealer	SF	\$8.00	\$280.00

TOTAL COST	\$55,565.00 ✓
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*** BIDS SHALL BE AWARDED BY THE CITY TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER. IN ANALYZING BIDS, THE CITY MAY ALSO TAKE INTO CONSIDERATION ALTERNATE AND UNIT PRICES. REFER TO SECTION 00710, GENERAL CONDITIONS, ARTICLE 2.1.**

Pay Item Notes

Contractor shall furnish and install all items, and provide work for all items described in Schedule of Values.

The Contractor is responsible to properly coordinate all elements of the Work within each phase of construction and to ensure that the work is completed in accordance with the contract documents. The Contractor shall properly secure each work zone to restrict public access as necessary, including, but not limited to utilizing barricades, temporary fencing, signage, etc. Any changes to the proposed construction phasing plan shall be submitted and approved by the City of

Yacht Club Way Bridge Repairs
 City of Aventura Bid No.16-04-21-2
 CTA Project No. 01-0103.213

CITY OF AVENTURA
OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: April 14, 2016

SUBJECT: **Motion to Approve Annual Appropriation for Scholarship Award to Krop High School Students**

May 3, 2016 Commission Meeting Agenda Item 106

RECOMMENDATION

It is recommended that the City Commission adopt a Motion to approve appropriation of funds in the amount of \$1,000 from the General Fund for the 2016 annual scholarship award to an eligible Krop Senior High School student in accordance with Resolution 2012-12.

BACKGROUND

Resolution No. 2012-12 adopted a policy to establish an annual college scholarship in the amount of \$1,000 for a student residing in Aventura graduating from Dr. Michael M. Krop High School. Section 2 of the Resolution requires the annual approval of the allocation of funds for the scholarship by the City Commission. Therefore, this item has been placed on the Agenda.

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

EMS/act

CCO1938-16

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: April 25, 2016

SUBJECT: **Disbursement of Police Forfeiture Funds**



May 3, 2016 City Commission Meeting Agenda Item 6H

RECOMMENDATION

It is recommended that the City Commission adopt the following Motion to expend funds from the Police Forfeiture Fund:

“Motion authorizing the appropriation of up to \$1,000 for the Miami-Dade Urban Debate League from the Police Forfeiture Funds in accordance with the City Manager’s Memorandum.

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

EMS/act

Attachment

CCO1939-16

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

TO: Eric M. Soroka, City Manager
FROM: ~~Steven Steinberg, Chief of Police~~
DATE: 18 April 2016
SUBJECT: Use of Forfeiture Funds

Florida State Statute 932.704 requires that money resulting from forfeitures be maintained in a special law enforcement trust fund, and that the funds be expended only upon request of the Chief of Police to the governing body of the municipality and approval of the governing body.

I am requesting City Commission approval for the expenditure of:

Miami-Dade Urban Debate League	\$1,000
Total Expenditure Request:	\$1,000

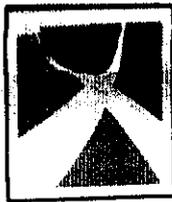
I certify that this requested expenditure complies with Florida State Statute 932.704 in that:

1. Funds will be used for an appropriate law enforcement purpose.
2. Funds are not being used as a normal source of revenue for the Police Department.
3. Funds were not considered in the adoption and approval of the budget of the Police Department.

Summary

Law Enforcement Outreach: Miami Dade Urban Debate League (MDUDL): This program targets school children in high-poverty neighborhoods. The MDUDL will give these children a chance to learn and hone debating skills to hopefully enhance their esteem and ability to move forward with their education and on to a rewarding adult career.

****The funds will be collected by the National Association of Urban Debate Leagues (NAUDL) used exclusively by MDUDL. The check should be made out to the NAUDL, but noted that it is for use by the MDUDL.**



WEISS SEROTA HELFMAN COLE & BIERMAN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

CLIFFORD A. SCHULMAN, PARTNER
CSchulman@wsh-law.com

April 11, 2016

Steve Steinberg, Chief of Police
City of Aventura Police Department
19200 West Country Club Drive
Aventura, FL 33180

Re: Miami Dade Urban Debate League

Dear Chief Steinberg:

I'm presently Chairman of the Board of the newly created Miami-Dade Urban Debate League. We are working with the National Association for Urban Debate Leagues (NAUDL) to start an urban debate league in Miami. NAUDL has debate leagues in 25 cities in the U.S. and Miami needs and deserves one. NAUDL's leagues target public school students in high-poverty neighborhoods. See more about the National organization at <http://urbandebate.org/>. My career started at Miami Beach Senior High by being on the debate team and many fine schools still have debate teams...except in the inner city.

Those kids deserve the same chance at success that I had through competitive debate. We were very pleased that the Miami Dade School Board was enthusiastically supportive and we have entered into a Memorandum of Understanding with them for their partial funding and cooperation. We are pleased to have 10 high schools and 5 middle schools already participating and our first tournament was featured in both the Herald and Aventura News. See: <http://www.miamiherald.com/news/local/education/article54770470.html> and the Aventura News article attached. Also note the following statistics:

90% of urban debaters graduate on time.

72% of urban debaters with the highest risk of dropping out graduate on time.

Each semester that a student debates, his/her grades will improve.

At graduation, the average GPA of an urban debater is 3.23, significantly above the college readiness benchmark.

Steve Steinberg, Chief of Police

April 11, 2016

Page 2 of 3

Debaters are more likely to test as college ready.

After graduating from high school, 86% of urban debaters enroll in college.

Urban debaters are 80% more likely to graduate from college.

Urban debate prepares students for twenty-first century careers.

Here is an example of what the program is doing for our kids:

<https://drive.google.com/file/d/0B9R8eBHYBTFZZUxrdWpqZTAyeGc/view>

But we need your help. So far, Carnival Cruise Lines has contributed \$10,000 and the National organization has committed \$10,000 to this effort. In addition, Citibank Foundation has given us \$10,000 and was the sponsor of our first tournament that was reported in the articles mentioned, above. My former law firm of Greenberg Traurig has given \$10,000; the law firm of Sterns Weaver, \$7,500; the law firm of Boies Schiller has given \$10,000; and the law firm of Akerman Senterfitt has committed to donate \$5,000.

We understand that there may be some funding available from your Law Enforcement Trust Fund (LETF) and we'd respectfully request a \$1,000 donation from that fund to the MDUDL.

The NAUDL is a 501(c)(3) and is presently collecting our funding until we get our own tax exempt status in a few months. So the check should be made out to the National Association of Urban Debate Leagues and noted to be used for the Miami Dade Urban Debate League (MDUDL).

I know of your strong support of our community and this participation will strengthen that bond with the entire Miami Dade Community. If you want, I'd be more than happy to meet with you or anyone else in the City to further discuss.

Feel free to share this email with anyone in the City. Thanks for your consideration.

Here are the schools that are presently participating in the program:

School	Commissioner	District
Miami Carol City Senior High School	Hon. Barbara Jordan	1
Carol City Middle School	Hon. Barbara Jordan	1
Miami Central Senior High School	Hon. Jean Monestime	2
Booker T. Washington Senior High School	Hon. Audrey Edmonson	3
Horace Mann Middle School	Hon. Audrey Edmonson	3



WEISS SEROTA HELFMAN
COLE & BIERMAN
AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

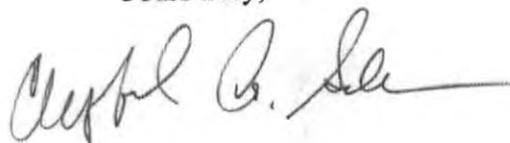
Steve Steinberg, Chief of Police

April 11, 2016

Page 3 of 3

Jose de Diego Middle School	Hon. Audrey Edmonson	3
Georgia Jones-Ayers Middle School	Hon. Audrey Edmonson	3
Miami Jackson Senior High School	Hon. Audrey Edmonson	3
Miami Northwestern Senior High School	Hon. Audrey Edmonson	3
Young Men's Preparatory Academy	Hon. Audrey Edmonson	3
North Miami Beach Senior High School	Hon. Sally Heyman	4
North Miami Middle School	Hon. Jean Monestime	2
Miami Senior High School	Hon. Bruno Barreiro	5
South Dade Senior High School	Hon. Daniella Levine Cava	8
Homestead Senior High School	Hon. Dennis Moss	9
Miami Southridge Senior High School	Hon. Dennis Moss	9

Yours truly,



Cliff Schulman

CAS

Cc: David Wolpin, Esq.
Eric Soroka
Mayor Enid Weisman

Enclosures



WEISS SEROTA HELFMAN
COLE & BIERMAN

AT THE CROSSROADS OF BUSINESS, GOVERNMENT & THE LAW

CITY OF AVENTURA
OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: April 25, 2016

SUBJECT: **Resolution Approving Green Market Special Events Permit**

May 3, 2016 City Commission Meeting Agenda Item 101

RECOMMENDATION

It is recommended that the City Commission approve the attached Resolution authorizing the approval of the Green Market Special Events Permit from November 2016 to April 2017 at Founders South with SeaStar Event Corporation.

BACKGROUND

As you are aware, the City in the recent past held a Green Market at Founders South with another vendor. Due to various reasons that vendor chose to discontinue the Market. Since that time and based on the City Commission's interest to continue this event, we have been able to locate another vendor to provide the service beginning in November of 2016.

The new vendor, SeaStar Event Corporation, who was also involved in organizing the Arts and Crafts Festival, currently holds Green Markets in Parkland and Coral Springs. We will work with the vendor to make certain that the market is properly advertised to the community.

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

EMS/act

Attachment

CCO1940-16

RESOLUTION NO. 2016-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE GREEN MARKET TO BE HELD IN FOUNDERS PARK SOUTH FROM NOVEMBER 2016 TO APRIL 2017; AUTHORIZING THE CITY MANAGER TO ISSUE A SPECIAL EVENT PERMIT TO SEASTAR EVENT CORPORATION, BASED ON THE CONDITIONS CONTAINED IN EXHIBIT "A" ATTACHED HERETO; 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 Commission wishes to approve the Green Market, which will be held each Sunday in Founders Park South, from November 2016 to April 2017.

Section 2. The City Manager is authorized to issue a Special Event permit to SeaStar Event Corporation, based on the conditions contained in Exhibit "A" attached hereto.

Section 3. The City Manager is hereby authorized to do all things necessary to carry out the aims of this Resolution.

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

PASSED AND ADOPTED this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

Green Market Temporary Special Event Permit
General Conditions

The parties agree that **SEASTAR EVENT CORPORATION** shall conduct a Green Market to be held in the Southern portion of Founders Park located on NE 190th street. Said property is to be used for the sole purpose of conducting the Green Market and for no other purpose whatsoever without the written consent of CITY.

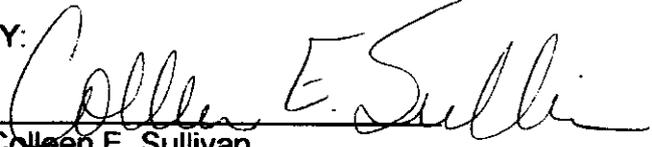
1. **SEASTAR EVENT CORPORATION** is authorized to conduct the Green Market on the premises and the same may be open to the public on Sundays from 9 a.m. to 2:30 p.m. beginning November, 2016 thru April, 2017. The use of the premises shall only be effective beginning two (2) hours prior to the commencement of the event each designated Sunday and terminate two (2) hours after completion of the event. City staff will inspect grounds for any damages caused by Green Market with **SEASTAR EVENT CORPORATION** staff immediately after each use. Any change of dates or times must be approved by the City Manager or his designee. From time to time, the CITY may need to utilize the property for other activities; however, **SEASTAR EVENT CORPORATION** shall be provided at least fourteen (14) day notice should a conflict arise.
2. **SEASTAR EVENT CORPORATION** shall obtain Special Events Permit approval from the City Manager prior to November, 2016. The parties acknowledge and agree that the Green Market shall be owned and operated by **SEASTAR EVENT CORPORATION**. **SEASTAR EVENT CORPORATION** shall provide on-site supervision and be on site during market set-up, operation, breakdown and cleanup.
3. **SEASTAR EVENT CORPORATION** shall propose rules and regulations for the Green Market, with said rules and regulations being approved by City Manager. **SEASTAR EVENT CORPORATION** shall actively recruit to ensure a variety of products for sale.
4. As consideration for the use and occupancy of the premises, **SEASTAR EVENT CORPORATION** shall pay the CITY one hundred dollars (\$100.00) per month for each month of operation to be paid on or before the 15th of the following month.
5. CITY'S Police Department shall provide, at the sole expense of **SEASTAR EVENT CORPORATION**, off-duty police officers and/or traffic enforcement specialists, as deemed appropriate by the Police Department, for on-site and off-site security and traffic control at the event during all operating hours.
6. The parties acknowledge and agree that the property and parking lot at Founders Park South, the Government Center parking lot and garage may be utilized by **SEASTAR EVENT CORPORATION** solely for parking purposes only. All vendor vehicles shall be parked at the Government Center Garage. Founders Park North

parking lot shall be available to City residents (with proper ID) who are visiting the Green Market.

7. All signage shall be approved by the City Manager who shall coordinate timely review and processing of a permit for the installation of temporary signs in the park and adjacent rights-of-way
8. **SEASTAR EVENT CORPORATION** may not charge an admission fee to the Green Market; however, this provision does not preclude charging vendors for the applicable space.
9. **SEASTAR EVENT CORPORATION** shall be responsible for all set up, maintenance and cleanup of event area and surrounding park and parking lot. All services, staffing, equipment, facilities, consumables, supplies and other items which are either necessary or incidental to the event and that are not expressly specified in this agreement shall be provided by or through **SEASTAR EVENT CORPORATION**, at their sole expense.
10. **SEASTAR EVENT CORPORATION** shall have the sole responsibility for any financial commitments or obligations arising out of this event. **SEASTAR EVENT CORPORATION** shall be held solely financially responsible for all damages to the park arising out or from the Green Market.
11. **SEASTAR EVENT CORPORATION** and its agents, employees and independent contractors shall, at all times, strictly comply with the trade and safety standards for the operation of attractions and temporary structures as set forth in Florida Statute 616.242 (2012) as may be amended from time to time, if applicable.
12. **SEASTAR EVENT CORPORATION** shall submit to CITY not later than two (2) calendar days prior to commencement of the event, all copies of operating permits and certificates issued by the State of Florida, Department of Agriculture and Consumer Services. **SEASTAR EVENT CORPORATION** shall ensure that such operating permit is displayed at a conspicuous place. Premises shall be retained in the original condition except for normal wear and tear. Any damage to these areas shall be repaired by **SEASTAR EVENT CORPORATION**. This includes, but is not limited to, asphalt and plant material.
13. No flea market or carnival type vendors will be allowed, no sun glasses, or clothes. All crafts and or jewelry have to be art and be handmade and homemade. No used or refurbished clothing or products. Ninety percent of the vendors are to be food, healthy, related to a green market.

14. SEASTAR EVENT CORPORATION shall provide general liability insurance in the amount of \$2,000,000, workers compensation insurance and commercial automobile in a form acceptable to the City Attorney and City Manager. All liability insurance policies shall specifically provide that the CITY is additional named insured with respect to the required coverages and the operations of **SEASTAR EVENT CORPORATION**

15. No animals shall be allowed on the premises of the park.

ACCEPTED BY: 
Colleen E. Sullivan
SeaStar Events

APPROVED _____
Eric M. Soroka, ICMA
City Manager

CITY OF AVENTURA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

TO: City Commission

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

BY: Joanne Carr, AICP
Community Development Director

DATE: April 25, 2016

SUBJECT: Request by Chabad House of North Dade, Inc. for (1) Conditional Use approval pursuant to Chapter 14, Article VI. Green Building Program and pursuant to Section 31-144(c) (2) l. and m. of the City's Land Development Regulations to permit increased lot coverage and increased floor area ratio, (2) Conditional Use approval pursuant to Section 31-144(c)(2) to permit a religious facility and school in the B2, Community Business District, (3) Variance from Section 31-144(c)(5) d. to permit reduced front yard setback and (4) Variance from Section 31-144(c)(5)b. to permit increased height from a residential zone, all for a LEED® Gold Certified office and religious facility development at 21001 Biscayne Boulevard, City of Aventura (02-CU-16 and 01-VAR-16)

May 3, 2016 City Commission Meeting Agenda Item 1

RECOMMENDATION

It is recommended that the City Commission approve the conditional use and variance requests by Chabad House of North Dade, Inc., for a LEED® Gold office and religious facility development located at 21001 Biscayne Boulevard, City of Aventura, subject to the conditions listed in this staff report.

THE REQUEST

The applicant, Chabad House of North Dade, Inc., is requesting the following approvals:

1. Conditional use approval pursuant to Chapter 14, Article VI., Green Building Program and pursuant to Section 31-144(c)(2) l. and m. of the City's Land Development Regulations to permit lot coverage of 61.64% where a maximum of 40% is permitted by

Code and to permit a floor area ratio of 2.0, where a floor area ratio of 1.39 is permitted by Code; and

2. Conditional use approval pursuant to Section 31-144(c)(2) of the City Code to permit a religious facility and school; and

3. Variance from Section 31-144(c)(5)d. of the City Code to permit a minimum front yard setback of 4 feet, where a minimum front yard setback of 25 feet is required by Code; and

4. Variance from Section 31-144(c)(5)b .of the City Code to permit a height of 47 feet, 4 inches for the synagogue, where a maximum height of 37 feet 6 inches is permitted by Code based on the distance to the adjacent residentially zoned land to the east

all for a proposed 10 story, 120 foot tall office building, a 3 story religious facility and school with attached 5 story parking garage at 21001 Biscayne Boulevard, City of Aventura.

(See Exhibit #1 for Letter of Intent)

BACKGROUND

OWNER OF PROPERTY Chabad House of North Dade, Inc.

APPLICANT Alan S. Rosenthal

ADDRESS OF PROPERTY 21001 Biscayne Boulevard
(See Exhibit #2 for Location Map)

SIZE OF PROPERTY: Approximately 1.770 acres

LEGAL DESCRIPTION Lots 1 through 11, Block 1, Hallandale Park No. 11 as recorded in Plat Book 27, Page 39, Public Records of Miami-Dade County, together with a 25 foot strip of land being a portion of Tract A, Donn Acres, as recorded in Plat Book 76, Page 30, Public Records of Miami-Dade County (complete legal description provided in Exhibit #3)

Zoning –

Subject Property:	B2	Community Business District
Properties to the North:	B2	Community Business District
Properties to the South:	OP	Office Park District
Properties to the East:	RS2	Residential Single Family District
Properties to the West:	B2	Community Business District

Existing Land Use –

Subject property:	Synagogue
Properties to the North:	Commercial Plaza
Properties to the South:	Office Building and Funeral Home
Properties to the East:	Single Family Residential
Properties to the West:	Vacant Land

Future Land Use - According to the City of Aventura Comprehensive Plan, the following properties are designated as follows:

Subject property:	Business and Office
Property to the North:	Business and Office
Property to the South:	Business and Office
Property to the East:	Medium-High Density Residential
Property to the West:	Business and Office

The Site - The site is a 1.770 acre parcel of land with an existing 2 story religious facility and surface parking. The parcel has approximately 634 feet of frontage on NE 210 Street and approximately 81 feet of frontage on NE 30 Avenue. The surface parking for the synagogue is currently accessed from both public streets. There is a 0.045 acre vacant parcel of land to the west that separates this parcel from Biscayne Boulevard. The parcel is comprised of 11 platted lots and 1 unplatted strip of land. The applicant will be required to prepare and record a Unity of Title to join these lots and the strip of land into one development parcel. There is an existing FPL easement through the site and along the northern boundary of the site that will be vacated and relocated.

The Project - The applicant proposes to demolish the existing synagogue and construct a LEED® Gold certified, 10 story, 120 foot tall, 57,535 square foot office building with 971 square feet of retail space on the ground floor, a new 3 story, 45,001 square foot synagogue and a 5 story parking structure with 300 parking spaces. Vehicular access to the office and synagogue will be by way of garage entry and exit onto NE 210 Street. Pedestrian access will be by way of an office lobby entrance and synagogue entrance on NE 210 Street. There will be no access onto NE 30 Avenue. The applicant will be constructing intersection improvements at NE 210 Street and Biscayne Boulevard and will also be constructing roadway improvements on NE 210 Street as shown in the civil engineering plans submitted for approval.

The applicant submitted a shared parking analysis, which analysis has been reviewed and approved by the City's Traffic Engineering Consultant. The analysis shows that 287 parking spaces are required based on the proposed uses. 300 parking spaces have been provided on site. Valet parking service will be provided at any time the ballroom in the synagogue is utilized. The applicant will be required to prepare and record a covenant restricting the uses to those detailed in the shared parking analysis and confirming valet parking service for ballroom use.

The Administrative Site Plan Approval application is under review by City staff. The administrative approval is subject to approval by the City Commission of the requested conditional uses and variances.

ANALYSIS

Consistency with Comprehensive Master Plan – The development proposal is consistent with the City of Aventura's Comprehensive Plan. The future land use designation for the parcel is Business and Office. This future land use category accommodates the full range of sales and service activities including retail and professional offices. Community facilities (including schools) and places of worship are allowed on property with a Business and Office land use designation through the conditional use procedures in the City's Land Development Regulations.

Public Notice – Notice of the time and place of the public hearing describing the nature of the application and the street address of the property will be advertised in a newspaper of general circulation in the City not less than ten days prior to the public hearing. A courtesy notice containing the same information will be mailed to all property owners within a 300 foot radius of the site. The property will be posted no later than 10 days prior to the hearing by a sign containing information concerning the application and public hearing.

Community Development Department Analysis – The development parcel is located in the Community Business (B2) zoning district. The proposed office and retail uses are permitted uses in the B2 zone. The 10 story, 120 foot tall height of the office building along with side and rear yard setbacks meet the site development standards of the zoning district. Conditional use approval is requested for increased lot coverage and increased floor area ratio using the incentives in the City's Green Building Program. Conditional use approval is also requested for the relocated and expanded religious facility and school use. Variance approval is requested for the front setback and for the height of the synagogue at its closest point to the adjacent residential zone.

City of Aventura Green Building Program – The City Commission enacted a Green Building Program for the City through Ordinance No. 2009-18 passed on October 6, 2009. This program recognizes that green building construction results in benefits to the environment, economy and health of the community. The City Commission determined that due to these benefits, it was in the best interests of City residents to provide an incentive program for private new development constructed to LEED® standards. The LEED® program is the Leadership in Energy and Environmental Design Green Building Rating System developed by the US Green Building Council. This program has certified, silver, gold and platinum certification levels based on design elements incorporated into the building.

The incentives provided in the City's Green Building Program are based on the level of certification attained by the building. Certified and silver level buildings are awarded expedited site plan and building permit review, marketing incentives and administrative variances by the City. Gold and Platinum level buildings are awarded all of the above

incentives and may be awarded increased floor area ratio and increased lot coverage using the conditional use approval criteria in Section 31-73 of the City Code.

The applicant is requesting increased floor area ratio and lot coverage through the conditional use approval application.

The Green Building Program provides that a lot coverage bonus may be awarded when a green roof and/or green rooftop amenities are provided and maintained for the common benefit of building occupants and that increased Florida Friendly tree canopy and Florida Friendly plantings designed to calm the heat island effect are located on site, all in an amount equal to the requested increase in lot coverage.

The Green Building Program requires that, prior to award of incentives for Gold and Platinum buildings, the applicant must register the development with the US Green Building Council for LEED® certification, provide the City with the project's checklist of certification details and confirm by written agreement and covenant that those checklist items will be incorporated into the development, shown or noted on the application for City building permit and maintained in perpetuity. The applicant must also provide the City with a performance bond to guarantee the proposed certification level, in an amount equal to 1% to 5% of construction costs as approved by the City. The range in percentage levels of the bond is based on the increased percentage of lot coverage and/ or floor area ratio requested by the applicant. The performance bond may be forfeited to the City if the LEED® Gold certification is not attained.

REQUEST 1 – Conditional Use Approval pursuant to Chapter 14 of the City Code, Article VI, Green Building Program and pursuant to Section 31-144(c)(2)l. and m. of the City's Land Development Regulations to permit lot coverage of 61.64% where a maximum of 40% is permitted by Code and to permit a floor area ratio of 2.0, where a maximum floor area ratio of 1.39 is permitted by Code.

The applicant is requesting conditional use approval for lot coverage of 61.64%, or 21.64% additional lot coverage. The Green Building Program lot coverage incentive requires that a green roof or green rooftop amenities be provided in an amount equal to the requested increase in lot coverage. There is a 5,215 square foot roof garden terrace amenity on the office building and a 5,880 square foot roof garden terrace on the synagogue building. These landscaped terraces total the 21.64% of the lot area needed to meet the criteria for this bonus. Increased Florida-friendly plantings are proposed on the surface landscaped areas and on the terraces. The trees and shrubs on site are designed to reduce the heat island effect. This meets the criteria for a request of increased lot coverage under the Green Building Program.

The applicant is also requesting a floor area ratio of 2.0, or 102,536 square feet of floor area, under the provisions of Chapter 14, Green Building Program which provides for a floor area ratio bonus of up to 2.0 when the building achieves LEED® Gold or Platinum certification. Without the bonus, a floor area ratio of 1.39, or 71,262 square feet of floor area, is permitted by Code based on the building height of 10 stories.

Based on the percentage of lot coverage and floor area ratio bonus requested, the bond amount will be 5% of construction costs of \$20,300,000 or \$1,015,000.

Compliance with Green Building Program - The applicant has submitted its LEED® registration checklist attached as Exhibit #4 to this report. It proposes the following:

- Location and Transportation 6-12 of 20 possible points
- Sustainable Sites 2-7 of 11 possible points
- Water Efficiency Category 2-7 of 11 possible points
- Energy and Atmosphere Category 9-15 of 33 possible points
- Materials and Resources Category 1-8 of 14 possible points
- Indoor Environmental Quality 5-8 of 10 possible points
- Innovation and Design Category 4-6 of 6 possible points
- Regional Priority Category 1-2 of 4 possible points

The proposed checklist results in a pre-certification estimate of 34 points and another 34 possible points. LEED® Gold certification level is 60 to 79 points. The applicant will need to attain at least 26 of the 34 possible points to attain LEED® Gold level. The applicant will also be required to enter into and record on title to the parcel, prior to issuance of a building permit by the City, an Agreement and Covenant, in the form attached as Exhibit #5 to this report, to confirm the building's registration with the LEED® program, the proposed certification level, maintenance of the green design elements and amount of performance bond.

Criteria

The following is staff's evaluation of the proposed use using the criteria for approval of conditional uses found in Section 31-73(c) of the City's Land Development Regulations.

1. *The proposed use shall be consistent with the Comprehensive Plan.*

The proposed use is consistent with the City of Aventura Comprehensive Plan. The future land use designation for this parcel is Business and Office. This future land use category accommodates that full range of sales and service activities, including office and retail uses. Policy 2.3 of Objective 2 of the Future Land Use Element allows the religious facility and school uses if approved as a conditional use.

2. *The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.*

The establishment, maintenance and operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare. The green building design elements will enhance the public health, safety and general welfare. The applicant advises that the establishment, maintenance and operation of the proposed uses provide stability to the community and respond to a demand for office space, retail space, pre-school programs and houses of worship.

- 3. The proposed use shall be consistent with the community character of the immediate neighborhood of the proposed use.*

The immediate neighborhood of the proposed use is comprised of office, commercial, residential and existing religious facility uses. The proposed office, retail and continuation of the religious facility uses are consistent with the community character of the immediate neighborhood.

- 4. Utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services shall exist at the City's adopted levels of service or will be available concurrent with demand as provided for in the requirement of these LDR's.*

Utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services exist at the City's adopted levels of service or will be available concurrent with demand as provided for in the City's Land Development Regulations.

- 5. Adequate measures exist or shall be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets.*

Adequate measures have been taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets. Ingress and egress to the office building and religious facility will be by way of NE 210 Street.

- 6. The establishment of the conditional use shall not impede the development of surrounding properties for uses permitted in the zoning district.*

The establishment of this use will not impede the development of surrounding properties for uses permitted in the zoning district.

- 7. The design of the proposed use shall minimize adverse effects, including visual impacts of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.*

The design of the proposed use minimizes adverse effects, including visual impacts of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria. The architectural design is compatible with existing buildings in the area. The 10 story building is oriented to the west of the site, with the lower, 3 story religious facility oriented to the adjacent residential parcel to the east. The site is landscaped with Florida friendly canopy trees and plantings. The green building design elements will minimize adverse effects on the environment.

REQUEST 2 – Conditional Use approval pursuant to Section 31-144(c)(2) to permit a religious facility and school in the B2, Community Business District.

The existing religious use was approved through Resolution No. Z-96-10-ACC-2 passed by the City Commission on November 19, 1996; however, that resolution was specific to the development plans for the existing synagogue. A copy of the 1996 resolution is attached as Exhibit #6 to this staff report. The applicant plans to construct the new synagogue and parking structure before demolishing the existing synagogue; however, since the existing synagogue will be demolished, reconstructed in a different location and expanded, conditional use approval is needed to renew the synagogue use and to reference the new development plans. The existing two-story synagogue has six ancillary classrooms for Pre-K students and for religious classes. The proposed three-story synagogue has eight ancillary classrooms for the same uses.

Criteria

The following is staff's evaluation of the proposed use using the criteria for approval of conditional uses found in Section 31-73(c) of the City's Land Development Regulations.

1. The proposed use shall be consistent with the Comprehensive Plan.

The proposed use is consistent with the City of Aventura Comprehensive Plan. The future land use designation for this parcel is Business and Office. This future land use category accommodates that full range of sales and service activities, including office and retail uses. Policy 2.3 of Objective 2 of the Future Land Use Element allows the religious facility and school uses if approved as a conditional use.

2. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.

The establishment, maintenance and operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare. The green building design elements will enhance the public health, safety and general welfare. The applicant advises that the establishment, maintenance and operation of the proposed use responds to a demand for pre-school programs and houses of worship.

3. The proposed use shall be consistent with the community character of the immediate neighborhood of the proposed use.

The immediate neighborhood of the proposed use is comprised of office, commercial, residential and existing religious facility uses. The proposed office, retail and continuation of the religious facility uses are consistent with the community character of the immediate neighborhood.

4. Utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services shall exist at the City's adopted levels of service or will be available concurrent with demand as provided for in the requirement of these LDR's.

Utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services exist at the City's adopted levels of service or will be available concurrent with demand as provided for in the City's Land Development Regulations.

5. Adequate measures exist or shall be taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets.

Adequate measures have been taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets. Ingress and egress to the office building and religious facility will be by way of NE 210 Street.

6. The establishment of the conditional use shall not impede the development of surrounding properties for uses permitted in the zoning district.

The establishment of this use will not impede the development of surrounding properties for uses permitted in the zoning district.

7. The design of the proposed use shall minimize adverse effects, including visual impacts of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria.

The design of the proposed use minimizes adverse effects, including visual impacts of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria. The architectural design is compatible with existing buildings in the area. The 10 story building is oriented to the west of the site, with the lower, 3 story religious facility oriented to the adjacent residential parcel to the east. The site is landscaped with Florida friendly canopy trees and plantings. The green building design elements will minimize adverse effects on the environment.

REQUEST 3 – Variance from Section 31-144(c)(5)d. of the City Code to permit a minimum 4 foot front yard setback, where a minimum front yard setback of 25 feet is required by Code.

This site is long and narrow, with a length of approximately 634 feet and a width of approximately 81 feet. The front yard is the south limit of the property on NE 210 Street, the rear yard is the north limit adjacent to the private alleyway at the Aventura Commons shopping plaza, the street side yard (east) is on NE 30 Avenue adjacent to the Aventura Lakes residential development and the side yard (west) is separated from Biscayne Boulevard by a privately owned 0.04 acre parcel of vacant land.

The required setbacks in the B2 zoning district are 25 feet for the front setback and 20 feet for a side and rear yard when adjacent to a street or residential zone.

The applicant is requesting a variance to the required front yard setback to allow a minimum 4 foot setback. The 4 foot setback occurs at the office building, garage and westerly portion of the synagogue. The easterly portion of the synagogue has a front yard setback of 10 feet. The required street side yard on NE 30 Avenue of 20 feet is provided. Although there is no required side yard setback on the west limit of the property, a 20 foot setback has been provided. The proposed 4 foot setback for the office elevation on NE 210 Street occurs at 17'4" feet above ground level at the office and at 14 feet above ground level at the garage. The office has an open ground level plaza. The garage structure has a 7 foot setback; however, there is a 3 foot overhang that begins on the second level, resulting in the 4 foot setback.

Criteria - The standards of review for variance requests are found in Section 31-76(e)(1) through (5) inclusive of the City's Land Development Regulations. The City Code states that "*a variance shall be granted only where competent and substantial evidence presented in the particular case shows that all of the following [standards of review] are met...*"

The following is an analysis of Section 31-76(e) of the City Code as it relates to this request.

- (1) *The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.*

The applicant advises that the shape of the specific property results in a particular hardship as far as meeting the required front yard setback of 25 feet. The proposed reduction to 10 feet at the synagogue, 7 feet at the garage ground level and 4 feet at the upper garage levels and office floors result from minimum dimensions required by Code for parking space size and drive aisle widths.

- (2) *The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.*

The conditions upon which the request for variance is based are unique to this parcel and would not be generally applicable to other property within the vicinity. The applicant advises that the long and narrow (634 feet long by 81 feet wide) parcel is unique. In particular, its width is significantly difficult as it is being considered as the "front" of the parcel for setback purposes.

- (3) *The alleged difficulty or hardship is not economic and has not been deliberately created to establish a use or structure, which is not otherwise consistent with the LDR.*

The applicant's difficulty is not economic in nature and the difficulty was not deliberately created by the applicant. The existing dimensions of the parcel cause the hardship.

- (4) *The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.*

The variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity. The applicant advises that the proposed development, with entrances to the office building and synagogue on NE 210 Street, will promote pedestrian activation of the street. The applicant will be constructing sidewalk and roadway improvements to facilitate vehicular and pedestrian movement.

- (5) *The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.*

The variance will not substantially increase traffic congestion or increase the danger of fire or endanger the public safety or substantially diminish or impair property values. The present surface parking areas for the existing synagogue, while constructed as approved through variance in 1996, do not accommodate all vehicles when there is a special event and many times, there are vehicles parked on the road swales causing congestion in the public street. The new parking structure and the valet service for the synagogue during special events are designed to eliminate these past concerns.

REQUEST 4 – Variance from Section 31-144(c)(5)b .of the City Code to permit a height of 47 feet, 4 inches for the synagogue, where a maximum height of 37 feet 6 inches is permitted by Code based on the distance to the adjacent residentially zoned land to the east.

The site development standards of the B2 zoning district provide for a height limitation of one foot for every two feet in distance from a residential zone. The Aventura Lakes residential development lies 75 feet to the east of the proposed east face of the proposed 3 story synagogue; resulting in a height limit for the synagogue of 37 feet six inches. The applicant is requesting a variance for a proposed height of 47 feet 4 inches at its easterly limit, or 9 feet 8 inches higher than permitted by Code.

Criteria - The standards of review for variance requests are found in Section 31-76(e)(1) through (5) inclusive of the City's Land Development Regulations. The City Code states that "*a variance shall be granted only where competent and substantial evidence presented in the particular case shows that all of the following [standards of review] are met...*"

The following is an analysis of Section 31-76(e) of the City Code as it relates to this request.

- (1) *The particular physical surroundings, shape, topographical condition, or other physical or environmental condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out literally.*

The applicant advises that the shape of the specific property results in a particular hardship. In order to meet the street side setback at the easterly limit, provide an additional 20 foot side setback at the westerly limit and respond to the demand for expanded area in the religious facility, the height is proposed to be 9 feet 8 inches higher than permitted by Code.

(2) The conditions upon which the request for a variance is based are unique to the parcel and would not be generally applicable to other property within the vicinity.

The applicant advises that the long and narrow (634 feet long by 81 feet wide) parcel is unique and would not be generally applicable to other property in the vicinity.

(3) The alleged difficulty or hardship is not economic and has not been deliberately created to establish a use or structure, which is not otherwise consistent with the LDR.

The applicant's difficulty is not economic in nature and the difficulty was not deliberately created by the applicant. The existing dimensions of the parcel cause the hardship.

(4) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.

The variance will not be detrimental to the public welfare or injurious to other property or improvements in the vicinity.

(5) The proposed variance will not substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the vicinity.

The proposed variance for increased height next to the residential zone will not substantially increase traffic congestion or increase the danger of fire or endanger the public safety or substantially diminish or impair property values.

CONDITIONS OF APPROVAL

1. Plans submitted for building permit shall substantially comply with those submitted as follows:

- "Aventura Chabad and Two Ten Aventura", Site Plan, Sheet AS-101, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- "Aventura Chabad and Two Ten Aventura", Parking Distribution and Valet Plan, Sheet AS-101.1, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- "Aventura Chabad and Two Ten Aventura", Site Plan Details, Sheet AS-102, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.

- “Aventura Chabad and Two Ten Aventura”, Photometric Site Plan, Sheet AS-103, prepared by Synamovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Floor Plans, Sheet A-101, prepared by Synamovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Auto Turn Analysis, Sheet A-101.1, prepared by Synamovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Floor Plans, Sheet A-102, prepared by Synamovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Auto Turn Analysis, Sheet A-102.1, prepared by Synamovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Floor Plans, Sheet A-103, prepared by Synamovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Elevations, Sheet A-201, prepared by Synamovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Conceptual Paving, Grading & Drainage Plan, Sheet C-1, prepared by Flynn Engineering Services, P.A., dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Conceptual Water and Sanitary Sewer Plan, Sheet C-2, prepared by Flynn Engineering Services, P.A., dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Conceptual Signing and Pavement Marking Plan Plan, Sheet C-3, prepared by Flynn Engineering Services, P.A., dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Landscape Plan, Sheet L-1, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Landscape Plan, Sheet L-2, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Landscape Plan, Sheet L-3, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Landscape Details, Sheet L-4, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Tree Disposition, Sheet TD-1, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.

- “Sketch of Survey”, Sheet 1 of 2, prepared by Cousins Surveyors & Assoc., Inc., dated, 5/22/14, revised 12/21/2015, signed and sealed.
- “Sketch of Survey”, Sheet 2 of 2, prepared by Cousins Surveyors & Assoc., Inc., dated, 5/22/14, revised 12/21/2015, signed and sealed.

2. Building permits shall be obtained within 12 months of the date of this Resolution, failing which this approval shall be deemed null and void. The City Commission may, upon written request for such extension by the applicant within the initial 12 month approval period, grant one extension of up to six months by resolution or motion at a regular meeting, for good cause shown by the applicant; and

3. Any discontinuation of the approved conditional use for a period of 180 consecutive days shall constitute abandonment and shall rescind the approval of the conditional use; and

4. No amplified outdoor music or other amplified sound shall be permitted on the roof garden terrace of the synagogue; and

5. Prior to issuance of a building permit by the City for the proposed development, the applicant shall:

- (i) enter into and record in the Public Records of Miami-Dade County, at its expense, and in form satisfactory to the City Manager and City Attorney, the Agreement and Covenant in fulfillment of all requirements of the City’s Green Building Ordinance No. 2009-18; and
- (ii) provide to the City a performance bond or other security approved by the City Manager and City Attorney in the amount of 5% of building construction costs as approved by the City’s Building Official to guarantee attainment of LEED® Gold certification by the US Green Building Council; and
- (iii) record, in form satisfactory to the City Manager and City Attorney, a Unity of Title joining the lots and strip of land comprising the parcel into one development site; and
- (iv) record, in form satisfactory to the City Manager and City Attorney, pursuant to Section 31-171(b)(12)b., a covenant restricting the size, mix and location of uses to those detailed in the shared parking study as approved by the City’s Traffic Engineering Consultant; and
- (v) record the release and vacation and relocation of the 10 foot wide FPL easement through the center of and along the northern limit of the site as shown on the survey submitted with this application; and
- (vi) submit and receive approval from the City Manager of a detailed job-site plan as required by City of Aventura Ordinance No. 2006-05; and

- (vii) provide to the City, a copy of the FDOT permit for the proposed intersection roadway improvement; and
- (viii) obtain a Public Works Permit from the City for all proposed roadway improvements and driveways onto NE 210 Street; and
- (ix) pay to the City the sum of \$50,000, as proffered by the applicant, as a contribution toward the cost of streetlighting on NE 30 Avenue.

6. Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the applicant shall:

- (i) provide an as-built survey and Elevation Certificate in form approved by the City; and
- (ii) provide to the City, evidence of compliance with City Code Section 31-242 regarding public safety radio system protection; and
- (iii) construct, to the satisfaction of the City, the intersection and roadway improvements shown on the paving, grading and drainage plans submitted with this application.



**ROSENTHAL • ROSENTHAL
RASCO • KAPLAN, LLC**

Letter of Intent

March 10, 2016

Mrs. Joanne Carr
Community Development Director
City of Aventura
19200 West Country Club Drive
Aventura, FL 33180

Re: Chabad House of North Dade, Inc.

Dear Mrs. Carr:

The Applicant (“Applicant”) seeks to redevelop the property at 21001 NE 210th Street, Aventura, Florida (the “Property”) lying between Biscayne Boulevard to the West, NE 30th Avenue to the East, NE 210th Street to the South, and Aventura Commons to the North. The Property was initially developed as a synagogue almost twenty years ago for the Aventura Chabad at the West end of the Property and continues to be owned and operated by the same Rabbis who occupied the original facility. Since the development of the original facility the Aventura Chabad has grown and become an integral facility to its congregants, primarily Aventura residents. The original facility can no longer meet the needs of the Aventura community in its current home and must expand.

To accommodate its ever increasing congregants the Applicant seeks to construct a new and larger 45,001 square foot Gold LEED Certified facility at the East end of the Property to accommodate Aventura Chabad and allow the Chabad to continue its current religious and ancilliary school uses. The new facility would be adjacent to Aventura Lakes, located just East of NE 30 Avenue and the Applicant believes that the Synagogue and Aventura Lakes would be truly compatible uses.

At the West end of the Property, adjacent to Biscayne Boulevard (U.S. 1) Applicant seeks to construct a 57,535 square foot Gold LEED Certified Office Building, which is a compatible location for that use. Between the Office Building and the Applicant proposes to construct a parking garage. The parking garage, by using non-concurrent shared parking contemplated by the City’s Code of Ordinances will satisfy all parking requirements necessary for the two buildings.

The Applicant, by constructing a non-religious facility on a portion of the Property, will cause that portion so utilized, to be added to the City’s tax base, which in turn will inure to the benefit of the residents of the City of Aventura. In order to accomplish the re-development of the

**Exhibit 1
02-CU-16**

Property the Applicant requires certain variances and conditional uses, which are the result of a hardship not self-imposed but rather the result of the Property being only 81.20 feet wide.

Conditional use approval is required for Lot Coverage and Floor Area Ratio incentives under the City's Green Building Program. The lot coverage proposed is 61.64 percent, where 40 percent maximum is permitted, and the floor area ratio proposed is 2.0 where 1.39 is permitted.

Conditional use approval is also requested for the religious facility and expanded ancillary religious school uses. Section 31-144(c)(2) of the City Code allows religious facilities and schools if first approved as a conditional use. Although the religious facility was approved by the City Commission through Resolution No. Z-96-10-ACC-2 passed on November 19, 1996, that resolution was specific to the plans for the existing synagogue. Since the existing synagogue will be demolished, reconstructed and expanded as part of this redevelopment proposal, the applicant is requesting conditional use approval to reference the new redevelopment plans.

Section 14-115.II of the City of Aventura Code of Ordinances contain the City's "Green Building Program" incentives. The Applicant agrees to attain Gold LEED Certification and accordingly the Applicant proposes a floor area ratio of 2.0 using the conditional use approval standards in Section 31-73 of the City's Code. Section 31-73(c) of the City's Code establishes standards for conditional uses and in response to those standards the Applicant represents the following, to-wit:

1. The proposed uses are consistent with the City's Comprehensive Plan. The development of a professional Office Building and a Synagogue, inclusive of limited Retail and the continued use of a Pre-School, demonstrates a harmony of clean uses that serve the Community. The uses complement each other and promote shared parking and pedestrian connectivity reducing vehicular traffic. Further, the proposed uses are compatible with the immediate uses surrounding the Property.
2. The public health, safety and general welfare of the Community is enhanced and protected by the proposed uses. Further, the establishment, maintenance and operation of the proposed uses provide stability to the Community and respond to a demand for office space, retail space, pre-school programs and houses of worship.
3. The proposed uses are consistent with the Community character of the immediate neighborhood. Existing office development to the south, existing residential development to the east, existing commercial development to the north and the Aventura Hospital to the west, set the standard for the proposed architectural and urban solution proposed by the Project. Compatible scale, materials, color, landscape and hardscape celebrate the character of the immediate neighborhood.

4. All required utilities, roadway capacity, drainage and other necessary public facilities, including police, fire and emergency services exist and are available to serve the proposed uses without reducing any level of service.
5. The proposed uses are supported by a parking garage with convenient ingress and egress in such a manner to minimize traffic congestion in the public streets. Further, the internal capture of the mixed-uses reduces the traffic impact on the public streets.
6. All surrounding properties have been fully developed and thus the proposed uses will not impede their development. Nonetheless, the proposed uses will add value to the surrounding developments and further promote their success.
7. The proposed uses minimize the impacts to the commercial development to the north by properly seating the development on a podium. The podium is the garage use that serves as a base for the office use above. To the east, the proposed Synagogue use is oriented toward the existing residential development. To the south, the proposed office development makes a significant gesture to the existing office development. These identical uses share proportions and together celebrate the street between them. To the west, Aventura Hospital is acknowledged with the proposed Office use replacing the existing Synagogue use. In all directions, the proposed building orientation, the provided setbacks, the proposed landscape improvements and the uses themselves, protect the adjacent properties.

The variances required are for the building height of the Chabad, which is 47 feet 4 inches high where 37 feet 6 inches is permitted, and the front setbacks for the Chabad, which is 10 feet where 25 feet is required. In addition a variance is required for the front setback of the Office Building, which is 4 feet where 25 feet is required.

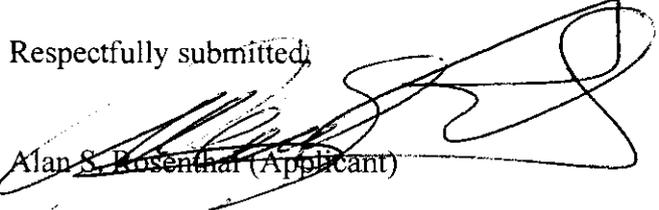
Section 31-76(e) of the City's Code establishes standards for approval of variances and in response to such standards the Applicant represents the following, to-wit:

1. The shape of the Specific property involved results in a particular hardship as far as meeting the required front setback of 25 feet. The proposed reduction to 10 feet at the Synagogue, 7 feet at the garage ground level, and 4 feet at the upper garage levels and office floors result from minimum dimensions required by Code for the parking uses.
2. The long (634.57') and narrow (81.20') parcel is unique. In particular, its width is significantly difficult as it is in the "front" of the parcel. If the required 25 foot setback was provided, the resulting width of 56.20 feet (81.'20-25') would cause the parcel to be undevelopable.
3. The existing dimensions and proportions of the parcel are not deliberately created. Thus the existing hardship is not self-imposed or caused by economic difficulty.

4. The granting of a setback variance for the garage and Office building and a height variance for the Synagogue building will not be detrimental to the public or properties in the vicinity. On the contrary, it promotes pedestrian activation of the street. The height variance is de minimis if the width of a ROW is added to the actual separation between the Synagogue building and the property line of the residential properties to the east. Further, the greater separation between the Synagogue building and the residential properties to the east is not convenient for an Orthodox Congregation that is pedestrian intensive.
5. Neither the setback variance nor the height variance proposed adds density to the Project. Therefore, congestion in the public streets or added danger of fire and public safety is not expected. Note, the proposed development actually adds value to the adjacent properties. It also adds taxable uses for the benefit of the Community.

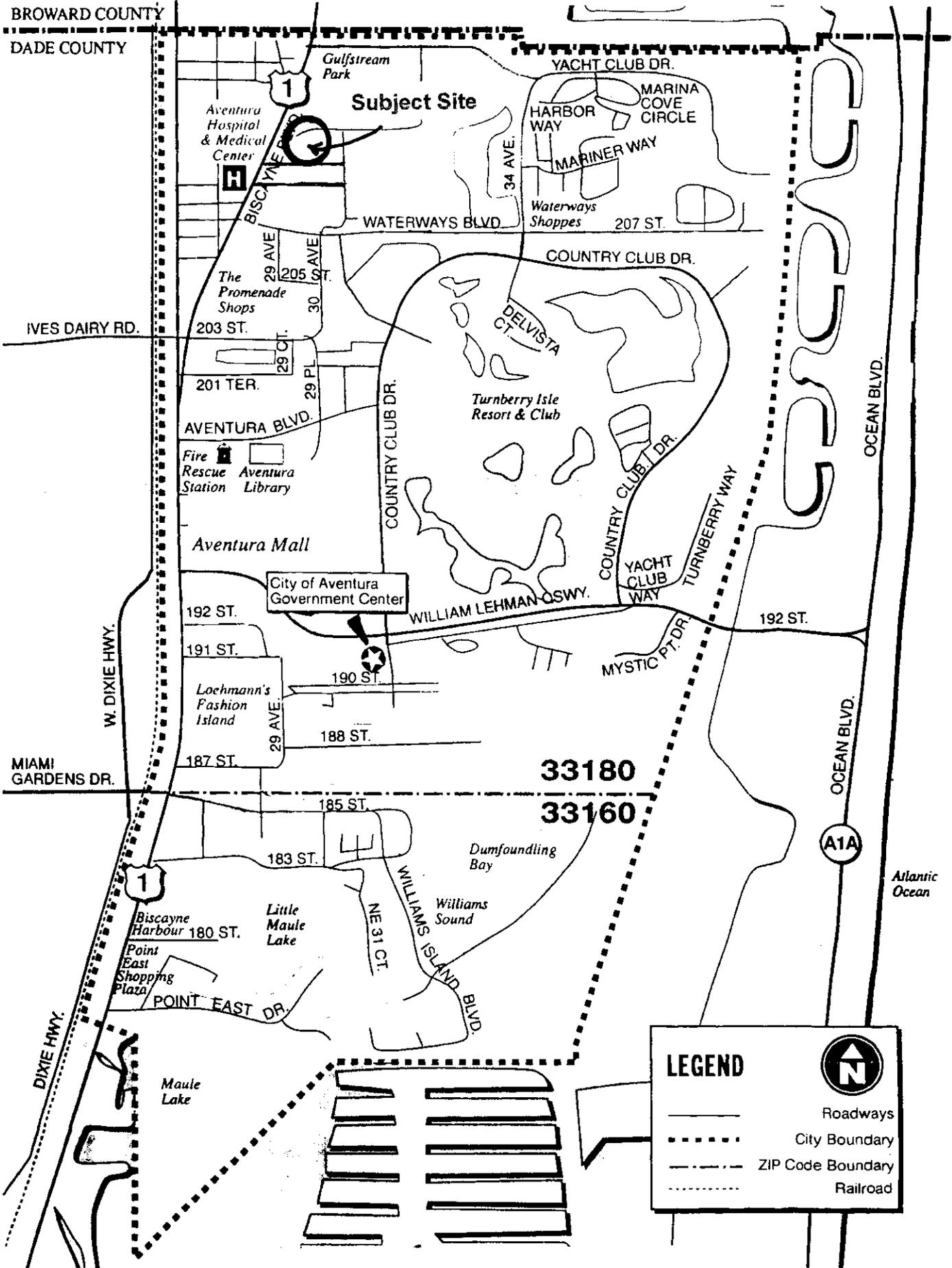
Based upon the foregoing the Applicant respectfully requests that the City Council of the City of Aventura unanimously grant the variances and conditional uses required and approve this Project, which the Applicant believes to be the best and highest use of the Property in question and will provide the City and its residents a new Gold LEED Certified Office Building and probably the only Gold LEED Chabad in the City of Aventura.

Respectfully submitted,


Alan S. Rosenthal (Applicant)

ASR:cw

BROWARD COUNTY
DADE COUNTY



LEGEND

- Roadways
- City Boundary
- ZIP Code Boundary
- Railroad

Exhibit 2
02-CU-16

Exhibit #3
02-CU-16 & 01-VAR-16

All of Block 1 of "Hallandale Park No. 11", according to the Plat thereof, as recorded in Plat Book 27, Page 39 of the Public Records of Miami-Dade County, Florida

Together with: A portion of that 25.00 foot strip of land formerly known as Harvard Avenue (presently designated as NE 29 Avenue) as shown Plat entitled "Hallandale Park No. 11" according to the Plat thereof as recorded in Plat Book 27, Page 39 of the Public Records of Miami-Dade County, Florida lying northerly at the north right of way boundary of NE 210 Street formerly known as Montclair Way as shown on said plat entitled "Hallandale Park No. 11"; said tract of land being more particularly described as follows: Begin at the northwest corner of the NE ¼ of the SE ¼ of the NW ¼ of Section 34, Township 51 South, Range 42 East, Miami-Dade County, Florida, said point also being the westerly corner of Tract A of Donn Acres according to the plat thereof as recorded in Plat Book 76, Page 30 of the Public Records of Miami-Dade County Florida; then run N89°46'30" East along the north boundary of the South ½ of the NE ¼ of the SW ¼ of the NW ¼ of said Section 34, being also along the westerly projection of the north boundary of Lot 11, Block 1 of said Hallandale Park No. 11 a distance of 25.00 feet to the northwest corner of said Lot 11; thence run S01°03'38" E along the west boundary of Lot 11 a distance of 31.38 feet to the point of curvature of a curve concave to the northeast and having for its elements a radius of 25.00 feet and a central angle of 89°11'52"; thence run southeastwardly, eastwardly and northeastwardly along the arc of said curve a distance of 38.92 feet to the point of tangency; then run S89°44'30"W along the westerly projection of the south boundary of said Lot 11 a distance of 38.06 feet to a point of deflection; thence run N65°41'00" W along a line that is perpendicular southeasterly right of way boundary of Federal Highway (also known as US 1, also known as State Road 5) as shown on right of way map as recorded in Plat Book 34, Page 54A, of the Public Records of Miami-Dade County, Florida, a distance of 12.83 feet to the point of intersection with the west boundary of the NE ¼ of the SE ¼ of the NW ¼ of said Section 34; thence run N01°03'38"W along the last described line being also along the east boundary of Lot 2, Block 6, Map of the Town of Hallandale in Section 34, Township 51, Range 42 East, Miami-Dade County, Florida, according to the Plat thereof as recorded in Plat Book B, Page 13 of the Public Records of Miami-Dade County, Florida, a distance of 50.71 feet to the point of beginning.

Together with: A portion of Tracts A, B and C of Donn Acres, according to the plat thereof as recorded in Plat Book 76 at Page 30 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows: Commence at the Northeast corner of Section 34, Township 51 South, Range 42 East; thence run S01°59'03"E along the easterly line of said Section 34 for 659.14 feet; thence run S88°00'57"W for 40 feet; thence run S01°59'03"E for 50 feet; thence run S88°26'03"W for 1953.55 feet to a point; said point bearing S72°44'41"E from the center of the next described curve; thence run southwesterly along a circular curve to the right having for its elements a central angle of 05°27'59" and a radius of 4752.05 feet for an arc distance of 453.38 feet to a point of tangency; thence run S22°43'18"W for 574.92 feet; thence run S88°12'28"W for 265.99 feet to the point of beginning; thence continue S88°12'28"W for 634.70 feet; thence run N02°37'40"W for 25.00 feet; thence run N88°12'28"E for 634.57 feet; thence run S02°55'32" East for 25.00 feet to the point of beginning.



LEED v4 for BD+C: Core and Shell

Project Checklist

Project Name: 210 Aventura
Date: 12/22/2015

Y	?	N																				
			1	Credit	Integrative Process			1														
6	6	8	Location and Transportation					20		1	7	6	Materials and Resources							14		
			0	Credit	LEED for Neighborhood Development Location			20	Y			Prereq	Storage and Collection of Recyclables							Required		
			2	Credit	Sensitive Land Protection			2	Y			Prereq	Construction and Demolition Waste Management Planning							Required		
			3	Credit	High Priority Site			3		3	3	Credit	Building Life-Cycle Impact Reduction							6		
			2	2	2	Credit	Surrounding Density and Diverse Uses					1	1	Credit	Building Product Disclosure and Optimization - Environmental Product Declarations						2	
			2	2	2	Credit	Access to Quality Transit					1	1	Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials						2	
			1			Credit	Bicycle Facilities					1	1	Credit	Building Product Disclosure and Optimization - Material Ingredients						2	
				1		Credit	Reduced Parking Footprint					1	1	Credit	Construction and Demolition Waste Management						2	
			1			Credit	Green Vehicles															
												5	3	2	Indoor Environmental Quality					10		
			6	3	2	Sustainable Sites					Y		Prereq	Minimum Indoor Air Quality Performance						Required		
			Y			Prereq	Construction Activity Pollution Prevention					Y		Prereq	Environmental Tobacco Smoke Control						Required	
			1			Credit	Site Assessment					1	1	Credit	Enhanced Indoor Air Quality Strategies						2	
				2		Credit	Site Development - Protect or Restore Habitat					2	1	Credit	Low-Emitting Materials						3	
				1		Credit	Open Space					1		Credit	Construction Indoor Air Quality Management Plan						1	
			1	2		Credit	Rainwater Management					3		1	2	Credit	Daylight					3
			2			Credit	Heat Island Reduction					2	1	Credit	Quality Views						1	
			1			Credit	Light Pollution Reduction					1										
			1			Credit	Tenant Design and Construction Guidelines					1	4	2	0	Innovation					6	
												3	2		Credit	Innovation					5	
			2	5	4	Water Efficiency					1			Credit	LEED Accredited Professional						1	
			Y			Prereq	Outdoor Water Use Reduction														Required	
			Y			Prereq	Indoor Water Use Reduction					Required	1	1	2	Regional Priority					4	
			Y			Prereq	Building-Level Water Metering					Required	1			Credit	Regional Priority: Specific Credit					1
				1	1	Credit	Outdoor Water Use Reduction					2		1		Credit	Regional Priority: Specific Credit					1
			1	2	3	Credit	Indoor Water Use Reduction					6		1		Credit	Regional Priority: Specific Credit					1
			1	1		Credit	Cooling Tower Water Use					2		1		Credit	Regional Priority: Specific Credit					1
			1	1		Credit	Water Metering					1										
												34	34	42	TOTALS			Possible Points	110			
			9	6	18	Energy and Atmosphere					33	Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110										
			Y			Prereq	Fundamental Commissioning and Verification					Required										
			Y			Prereq	Minimum Energy Performance					Required										
			Y			Prereq	Building-Level Energy Metering					Required										
			Y			Prereq	Fundamental Refrigerant Management					Required										
			2	2	2	Credit	Enhanced Commissioning					6										
			5	2	11	Credit	Optimize Energy Performance					18										
				1		Credit	Advanced Energy Metering					1										
				2		Credit	Demand Response					2										
				3		Credit	Renewable Energy Production					3										
			1			Credit	Enhanced Refrigerant Management					1										
			1	1		Credit	Green Power and Carbon Offsets					2										

Exhibit 4
02-CU-16

CITY OF AVENTURA

RESOLUTION NO. 2-96-10-ACC-2

WHEREAS, CHABAD HOUSE OF NORTH DADE, INC., hereinafter referred to as "Applicant," has applied to the City of Aventura for the following zoning approvals (the "Application") for that certain property at 21001 Biscayne Boulevard in Aventura, Florida (the "Property") as legally described on Exhibit "A" attached hereto:

Items for Which Zoning Approval Was Sought:

Modifications of plans for religious facility; special exception for expansion of religious facility; non-use variance of building height; non-use variance of lot area and frontage requirements; non-use variance of parking regulations within 25' of right-of-way; non-use variance of parking requirements as to number of spaces; non-use variance of setback requirements; non-use variance of zoning regulations requiring 35' right-of-way, collectively referred to as the "Zoning Approvals"; all as described in Application No. 96-10-ACC-2.

WHEREAS, the Application is subject to the jurisdiction of the City of Aventura City Council (the "City Council") in accordance with City Ordinance No. 96-08; and

WHEREAS, the public hearing by the City Council was held in accordance with public notice as required by law; and

WHEREAS, the City Council has been advised by City Staff that the subject Application has been reviewed for compliance with concurrency requirements for levels of service and, at this stage of the request, the same was found to comply with such requirements; and

WHEREAS, the initial application has been modified by withdrawing the request for a non-use variance of parking regulations to permit parking areas within 25' of the official right-of way of N.E. 30th Ave.

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of the City Council that the requested Zoning Approvals which are granted below are justified and do meet the requirements of the Dade County Zoning Code (the "Code"), as applied pursuant to City Charter Section 8.03 and City Ordinance No. 96-08 (the "Ordinance") and should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AVENTURA, as follows:

Section 1. That the above stated recitals and findings are incorporated by reference and the Application be and the same is

hereby approved, subject to the applicable conditions set forth below, as follows:

- (1) MODIFICATION of Condition #2 of Resolution 5-ZAB-470-95, passed and adopted by the Zoning Appeals Board on the 6th day of December, 1995, reading as follows:

FROM: "2 That in the approval of the plan the same be substantially in accordance with that submitted for the hearing entitled 'Chabad House of North Dade,' as prepared by Arkidesign, Inc., consisting of 3 sheets, Sheet #1 dated 11-7-94, Sheets #2 & 3, dated 11-8-94, 'Land Survey', as prepared by Boggs, Hutchison & Assoc., Inc. dated 11-1-94.

TO: "2 That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Land Survey', as prepared by Boggs-Hutchison & Assoc., Inc., dated revised 12-6-95, 'Chabad House of North Dade,' as prepared by Arkidesign, Inc. consisting of four sheets dated 11-7-94 'Site Planning', as prepared by Witkin Design Group, consisting of two sheets and dated 4-10-96 (the Plans)."

The purpose of the modification is to allow the Applicant to submit a plan showing the expansion of the previously approved religious facility.

- (2) SPECIAL EXCEPTION to permit the expansion of the previously approved religious facility onto adjacent property.
- (3) NON-USE VARIANCE OF BUILDING HEIGHT REQUIREMENTS to permit the proposed religious facility with a building height of 36' (35' maximum permitted).
- (4) NON-USE VARIANCE OF LOT AREA AND LOT FRONTAGE REQUIREMENTS to permit the proposed religious facility on a parcel of land with an area of 1.14 acres (2.5 acres minimum required) (.52 acre previously approved) and a lot frontage of 80.85' (150' minimum required).
- (5) NON-USE VARIANCE OF PARKING REQUIREMENTS to permit a total of 66 parking spaces (82 required).
- (6) NON-USE VARIANCE OF SETBACK REQUIREMENTS to permit the proposed religious facility to setback 1' (50' required) from the interior side (north) property line and setback varying from 5' to 5'2" (25' required) from the side street (south) property line (N.E. 210 Street).

- (7) NON-USE VARIANCE OF ZONING REGULATIONS requiring a half section line right-of-way to be 70' in width, to waive same to permit 30' (35' required) along the west side of N.E. 30 Avenue of the subject property.

Section 2. Conditions: That the conditions hereby established upon the respective Zoning Approvals granted above are as follows:

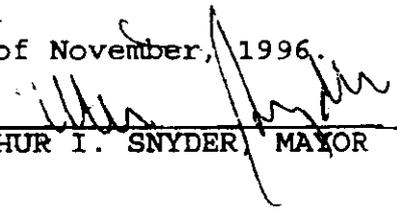
1. That the Applicant obtain a Certificate of Use and Occupancy (the "Certificate") from, and promptly renew the same annually with the City Department of Community Development (the "Department") upon compliance with all terms and conditions. The Certificate shall be subject to cancellation by the Director of the Department upon violation of any of the conditions.
2. That the Applicant provide and execute a covenant, in a form approved by the City Attorney: (a) limiting the duration of the Zoning Approvals granted by this resolution to the specific use authorized herein; (b) providing that in the event that the Director of the Department, upon an annual review, determines that lack of required parking (as to the number of spaces) becomes detrimental to the surrounding area, the Property shall be required to comply with minimum parking (number of space) standards which would be applicable in the absence of the non-use variance granted.
3. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Land Survey," as prepared by Boggs-Hutchison & Assoc., Inc., dated revised 12-6-95, "Chabad House of North Dade," as prepared by Arkidesign, Inc., consisting of four sheets, dated 11-7-94, "Site Planting," as prepared by Witkin Design Group, consisting of two sheets and dated 4-10-96, except as herein modified to provide turnaround areas for the northerly parking spaces.
4. That Applicant obtain a Cross-Parking Easement Agreement from the Memorial Gardens and Funeral Chapel located immediately to the south, in a form approved by the City Attorney.
5. That the Applicant submit to the City's Department an Improvement Agreement for the future construction of N.E. 210 Street, in a form approved by the City Attorney.

6. That all trailers situated upon the Property at any time during the period of time commencing sixty (60) days after issuance of a building permit and terminating 14 days after issuance of a Certificate of Occupancy, be moved and maintained further to the east to a location approved by the Director.
7. That other than as specifically authorized by condition (6) above, no trailers, tents or similar structures and no temporary use of any type shall be permitted on the Property at any time.
8. That Applicant shall submit to the City's Landscape Architect and City Council for their review and approval a landscaping plan which indicates the type and size of plant material to be utilized by the Applicant for the Property, prior to the issuance of any Certificate of occupancy. This plan shall include a 25' buffer area.
9. The Zoning Approvals granted are subject to the further condition that development authorized by this Resolution conform to the Plans and be established and maintained in accordance with the Plans.

Section 3. That notice is hereby given to the Applicant that the approvals granted herein constitute an initial development order and do not constitute a final development order and that one, or more, concurrency determinations may subsequently be required before development will be permitted.

Section 4. That the City Manager or his designee is hereby authorized to make the necessary notations upon the maps and records of the City of Aventura and to cause the issuance of all necessary permits in accordance with the terms and conditions of this Resolution.

PASSED AND ADOPTED this 19th day of November, 1996.



ARTHUR I. SNYDER, MAYOR

ATTEST:



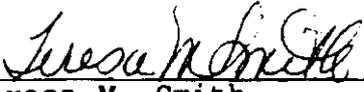
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



CITY ATTORNEY

1 Filed in the Office of the City Clerk, City of Aventura, this
day of March, 1997.



Teresa M. Smith
City Clerk

(SEAL)

328001\resoluti\CHABAD.HOU

SUBJECT PROPERTY: Lot 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11, Block 1 HALLANDALE PARK NO. 11, Plat book 27, Page 39 together with a 25' strip of land being a portion of Tract "A" of DONN ACRES, Plat book 76, Page 30, being more particularly bounded as follows:

Bounded on the south by the north line of Block 1 of said HALLANDALE PARK NO. 11 and its W/ly extension; bounded on the north by a line 25' north of and parallel with the north line of said Block 1; bounded on the east by the N/ly extension of the east line of Lot 1 of said Block 1; and bounded on the west by the N/ly extension of a line 25' west of and parallel with the W/ly line of Lot 11 of said Block 1.

LOCATION: 21001 Biscayne Boulevard, Dade County, Florida.

SIZE OF PROPERTY: 1.14 Acres

This instrument was prepared by:
City of Aventura
19200 West Country Club Drive
Aventura, FL 33180

(Reserved for Clerk)

**RESTRICTIVE COVENANTS AND AGREEMENT
PURSUANT TO CITY OF AVENTURA
GREEN BUILDING ORDINANCE NO. 2009-18**

KNOW ALL BY THESE PRESENTS that the undersigned Owner hereby makes, declares and imposes on the land herein described, this agreement and covenant running with the land, which shall be binding on the Owner, all heirs, successors and assigns, personal representatives, mortgagees, lessees, and against all persons claiming by, through or under them;

RECITALS

WHEREAS, Chabad House of North Dade Inc. ("Owner"), holds fee simple title to the land in the City of Aventura, Miami-Dade County, Florida, more specifically described in Exhibit "A", attached hereto, and hereinafter called the "Property", and

WHEREAS, the City Commission of the City of Aventura ("City") adopted a Green Building Program by Ordinance No. 2009-18 on October 6, 2009, and

WHEREAS the Green Building Program provides incentives to the Owner to attain LEED® certification by the Green Building Certification Institute and the Owner has filed an application to the City Commission for award of those incentives through the Conditional Use Approval process in the City Code; and

WHEREAS Ordinance No. 2009-18 requires that any Green Building Program Participant requesting award of incentives shall provide its LEED® certification checklist to the City and that the checklist and certification details shall be confirmed through a written agreement between the property owner and the City and through a covenant recorded in the Public Records, and

WHEREAS, the Owner is desirous of developing the Property for commercial and religious purposes and wants to assure the City that the development will be built in accordance with proffered plans consistent with the City Code, and specifically, that the building will be constructed so as to attain LEED® Gold or Platinum certification by the Green Building Certification Institute, and

WHEREAS, the Owner has proposed the manner of compliance with LEED® Gold or Platinum certification pursuant to the checklist attached as Exhibit “B” and wishes to assure the City that these checklist items will be incorporated into the development, shown or noted on the building permit plans and maintained in perpetuity.

NOW THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner hereby agrees and covenants, for themselves, their heirs, successors and assigns as follows:

1. **Recitals.** The above recitals are true and correct and are adopted by the Owner and are incorporated as part of this Agreement.
2. **Covenant Running With The Land.** This Restrictive Covenant and Agreement (hereinafter referred to as the “Covenant”) on the part of the Owner shall constitute a covenant running with the land and will be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the heirs, successors and assigns of the respective parties hereto.
3. **Site Plan.** The Property will be developed in accordance with the site plan entitled “Aventura Chabad and Two Ten Aventura under Case File No. 07 -SP-14 (“Site Plan”).
4. **Green Building Design Elements.** The owner proposes to construct the building with green building design elements shown on Exhibit “B” so as to attain LEED® for Core and Shell Gold or Platinum certification by the Green Building Certification Institute.
5. **Building Permit.** The owner shall cause all LEED® checklist items listed in Exhibit “B” to this Covenant to be shown or noted on the construction plans submitted to the City for Building Permit application.
6. **Maintenance of the Green Building Design Elements.** The green building design elements as listed on the LEED® checklist and constructed pursuant to the Building Permit shall be maintained by the owner or subsequent owner(s) in perpetuity.
7. **Performance Bond.** Prior to issuance of a building permit for this development, the Owner shall provide to the City a performance bond or other security in form approved by the City Manager and City Attorney in the amount of 5% of the value of the proposed costs of construction as approved by the City’s Building Official to guarantee LEED® Gold or Platinum certification of the building by the US Green Building Certification Institute. The bond or security shall be subject to call by the City one hundred and eighty (180) days from the issuance of the certificate of occupancy or certificate of completion, whichever first occurs, if LEED® certification has not been achieved by that time. Reasonable extensions of time, up to a maximum of one (1) year from the issuance of the certificate of occupancy or

certificate of completion, whichever first occurs, may be granted by the City Manager or his designee for good cause. If the Owner fails to complete LEED® certification as committed within one (1) year from the issuance of the certificate of occupancy or certificate of completion, then the City Manager or his designee shall deem such bond or security forfeited to the City for any lawful governmental purpose identified by the City Commission. If the development receives LEED® certification at the level committed by the Owner prior to the expiration of the one hundred and eighty (180) day period provided for above, or extensions of time as granted by the City Manager or his designee, and the bond or security has not been forfeited as provided above, then the bond or security may be released following submittal to the City of written proof of level of LEED® certification awarded by the Green Building Certification Institute.

8. **Term.** The provisions of this Covenant shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successive periods of ten (10) years each, unless released in writing by the then Owners of the Property or portion of the Property for which the release is sought, and by the City Manager upon the demonstration that the same is no longer necessary to preserve and protect the Property for the purpose herein intended.
9. **Multiple Ownership.** In the event multiple ownerships are created subsequent to site plan approval, each of the subsequent owners, mortgagees, heirs, assigns and other parties in interest shall be bound by the terms, provisions and conditions of this Declaration.
10. **Modification or Release.** The individual Parcels within the Property may be modified or released from this Declaration should the approved building be demolished or destroyed and a new building erected in its place that does not apply for incentives under the City of Aventura Green Building Program set out in Ordinance No. 2009-18; provided, however, that any release or modification shall be approved by the City Manager as described in Section 8 hereof.
11. **Enforcement.** Enforcement shall be by action against any parties or persons violating or attempting to violate any of these covenants. The prevailing party in any action or suit arising out of or pertaining to this Covenant shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may determine to be reasonable for the services or his attorney. This enforcement provision is in addition to any other remedy at law, in equity or both.
12. **Severability.** Invalidation of any one of these Declarations, by judgment of Court, shall not affect any of the other provisions, which shall remain in full force and effect.
13. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed

to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.

- 14. **Authorization of City to Withhold Permits and Inspections.** In the event of a violation of this Covenant, in addition to any other remedies available, the City is hereby authorized to withhold any permits, and refuse to make any inspections or grant any approval, until such time as this Declaration is complied with.
- 15. **Recording.** This Covenant shall be recorded in the Public Records of Miami-Dade County at the Owner's expense.

WITNESSES:

 Print Name: _____

 _____,
 a Florida corporation

 Print Name: _____

By: _____
 Print Name:
 Title:

[CORPORATE SEAL]

STATE OF _____)
) SS
 COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2016, by _____, as _____ of _____, who is personally known to me or who has produced _____ as identification, who executed same for the purposes described therein.

[SEAL]

Printed Name:

 My Commission Expires: _____
 Notary Public, State of _____ at Large

ACCEPTED BY THE CITY OF AVENTURA

By: _____
 City Manager

Date: _____, 2016

Attest:

City Clerk

Approved as to form and legal sufficiency on this _____ day of _____, 2016

City Attorney

EXHIBIT "A"

Legal description of Property:

EXHIBIT "B"

LEED® Certification Checklist



APPLICANT REPRESENTATIVE AFFIDAVIT

Pursuant to Section 31-71(b)(2)(i) of the City of Aventura Land Development Code, this Applicant Representative Affidavit is hereby made and submitted. The undersigned authorized representative of the individual or entity applying for the Development Permit, which is identified in the accompanying application, and the owner of the property subject to the application (if different) hereby lists and identifies all persons representing the individual or entity applying for the Development Permit in connection with the application, as follows:

<u>Name</u>	<u>Relationship</u> <small>(i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)</small>
<u>Alan S. Rosenthal</u>	<u>Attorney</u>
<u>Manuel Synalovski Associates, LLC</u>	
<u>Manny Synalovski</u>	<u>Architect</u>
<u>Andrew Witkin</u>	
<u>Witkin Design Group</u>	<u>Landscape Engineer</u>
<u>Dennis Shultz</u>	
<u>Flynn Engineering Services, P.A.</u>	<u>Civil Engineer</u>

(Attach Additional Sheets If Necessary)

NOTICE: ANY STATEMENT OR REPRESENTATION MADE BY ANY PERSON LISTED ON THE APPLICANT REPRESENTATIVE AFFIDAVIT SHALL BE BINDING UPON THE INDIVIDUAL OR ENTITY APPLYING FOR THE DEVELOPMENT PERMIT AND THE OWNER OF THE SUBJECT PROPERTY. APPLICANTS AND AFFIANTS ARE ADVISED TO TIMELY SUPPLEMENT THIS AFFIDAVIT PURSUANT TO SEC. 31-71(B)(2)(IV) OF THE CITY'S LAND DEVELOPMENT REGULATIONS IN THE CITY CODE. IN THE EVENT THAT PRIOR TO CONSIDERATION OF THE APPLICATION BY THE CITY BOARD OR COMMISSION, THE INFORMATION PROVIDED IN THE AFFIDAVIT BECOMES INCORRECT OR INCOMPLETE.

WITNESS MY HAND THIS 21 DAY OF April, 20016

AUTHORIZED REPRESENTATIVE OF APPLICANT:

OWNER Chabad House of North Dade, Inc.

By: [Signature]

By: [Signature]

Name: Alan S. Rosenthal

Name: Jacob Serfati, President

Title: Attorney

Title: President

Address: 20900 NE 30 Avenue, Suite 600
Aventura, FL 33180

Address: 21001 Biscayne Boulevard
Aventura, FL 33180

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Alan S. Rosenthal as the authorized representative of the Applicant and/or the owner of the property subject to the application, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

SWORN TO AND SUBSCRIBED BEFORE ME this 21 day of April, 20016

[Signature]
AFFIANT Alan S. Rosenthal



RAQUEL WELLS
MY COMMISSION # FF 163449
EXPIRES: January 25, 2019
Bonded Third Budget Notary Services

[Signature]
Notary Public State of Florida At Large
Printed Name of Notary _____
My commission expires: _____



BUSINESS RELATIONSHIP AFFIDAVIT*

This Affidavit is made pursuant to Section 31-71(b)(2)(ii) of the City of Aventura Land Development Code. The undersigned Affiant hereby discloses that: (mark with "x" applicable portions only)

- 1. Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented.
- 2. Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which the application will be presented, as follows:

_____ (List name of Commissioner or Advisory Board Member) who serves on the
 _____ (List City Commission or City Advisory Board upon which member serves)

The nature of the Business Relationship is as follows:

- i. Member of City Commission or Board holds an ownership interest in excess of 1% of total assets or capital stock of Applicant or Representative;
- ii. Member of City Commission or Board is a partner, co-shareholder (as to shares of a corporation which are not listed on any national or regional stock exchange) or joint venturer with the Applicant or Representative in any business venture;
- iii. The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board;
- iv. A City Commissioner or Board member is a Client of the Applicant or Representative;
- v. The Applicant or Representative is a Customer of the member of the City Commission or Board (or of his or her employer) and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year;
- vi. The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS _____ DAY OF April _____ 20016

APPLICANT: Chabad House of North Dade, Inc.

By: _____ (Signature)
 Name: Jacob Segal (Print)
 Title: President (Print)

WITNESS MY HAND THIS _____ DAY OF _____ 20016

PROPERTY OWNER:

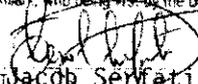
By: _____ (Signature)
 Name: _____ (Print)
 Title: _____ (Print)

*The terms "Business Relationship," "Client," "Customer," "Applicant," "Representative" and "Interested Person" are defined in Section 2-395 of the Aventura City Code.

NOTARIZATION PROVISION

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jacob Serfati the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.



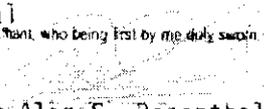
AFFIANT Jacob Serfati, President
Chabad House of North Dade, Inc.

SWORN TO AND SUBSCRIBED before me this day of April, 2016

Notary Public State of Florida At Large
Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Alan S. Rosenthal the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.



AFFIANT Alan S. Rosenthal

SWORN TO AND SUBSCRIBED before me this day of April, 2016



RAQUEL WELLS
MY COMMISSION # FF 183449
EXPIRES: January 25, 2019
Bonded Thru Budget Notary Services


Notary Public State of Florida At Large
Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Manuel Synalowski/Manuel Synalowski Associates, LLC the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Manuel Synalowski

SWORN TO AND SUBSCRIBED before me this day of April, 2016

Notary Public State of Florida At Large
Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Andrew Witkin/Witkin Design Group the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Andrew Witkin

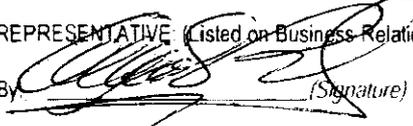
SWORN TO AND SUBSCRIBED before me this day of April, 2016

Notary Public State of Florida At Large
Printed Name of Notary
My commission expires:

WITNESS MY HAND THIS _____ DAY OF April 20016

REPRESENTATIVE (Listed on Business Relationship Affidavit)

Manuel Synalovski Associates, LLC

By:  (Signature)

By: _____ (Signature)

Name: Alan S. Rosenthal (Print)

Name: Manny Synalovski (Print)

Title: Attorney (Print)

Title: Architect (Print)

Witkin Design Group

Flynn Engineering Services, P.A.

By: _____ (Signature)

By: _____ (Signature)

Name: Andrew Witkin (Print)

Name: Keith Mote (Print)

Title: Landscape Engineer (Print)

Title: Civil Engineer (Print)

By: _____ (Signature)

By: _____ (Signature)

Name: _____ (Print)

Name: _____ (Print)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

Title: _____ (Print)

Title: _____ (Print)

NOTE: 1) Use duplicate sheets if disclosure information for Representative varies

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

NOTARIZATION PROVISION

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared **Jacob Serfati** the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT **Jacob Serfati, President
Chabad House of North Dade, Inc.**

SWORN TO AND SUBSCRIBED before me this day of April, 2016

Notary Public State of Florida At Large

Printed Name of Notary
My commission expires

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared **Alan S. Rosenthal** the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

[Handwritten Signature]
AFFIANT **Alan S. Rosenthal**

SWORN TO AND SUBSCRIBED before me this 21 day of April, 2016



RAQUEL WELLS
MY COMMISSION # FF 163449
EXPIRES: January 25, 2019
Bonded Thru Budget Notary Services

[Handwritten Signature]
Notary Public State of Florida At Large

Printed Name of Notary
My commission expires

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared **Manuel Synalovski/Manuel Synalovski Associates, LLC** the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT **Manuel Synalovski**

SWORN TO AND SUBSCRIBED before me this day of April, 2016

Notary Public State of Florida At Large

Printed Name of Notary
My commission expires

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared **Andrew Witkin/Witkin Design Group** the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT **Andrew Witkin**

SWORN TO AND SUBSCRIBED before me this day of April, 2016

Notary Public State of Florida At Large

Printed Name of Notary
My commission expires

WITNESS MY HAND THIS 22 DAY OF April, 20016

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Alan S. Rosenthal (Print)

Title: Attorney (Print)
Witkin Design Group

By: _____ (Signature)

Name: Andrew Witkin (Print)

Title: Landscape Engineer (Print)

By: _____ (Signature)

Name: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

Manuel Synalovski Associates, LLC

By: [Signature] (Signature)

Name: Manny Synalovski (Print)

Title: Architect (Print)
Flynn Engineering Services, P.A.

By: _____ (Signature)

Name: Keith Mote (Print)

Title: Civil Engineer (Print)

By: _____ (Signature)

Name: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

NOTE: 1) Use duplicate sheets if disclosure information for Representative varies

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

NOTARIZATION PROVISION

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jacob Serfati the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Jacob Serfati, President
Chabad House of North Dade, Inc.

SWORN TO AND SUBSCRIBED before me this day of April 2016

Notary Public State of Florida At Large

Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Alan S. Rosenthal the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Alan S. Rosenthal

SWORN TO AND SUBSCRIBED before me this 21 day of April 2016



RAQUEL WELLS
MY COMMISSION # FF 163440
EXPIRES: January 25, 2019
Bonded Thru Budget Notary Services

Notary Public State of Florida At Large

Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

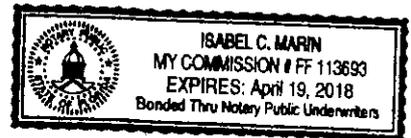
Before me, the undersigned authority, personally appeared Manuel Synalovski/Manuel Synalovski Associates, LLC the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Manuel Synalovski

SWORN TO AND SUBSCRIBED before me this 22 day of April 2016

Isabel C. Marin
Notary Public State of Florida At Large

Printed Name of Notary
My commission expires: 4/19/18



STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Andrew Witkin/Witkin Design Group the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Andrew Witkin

SWORN TO AND SUBSCRIBED before me this day of April 2016

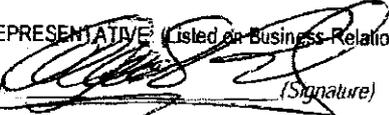
Notary Public State of Florida At Large

Printed Name of Notary
My commission expires:

WITNESS MY HAND THIS _____ DAY OF April 20016

REPRESENTATIVE (Listed on Business Relationship Affidavit)

Manuel Synalovski Associates, LLC

By:  (Signature)

By: _____ (Signature)

Name: Alan S. Rosenthal (Print)

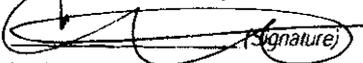
Name: Manny Synalovski (Print)

Title: Attorney (Print)

Title: Architect (Print)

Witkin Design Group

Flynn Engineering Services, P.A.

By:  (Signature)

By: _____ (Signature)

Name: Andrew Witkin (Print)

Name: Keith Mote (Print)

Title: Landscape Engineer (Print)

Title: Civil Engineer (Print)

By: _____ (Signature)

By: _____ (Signature)

Name: _____ (Print)

Name: _____ (Print)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

By: _____ (Signature)

Title: _____ (Print)

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NOTE: 1) Use duplicate sheets if disclosure information for Representative varies

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

NOTARIZATION PROVISION

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jacob Serfati the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Jacob Serfati, President
Chabad House of North Dade, Inc.

SWORN TO AND SUBSCRIBED before me this day of April, 2016

Notary Public State of Florida At Large

Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Alan S. Rosenthal the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Alan S. Rosenthal

SWORN TO AND SUBSCRIBED before me this 21 day of April, 2016



RAQUEL WELLS
MY COMMISSION # FF 163449
EXPIRES: January 25, 2019
Bonded Thru Budget Notary Service

Notary Public State of Florida At Large

Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Manuel Synalovski/Manuel Synalovski Associates, LLC the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Manuel Synalovski

SWORN TO AND SUBSCRIBED before me this day of April, 2016

Notary Public State of Florida At Large

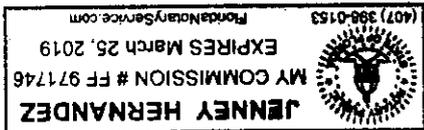
Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Andrew Witkin/Witkin Design Group the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

AFFIANT Andrew Witkin

SWORN TO AND SUBSCRIBED before me this 22 day of April, 2016



Notary Public State of Florida At Large

Printed Name of Notary
My commission expires:

WITNESS MY HAND THIS _____ DAY OF April, 20016

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Alan S. Rosenthal (Print)

Title: Attorney (Print)
Witkin Design Group

By: _____ (Signature)

Name: Andrew Witkin (Print)

Title: Landscape Engineer (Print)

By: _____ (Signature)

Name: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

Manuel Synalovski Associates, LLC

By: _____ (Signature)

Name: Manny Synalovski (Print)

Title: Architect (Print)
Flynn Engineering Services, P.A.

By: [Signature] (Signature)

Name: Dennis Sholte (Print)

Title: Civil Engineer (Print)

By: _____ (Signature)

Name: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

By: _____ (Signature)

Title: _____ (Print)

Title: _____ (Print)

NOTE: 1) Use duplicate sheets if disclosure information for Representative varies

2) Applicants and Affiants are advised to timely supplement this Affidavit pursuant to Sec. 31-71(b)(2)(iv) of the City's Land Development Regulations in the City Code, in the event that prior to consideration of the application by the City Board or Commission, the information provided in the Affidavit becomes incorrect or incomplete.

NOTARIZATION PROVISION

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

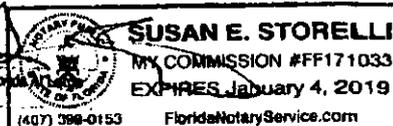
Before me, the undersigned authority, personally appeared _____
executed this Affidavit for the purposes stated therein and that it is true and correct.

Dennis Shultz

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

[Signature]
AFFIANT **Dennis Shultz**

SWORN TO AND SUBSCRIBED before me this _____ day of **April**, 200**16**



Notary Public State of Florida At Large
Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared _____
executed this Affidavit for the purposes stated therein and that it is true and correct.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

Notary Public State of Florida At Large
Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared _____
executed this Affidavit for the purposes stated therein and that it is true and correct.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

Notary Public State of Florida At Large
Printed Name of Notary
My commission expires:

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared _____
executed this Affidavit for the purposes stated therein and that it is true and correct.

the Affiant, who being first by me duly sworn, did swear or affirm that he/she

AFFIANT

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 200__

Notary Public State of Florida At Large
Printed Name of Notary
My commission expires:



LEILA GRUNBERG
Designs, LLC
40 Eastmont Rd, Hollywood, FL 33021
Phone: 754-204-0331
E-mail: leilagru@gmail.com

AVENTURA CHABAD AND TWO TEN AVENTURA
21001 BISCAYNE BOULEVARD
AVENTURA, FLORIDA
09/18/15


SYNALOVSKI ROMANIK SAYE
Architects & Interiors
1400 31st Street, Suite 500 • Ft. Lauderdale, FL 33304
Telephone: 954-467-1886 • Fax: 954-467-6897



LEILA GRUNBERG
Designs, LLC

40 Eastmont Rd. Hollywood, FL 33021
Phone: 754-204-0331
E-mail: leilagru@gmail.com

AVENTURA CHABAD AND TWO TEN AVENTURA
21001 BISCAYNE BOULEVARD
AVENTURA, FLORIDA
09/18/15


SYNALOVSKI ROMANIK SAYE
Architectural, Planning & Interiors
1400 31st Street, Suite 500 • Ft. Lauderdale, FL 33311
Telephone: 954-567-2800 • Fax: 954-567-6897

LAND DESCRIPTION

ALL OF BLOCK 1 OF HILLDALE PARK NO. 11 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 30 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

TOGETHER WITH:

A PORTION OF THE 2,000 FOOT WIDE STRIP OF LAND FORMERLY KNOWN AS HIGHWAY AVENUE (PRESENTLY DESIGNATED AS NE, 20TH AVENUE) AS SHOWN ON PLAT ENTITLED "HILLDALE PARK NO. 11" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 30 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. LING NORTHWESTLY AT THE NORTH BOUNDARY OF SAID 2,000 FOOT WIDE STRIP OF LAND FORMERLY KNOWN AS MONTAGNA WAY AS SHOWN ON SAID PLAT ENTITLED "HILLDALE PARK NO. 11" SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 31 SOUTH, RANGE 42 EAST OF MIAMI-DADE COUNTY, FLORIDA; RUN ALONG THE WESTERN CORNER OF TRACT A, COMMENCING ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 76, PAGE 30 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN NORTH 89°45'00" EAST ALONG THE NORTHERN BOUNDARY OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; BEING ALIGNED ALONG THE WESTERN PROJECTIONS OF THE NORTH BOUNDARY OF LOT 11, BLOCK 1 OF SAID "HILLDALE PARK NO. 11" A DISTANCE OF 250.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE RUN SOUTH 0°00'00" EAST ALONG THE WEST BOUNDARY OF SAID LOT 11, A DISTANCE OF 31.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONVEG TO THE NORTHWEST AND RUNNING FOR ITS ELEMENTS A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 97°25'00"; THENCE RUN SOUTHWESTWARD, EASTWARD AND NORTHWARD ALONG THE ARC OF SAID CURVE A DISTANCE OF 50.00 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 0°00'00" WEST ALONG THE WESTERN PROJECTIONS OF THE SOUTH BOUNDARY OF SAID LOT 11, A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89°45'00" WEST ALONG A LINE THAT IS PERPENDICULAR SOUTHEASTERLY TO THE HIGHWAY BOUNDARY OF FEDERAL HIGHWAY (ALSO KNOWN AS U.S. 1) ALSO KNOWN AS STATE ROAD 104 AS SHOWN ON HIGHWAY MAP, AS RECORDED IN PLAT BOOK 34, PAGE 548, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, A DISTANCE OF 110.00 FEET TO THE POINT OF INTERSECTION OF THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34; THENCE RUN NORTH 0°00'00" WEST ALONG THE EAST BOUNDARY OF SAID SECTION 34, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89°45'00" WEST FOR 250.00 FEET; THENCE RUN SOUTH 0°00'00" WEST FOR 50.00 FEET; THENCE RUN NORTH 89°45'00" WEST FOR 250.00 FEET; THENCE RUN SOUTH 0°00'00" WEST FOR 50.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

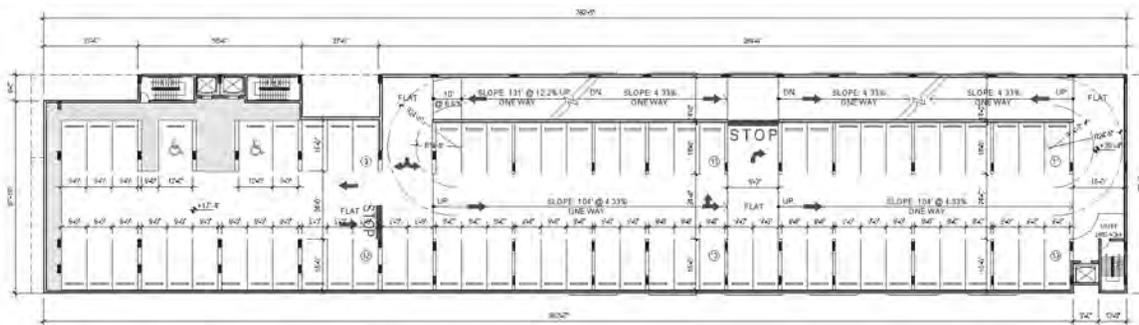
A PORTION OF TRACTS A, B, AND C, "DONALDSONS" ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 76, PAGE 31 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 31 SOUTH, RANGE 42 EAST; THENCE RUN SOUTH 0°00'00" EAST ALONG THE EASTERN LINE OF SAID SECTION 34 FOR 800.00 FEET; THENCE RUN SOUTH 89°45'00" WEST FOR 800.00 FEET; THENCE RUN SOUTH 0°00'00" EAST FOR 800.00 FEET; THENCE RUN SOUTH 89°45'00" WEST FOR 800.00 FEET TO A POINT; SAID POINT BEARING SOUTH 74°44'41" EAST FROM THE CENTER OF THE NEXT DESCRIBED CURVE; THENCE RUN SOUTHWESTLY ALONG A CURVATURE TO THE RIGHT HAVING FOR ITS ELEMENTS A RADIUS OF 39°27'59" AND A RADIUS OF 170.00 FEET; FOR EACH CURVE A DISTANCE OF 40.00 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 0°00'00" WEST FOR 800.00 FEET; THENCE RUN SOUTH 89°45'00" WEST FOR 800.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°45'00" WEST FOR 800.00 FEET; THENCE RUN NORTH 89°45'00" WEST FOR 250.00 FEET; THENCE RUN NORTH 89°45'00" WEST FOR 250.00 FEET; THENCE RUN SOUTH 0°00'00" WEST FOR 800.00 FEET TO THE POINT OF BEGINNING.

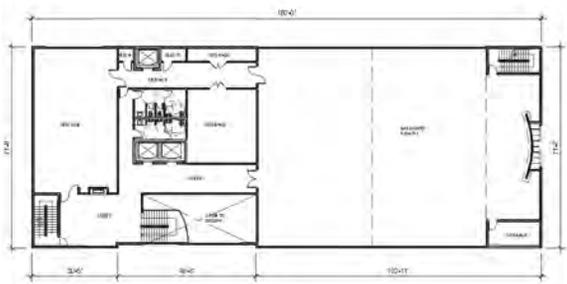
LEGAL DESCRIPTION

ACTIVITY REQUIRED PARKING MATRIX

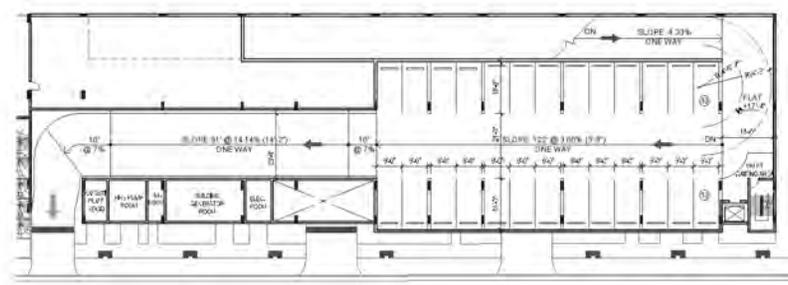
ACTIVITY	AREA (sq. ft.)	TIME	M	T	W	TH	F	SAT	SUN	PARKING REQUIREMENT (PER 100 SF)	PERMITTED HOURLY PARKING	CITY CODE
Men's Restroom	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Restroom	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
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Women's Shower	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Women's Locker	10.00	24 hr	+	+	+	+	+	+	+	1.0	1.0	1.0
Men's Shower	10.00</											



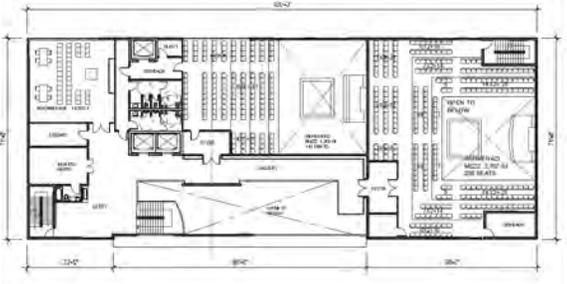
3 PARKING GARAGE 2nd FLOOR
SCALE: 1" = 20'-0"



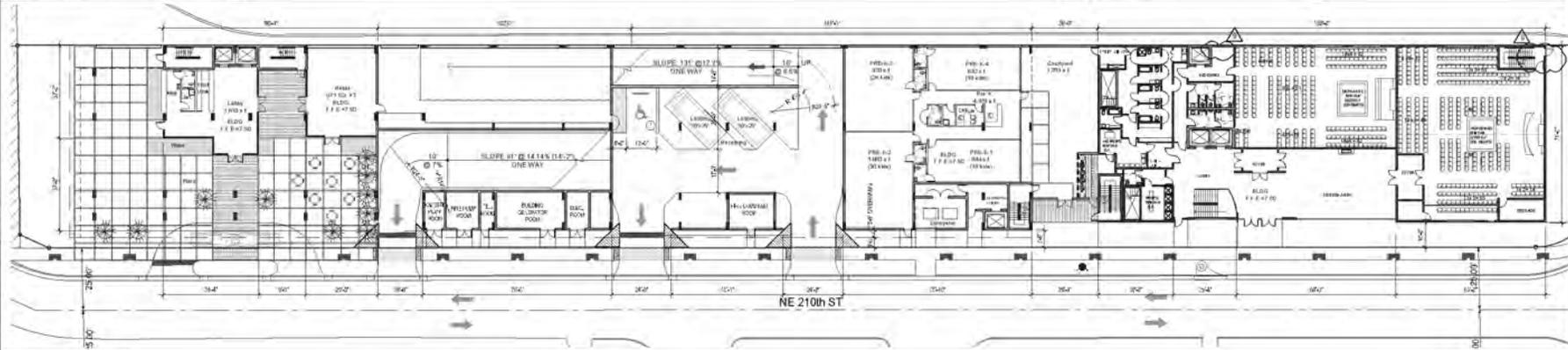
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SCALE: 1" = 20'-0"



4 PARKING INTERMEDIATE FLOOR
SCALE: 1" = 20'-0"



2 SYNAGOGUE SECOND FLOOR PLAN
SCALE: 1" = 20'-0"



5 FIRST FLOOR
SCALE: 1" = 20'-0"

SRS
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LEILA GRUNBERG
Designs LLC

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Pompano Beach, FL 33062
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E-mail: leilagr@gmail.com

**AVENTURA CHABAD AND
TWO TEN AVENTURA**

14000 BISCAYNE BLVD.
AVENTURA, FL 33160

CLIENT: AVENTURA CHABAD

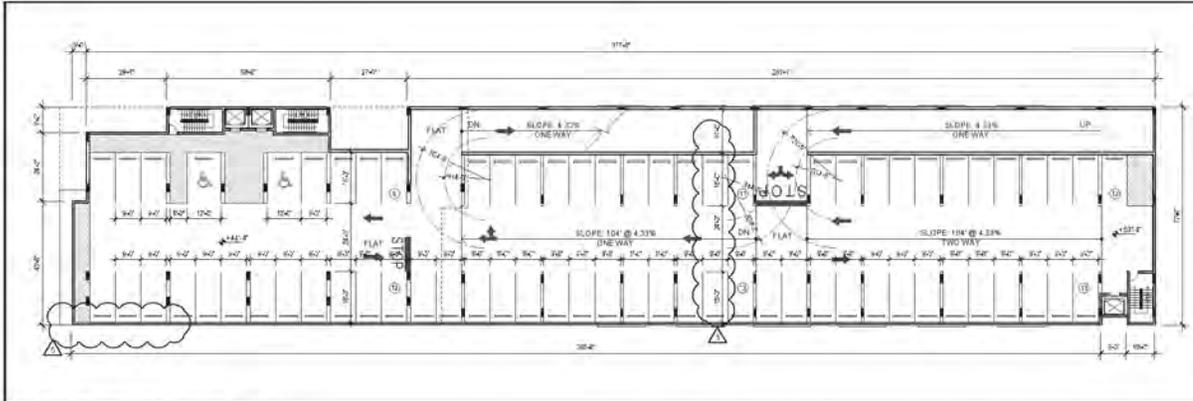
1	SYNAGOGUE THIRD FLOOR PLAN
2	SYNAGOGUE SECOND FLOOR PLAN
3	PARKING GARAGE 2ND FLOOR
4	PARKING INTERMEDIATE FLOOR
5	FIRST FLOOR

DESIGN DELIVERABLE: -
ISSUE DATE: 09/18/2015

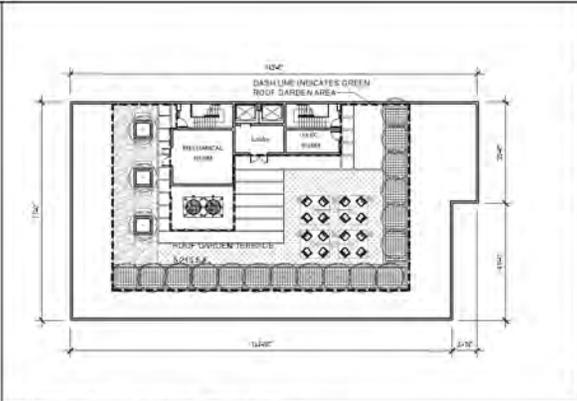
PROJECT NUMBER: 1157-128503
DRAWN BY: PRL/AF
CHECKED BY: AG

DATE: 09/18/2015
BY: PRL/AF

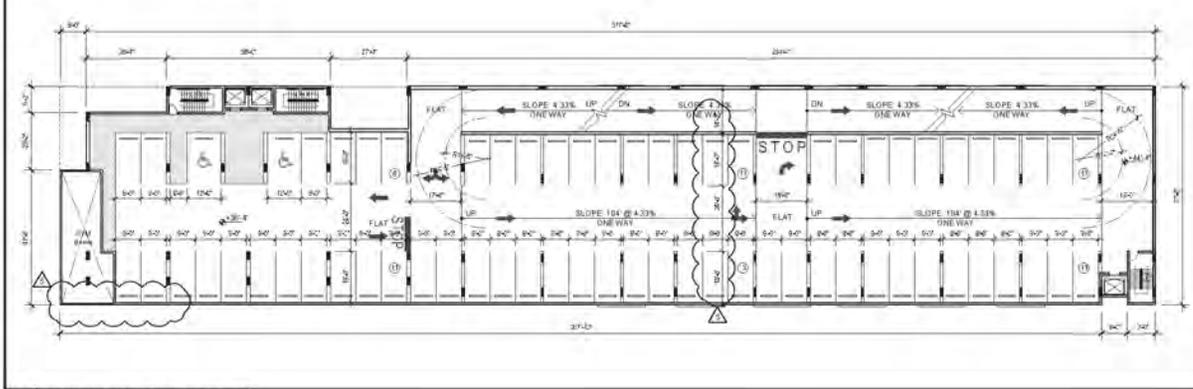
FLOOR PLANS



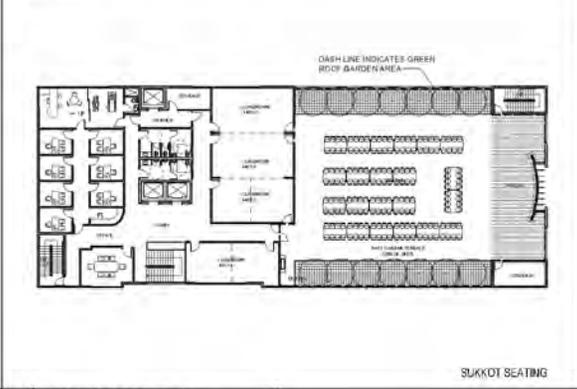
4 PARKING GARAGE 5th FLOOR
SCALE: 1" = 20'-0"



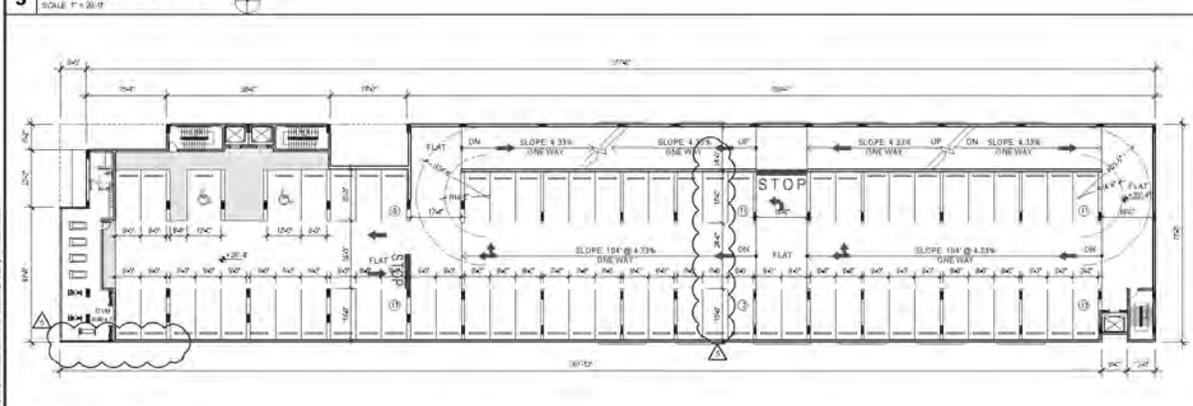
1 OFFICE BLDG / TERRACE - ROOF PLAN
SCALE: 1" = 20'-0"



5 PARKING GARAGE 4th FLOOR
SCALE: 1" = 20'-0"



2 SYNAGOGUE ROOF PLAN
SCALE: 1" = 20'-0"



6 PARKING GARAGE 3rd FLOOR
SCALE: 1" = 20'-0"



3 SYNAGOGUE FOURTH FLOOR PLAN
SCALE: 1" = 20'-0"

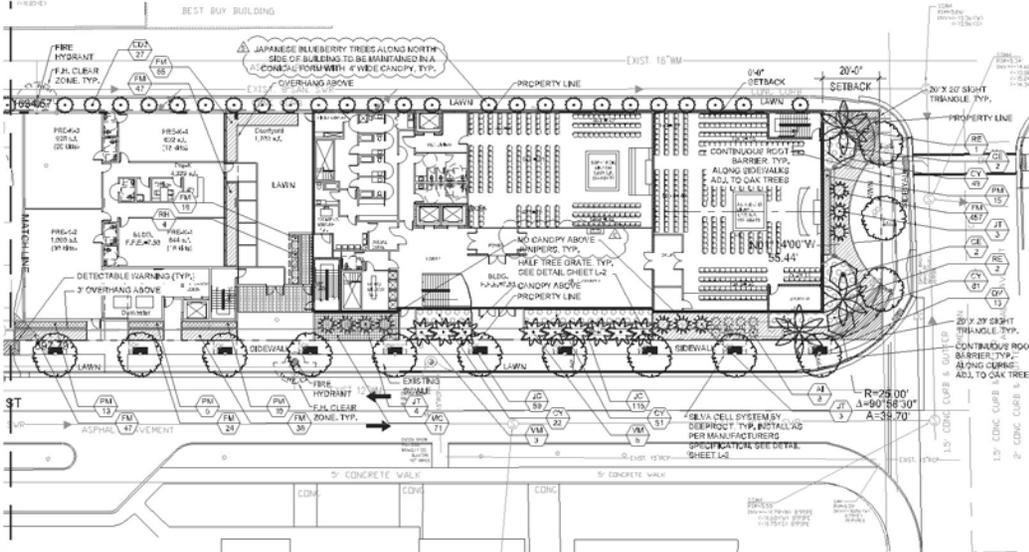
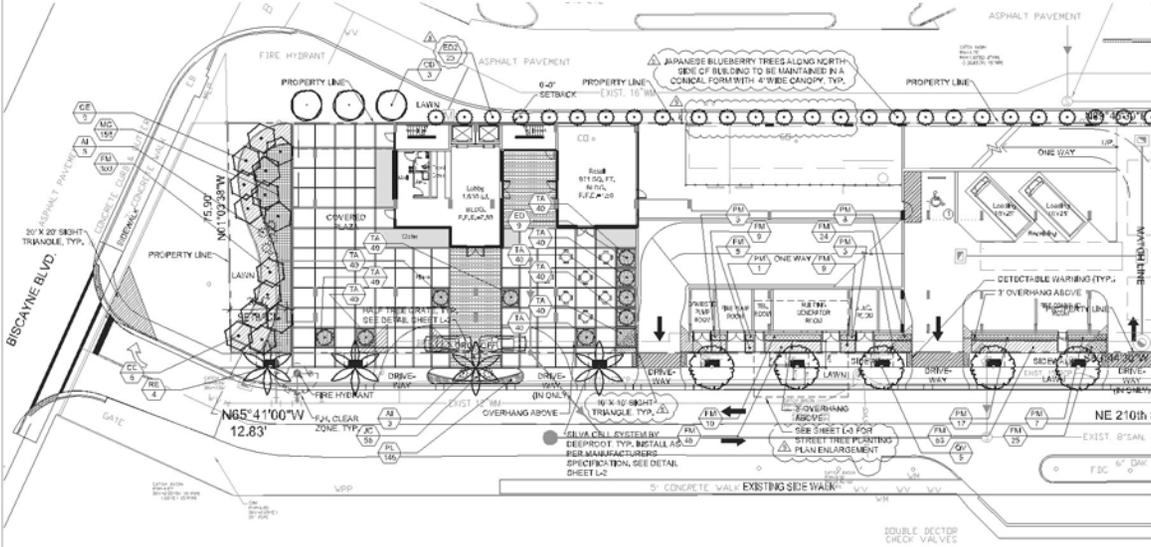
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Designs LLC**
491 E. Atlantic Blvd. Suite 400 #1113221
Pompano Beach, FL 33062
E-mail: leilagr@outlook.com

**AVENTURA CHABAD AND
TWO TEN AVENTURA**
14000 BISCAYNE BLVD.
AVENTURA, FL 33180
CLIENT: AVENTURA CHABAD

1	SYNAGOGUE ROOF PLAN
2	SYNAGOGUE FOURTH FLOOR PLAN
3	SYNAGOGUE ROOF PLAN
4	SYNAGOGUE ROOF PLAN
5	SYNAGOGUE ROOF PLAN
6	SYNAGOGUE ROOF PLAN
7	SYNAGOGUE ROOF PLAN
8	SYNAGOGUE ROOF PLAN
9	SYNAGOGUE ROOF PLAN
10	SYNAGOGUE ROOF PLAN
11	SYNAGOGUE ROOF PLAN
12	SYNAGOGUE ROOF PLAN
13	SYNAGOGUE ROOF PLAN
14	SYNAGOGUE ROOF PLAN
15	SYNAGOGUE ROOF PLAN
16	SYNAGOGUE ROOF PLAN
17	SYNAGOGUE ROOF PLAN
18	SYNAGOGUE ROOF PLAN
19	SYNAGOGUE ROOF PLAN
20	SYNAGOGUE ROOF PLAN

DESIGN DELIVERABLE: -
ISSUE DATE: 09/18/2015
PROJECT NUMBER: 1157128603
DRAWN BY: PLM
CHECKED BY: AG
DATE: 11/11/2015
SCALE: 1/8" = 1'-0"



LANDSCAPE PLAN- GROUND LEVEL
Scale: 1" = 20'-0"

CITY OF AVENTURA LANDSCAPE LEGEND Information Required to be Permanently Affixed to Plan

Zoning District: BU2 Net Lot Area: 1.15 acres 51,238 s.f.

OPEN SPACE	REQUIRED	PROVIDED
A. Square Feet of open space required by Chapter 33, as indicated on site plan: Net lot area = 51,238 s.f. x .20 = 10,248 s.f.	10,254	20,507
B. Square Feet of parking lot open space required by Chapter 33, as indicated on site plan: No. parking spaces / level parking spaces = 0 x 10 s.f. per parking space =	0	0
C. Total s.f. of landscaped open space required by Chapter 33: A + B =	10,254	20,507

LAWN AREA CALCULATION

A. 10,254 total s.f. of landscaped open space required by Chapter 33	
B. Maximum lawn area (50%) permitted = 50% x 10,254 s.f. =	5,127

TREES

A. No. trees required per net lot area Less existing number of trees meeting minimum requirements = 22 trees x net lot acres =	29	31	(17 S. BIRDWOOD + 8 PRINCE OF WALES PALMS)
B. % Palms Allowed: No. trees required x 30% =	8	3	(4 VERTICATA - 3-2)
C. % Native Required: No. trees provided x 30% =	5	20	
D. Street trees (maximum average spacing of 50' o.c.): 900' linear feet along street =	22	22	
E. Street trees located directly beneath power lines (maximum average spacing of 25' o.c.): Linear feet along street / 25' =	N/A	N/A	
F. Total Trees Required: A + D + E = 52 Total Trees	48	54	

SHRUBS

A. No. shrubs required x 10 = No. of shrubs required	490	1,999
B. No. shrubs req. x 30% = No. of native shrubs required	147	158
C. No. shrubs req. x 50% = No. of drought tolerant shrubs required	245	1,506

SEE LANDSCAPE

* PALMS COUNTED AT 3:1

LANDSCAPE LIST

SYMBOL	DATE	TREES/PALMS	DESCRIPTION
CD	37	Condition Available	14 FT. X 20 FT. 2' DBH
CE	17	Condition Available	14 FT. X 2' DBH
ED	53	Condition Available	14 FT. X 2' DBH
JT	10	Condition Available	14 FT. X 2' DBH
QV	15	Condition Available	14 FT. X 2' DBH
RH	4	Condition Available	14 FT. X 2' DBH
RE	7	Condition Available	14 FT. X 2' DBH
VM	9	Condition Available	14 FT. X 2' DBH

SYMBOL	DATE	SHRUBS AND GROUNDCOVERS	DESCRIPTION
AI	16	Condition Available	12 FT. X 12 FT. 1" DBH
AG	223	Condition Available	12 FT. X 12 FT. 1" DBH
CY	205	Condition Available	12 FT. X 12 FT. 1" DBH
ED	9	Condition Available	12 FT. X 12 FT. 1" DBH
FM	1608	Condition Available	12 FT. X 12 FT. 1" DBH
JC	222	Condition Available	12 FT. X 12 FT. 1" DBH
JC2	1120	Condition Available	12 FT. X 12 FT. 1" DBH
MC	229	Condition Available	12 FT. X 12 FT. 1" DBH
PL	148	Condition Available	12 FT. X 12 FT. 1" DBH
PM	93	Condition Available	12 FT. X 12 FT. 1" DBH
TA	400	Condition Available	12 FT. X 12 FT. 1" DBH
LAWN	75	Condition Available	12 FT. X 12 FT. 1" DBH

NOTE: TREE CANOPY AND OTHER PLANTING ARE LOCATED WITHIN 10 FEET OF CURB TO COMPLY WITH CHAPTER 9.1.02. EXCEPT WHERE SHOWN OTHERWISE.



1800 Uber Drive, Suite 500
Fort Lauderdale, FL 33314
1 954 961 6880
F 954 961 6827
www.srsdesign.com

Avventura 10/18/15
S048

LEI: L 14000002
MAY 2014

WITNESS
DESIGN GROUP
DESIGNER: [Signature]
DATE: 10/18/15

AVENTURA CHABAD AND TWO TEN AVENTURA
LANDSCAPE PLAN
AVONTURA, FL 33160

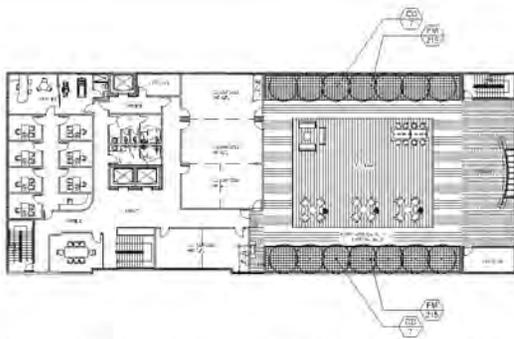
CLIENT: CLIENT NAME

NO.	REVISION	DATE
1	ISSUE FOR PERMIT	10/18/15
2	ISSUE FOR PERMIT	10/18/15
3	ISSUE FOR PERMIT	10/18/15
4	ISSUE FOR PERMIT	10/18/15
5	ISSUE FOR PERMIT	10/18/15

DESIGN DELIVERABLE APPLICATION
ISSUE DATE: 09/18/2015

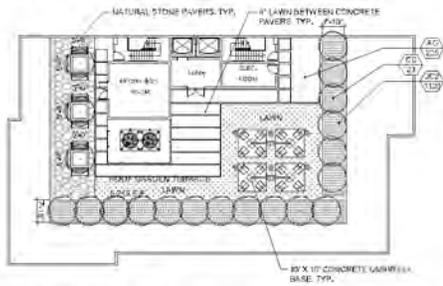
PROJECT NUMBER: 1157-10902
DRAWN BY: JJ
CHECKED BY: BS
DATE: 10/18/15

LANDSCAPE PLAN



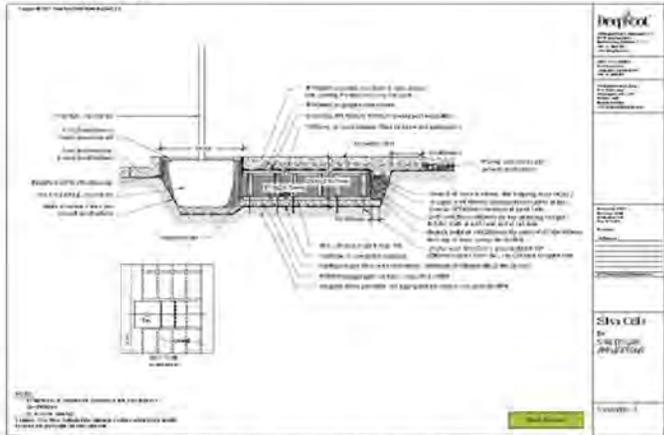
LANDSCAPE PLAN- LEVEL 4 GARDEN TERRACE

Scale: 1" = 20'-0"



LANDSCAPE PLAN- LEVEL 10 ROOF GARDEN

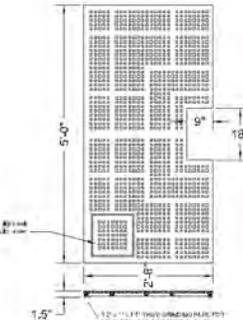
Scale: 1" = 20'-0"



SILVA CELLS BY DEEPROOT DETAIL

NTS

**TREE GRATE #M6064
STYLE: MARKET STREET**



LIGHTWELL COVERS ARE BOLTED TO GRATE
SLOT WIDTH 1/2" MAXIMUM, MEETS ADA COMPLIANCE.
GRATE CAST FROM IRON OR ALUMINUM.
TREE OPENING SIZE IS 12"
STEEL WELLS FRAME REQUIRED
FOR INSTALLATION USE MODEL M6064-5
OUTER FRAME DIA. IS 3'4" x 3'4"
GREATER THAN GRATE.
TREE GRATE FINISH & COLOR IS NATURAL ALUMINUM

For a complete list of plants and materials, please refer to the Plant Schedule. All plants and materials shall be installed in accordance with the specifications and standards of the City of Aventura. The Contractor shall be responsible for obtaining all necessary permits and approvals from the City of Aventura. The Contractor shall be responsible for obtaining all necessary permits and approvals from the City of Aventura. The Contractor shall be responsible for obtaining all necessary permits and approvals from the City of Aventura.

TREE GRATE DETAIL

NTS

CITY OF AVENTURA LANDSCAPE LEGEND Information Required to be Permanently Affixed to Plan

Zoning District: BU2 Net Lot Area: 1.12 Acres 51,268 S.F.

OPEN SPACE	REQUIRED	PROVIDED
A. Bare soil (total) of open space required by Chapter 55, as it applies to the site: Net lot area = 51,268 S.F. x .25 = 12,817 S.F.	12,817	20,507
B. Bare soil (total) of parking lot open space required by Chapter 55, as it applies to the site: Max. allowable bare soil parking space = 10 S.F. per parking space =	0	0
C. Total S.F. of bare soil open space required by Chapter 55: A + B =	12,817	20,507
LAWN AREA CALCULATION		
A. <u>10%</u> total S.F. of landscaped open space required by Chapter 55		
B. Minimum lawn area (total) permitted = 5,127 S.F. x .10 = 512.7 S.F.	513	1,920
TREES		
A. No. trees required per net lot area: Less existing number of trees meeting minimum requirements = 22 trees x 100 sq ft = 2,200 sq ft	26	118 S. SWOOD - 11 100 SQ FT MIN. (100%)
B. % Bare Soil Allowed: No. trees required x 30% =	8	3' x 3' x 10' MIN. (100%)
C. % Hardscaped: No. trees provided x 30% =	8	24
D. Annual lawn area (minimum average mowing of 30" cut): 8 trees x 300 sq ft = 2,400 sq ft	22	22
E. Street trees located directly beneath open space (minimum average mowing of 25" cut): 8 trees x 100 sq ft = 800 sq ft	8	8
F. Total Trees Required: A + B + C = 32 Total Trees	32	32
SHRUBS		
A. No. trees required x 10% = No. of shrubs required	490	1,920
B. No. shrubs req. x 30% = No. of shrubs required	147	158
C. No. shrubs req. x 30% = No. of shrubs required	235	1,920

SEE LANDSCAPE

* PALMS COUNTED AS 2

LANDSCAPE LIST

SYMBOL	QUAL.	PLANT SPECIFICATION	EXPOSED ROOTS
CD	27	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
CE	17	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
ED2	54	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
JT	16	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
QV	18	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
RH	4	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
RE	7	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
VM	8	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
SHRUBS AND GROUNDCOVERS			
AI	16	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
AO	225	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
CY	203	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
ED	2	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
FM	1508	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
JC	222	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
JCD	1123	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
MC	229	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
PL	146	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
PM	83	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
TA	400	10' COCONUT PALM	14 FT. TO 15 FT. (100%)
LAWN	1	10' COCONUT PALM	14 FT. TO 15 FT. (100%)



1800 Star Dr., Suite 500
Fort Lauderdale, FL 33314
754.961.8800
754.961.8807
www.srsland.com



**AVENTURA CHABAD AND
TWO TEN AVENTURA**
1800 Star Dr., Suite 500
Fort Lauderdale, FL 33314
CLIENT: CLIENT NAME

DESIGN SITE PLAN
DELIVERABLE APPLICATION
ISSUE DATE: 6/21/2023

PROJECT NUMBER: 1524-2023
DRAWN BY: JG
CHECKED BY: JG
DATE: 6/21/2023

LANDSCAPE PLAN

RESOLUTION NO. 2016-___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO PERMIT LOT COVERAGE OF 61.64% WHERE MAXIMUM LOT COVERAGE OF 40% IS PERMITTED BY CODE AND TO PERMIT FLOOR AREA RATIO OF 2.0 WHERE MAXIMUM FLOOR AREA RATIO OF 1.39 IS PERMITTED BY CODE; GRANTING CONDITIONAL USE APPROVAL TO PERMIT A RELIGIOUS FACILITY AND SCHOOL; GRANTING VARIANCE TO PERMIT A MINIMUM FRONT YARD SETBACK OF 4 FEET, WHERE A MINIMUM 25 FOOT FRONT YARD SETBACK IS REQUIRED BY CODE; GRANTING VARIANCE APPROVAL TO PERMIT A HEIGHT OF 47 FEET 4 INCHES FOR THE SYNAGOGUE, WHERE A MAXIMUM HEIGHT OF 37 FEET 6 INCHES IS PERMITTED BY CODE, ALL FOR AN OFFICE BUILDING AND RELIGIOUS/SCHOOL FACILITY ON PROPERTY AT 21001 BISCAYNE BOULEVARD, CITY OF AVENTURA PROPOSED TO BE CONSTRUCTED UNDER THE CITY'S GREEN BUILDING PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property described herein in Exhibit "A" is zoned Community Business (B2) District; and

WHEREAS, the applicant, Chabad House of North Dade, Inc., through Applications Nos. 02-CU-16 and 01-VAR-16 is requesting (1) Conditional use approval pursuant to Chapter 14, Article VI., Green Building Program and pursuant to Section 31-144(c)(2) I. and m. of the City's Land Development Regulations to permit lot coverage of 61.64% where a maximum of 40% is permitted by Code and a floor area ratio of 2.0 where a floor area ratio of 1.39 is permitted by Code; and (2) Conditional use approval pursuant to Section 31-144(c)(2) of the City Code to permit a religious facility and school; and (3) Variance from Section 31-144(c)(5)d. of the City Code to permit a minimum front yard setback of 4 feet, where a minimum 25 foot front yard setback is required by Code; and (4) Variance from Section 31-144(c)(5)b. of the City Code to permit a height of 47 feet 4 inches for the synagogue, where a maximum height of 37 feet 6 inches is permitted by Code based on the distance to the adjacent residentially zoned land to the east, all for a proposed LEED® Gold certified 10 story, 120 foot tall office building, a 3 story religious facility and school with attached 5 story parking garage at 21001 Biscayne Boulevard, City of Aventura.

WHEREAS, following proper notice, the City Commission has held a public hearing as provided by law; and

WHEREAS, the City Commission finds that the Application meets the criteria of the applicable codes and ordinances, to the extent the Application is granted herein.

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

Section 1. Application for (1) Conditional use approval pursuant to Chapter 14, Article VI., Green Building Program and pursuant to Section 31-144(c)(2) l. and m. of the City's Land Development Regulations to permit lot coverage of 61.64% where a maximum of 40% is permitted by Code and a floor area ratio of 2.0 where a floor area ratio of 1.39 is permitted by Code; and (2) Conditional use approval pursuant to Section 31-144(c)(2) of the City Code to permit a religious facility and school; and (3) Variance from Section 31-144(c)(5)d. of the City Code to permit a minimum front yard setback of 4 feet, where a minimum front yard setback of 25 feet is required by Code; and (4) Variance from Section 31-144(c)(5)b. of the City Code to permit a height of 47 feet 4 inches for the synagogue, where a maximum height of 37 feet 6 inches is permitted by Code based on the distance to the adjacent residentially zoned land to the east, are hereby granted, subject to the conditions set out in this Resolution, on property legally described in Exhibit "A" to this Resolution and known as municipal address 21001 Biscayne Boulevard, City of Aventura.

Section 2. Approval of the application above is subject to the following conditions:

1. Plans submitted for building permit shall substantially comply with those submitted as follows:

- “Aventura Chabad and Two Ten Aventura”, Site Plan, Sheet AS-101, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Parking Distribution and Valet Plan, Sheet AS-101.1, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Site Plan Details, Sheet AS-102, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Photometric Site Plan, Sheet AS-103, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Floor Plans, Sheet A-101, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Auto Turn Analysis, Sheet A-101.1, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Floor Plans, Sheet A-102, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Auto Turn Analysis, Sheet A-102.1, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Floor Plans, Sheet A-103, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Elevations, Sheet A-201, prepared by Synalovski Romanik Saye, dated 9/18/2015, revised, signed and sealed 4/15/16.

- “Aventura Chabad and Two Ten Aventura”, Conceptual Paving, Grading & Drainage Plan, Sheet C-1, prepared by Flynn Engineering Services, P.A., dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Conceptual Water and Sanitary Sewer Plan, Sheet C-2, prepared by Flynn Engineering Services, P.A., dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Conceptual Signing and Pavement Marking Plan, Sheet C-3, prepared by Flynn Engineering Services, P.A., dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Landscape Plan, Sheet L-1, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Landscape Plan, Sheet L-2, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Landscape Plan, Sheet L-3, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Landscape Details, Sheet L-4, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Aventura Chabad and Two Ten Aventura”, Tree Disposition, Sheet TD-1, prepared by Witkin Hults Design Group, dated 9/18/2015, revised, signed and sealed 4/15/16.
- “Sketch of Survey”, Sheet 1 of 2, prepared by Cousins Surveyors & Assoc., Inc., dated, 5/22/14, revised 12/21/2015, signed and sealed.
- “Sketch of Survey”, Sheet 2 of 2, prepared by Cousins Surveyors & Assoc., Inc., dated, 5/22/14, revised 12/21/2015, signed and sealed.

2. Building permits shall be obtained within 12 months of the date of this Resolution, failing which this approval shall be deemed null and void. The City

Commission may, upon written request for such extension by the applicant within the initial 12 month approval period, grant one extension of up to six months by resolution or motion at a regular meeting, for good cause shown by the applicant.

3. Any discontinuation of the approved conditional use for a period of 180 consecutive days shall constitute abandonment and shall rescind the approval of the conditional use.

4. No amplified outdoor music or other amplified sound shall be permitted on the roof garden terrace of the synagogue.

5. Prior to issuance of a building permit by the City for the proposed development, the applicant shall:

- (i) enter into and record in the Public Records of Miami-Dade County, at its expense, and in form satisfactory to the City Manager and City Attorney, the Agreement and Covenant in fulfillment of all requirements of the City's Green Building Ordinance No. 2009-18; and
- (ii) provide to the City a performance bond or other security approved by the City Manager and City Attorney in the amount of 5% of building construction costs as approved by the City's Building Official to guarantee attainment of LEED® Gold certification by the US Green Building Council; and
- (iii) record, in form satisfactory to the City Manager and City Attorney, a Unity of Title joining the lots and strip of land comprising the parcel into one development site; and
- (iv) record, in form satisfactory to the City Manager and City Attorney, pursuant to Section 31-171(b)(12)b., a covenant restricting the size, mix and location

of uses to those detailed in the shared parking study as approved by the City's Traffic Engineering Consultant; and

- (v) record the release and vacation and relocation of the 10 foot wide FPL easement through the center of and along the northern limit of the site as shown on the survey submitted with this application; and
- (vi) submit and receive approval from the City Manager of a detailed job-site plan as required by City of Aventura Ordinance No. 2006-05; and
- (vii) provide to the City, a copy of the FDOT permit for the proposed intersection roadway improvement; and
- (viii) obtain a Public Works Permit from the City for all proposed roadway improvements and driveways onto NE 210 Street.
- (ix) pay to the City the sum of \$50,000, as proffered by the applicant, as a contribution toward the cost of street lighting on NE 30 Avenue.

6. Prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy, the applicant shall:

- (i) provide an as-built survey and Elevation Certificate in form approved by the City; and
- (ii) provide to the City, evidence of compliance with City Code Section 31-242 regarding public safety radio system protection; and
- (iii) construct, to the satisfaction of the City, the intersection and roadway improvements shown on the paving, grading and drainage plans submitted with this application.

Section 3. The City Manager is authorized to cause the issuance of permits in accordance with the approvals and conditions herein provided and to indicate such approvals and conditions upon the records of the City.

Section 4. Issuance of this development order by the City of Aventura does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Aventura for issuance of the development order if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

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

PASSED AND ADOPTED this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

This Resolution was filed in the Office of the City Clerk this _____ day of _____, 2016.

CITY CLERK

Exhibit "A"

Legal Description of Parcel
21001 Biscayne Boulevard, City of Aventura

All of Block 1 of "Hallandale Park No. 11", according to the Plat thereof, as recorded in Plat Book 27, Page 39 of the Public Records of Miami-Dade County, Florida

Together with:

A portion of that 25.00 foot strip of land formerly known as Harvard Avenue (presently designated as NE 29 Avenue) as shown Plat entitled "Hallandale Park No. 11" according to the Plat thereof as recorded in Plat Book 27, Page 39 of the Public Records of Miami-Dade County, Florida lying northerly at the north right of way boundary of NE 210 Street formerly known as Montclair Way as shown on said plat entitled "Hallandale Park No. 11"; said tract of land being more particularly described as follows:

Begin at the northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, Township 51 South, Range 42 East, Miami-Dade County, Florida, said point also being the westerly corner of Tract A of Donn Acres according to the plat thereof as recorded in Plat Book 76, Page 30 of the Public Records of Miami-Dade County Florida; then run N89°46'30" East along the north boundary of the South $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 34, being also along the westerly projection of the north boundary of Lot 11, Block 1 of said Hallandale Park No. 11 a distance of 25.00 feet to the northwest corner of said Lot 11; thence run S01°03'38" E along the west boundary of Lot 11 a distance of 31.38 feet to the point of curvature of a curve concave to the northeast and having for its elements a radius of 25.00 feet and a central angle of 89°11'52"; thence run southeastwardly, eastwardly and northeastwardly along the arc of said curve a distance of 38.92 feet to the point of tangency; then run S89°44'30"W along the westerly projection of the south boundary of said Lot 11 a distance of 38.06 feet to a point of deflection; thence run N65°41'00" W along a line that is perpendicular southeasterly right of way boundary of Federal Highway (also known as US 1, also known as State Road 5) as shown on right of way map as recorded in Plat Book 34, Page 54A, of the Public Records of Miami-Dade County, Florida, a distance of 12.83 feet to the point of intersection with the west boundary of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 34; thence run N01°03'38"W along the last described line being also along the east boundary of Lot 2, Block 6, Map of the Town of Hallandale in Section 34, Township 51, Range 42 East, Miami-Dade County, Florida, according to the Plat thereof as recorded in Plat Book B, Page 13 of the Public Records of Miami-Dade County, Florida, a distance of 50.71 feet to the point of beginning.

Together with:

A portion of Tracts A, B and C of Donn Acres, according to the plat thereof as recorded in Plat Book 76 at Page 30 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Section 34, Township 51 South, Range 42 East; thence run $S01^{\circ}59'03''E$ along the easterly line of said Section 34 for 659.14 feet; thence run $S88^{\circ}00'57''W$ for 40 feet; thence run $S01^{\circ}59'03''E$ for 50 feet; thence run $S88^{\circ}26'03''W$ for 1953.55 feet to a point; said point bearing $S72^{\circ}44'41''E$ from the center of the next described curve; thence run southwesterly along a circular curve to the right having for its elements a central angle of $05^{\circ}27'59''$ and a radius of 4752.05 feet for an arc distance of 453.38 feet to a point of tangency; thence run $S22^{\circ}43'18''W$ for 574.92 feet; thence run $S88^{\circ}12'28''W$ for 265.99 feet to the point of beginning; thence continue $S88^{\circ}12'28''W$ for 634.70 feet; thence run $N02^{\circ}37'40''W$ for 25.00 feet; thence run $N88^{\circ}12'28''E$ for 634.57 feet; thence run $S02^{\circ}55'32''$ East for 25.00 feet to the point of beginning.

MEMORANDUM

TO: City Commission of the City of Aventura, Florida

FROM: David M. Wolpin, City Attorney's Office

DATE: April 21, 2016

SUBJECT: Request to Consider Adoption of Drone Ordinance

April 28, 2016 City Commission Workshop

We have drafted the attached proposed Ordinance for City Commission consideration. The proposed Ordinance consists of two primary components for a new Article VIII "Drone Regulations and Privacy Protections" of Chapter 30 "Environment" of the City Code, as follows:

- (1) Creation of City Code Section 30-210 "Drone Restrictions at Public Gatherings"; and
- (2) Creation of Section 30-211 "Protection of Privacy from Drone Use."

Section 30-210 is intended to protect the public safety by prohibiting drones from being flown within or over defined Public Gatherings in the City.

Section 30-211 is intended to enable the city code enforcement special magistrate system to be used to address violations of city residents' privacy protections arising from drone use within the City. Section 30-211 is modeled after Section 934.50(5) (b), Florida Statutes, and embodies a code enforcement approach for privacy protection. The statute relies on a civil action law suit remedy. The City's innovative, proposed code enforcement approach is supported by the March 30, 2016 Attorney General Opinion 16-04 (2016), which was requested by the City.

An additional component of the proposed Ordinance is that Section 6 "Implementation", enables the City Manager to investigate the potential purchase and deployment of technological devices and systems which may enable the safe immobilization of drones which are found to be operated in violation of the Ordinance or applicable laws within the City.

If the City Commission desires to proceed with the proposed Ordinance, we would recommend that we be authorized to contact the FAA Office of Regional Counsel for approval of the Ordinance or for a statement of "no objection" from the FAA concerning the Ordinance.

Once you have had an opportunity to review the proposed draft Ordinance, please advise us of any questions.

Copy: City Manager, City Clerk

Attachments: Proposed Ordinance; Attorney General Opinion 16-04 (2016); Section 934.50, F.S.

ORDINANCE NO. 2016-__

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; AMENDING THE CITY CODE BY AMENDING CHAPTER 30 "ENVIRONMENT", BY CREATING ARTICLE VIII "DRONE REGULATIONS AND PRIVACY PROTECTIONS", BY CREATING SECTION 30-210 "DRONE RESTRICTIONS AT PUBLIC GATHERINGS"; TO REGULATE AND RESTRICT DRONE USE IN AND OVER OUTDOOR PUBLIC GATHERINGS, AND BY CREATING SECTION 30-211 "PROTECTION OF PRIVACY FROM DRONE USE" TO PROVIDE FOR A CODE ENFORCEMENT MECHANISM CONCERNING ANY USE OF A DRONE THAT VIOLATES INDIVIDUAL PRIVACY AS PROTECTED BY SECTION 934.50, FLORIDA STATUTES; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR PENALTY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Aventura ("City") finds that it is necessary to amend Chapter 30 "Environment" of the City Code to restrict Drone operations at outdoor public gatherings within the City, and to afford a means of protecting personal privacy from Drone intrusions via City Code enforcement mechanisms; and

WHEREAS, the City Commission has held the required public hearing, duly noticed in accordance with law; and

WHEREAS, the City Commission finds that this proposed Ordinance serves to further enhance the protection of the public health, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. **City Code Amended.** That Article VIII "Drone Regulations and Privacy Protections" is hereby created within Chapter 30 "Environment" of the City Code, consisting of Section 30-210 " Drone Restrictions at Public Gatherings", and Section 30-211 " Protection of Privacy from Drone Use ", to read as follows:

ARTICLE VIII. DRONE REGULATIONS AND PRIVACY PROTECTIONS

Section 30-210. Drone Restrictions at Public Gatherings.

(a) *Purpose and intent.* This Section is intended to promote public safety and protect people attending outdoor public gatherings from dangers posed by the flying of unmanned aircraft systems (the "UAS" or "Drones") in and over such public gatherings. The City Commission wishes to regulate the use of Drones at outdoor venues where people gather, such as parks and athletic field facilities, open spaces and similar areas that may attract groups of people. The restrictions of this Section are intended to protect persons gathered in groups where a Drone incident would cause greater harm and risk of injury due to a greater number of people gathered in a close proximity. This Section shall not be construed to conflict with FAA regulations, but rather to operate in conjunction with those regulations to promote public safety.

(b) *Definitions.* As used herein, the following terms shall have the meaning which is indicated below:

Operator shall mean the person or corporation that operates or controls a Drone.

Public Gatherings shall mean an outdoor area within the City of Aventura at which more than fifty (50) people congregate or assemble to observe and/ or participate in an athletic or sporting event, festival, show, outdoor movie, concert, exhibit, or engage in an organized demonstration or similar free speech activity, which is held in a public space, open space, plaza, street, park, athletic field, school grounds, shopping center or mall parking lot, or any open-air facility, when the time, date and location of such Public Gathering is posted on the City's website for the purpose of providing advance notice to the public and Drone Operators. The date of such posting on the City's website shall be at least three (3) days prior to the date of the Public Gathering in order to be considered effective notice under this provision.

Unmanned aircraft systems (UAS or Drone) shall mean a powered, aerial vehicle as defined in Section 934.50(2)(a), Florida Statutes, which statutory definition is hereby incorporated herein.

(c) *Prohibitions.* Unless otherwise exempt under this Section, a Drone is prohibited from being deployed, launched or flown in any airspace within or over any Public Gathering, as

defined above. Accordingly, no person shall deploy, launch or fly a Drone in any airspace within or over a Public Gathering in the City.

(d) *Exemptions.* This Section shall not prohibit the use of a Drone by any law enforcement or fire rescue agency, public utility, or local, county, regional, state, or federal governmental agency for lawful purposes and operated in a lawful manner. Notwithstanding the prohibitions set forth in this Section, nothing in this Section shall be construed to apply to any person who demonstrates that such person is expressly authorized by the Federal Aviation Administration to operate a Drone in City air space at a Public Gathering, in accordance with the authority granted by the Federal Aviation Administration.

(e) *Enforcement.*

- (1) *Penalty.* Any person in violation of any provision of this Section shall be subject to the penalty provided in Section 1-14 of the City Code. However, in addition to, or in lieu of any such penalty, the City shall have the power to sue in civil court and/or to enforce the provisions of this Section before its code enforcement special magistrate established in Chapter 2, Section 2-331, et. seq. of the Code of the City of Aventura, as amended.
- (2) In addition to the penalties referenced above, a Drone operated in violation of this Section may be impounded by a Police Officer of the City and held until the conclusion of the applicable court or code enforcement proceedings.

Section 30-211. Protection of Privacy from Drone Use.

- (1) SHORT TITLE. — This Section may be cited as the “Drone Privacy Protection Ordinance.”
- (2) DEFINITIONS. — As used in this Section, the term:
 - (a) “*Drone*” means a powered, aerial vehicle as defined in Section 934.50(2)(a), Florida Statutes, which statutory definition is hereby incorporated herein.
 - (b) “*Image*” means a record of thermal, infrared, ultraviolet, visible light, or other electromagnetic waves; sound waves; odors; or other physical phenomena which captures conditions existing on or about real property or an individual located on that property.
 - (c) “*Imaging device*” means a mechanical, digital, or electronic viewing device; still camera; camcorder; motion picture camera; or any other instrument, equipment, or format capable of recording, storing, or transmitting an image.

(d) “*Surveillance*” means:

1. With respect to an owner, tenant, occupant, invitee, or licensee of privately owned real property, the observation of such persons with sufficient visual clarity to be able to obtain information about their identity, habits, conduct, movements, or whereabouts; or
2. With respect to privately owned real property, the observation of such property’s physical improvements with sufficient visual clarity to be able to determine unique identifying features or its occupancy by one or more persons.

(3) PROHIBITED USE OF DRONES.

- (a) A person shall not use a Drone equipped with an Imaging Device to record an Image of privately owned real property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct Surveillance on the individual or property captured in the Image in violation of such person’s reasonable expectation of privacy without his or her written consent. For purposes of this Section, a person is presumed to have a reasonable expectation of privacy on his or her privately owned real property if he or she is not observable by persons located at ground level in a place where they have a legal right to be, regardless of whether he or she is observable from the air with the use of a Drone.
- (b) No person shall engage in conduct which is prohibited by paragraph (a) above.
- (c) This Section is intended to prohibit conduct by a person that would give rise to a cause of action under Section 934.50(5)(b), Florida Statutes, as authorized by Florida Attorney General Opinion 16-04(2016).

(4) EXCEPTIONS. — This section does not prohibit the use of a Drone:

- (a) By a person or an entity engaged in a business or profession licensed by the state, or by an agent, employee, or contractor thereof, if the Drone is used only to perform reasonable tasks within the scope of practice or activities permitted under such person’s or entity’s license. However, this exception does not apply to a profession in which the licensee’s authorized scope of practice includes obtaining information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any society, person, or group of persons.
- (b) By an employee or a contractor of any local, county, state or federal governmental agency who uses a Drone solely for governmental purposes.
- (c) To capture Images by or for an electric, water, or natural gas utility:

1. For operations and maintenance of utility facilities, including facilities used in the generation, transmission, or distribution of electricity, gas, or water, for the purpose of maintaining utility system reliability and integrity;
 2. For inspecting utility facilities, including pipelines, to determine construction, repair, maintenance, or replacement needs before, during, and after construction of such facilities;
 3. For assessing vegetation growth for the purpose of maintaining clearances on utility rights-of-way;
 4. For utility routing, siting, and permitting for the purpose of constructing utility facilities or providing utility service; or
 5. For conducting environmental monitoring, as provided by federal, state, or local law, rule, or permit.
- (d) For aerial mapping, if the person or entity using a Drone for this purpose is operating in compliance with Federal Aviation Administration regulations.
- (e) To deliver cargo, if the person or entity using a Drone for this purpose is operating in compliance with Federal Aviation Administration regulations.
- (f) To capture Images necessary for the safe operation or navigation of a Drone that is being used for a purpose allowed under federal or Florida law.

(5) ENFORCEMENT FOR VIOLATION.

The City may initiate City code enforcement proceedings, and impose administrative fines and costs, pursuant to Section 2-331, et. seq. of Chapter 2 of the City Code against any person in violation of paragraph (3) of this Section, at the written request of the owner, tenant, occupant, invitee, or licensee of privately owned real property within the City who is aggrieved by a violation of this Section or Section 934.50(3)(b), Florida Statutes. Alternatively, such code enforcement proceedings may be commenced upon the City's own initiative.

Section 3. **Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any

part.

Section 4. Inclusion in the Code. That it is the intention of the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Aventura; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 5. Penalty. That any person who violates any provisions of Section 30-210 of this Ordinance shall, upon conviction, be punished by a fine not to exceed \$500.00 or imprisonment in the County jail not to exceed sixty (60) days or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate violation. This Ordinance shall also be subject to enforcement under the Local Government Code Enforcement Act, Chapter 162, F.S., as amended, and City Code Section 2-331, et. seq., as amended. Enforcement may also be by suit for declaratory, injunctive or other appropriate relief in a court of competent jurisdiction.

Section 6. Implementation.

- A. That the City Manager is authorized to take any action which is necessary to implement and enforce this Ordinance.
- B. Further, the City Manager is authorized to investigate the potential purchase and deployment of technological devices and systems which may enable the safe immobilization of drones which are found to be operated in violation of this Ordinance or applicable laws within the City.

Section 7. Effective Date. That this Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by _____, who moved its adoption on first reading. This motion was seconded by _____, and upon being put to a vote, the vote was as follows:

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

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

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

PASSED AND ADOPTED on first reading this 3rd day of May, 2016.

PASSED AND ADOPTED on second reading this 7th day of June, 2016.

Enid Weisman, Mayor

ATTEST:

Ellisa L. Horvath, MMC
City Clerk

Approved as to Form and Legal Sufficiency
For City's Reliance Only:

City Attorney



STATE OF FLORIDA

PAM BONDI
ATTORNEY GENERAL

March 30, 2016

16-04

Mr. David M. Wolpin
Attorney for the City of Aventura
2525 Ponce De Leon Boulevard
Suite 700
Coral Gables, Florida 33134

Dear Mr. Wolpin:

On behalf of the City of Aventura, you ask the following:

Does section 934.50, Florida Statutes, preempt the adoption of a municipal ordinance prohibiting the use of drones equipped with imaging devices within the city's limits by private individuals and entities, when such use invades the privacy rights of the city's residents?

In sum:

Section 934.50, Florida Statutes, does not preempt the adoption of a municipal ordinance prohibiting the use of drones by private individuals for surveillance which invades the privacy rights of the city's residents.

You state that the City of Aventura is contemplating the enactment of an ordinance to prohibit the unauthorized use of surveillance drones by private persons, when such use invades the privacy rights of citizens. The proposed ordinance would track the statutory exclusions from the prohibition in section 934.50(4), Florida Statutes, and would impose civil penalties for its violation pursuant to the authority in Chapter 162, Florida Statutes.¹ The city, however, questions whether such an ordinance would be preempted by or be in conflict with section 934.50, Florida Statutes, the "Freedom from Unwarranted Surveillance Act."²

¹ Chapter 162, Fla. Stat., establishes administrative enforcement procedures and a means of imposing administrative fines by local governing bodies for violations of local codes and ordinances for which no criminal penalty has been specified.

² While you have limited your inquiry to the impact of s. 934.50, Fla. Stat., the Federal Aviation Authority and federal law may be implicated in the regulation of drones. Regrettably, this office does not interpret federal law, so it may be advisable to contact the Federal Aviation Authority for further direction.

Initially, I would note that the discussion below generally addresses the provisions in section 934.50, Florida Statutes, and does not speak to the specific language the city may use in its ordinance.

Section 934.50(3), Florida Statutes, in prohibiting the use of drones,³ provides:

- (a) A law enforcement agency may not use a drone to gather evidence or other information.
- (b) A person, a state agency, or a political subdivision as defined in s. 11.45 may not use a drone equipped with an imaging device to record an image of privately owned real property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance on the individual or property captured in the image in violation of such person's reasonable expectation of privacy without his or her written consent. For purposes of this section, a person is presumed to have a reasonable expectation of privacy on his or her privately owned real property if he or she is not observable by persons located at ground level in a place where they have a legal right to be, regardless of whether he or she is observable from the air with the use of a drone.

Specific exceptions to the prohibition against the use of drones are enumerated.⁴

³ Section 934.50(2)(a), Fla. Stat., provides:

- "Drone" means a powered, aerial vehicle that:
1. Does not carry a human operator;
 2. Uses aerodynamic forces to provide vehicle lift;
 3. Can fly autonomously or be piloted remotely;
 4. Can be expendable or recoverable; and
 5. Can carry a lethal or nonlethal payload.

⁴ Section 934.50(4), Fla. Stat.:

EXCEPTIONS.—This section does not prohibit the use of a drone:

- (a) To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates that there is such a risk.
- (b) If the law enforcement agency first obtains a search warrant signed by a judge authorizing the use of a drone.
- (c) If the law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent danger to life or serious damage to property, to forestall the imminent escape of a suspect or the destruction of evidence, or to achieve purposes including, but not limited to, facilitating the search for a missing person.
- (d) By a person or an entity engaged in a business or profession licensed by the state, or by an agent, employee, or contractor thereof, if the drone is used only to

The statute further provides remedies for violation of its terms:

(5)(a) An aggrieved party may initiate a civil action against a law enforcement agency to obtain all appropriate relief in order to prevent or remedy a violation of this section.

(b) The owner, tenant, occupant, invitee, or licensee of privately owned real property may initiate a civil action for compensatory damages for violations of this section and may seek injunctive relief to prevent future violations of this section against a person, state agency, or political subdivision that violates paragraph (3)(b). In such action, the prevailing party is entitled to recover reasonable attorney fees from the nonprevailing party based on the actual and reasonable time expended by his or her attorney billed at an appropriate hourly rate and, in cases in which the payment of such a fee is contingent on the outcome, without a multiplier, unless the action is tried to verdict, in which case a multiplier of up to twice the actual value of the time expended may be awarded in the discretion of the trial court.

(c) Punitive damages for a violation of paragraph (3)(b) may be sought

perform reasonable tasks within the scope of practice or activities permitted under such person's or entity's license. However, this exception does not apply to a profession in which the licensee's authorized scope of practice includes obtaining information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any society, person, or group of persons.

(e) By an employee or a contractor of a property appraiser who uses a drone solely for the purpose of assessing property for ad valorem taxation.

(f) To capture images by or for an electric, water, or natural gas utility:

1. For operations and maintenance of utility facilities, including facilities used in the generation, transmission, or distribution of electricity, gas, or water, for the purpose of maintaining utility system reliability and integrity;

2. For inspecting utility facilities, including pipelines, to determine construction, repair, maintenance, or replacement needs before, during, and after construction of such facilities;

3. For assessing vegetation growth for the purpose of maintaining clearances on utility rights-of-way;

4. For utility routing, siting, and permitting for the purpose of constructing utility facilities or providing utility service; or

5. For conducting environmental monitoring, as provided by federal, state, or local law, rule, or permit.

(g) For aerial mapping, if the person or entity using a drone for this purpose is operating in compliance with Federal Aviation Administration regulations.

(h) To deliver cargo, if the person or entity using a drone for this purpose is operating in compliance with Federal Aviation Administration regulations.

(i) To capture images necessary for the safe operation or navigation of a drone that is being used for a purpose allowed under federal or Florida law.

Mr. David M. Wolpin
Page Four

against a person subject to other requirements and limitations of law, including, but not limited to, part II of chapter 768 and case law.

(d) The remedies provided for a violation of paragraph (3)(b) are cumulative to other existing remedies.⁵

Section 166.021(1), Florida Statutes, a provision of the "Municipal Home Rule Powers Act," states that municipalities may exercise any power for municipal purposes except when expressly prohibited by law. Section 166.021(3), Florida Statutes, provides that pursuant to the authority set forth in section 2(b), Article VIII, Florida Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject upon which the state Legislature may act except, among other things, any subject that is expressly prohibited by the constitution or any subject that is expressly preempted to state or county government by the Constitution or by general law.⁶ The term "express" as used in section 166.021, Florida Statutes, has been construed to mean a reference that is distinctly stated and not left to inference.⁷

A review of section 934.50, Florida Statutes, does not reveal an express preemption of the regulation of drones, nor do the provisions of the statute appear to be so pervasive so as to preclude any other regulation by a local government.⁸ At this time, there does not appear to be a uniform state law which would preempt local regulation of the use of drones by private persons in the manner proposed by the city.

As was established in *City of Miami Beach v. Rocio Corporation*⁹:

The principle that a municipal ordinance is inferior to state law remains undisturbed. Although legislation may be concurrent, enacted by both state and local governments in areas not preempted by the state, concurrent legislation enacted by municipalities may not conflict with state law. If conflict arises, state law prevails. An ordinance which supplements a statute's restriction of rights may coexist with that statute, whereas an ordinance which countermands rights provided by statute must fail.

⁵ Section 934.50(5), Fla. Stat.

⁶ Section 166.021(3)(b) and (c), Fla. Stat.

⁷ See *Edwards v. State*, 422 So. 2d 84, 85 (Fla. 2d DCA 1982); Op. Att'y Gen. Fla. 84-83 (1984). Cf. *Pierce v. Division of Retirement*, 410 So. 2d 669, 672 (Fla. 2d DCA 1982).

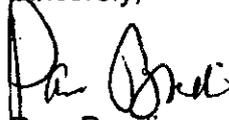
⁸ Compare Inf. Op. to Mr. James D. Palermo, dated September 25, 2002, Florida's Beverage Law does not expressly preempt local regulation prohibiting individuals under the age of 21 from entering a bar.

⁹ 404 So. 2d 1066, 1070 (Fla. 3d DCA 1981), *petition for review denied*, 408 So. 2d 1092 (Fla. 1981).

Mr. David M. Wolpin
Page Five

Accordingly, it is my opinion that section 934.50, Florida Statutes, does not preempt the adoption of a municipal ordinance prohibiting the use of drones equipped with imaging devices within the city limits by private individuals and entities, when such use invades the privacy rights of the city's residents.

Sincerely,

A handwritten signature in black ink, appearing to read "Pam Bondi". The signature is written in a cursive, flowing style.

Pam Bondi
Attorney General

PB/tls

Mr. David M. Wolpin
Page Six

**RE: MUNICIPALITIES—MUNICIPAL CODE ENFORCEMENT—
DRONES—PRIVACY RIGHTS. Authority of municipality to enact
ordinance prohibiting private use of drones to invade privacy rights of
citizens. s. 934.50, Fla. Stat.**

- Home
- Senate
- House
- Citator
- Statutes, Constitution,
& Laws of Florida
- Florida Statutes**
- Search Statutes**
- Search Tips**
- Florida Constitution**
- Laws of Florida**
- Legislative & Executive
Branch Lobbyists
Information Center
- Joint Legislative
Committees &
Other Entities
- Historical Committees
- Florida Government
Efficiency Task Force
- Legislative Employment
Legistore
Links

The 2015 Florida Statutes

Title XLVII	Chapter 934	View Entire Chapter
CRIMINAL PROCEDURE AND CORRECTIONS	SECURITY OF COMMUNICATIONS; SURVEILLANCE	

934.50 Searches and seizure using a drone. –

(1) **SHORT TITLE.** – This act may be cited as the “Freedom from Unwarranted Surveillance Act.”

(2) **DEFINITIONS.** – As used in this act, the term:

(a) “Drone” means a powered, aerial vehicle that:

1. Does not carry a human operator;
2. Uses aerodynamic forces to provide vehicle lift;
3. Can fly autonomously or be piloted remotely;
4. Can be expendable or recoverable; and
5. Can carry a lethal or nonlethal payload.

(b) “Image” means a record of thermal, infrared, ultraviolet, visible light, or other electromagnetic waves; sound waves; odors; or other physical phenomena which captures conditions existing on or about real property or an individual located on that property.

(c) “Imaging device” means a mechanical, digital, or electronic viewing device; still camera; camcorder; motion picture camera; or any other instrument, equipment, or format capable of recording, storing, or transmitting an image.

(d) “Law enforcement agency” means a lawfully established state or local public agency that is responsible for the prevention and detection of crime, local government code enforcement, and the enforcement of penal, traffic, regulatory, game, or controlled substance laws.

(e) “Surveillance” means:

1. With respect to an owner, tenant, occupant, invitee, or licensee of privately owned real property, the observation of such persons with sufficient visual clarity to be able to obtain information about their identity, habits, conduct, movements, or whereabouts; or
2. With respect to privately owned real property, the observation of such property’s physical improvements with sufficient visual clarity to be able to determine unique identifying features or its occupancy by one or more persons.

(3) **PROHIBITED USE OF DRONES.** –

(a) A law enforcement agency may not use a drone to gather evidence or other information.

(b) A person, a state agency, or a political subdivision as defined in s. 11.45 may not use a drone equipped with an imaging device to record an image of privately owned real property or of the owner, tenant, occupant, invitee, or licensee of such property with the intent to conduct surveillance on the individual or property captured in the image in violation of such person’s reasonable expectation of privacy without his or her written consent. For purposes of this section, a person is presumed to have a reasonable expectation of privacy on his or her privately owned real

**Interpreter Services
for the Hearing Impaired**



property if he or she is not observable by persons located at ground level in a place where they have a legal right to be, regardless of whether he or she is observable from the air with the use of a drone.

(4) EXCEPTIONS.—This section does not prohibit the use of a drone:

(a) To counter a high risk of a terrorist attack by a specific individual or organization if the United States Secretary of Homeland Security determines that credible intelligence indicates that there is such a risk.

(b) If the law enforcement agency first obtains a search warrant signed by a judge authorizing the use of a drone.

(c) If the law enforcement agency possesses reasonable suspicion that, under particular circumstances, swift action is needed to prevent imminent danger to life or serious damage to property, to forestall the imminent escape of a suspect or the destruction of evidence, or to achieve purposes including, but not limited to, facilitating the search for a missing person.

(d) By a person or an entity engaged in a business or profession licensed by the state, or by an agent, employee, or contractor thereof, if the drone is used only to perform reasonable tasks within the scope of practice or activities permitted under such person's or entity's license. However, this exception does not apply to a profession in which the licensee's authorized scope of practice includes obtaining information about the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation, or character of any society, person, or group of persons.

(e) By an employee or a contractor of a property appraiser who uses a drone solely for the purpose of assessing property for ad valorem taxation.

(f) To capture images by or for an electric, water, or natural gas utility:

1. For operations and maintenance of utility facilities, including facilities used in the generation, transmission, or distribution of electricity, gas, or water, for the purpose of maintaining utility system reliability and integrity;

2. For inspecting utility facilities, including pipelines, to determine construction, repair, maintenance, or replacement needs before, during, and after construction of such facilities;

3. For assessing vegetation growth for the purpose of maintaining clearances on utility rights-of-way;

4. For utility routing, siting, and permitting for the purpose of constructing utility facilities or providing utility service; or

5. For conducting environmental monitoring, as provided by federal, state, or local law, rule, or permit.

(g) For aerial mapping, if the person or entity using a drone for this purpose is operating in compliance with Federal Aviation Administration regulations.

(h) To deliver cargo, if the person or entity using a drone for this purpose is operating in compliance with Federal Aviation Administration regulations.

(i) To capture images necessary for the safe operation or navigation of a drone that is being used for a purpose allowed under federal or Florida law.

(5) REMEDIES FOR VIOLATION.—

(a) An aggrieved party may initiate a civil action against a law enforcement agency to obtain all appropriate relief in order to prevent or remedy a violation of this section.

(b) The owner, tenant, occupant, invitee, or licensee of privately owned real property may initiate a civil action for compensatory damages for violations of this section and may seek injunctive relief to prevent future violations of this section against a person, state agency, or political subdivision that violates paragraph (3)(b). In such action, the prevailing party is entitled to recover reasonable attorney fees from the nonprevailing party based on the actual and reasonable

time expended by his or her attorney billed at an appropriate hourly rate and, in cases in which the payment of such a fee is contingent on the outcome, without a multiplier, unless the action is tried to verdict, in which case a multiplier of up to twice the actual value of the time expended may be awarded in the discretion of the trial court.

(c) Punitive damages for a violation of paragraph (3)(b) may be sought against a person subject to other requirements and limitations of law, including, but not limited to, part II of chapter 768 and case law.

(d) The remedies provided for a violation of paragraph (3)(b) are cumulative to other existing remedies.

(6) **PROHIBITION ON USE OF EVIDENCE.**—Evidence obtained or collected in violation of this act is not admissible as evidence in a criminal prosecution in any court of law in this state.

History.—s. 1, ch. 2013-33; s. 1, ch. 2015-26.

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

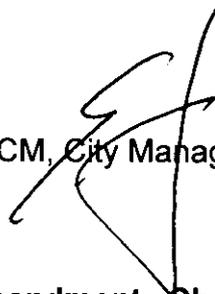
MEMORANDUM

TO: City Commission

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

DATE: March 28, 2016

SUBJECT: **Proposed Charter Amendment – Charter Revision Process**



1st Reading April 5, 2016 City Commission Meeting Agenda Item 7
2nd Reading May 3, 2016 City Commission Meeting Agenda Item 9A

RECOMMENDATION

As discussed at the March Workshop Meeting, it is recommended that the City Commission adopt the attached Ordinance to present to the electors at the November 8, 2016 general election a proposed Charter Amendment to provide that future proposed amendments arising from the periodic Charter Revision Commission (CRC) process be submitted to the electors at the next general election or at a special election, if any which is sooner called by the City Commission for such purposes. This eliminates the need for a special election along with its associated additional costs.

BACKGROUND

Section 7.06 of the City Charter provides that at the first regular meeting of November every five years, the City Commission shall appoint a CRC. This section outlines that the CRC shall commence its proceedings within 15 days after appointment by the Commission. Any recommended changes are required to be submitted to the City Commission by January 1 of the upcoming year. The City Commission shall, not less than 60 days or more than 150 days after the submission of the proposed amendments to the City Commission, submit them to the electors of the City.

This procedure worked well when City Commission elections were held in March. However, in 2008 the voters approved a Charter Amendment that placed the elections for the City Commission in November. Therefore, each time the CRC meets and places items on the ballot a special election is required along with its associated additional costs.

Attached is the Ordinance prepared by the City Attorney to address this issue. If you have any questions, please feel free to contact me.

ORDINANCE NO. 2016-__

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO CITY CHARTER SECTION 7.06 “CHARTER REVISION”, REVISING CHARTER AMENDMENT ELECTION TIMING PROCEDURES APPLICABLE TO THE PERIODIC CHARTER REVIEW PROCESS; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORATE; CALLING A SPECIAL ELECTION ON THE PROPOSED AMENDMENT TO THE CITY CHARTER TO BE HELD ON TUESDAY, THE 8TH DAY OF NOVEMBER 2016, IN CONJUNCTION WITH THE GENERAL ELECTION BEING HELD ON SAID DATE; PROVIDING NOTICE OF ELECTION; PROVIDING FOR ELECTION PROCEDURE; PROVIDING FOR INCLUSION IN THE CHARTER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 6.02(a)(i) of the City Charter, the City Commission has determined that an amendment (the “Charter Amendment”) is needed to Section 7.06 “Charter Revision” of the City Charter, in order to adjust the timing of charter amendment elections which follow the periodic review of the City Charter by the Charter Revision Commission every 5 years; and

WHEREAS, pursuant to Section 6.02 (a)(i) of the City Charter and Section 6.03 of the Miami-Dade County Charter, the City Commission is required to submit this proposed Charter Amendment to the electors of the City for approval or rejection.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That the above-stated recitals are hereby adopted and confirmed.

Section 2. Charter Amendment. That pursuant to Section 6.02(a)(i) of the City Charter and Section 6.03 of the Miami-Dade County Charter, the City Charter of the City of Aventura,

Florida, is hereby amended by amending City Charter Section 7.06 “Charter revision”, to read as follows:¹

- **Section 7.06. - Charter revision.**

At its first regular meeting in November of every fifth year after the adoption of this Charter, commencing with December, 2000, the Commission shall appoint a Charter revision commission consisting of five persons, one of whom shall have served as a member of the previous Charter commission and four of whom shall be electors of the City. If a former Charter commission member is not available to serve, five electors of the City, rather than four, shall be appointed. The City Commissioners shall not be eligible for appointment to the revision commission. The revision commission shall commence its proceedings within 15 days after appointment by the Commission. If the revision commission determines that a revision is needed, including but not limited to a change in the boundaries or numbers of Residential Areas, it shall draft such amendments to this Charter as it deems appropriate and submit the same to the Commission not later than January 1 of the following year after their appointment by the Commission. After receipt of the submission of the proposed amendments from the revision commission, ~~The the~~ Commission shall, ~~not less than 60 days or more than 150 days after submission of the proposed amendments to the Commission,~~ submit them to the electors of the City at the next general election in the City or at a special election, if any, which is sooner called by the Commission for such purpose, in accordance with the provisions of Section 6.02, except that the provisions of subsections (a) and (b) of such Section shall not apply.

Section 3. Election Called. That a special election is hereby called, to be held on Tuesday, the 8th day of November, 2016, in conjunction with the general election being held on said date, to present to the qualified electors of the City of Aventura (the “City”), the ballot question which is provided in Section 4 of this Ordinance.

Section 4. Form of Ballot. That the form of ballot for the Charter Amendment provided for in Section 2 of this Ordinance shall be substantially as follows:

CITY OF AVENTURA CHARTER AMENDMENT

**REVISED TIME FOR SCHEDULING CHARTER AMENDMENT
ELECTIONS ON CHARTER AMENDMENTS PROPOSED BY
CHARTER REVISION COMMISSION**

The City Charter currently requires the City to hold charter amendment elections within 60 to 150 days after receipt of charter amendment

¹ / Proposed additions to existing City Charter text are indicated by underline; proposed deletions from existing City Charter text are indicated by ~~strike through~~.

recommendations from the City's charter revision commission. It is proposed that the Charter be amended to enable charter amendments to be presented to the voters of the City at the next upcoming general election in the City or a special election sooner called by the City Commission.

Shall the Charter amendment be adopted?

YES ()

NO ()

Section 5. Vote at Polls. That balloting shall be conducted between the hours of 7:00 A.M. and 7:00 P.M. on the date of the special election, and early and absentee balloting shall also be permitted as provided in conjunction with the general election. Polling places shall be those polling places provided for the general election for the electors of the City, pursuant to applicable laws. All qualified City electors who are timely registered in accordance with law shall be entitled to vote. The City Clerk is authorized to obtain any necessary election administration services from the Miami-Dade County Supervisor of Elections. The County registration books shall remain open at the Office of the Miami-Dade County Supervisor of Elections until twenty-nine (29) days prior to the date of such election, at which time the registration books will close in accordance with the provisions of the general election laws. The City Clerk and the Miami-Dade County Supervisor of Elections are hereby authorized to take all appropriate action necessary to carry into effect and accomplish the electoral provisions of this Ordinance. This special election shall be canvassed by the County Canvassing Board, unless otherwise provided by law.

Section 6. Notice of Special Election. That notice of said special election shall be published in accordance with Section 100.342, Fla. Stat., in a newspaper of general circulation within the City at least 30 days prior to said election, the first publication to be in the fifth week prior to the election (to-wit: during the week commencing Sunday, October 2, 2016), and the

second publication to be in the third week prior to the election (to-wit: during the week commencing Sunday, October 16, 2016), and shall be in substantially the following form:

"NOTICE OF SPECIAL ELECTION

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO ORDINANCE NO. _____ ADOPTED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA (THE "CITY") A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE CITY, IN CONJUNCTION WITH THE GENERAL ELECTION, ON TUESDAY, THE 8TH DAY OF NOVEMBER 2016, BETWEEN THE HOURS OF 7 A.M AND 7 P.M., AT WHICH TIME THE FOLLOWING CHARTER AMENDMENT PROPOSAL SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY.

CITY OF AVENTURA CHARTER AMENDMENT

REVISED TIME FOR SCHEDULING CHARTER AMENDMENT ELECTIONS ON CHARTER AMENDMENTS PROPOSED BY CHARTER REVISION COMMISSION

The City Charter currently requires the City to hold charter amendment elections within 60 to 150 days after receipt of charter amendment recommendations from the City's charter revision commission. It is proposed that the Charter be amended to enable charter amendments to be presented to the voters of the City at the next upcoming general election in the City or a special election sooner called by the City Commission.

Shall the Charter amendment be adopted?

YES ()

NO ()

Polling place information, the enabling Ordinance, including the full text of the proposed City Charter Amendment and the ballot question, are available at the office of the City Clerk located at 19200 West Country Club Drive, Aventura, Florida 33180.

City Clerk"

Section 7. Copies. That copies of this Ordinance proposing the Charter Amendment is on file at the office of the City Clerk located at 19200 West Country Club Drive, Aventura, Florida 33180, and is available for public inspection during regular business hours.

Section 8. Effectiveness. That the Charter Amendment provided for in Section 2 of this Ordinance shall become effective if the majority of the qualified electors voting on the Charter Amendment vote for its adoption, and it shall be considered adopted and effective upon certification of the election results. Following adoption of the Charter Amendment, the City Clerk shall file the adopted Charter Amendment with the Clerk of the Circuit Court of Miami-Dade County, Florida.

Section 9. Inclusion In The Charter. That subject to the requirements of Section 8 above, it is the intention of the City Commission and it is hereby provided that the Charter Amendment shall become and be made a part of the Charter of the City of Aventura; and that the Sections of this Ordinance may be renumbered or relettered to accomplish such intention.

Section 10. Severability. That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 11. Effective Date of Ordinance. That following adoption of this Ordinance at second reading, this Ordinance shall be effective immediately from and after July 15, 2016, so as to comply with the 120 day time constraint of Section 6.03 of the Miami-Dade County Charter.

The foregoing Ordinance was offered by Commissioner Landman, who moved its adoption on first reading. The motion was seconded by Commissioner Cohen, and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	<u>Yes</u>
Commissioner Teri Holzberg	<u>Yes</u>
Commissioner Denise Landman	<u>Yes</u>
Commissioner Marc Narotsky	<u>Yes</u>
Commissioner Howard Weinberg	<u>Yes</u>
Vice Mayor Robert Shelley	<u>Yes</u>
Mayor Enid Weisman	<u>Yes</u>

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

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

PASSED AND ADOPTED on First Reading this 5th day of April, 2016.

PASSED AND ADOPTED on Second and Final Reading this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

Attest:

ELLISA L. HORVATH, MMC
CITY CLERK

Approved as to Form and Legal Sufficiency:

CITY ATTORNEY

ORDINANCE NO. 2016-___

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE ATTACHED CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2016/2017 (JULY 1 – JUNE 30), PURSUANT TO SECTION 4.05 OF THE CITY CHARTER; AUTHORIZING EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; PROVIDING FOR BUDGETARY CONTROL; PROVIDING FOR PERSONNEL AUTHORIZATION; PROVIDING FOR GIFTS AND GRANTS; PROVIDING FOR AMENDMENTS; PROVIDING FOR ENCUMBRANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS:

Section 1. The 2016/2017 Operating and Capital Improvement Program Budget for the Aventura City of Excellence School, a copy of said budget being attached hereto and made a part hereof as specifically as if set forth at length herein, be and the same is hereby established and adopted.

Section 2. Expenditure of Funds Appropriated in the Budget Authorized. Funds appropriated in the Budget may be expended by and with the approval of the City Manager in accordance with the provisions of the City Charter and applicable law. Funds of the City shall be expended in accordance with the appropriations provided in the Budget adopted by this Ordinance and shall constitute an appropriation of the amounts specified therein. Supplemental appropriations or the reduction of appropriations, if any, shall be made in accordance with Section 4.07 of the City Charter.

Section 3. Budgetary Control. The Budget establishes a limitation on expenditures by department total. Said limitation requires that the total sum allocated to the Charter School department for operating and capital expenses may not be increased or decreased without specific authorization by a duly-enacted Resolution affecting such amendment or transfer. Therefore, the City Manager may authorize transfers from one individual line item account to another, so long as the line item accounts are within the same department and fund.

Section 4. Personnel Authorization. The "Personnel Allocation Summary" enumerates all authorized budgeted positions. However, the City Manager may amend said authorized budgeted positions in order to address the operating needs of the department so long as sufficient budgeted funds are available.

Section 5. Grants and Gifts. When the City of Aventura receives monies from any source, be it private or governmental, by Grant, Gift, or otherwise, to which there is attached as a condition of acceptance any limitation regarding the use or expenditures of the monies received, the funds so received need not be shown in the Operating Budget nor shall said budget be subject to amendment of expenditures as a result of the receipt of said monies, but said monies shall only be disbursed and applied toward the purposes for which the said funds were received. To ensure the integrity of the Operating Budget, and the integrity of the monies received by the City under Grants or Gifts, all monies received as contemplated above must, upon receipt, be segregated and accounted for based upon generally accepted accounting principles and where appropriate, placed into separate and individual trust and/or escrow accounts from which any money drawn may only be disbursed and applied within the limitations placed upon the Gift or Grant as aforesaid.

Section 6. Amendments. Upon the passage and adoption of the Charter School Fund Budget for the City of Aventura, if the City Manager determines that the Department Total will exceed its original appropriation, the City Manager is hereby authorized and directed to prepare such Ordinances as may be necessary and proper to modify any line item from the Budget hereby.

Section 7. Encumbrances. All outstanding encumbrances at June 30, 2016 shall lapse at that time; and all capital outlay encumbrances and/or capital outlay expenditures not spent during the fiscal year may be re-appropriated in the 2016/2017 fiscal year.

Section 8. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall

remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 9. **Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Commissioner Cohen, who moved its adoption on first reading. This motion was seconded by Commissioner Holzberg, and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	<u>Yes</u>
Commissioner Teri Holzberg	<u>Yes</u>
Commissioner Denise Landman	<u>Yes</u>
Commissioner Marc Narotsky	<u>Yes</u>
Commissioner Howard Weinberg	<u>Yes</u>
Vice Mayor Robert Shelley	<u>Absent</u>
Mayor Enid Weisman	<u>Yes</u>

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

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

PASSED AND ADOPTED on first reading this 28th day of April, 2016.

PASSED AND ADOPTED on second reading this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC, CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY



City of Aventura

Charter School Budget



FISCAL YEAR 2016/2017



ACES
Cultivating Community

AVENTURA CITY OF EXCELLENCE SCHOOL

3333 NE 188TH Street

Aventura, Florida 33180

Telephone: 305-466-1499

Fax: 305-466-1339

Website: www.aventuracharter.org

Board of Directors

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, ICMA-CM

Principal

Julie Alm

Assistant Principals

Leslie Lee

Jorge Paz

Administrative and Educational Services Provided by:

Charter Schools USA

**CITY OF AVENTURA
CHARTER SCHOOL FUND
FISCAL YEAR 2016/17**

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City of Aventura

Government Center
19200 West Country Club Drive
Aventura, Florida 33180



Office of the City Manager

April 2016

The Honorable Mayor and City Commission
Aventura City of Excellence School Board of Directors
City of Aventura
Aventura, Florida 33180

RE: 2016/17 Charter School Fund Budget Message

Members of the City Commission:

In accordance with Article IV, Section 4.05 of the Charter of the City of Aventura, I hereby submit the proposed Budget for the Charter School Fund for the fiscal year beginning July 2016, for your review and consideration. This budget document represents the 14th year of operation of the Aventura City of Excellence School. Our goal in the development and preparation of a realistic balanced budget was to provide the funding levels to maintain the quality education services for our students.

Budget Format

The format of the budget is in accordance with guidelines adopted by the State and School Board of Miami-Dade County, Florida and utilizes the school system's account codes as well. The proposed budget was prepared with input from the school's administrative staff and Charter Schools USA (CSUSA).

Significant Factors Affecting Budget Preparation

The 2016/17 school year represents the 14th year of operations of the school. Our past has shown that we can continue to operate a high performing school that provides a quality education for our students, within the school-based revenues. We have also been fortunate to have involved parents that participate in fund-raising activities for school improvements.

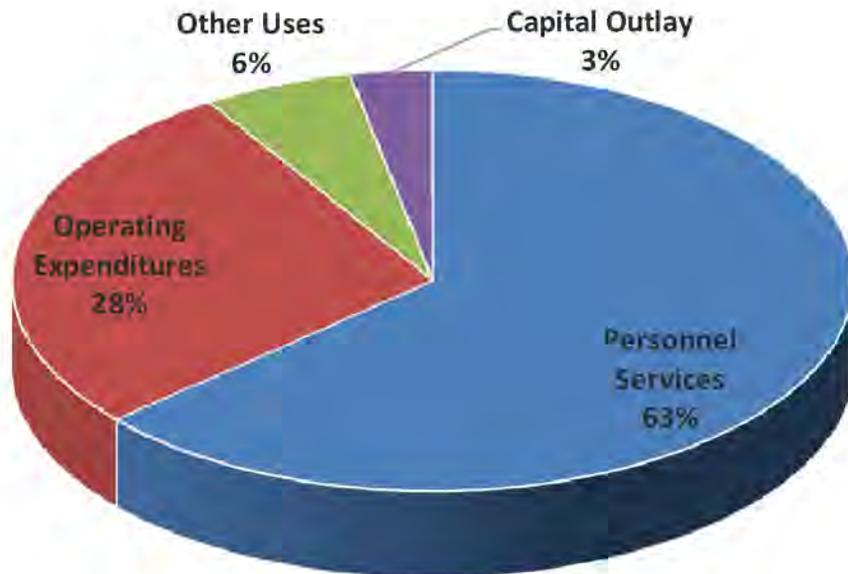
The overall budget increased by 1.8% or \$162,088, largely due to employee salary increases and technology equipment. The budget includes funding for lease payments to the Debt Service Fund to pay annual costs associated with the long term debt borrowed for the construction of the elementary school wing. Based on actions at the State level the FTE revenues are budgeted to increase by 1%.

The following items represents important highlights:

- Teacher salary increases reflect the new performance pay plan in accordance with Florida Statute 1012.22, rewarding teachers who are rated effective and highly effective.
- No additional employee positions are proposed.
- Funds have been budgeted to provide for interactive classroom lesson software and technology enhancements including new laptops, mobile learning computer labs, computer replacements and smartboards.

Summary of All Budgetary Funds

The total proposed budget for 2016/17, including all operating and capital outlay, is \$9,268,560. The majority of the budget is Personnel Services at \$5,886,798. Operating expenditures total \$2,554,762. Other Uses expenditures, which primarily represent lease payments to the Debt Service Fund to cover school construction debt payments and a contingency, account total \$534,000. Capital Outlay expenditures are \$293,000.



The following chart shows a comparison of the department's budgets for the past two years. Total costs increased by 1.8%.

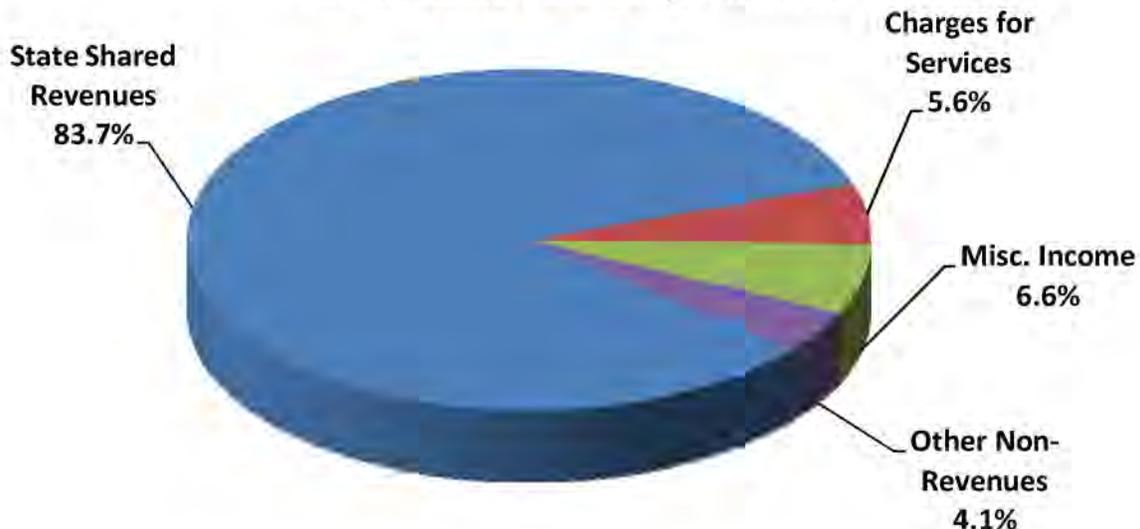
Budget Category Summary

	2015/16	2016/17	Increase (Decrease)	% Change
Revenues				
State Shared Revenues	\$ 7,707,022	\$ 7,757,074	\$ 50,052	0.6%
Charges for Services	481,100	520,000	38,900	8.1%
Misc. Income	661,000	613,000	(48,000)	-7.3%
Other Non-Revenues	257,350	378,486	121,136	47.1%
Total Revenues	\$9,106,472	\$ 9,268,560	\$ 162,088	1.8%
Expenditures				
K-3 Basic	\$ 2,274,026	\$ 2,329,304	\$ 55,278	2.4%
4-8 Basic	2,789,904	2,865,157	75,253	2.7%
Exceptional Student Program	247,245	259,355	12,110	4.9%
Substitute Teachers	96,277	107,428	11,151	11.6%
Instruct Media Services	69,524	70,637	1,113	1.6%
School Administration	1,046,330	1,056,846	10,516	1.0%
Pupil Transit Services	195,000	195,000	-	0.0%
Operation of Plant	1,967,316	1,934,833	(32,483)	-1.7%
Child Care Supervision	147,000	157,000	10,000	6.8%
Capital Outlay	273,850	293,000	19,150	7.0%
Total Expenditures	\$ 9,106,472	\$ 9,268,560	\$ 162,088	1.8%

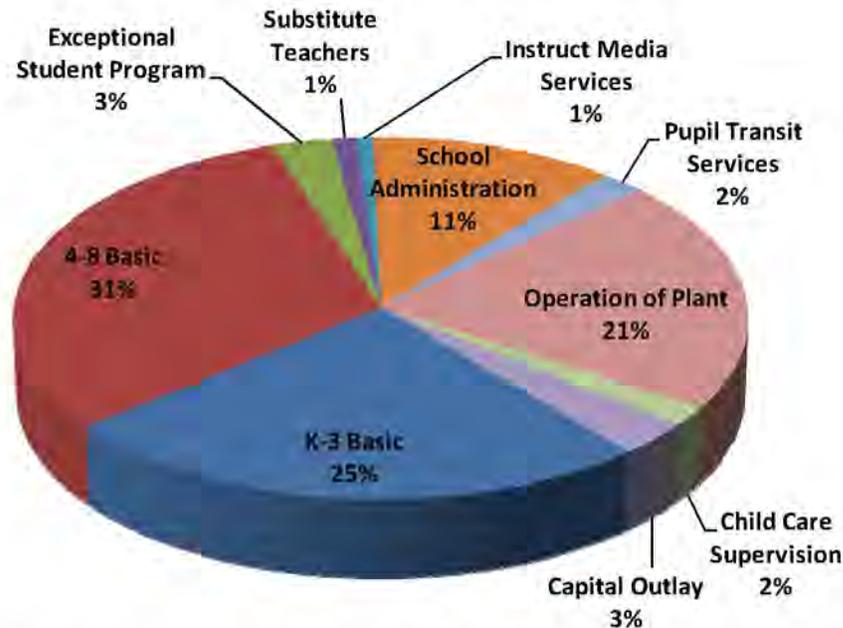
Charter School Fund

This fund is used to account for revenues and expenditures specifically earmarked for the City's Charter School. The fund accounts for operating and capital revenues, expenditures and capital outlay.

Charter School Fund Budget Revenues



Charter School Fund Budget Expenditures



The 2016/17 school year represents the 14th year of operations for ACES. This past year a great deal of time and effort was expended on professional development and curriculum alignment based on Florida's State Standards formally referred to as Common Core, increasing parental involvement, integration of science, technology, engineering and math (STEAM), intramural and competitive sport programs and identifying and working with at-risk students. This year we will maintain and expand all our present academic programs with an emphasis on professional development and implementation related to the Florida State Standards.

ACES will enrich a child's learning and social atmosphere through:

- Whole Child Approach - Emphasis will be placed on the "whole child" to ensure that academic rigor coexists with social responsibility.
- Character Education - Continue to implement ACES Word's Count program that encourages our students, families and communities to work together as "upstanders."
- Challenging Curriculum – Offer high school level courses in the areas of Math, Science and Foreign Language.
- Curriculum Alignment – Increase academic rigor through the alignment of ACES writing and math programs kindergarten through eighth grade.
- Differentiation of instruction – Provide specialized programs for at-risk learners, on-level learners and gifted students.
- Technology Rich Environment – Engage students through the use of computer labs, computers, Smart Boards, interactive televisions, document readers, projectors in classrooms, instructional software and online programs. All students will have the opportunity to participate in instructional programs featuring iPads with wireless connectivity. ACES will continue to implement a laptop classroom designed to increase achievement and engagement of at-risk readers in grades six to eighth.

- Extended School Day Programs/Activities – Offer a variety of opportunities including Before Care and After Care, Sports Study, several Dance programs, French Classes, Chess Club, Science Tutorial, Writing Tutorial, Reading and Math Computerized Program, Robotics, Test Taking Strategies and Saturday Academy.
- Field Trips – Experience hands-on content, living history, ecological studies, guest authors and a variety of culturally rich opportunities through a combination of on campus and off campus field trips.
- School-Wide Events – Organize various events such as Career Day, Red Ribbon Week, Arbor Day, Peace Day and Field Day.
- Career Awareness and Entrepreneurship – Register all eighth grade students in a comprehensive course that will allow them to begin career planning.
- School wide Science, Technology, Engineering and Math (STEAM) initiative fostering grade level specific STEAM projects.
- Competitive Athletics – Compete at the middle school level in the Florida High School Athletic League. The school fields a boys and girls team for both basketball and soccer. Offerings also include a competitive flag football team and a competitive volleyball team.
- Intramural Athletics – Afford students at the middle school level opportunities to play intramural basketball, and volleyball.
- Family Events – Make available various events that include Meet and Greet, Open House, Kindergarten Kickoff, Student of the Month, Book Fair Family Night, Winter Showcase, Graduation Ceremonies, Talent Showcase and Quarterly Principal’s Honor Roll Breakfasts.
- Parent Education – Execute FSA ELA, math, writing and FCAT science nights that present parents with information related to state standards and accountability testing. Monthly parent workshops related to social, emotional and physical wellbeing of children and families.
- Transportation – Provide students living further than 2 miles from the school and no further than 3.5 miles bus service. Currently four buses provide transportation for approximately 400 students.
- Safe School Campus – Employ a full-time certified police officer to the school that serves as a School Resource Officer. Traditional security methods including cameras are in place.

Revenues

The revenues, available for allocation in the 2016/17 Fiscal Year, are anticipated to be \$9,268,560. This is an increase of \$162,088 or 1.8% compared to the prior year. The majority of the increase is associated with increased FTE funding from the State budget.

State Shared Revenues – The amount projected for Florida Education Finance Program revenues is \$6,949,674 and is based on \$6,813 per student after the deductions for the transportation reimbursement component. The revenues for next year have been budgeted to increase by 1% based on the actions taken by the State Legislature. School lunch reimbursement revenues are estimated to be \$81,000. The transportation reimbursement amount is \$138,000 and is based on 400 students requiring bus service. Capital Outlay revenue is estimated to be \$485,000.

Charges for Services – The amount projected for Food Service Fees is \$235,000. After School Program includes revenues derived from fees charged for After School Child Care and is estimated to be \$285,000.

Miscellaneous Income – The total amount is \$613,000. This includes revenues from the Clear Channel agreement for proceeds from the billboard advertising, field trips/special programs, after school programs and fundraising activities. This is offset by specific expenditures in the budget.

Other Non-Revenues – This represents a \$100,000 transfer from the General Fund for revenues from the City’s Intersection Safety Camera Program and anticipated fund balance amounts from the prior year’s budget.

Expenditures

The estimated 2016/17 expenditures contained within this budget total \$9,268,560 and are balanced with the projected revenues.

Personnel Services

Personnel Services are budgeted at \$5,886,798 or 63% of the budget. No new positions were added to the budget. Teacher salary increases reflect the performance pay plan instituted last year in accordance with Florida Statute 1012.22, rewarding teachers who are rated effective and highly effective. The total number of employees is 93 full-time and 9 part-time. Included in the full-time positions are 81 instructional staff members and a Computer Network/Technician. All employees except the Principal, 2 Assistant Principals and Janitor are under contract with CSUSA.



The following outlines the staffing level detail comparisons to the prior fiscal year:

Function	Job Class	2015/16		2016/17	
		Full Time	Part Time	Full Time	Part Time
5101	Teacher	31.00	-	31.00	-
	Para-Professionals	-	7.00	-	7.00
	Reading Specialist	1.00		1.00	
	Instructional Counselor	1.00		1.00	
	Assistant Principal	1.00		1.00	
	Aide	1.00		1.00	
5102	Teacher	42.00	-	42.00	-
	Assistant Principal	1.00		1.00	
	Associate Dean	1.00		1.00	
	Communications Specialist		1.00	-	1.00
5250	Teacher	2.00	-	2.00	-
	Dean of Student Services	1.00		1.00	
5901	Substitute Teacher	1.00	-	1.00	-
6200	Media Specialist	1.00	1.00	1.00	1.00
7300	Principal	1.00	-	1.00	-
	Dean of Academics	1.00		1.00	
	Business Manager	1.00	-	1.00	-
	Administrative Secretary	1.00	-	1.00	-
	Receptionist	2.00	-	2.00	-
	Registrar/Compliance	1.00		1.00	
	Computer Network/Tech	1.00		1.00	
7900	Janitor	1.00		1.00	
Total		93.00	9.00	93.00	9.00

Operating Expenses

The expenditures for operating expenses are \$2,554,762 which represents 28% of the budget. This is \$47,171 more than the prior year largely due to including Food Services costs. The major expenses are as follows:

- CSUSA education/administrative fee - \$300,000
- Food services - \$275,000
- Building maintenance contract - \$226,000
- Transportation services contract - \$195,000
- Textbooks - \$176,000
- Field Trips and School Events - \$162,000
- Other materials and supplies - \$152,500
- Electricity - \$150,000
- MDCSB Administrative Fee - \$144,743

- Repairs and Maintenance - \$98,500
- After school Programs - \$98,000

Other Uses

Other Uses expenditures total \$534,000 primarily represent lease payments to the Debt Service Fund to cover the elementary school wing construction debt payments. Other expenditures include a contingency account and costs associated with utilizing the Arts & Cultural Center.

Capital Outlay

A total of \$293,000 has been budgeted to provide for technology enhancements including new laptops, mobile learning computer labs, computer replacements and smartboards.

Summary

I am pleased to submit the detailed budget contained herein. The budget document and its related funding levels represent the City's continued commitment to providing a school of excellence for our community.

The budget contains funding levels to address the following key objectives:

- Hiring and retaining administrators and teachers who are well prepared for creating life-long learners in their students as well as acting as role models in their own quest for knowledge on the latest "best practices" in educational research to enhance their teaching abilities.
- Putting into place a strong accountability system that will hold everyone at ACES responsible for maximizing learning opportunities.
- Creating a school climate that enables students and teachers to feel they are cared for, respected, and contributing members of ACES.
- A low staff-pupil ratio in order to enhance the development of the individual strengths of each student.
- Continuing to use data to evaluate the efficacy of instructional programs.
- Developing a strong parent-teacher relationship.
- Maximizing the use of technology embedded in classroom instruction as well as in a lab setting.

The preparation and formulation of this document could not have been accomplished without the assistance and dedicated efforts of the School's Administration. All questions relating to the budget should be referred to my attention.

Respectfully submitted,



Eric M. Soroka
City Manager

BUDGET PROCESS

Budget Preparation/Development

1. January: Meetings are held with the Principal, school staff and City Manager to develop Goals and to discuss issues that may impact the budget for the upcoming school year.
2. February: Preliminary Revenue projections and forecasts are developed by the City Manager. The following steps are followed to project revenues:
 - Forecast student enrollment.
 - The State's Florida Education Finance Program (FEFP) per student allocation is projected by the State and provided to the charter school.
 - Capital Outlay funding is determined by the State based on available funding.
3. March: Personnel needs are developed based on input from the Principal and staff. The following steps are utilized to forecast personnel:
 - Review existing staffing requirements to ensure adequate coverage for student needs and new programs.
 - Review salary structure to ensure competitiveness with the school district.
 - Benefits calculations such as Workers' Compensation, Life Insurance, Health Insurance, and Pension are provided by CSUSA and developed for each qualifying employee.
4. April: Individual expenditure line items are developed by the City Manager based on input from the Principal and historical data. A draft of the budget document is prepared by the City Manager. The draft is reviewed by the Principal and the Finance Department.
5. April/May: The budget is reviewed by the School Advisory Committee. The City Manager submits budget to the City Commission who acts as the Board of Directors for the School.
6. June: The budget is loaded into the accounting system.
7. July: Budget goes into effect.

Budget Adoption

The Charter School budget is approved via Ordinance at two public meetings scheduled for April and May conducted by the City Commission. The adopted budget is integrated into the accounting software system effective July 1st.

Budget Control/Monitoring

Funds appropriated in the Budget may be expended by and with the approval of the City Manager in accordance with the provisions of the City Charter and applicable law. Funds of the City shall be expended in accordance with the appropriations provided in the Budget and shall constitute an appropriation of the amounts specified therein. Supplemental appropriations or the reduction of appropriations, if any, shall be made in accordance with Section 4.07 of the City Charter.

The Budget establishes a limitation on expenditures by department total. Said limitation requires that the total sum allocated to the Charter School department for operating and capital expenses may not be increased or decreased without specific authorization by a duly-enacted Ordinance affecting such amendment or transfer. Therefore, the City Manager may authorize transfers from

one individual line item account to another, so long as the line item accounts are within the same department and fund.

The "Personnel Allocation Summary" enumerates all authorized budgeted positions. However, the City Manager may amend said authorized budgeted positions in order to address the operating needs of the department so long as sufficient budgeted funds are available. The budget is monitored on a monthly basis to track variances between actual and budgeted amounts. Significant variances are investigated and monitored for corrective action. Quarterly review meetings are held with the Principal and City Manager. Encumbrances do not constitute expenditures or liabilities in the current year, but instead are defined as commitments related to unperformed contracts for goods or services, which are only reported in governmental funds.

Budget Amendment

Upon the passage and adoption of the Charter School Fund Budget for the City of Aventura, if the City Manager determines that the department total will exceed its original appropriation, the City Manager is authorized to prepare such Ordinances for consideration by the City Commission as may be necessary and proper to modify any line item from the Budget.

Basis of Accounting

Basis of Accounting refers to the time period when revenues and expenditures are recognized in the accounts and reported on the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied. The accrual basis of accounting is followed for the proprietary fund types. The modified accrual basis of accounting is followed in the governmental fund types and the expendable trust funds type. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual, that is, when they are both measurable and available. Available means collectible within the current period or soon enough thereafter to pay current liabilities. Expenditures are generally recognized under the modified accrual accounting when the related fund liability is incurred. Exceptions to the general rule are principal and interest on general long-term debt which is recognized when due.

The Charter School Fund Budget applies all applicable GASB pronouncements as well as the following pronouncements issued on or before November 30, 1989, unless those pronouncements conflict with or contradict GASB pronouncements: Financial Accounting Standards Board (FASB) statements and interpretations, Accounting Principles Board (APB) opinions and Accounting Research Bulletins (ARBs).

During June 1999, the Government Accounting Standards Board (GASB) issued Statement No. 34. This statement established new accounting and financial reporting standards for state and local governments. The Charter School Fund implemented the new financial reporting requirements of GASB 34.

BUDGET DEVELOPMENT GUIDELINES

Financial Policies

The Charter School's financial policies, compiled below, set forth the basic framework for the overall fiscal management of the school. Operating independently of changing circumstances

and conditions, these policies assist the decision-making process of the City Manager and School's Administration. These policies provide guidelines for evaluating both current activities and proposals for future programs.

Most of the policies represent long-standing principles; traditions and practices that have guided the Charter School in the past and have helped maintain financial stability. They are reviewed annually as a decision making tool and to ensure their continued relevance in an ever-changing environment.

Operating Budget Policies

1. The Charter School will maintain at a minimum, an accessible cash reserve equivalent to four weeks of operating costs.
2. No new or expanded services shall be implemented without a corresponding revenue source or the implementation of trade-offs of expenses or revenues at the same time. This applies to personnel, equipment and any other peripheral expenses associated with the service.
4. The Charter School shall continue to support a scheduled level of maintenance and replacement of its infrastructure.
5. The Charter School shall support capital expenditures that reduce future operating costs.

Capital Budget Policies

1. The Charter School will develop a multi-year plan for capital improvement that is updated annually.
2. The Charter School will maintain its physical assets at a level adequate to protect the School's capital investment and minimize future maintenance and replacement costs. The budget will provide for the adequate maintenance and the orderly replacement of the capital equipment from current revenues wherever possible.
3. The Charter School will provide sufficient funds to replace and upgrade equipment as well as to take advantage of new technology thereby ensuring that employees have safe and efficient tools to provide their service. It reflects a commitment to further automation and use of available technology to improve productivity in the Charter School's work force. The objective for upgrading and replacing equipment includes: (1) normal replacement as equipment completes its useful life, (2) upgrades to new technology, and (3) additional equipment necessary to service the needs of the Charter School.
4. The Charter School will use the following criterion to evaluate the relative merit of each capital project. Capital expenditures will foster goals of:
 - a. Projects specifically included in an approved replacement schedule.
 - b. Projects that reduce the cost of operations.
 - c. Projects that significantly improve safety and reduce risk exposure.

Revenue Policies

1. The School will attempt to maintain a diversified and stable revenue system as a shelter from short-run fluctuations in any single revenue source.
2. The School will attempt to obtain new revenue sources as a way of ensuring a balanced budget.

3. The School will review fees/charges annually and will design or modify revenue systems to include provisions that automatically allow charges to grow at a rate that keeps pace with the cost of providing the service.

Cash Management/Investment Policies

1. The School will deposit all funds received by 2:00 PM the next day.
2. Investment of School funds will emphasize safety of capital; liquidity of funds and investment income.
3. The School will collect revenues aggressively, including any past due amounts owed.

Reserve Policies

1. The School will maintain a fund balance of at least \$75,000.

Accounting, Auditing, and Financial Reporting Policies

1. An independent audit will be performed annually.
2. The Charter School will produce annual financial reports in accordance with Generally Accepted Accounting Principles (GAAP) as outlined by the Governmental Accounting Standards Board (GASB).

AVENTURA CITY OF EXCELLENCE SCHOOL VISION STATEMENT

To join with our community to become the premier charter school in the nation where academic excellence coexists with the promotion of social responsibility grounded in an atmosphere of human dignity.

AVENTURA CITY OF EXCELLENCE SCHOOL PHILOSOPHY AND ESSENTIAL ELEMENTS

The Aventura City of Excellence School staff believes that we have a responsibility to create a school climate that enables every individual to feel cared for, respected and to act as contributing members of the school culture. All students can learn and will be encouraged to strive for academic excellence and personal growth that will enable them to be productive and active members of society. In the practical application of this philosophy, opportunities shall be provided to:

1. Develop in each student and professional staff member a sense of self-worth and a positive self-concept
2. Imbue such character traits as honesty, integrity, compassion, respect, cooperation, humility, happiness and responsibility toward each other, our community and our world
3. Develop in each student an understanding of and responsibility for making positive personal and social choices
4. Improve upon the quality of instruction and curriculum by increasing the effectiveness of teachers and their teaching through ongoing professional development
5. Provide each student with experiences to develop an awareness of good health habits and attitudes for living by encouraging each student to perceive learning as a life-long continuing process from pre-school through adulthood
6. Encourage, through educational reporting, city and district officials, the citizens of Aventura, and the professional staff to support quality education in the school
7. Use assessment data to identify and track student achievement and learning goals
8. Develop school programs based on "best practices" to promote learning gains
9. Develop strong parent-teacher-student relationships
10. Provide a strong accountability system that holds everyone at the schoolhouse responsible for maximizing learning opportunities
11. Provide a low student-teacher ratio in order to enhance the development of the individual strengths of each student
12. Provide additional staff members for enrichment and remediation services
13. Develop in each student the ability to think critically, make inferences, apply knowledge to new settings and use these skills to make wise choices

CURRICULUM

ACES implements the Florida Standards with fidelity and the school's goals for student learning are coordinated or integrated across different disciplines. The curriculum's sequence is rational, with more complex ideas building on simpler ones, respecting each student's developmental levels and prior learning. Teachers and students are accountable for all state and local assessments in addition to internal formal and informal assessments and observations.

Classroom teachers utilize technology daily to reinforce instruction and offer opportunities for independent practice. ACES students have access to a multitude of online resources and individualized instructional programs at home and at school. Students in kindergarten through fifth grade utilize the ACES computer lab on a regular basis. Sixth grade students enroll in a semester technology course, with an emphasis on keyboarding and critical thinking. Seventh grade students are required to enroll in a year-long Computer Concepts course designed to expose them to all facets of the technology available to them. Eighth grade students take a year-long technology aided career awareness and entrepreneurship course. Teachers utilize mobile iPad and laptop labs regularly in the classroom. Wireless internet access is available for throughout the campus.

ACES offers a variety of programs to meet the needs of all learners. The English Language Learners (ELL) program is offered to students who are working toward English language proficiency. Classroom teachers servicing ELL students have undergone special training related to strategies that enhance language acquisition. The ACES ELL Coordinator collaborates with classroom teachers related to instructional modifications that aide in content comprehension.

Exceptional Education students are serviced within the general classroom, reducing social stigmas and enhancing the continuity of instruction. The ESE teacher collaborates with classroom teachers to ensure that "strategies for success" are implemented in all subject areas.

Students with speech and language needs are serviced by a Speech and Language Pathologist and students with occupational therapy needs are serviced by a specialist. These programs are offered to students who qualify for services based on school district requirements.

At-risk readers are targeted through a variety of intervention courses and strategies. ACES Literacy Team teaches at-risk-readers in Kindergarten through eighth grade in small group settings. This supplemental reading program provides intensive instruction using research based programs such as Wonders, Read 180, Reading Plus, I Ready and Success Maker. At-risk readers in middle school enroll in an intensive reading course which offers a one to one computing environment. Students in need of additional support related to test taking strategies, organization and study skills are enrolled a specially designed elective class that provides support specific to their needs.

ACES is focused on meeting the needs of all students. To this end, ACES offers a variety of extended school day programs. These programs target student needs and are offered both before and after school. These programs include small group writing instruction, focused math tutorials, science study group and a Saturday reading and math Academy.

Gifted students in grades 1 and 2 receive "Gifted Instruction" in English language arts and reading daily. Project-based applications encompassing the sciences, arts, math, and language allow students an opportunity to combine their creativity and practical knowledge. Eligible students in grades 3, 4, and 5 have an opportunity to enroll in a gifted language

arts/reading course and a gifted math course. Eligible students in middle school have an opportunity to enroll in gifted courses in social studies and English language arts.

ACES science laboratory program provides students with hands-on application of core curriculum. Students in second through fifth grade experiment in the science lab and students in kindergarten and first grade conduct experiments within their classrooms. All middle school students enroll in comprehensive science courses that emphasizes hands-on investigation. ACES students are exposed to eco-literacy through participation in our outdoor garden project.

ACES modern language program places emphasis on four basic components of language acquisition (e.g., listening, speaking, reading and writing). Students build an understanding of the relationship between perspectives and products of various cultures. Middle School students are required to enroll in Spanish courses throughout their middle school career at ACES. The elementary Spanish program is offered to all kindergarten through fifth grade students and emphasizes cultures and conversational speaking.

ACES middle school program offers academic rigor in conjunction with an extraordinary selection of extracurricular activities and elective programs. ACES students have the opportunity to enroll in high school honors level Spanish, physical science, biology, algebra and geometry and to select one of six elective courses. Elective courses include Horticulture, Modern Dance, Art, Keyboarding, Team Sports and Drama. All middle school students are invited to participate in after school teams including volleyball, basketball and tennis. ACES also participates in the Independent Athletic League and offers competitive boys and girls basketball and competitive boys and girls soccer, competitive girls volleyball and boys flag football. These programs are funded through the school budget and offered at no cost to students.

Elementary school students also enjoy a variety of special subject classes daily. These programs include art, physical education, technology, media, Spanish and music. Each Friday Elementary students participate in a club. Clubs vary from year to year based on student interest. Currently ACES is offering the following clubs; Student Police Academy, Baton, Board Games, Disco Dance, Scrapbooking, Table Tennis, Contemporary Dance, Middle Eastern Dance, Origami, Yoga, Kickball, Soccer, Basketball and Healthy Eating/Gardening.

PERFORMANCE CRITERIA

1) **Indicator:** The State of Florida A+ Plan Grade shall be no lower than a "B".

2010/11 Actual: A

2011/12 Actual: A

2012/13 Actual: A

2013/14 Actual: A

2014/15 Actual: A

2) **Indicator:** Percent of parents that completed all 20 required volunteer hours by the end of the year.

2010/11 Actual: 100%

2011/12 Actual: 100%

2012/13 Actual: 100%
2013/14 Actual: 100%
2014/15 Actual: 100%

3) **Indicator:** Number of students enrolled shall be 95% of the number allowed by the School Charter.

2010/11 Actual: 100%
2011/12 Actual: 100%
2012/13 Actual: 100%
2013/14 Actual: 100%
2014/15 Actual: 100%

4) **Indicator:** The year-to-year retention rate shall be 90%.

2010/11 Actual: 98%
2011/12 Actual: 98%
2012/13 Actual: 98%
2013/14 Actual: 98%
2014/15 Actual: 98%

5) **Indicator:** The percentage of parents who on the Parent Survey agree or strongly agree to the statement that "I would recommend the Charter School to a friend" is 90%.

2010/11 Actual: 99%
2011/12 Actual: 99%
2012/13 Actual: 99%
2013/14 Actual: 99%
2014/15 Actual: 99%

6) **Indicator:** The audits required by State Law and the Charter shall indicate that the financial statements are presented fairly and that tests of compliance with laws and regulations and consideration of the internal control over financial reporting disclose no instances of non-compliance, nor any material weaknesses.

2010/11 Actual: All in compliance
2011/12 Actual: All in compliance
2012/13 Actual: All in compliance
2013/14 Actual: All in compliance
2014/15 Actual: All in compliance

7) **Indicator:** Class size and student/classroom teacher ratios shall be maintained throughout the school year at 18:1 for kindergarten through third grade and an average of 22:1 for all grades fourth through eighth.

2010/11 Actual: All in compliance
2011/12 Actual: All in compliance
2012/13 Actual: All in compliance
2013/14 Actual: All in compliance
2014/15 Actual: All in compliance

8) **Indicator:** Reading - Percent of Students in the school on grade level and above in Reading. This is based on the Florida Standards and exhibited in proficiency on the Florida Standards Assessment (FSA).

2014/15 Actual: 86%

9) **Indicator:** Math - Percent of Students in the school on grade level and above in Math. This is based on the Florida Standards and exhibited in proficiency on the Florida Standards Assessment (FSA).

2014/15 Actual: 89%

10) **Indicator:** All Students will achieve high science standards as measured by Sunshine State Standards Performance Standards.

2010/11 Actual: 76%

2011/12 Actual: 81%

2012/13 Actual: 85%

2013/14 Actual: 78%

2014/15 Actual: 88%

CITY OF AVENTURA
CHARTER SCHOOL FUND 190
BUDGET CATEGORY SUMMARY
2016/17 (July 1 - June 30)
FUND DESCRIPTION

CATEGORY	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
REVENUE PROJECTIONS				
State Shared Revenues	\$ 7,481,907	\$ 7,707,022	\$ 3,828,693	\$ 7,757,074
Charges for Services	258,354	481,100	279,197	520,000
Misc. Income	618,855	661,000	246,216	613,000
Other Non-Revenues	100,000	257,350	207,350	378,486
Total Revenues	\$ 8,459,116	\$ 9,106,472	\$ 4,561,456	\$ 9,268,560
EXPENDITURES				
K-3 Basic	\$ 2,163,778	\$ 2,274,026	\$ 945,193	\$ 2,329,304
4-8 Basic	2,600,645	2,789,904	1,265,522	2,865,157
Exceptional Student Program	245,514	247,245	93,312	259,355
Substitute Teachers	111,289	96,277	72,899	107,428
Instruct Media Services	66,231	69,524	23,240	70,637
School Administration	1,025,243	1,046,330	527,792	1,056,846
Pupil Transit Services	193,400	195,000	96,700	195,000
Operation of Plant	1,556,980	1,967,316	900,568	1,934,833
Child Care Supervision	146,080	147,000	85,464	157,000
Capital Outlay	147,304	273,850	205,802	293,000
Total Expenditures	\$ 8,256,464	\$ 9,106,472	\$ 4,216,492	\$ 9,268,560
Revenues over(under) Expenditures	\$ 202,652	\$ 0	\$ 344,965	\$ (0)

CITY OF AVENTURA

CHARTER SCHOOL

2016/17

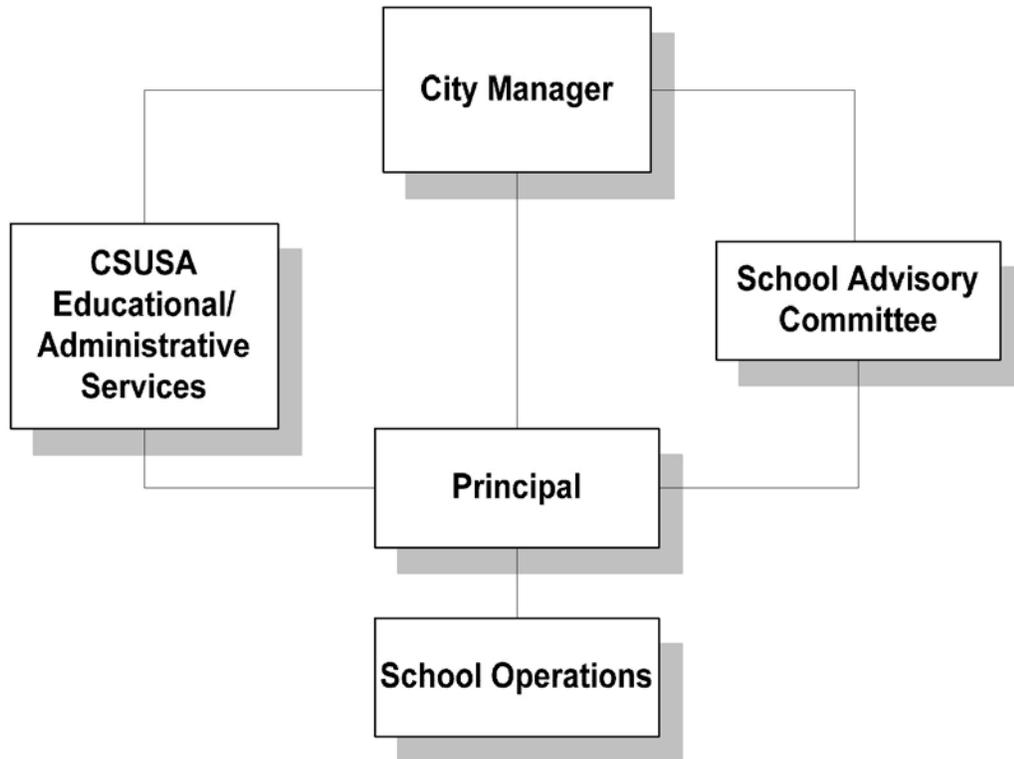
DEPARTMENT DESCRIPTION

This department is responsible for the organization, operation and management of the City's charter School. By focusing on low student teacher ratios, high academic standards and parental participation, the school provides a first class learning environment for the City's children. The school operations are provided in conjunction with a service contract with Charter Schools USA.

CATEGORY RECAP	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Personnel Services	\$ 5,471,375	\$ 5,751,031	\$ 2,481,191	\$ 5,886,798
Operating Expenditures	2,188,710	2,507,591	1,281,223	2,554,762
Other Uses	449,075	574,000	248,276	534,000
Capital Outlay	147,304	273,850	205,802	293,000
Total	\$ 8,256,464	\$ 9,106,472	\$ 4,216,492	\$ 9,268,560

Charter School Department

Organization Chart



CITY OF AVENTURA

CHARTER SCHOOL FUND 190

REVENUE PROJECTIONS

2016/17

ACCOUNT #	SCHOOL REVENUE CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
<u>State Shared Revenues:</u>						
3359050	3261	School Lunch Reimbursement	\$ 87,908	\$ 71,000	\$ 40,474	\$ 81,000
3359100	3310	Florida Education Finance Program	6,682,099	6,885,194	3,529,811	6,949,674
3359201	3361	A+ Revenues	99,224	98,400	-	98,400
3359701		E- Rate Program	9,897	12,000	5,210	5,000
3359800	3354	Transportation	135,068	138,000	66,834	138,000
3359910	3391	Capital Outlay	467,711	502,428	186,364	485,000
	Subtotal		<u>\$ 7,481,907</u>	<u>\$ 7,707,022</u>	<u>\$ 3,828,693</u>	<u>\$ 7,757,074</u>
<u>Charges for Services:</u>						
3478050	3450	Food Service Fees	\$ -	\$ 206,100	\$ 119,398	\$ 235,000
3479050	3473	After School Programs	258,354	275,000	159,799	285,000
	Subtotal		<u>\$ 258,354</u>	<u>\$ 481,100</u>	<u>\$ 279,197</u>	<u>\$ 520,000</u>
<u>Misc. Income:</u>						
3611000	3431	Interest Earnings	\$ 6,992	\$ 9,000	\$ 3,857	\$ 9,000
3661900	3495	Misc. Revenues	229,525	240,000	84,707	230,000
3661910	3495	Sport Program Fundraising	9,535	7,000	3,997	9,000
3661955	3467	Field Trips/Special Programs	164,094	215,000	69,980	175,000
3665000	3469	Other Private Source Revenue	208,709	190,000	83,675	190,000
	Subtotal		<u>\$ 618,855</u>	<u>\$ 661,000</u>	<u>\$ 246,216</u>	<u>\$ 613,000</u>
<u>Other Non-Revenues:</u>						
3811039	3610	Transfers In	\$ 100,000	\$ 100,000	\$ 50,000	\$ 100,000
3999000	3489	Beginning Surplus	-	157,350	157,350	278,486
	Subtotal		<u>\$ 100,000</u>	<u>\$ 257,350</u>	<u>\$ 207,350</u>	<u>\$ 378,486</u>
Total Revenues			\$ 8,459,116	\$ 9,106,472	\$ 4,561,456	\$ 9,268,560

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6001-569
K-3 Basic 5101

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Personnel Services						
1220	120	Teacher	\$ 1,430,320	\$ 1,462,131	\$ 603,451	\$ 1,487,494
1230	130	Other Certified Instruction Reading Specialist Instructional Counselor Assistant Principal	147,347	178,428	73,382	185,968
1250	150	Kindergarten Aides (P/T) 7 Admin. Asst.	92,701 -	100,263	46,171	100,263
1502	291	Bonuses	39,201	48,000	13,500	48,000
1503	291	Stipends	24,850	31,850	-	32,350
2101	221	Social Security- matching	127,732	133,173	53,635	135,690
2201	211	Pension	11,157	12,557	5,231	12,804
2301	231	Health, Life & Disability Insurance	151,013	154,801	63,422	159,085
2302	232	Dental Insurance	16,410	17,352	9,712	20,752
2401	241	Workers' Compensation	19,311	22,631	11,710	23,058
2501	250	Unemployment Compensation	9,622	5,000	1,049	5,000
		subtotal	\$ 2,069,664	\$ 2,166,186	\$ 881,263	\$ 2,210,464
Operating Expenditures/Expenses						
4001	330	Travel/Conferences/Training	\$ 2,914	\$ 4,000	\$ 894	\$ 4,000
4101		Cell Phone	840	840	420	840
5290	590	Other Mat'l & Supply	34,798	37,000	27,136	38,000
5299	790	Miscellaneous Expense	1,693	4,500	698	4,500
5410	521	Memberships/Dues/Subsription	-	1,500	-	1,500
5411	520	Textbooks	53,869	60,000	34,782	70,000
		subtotal	\$ 94,114	\$ 107,840	\$ 63,930	\$ 118,840
Total Function 5101			\$ 2,163,778	\$ 2,274,026	\$ 945,193	\$ 2,329,304

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6002-569
4-8 Basic 5102

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
<u>Personnel Services</u>						
1220	120	Teacher	\$ 1,887,642	\$ 1,980,367	\$ 856,797	\$ 1,963,069
1230	130	Other Certified Instruction Associate Dean Assistant Principal	84,716	\$ 87,754	\$ 45,070	147,976
1250	150	Comm Spec/Instructional Asst.	31,735	16,871	12,228	16,380
1502	291	Bonuses	41,773	60,000	17,500	60,000
1503	291	Stipends	47,661	60,000	-	62,500
2101	221	Social Security- matching	149,863	159,502	67,644	162,748
2201	211	Pension	18,064	15,637	8,280	15,956
2301	231	Health, Life & Disability Insurance	116,022	168,637	67,322	173,440
2302	232	Dental Insurance	17,429	22,352	10,188	26,752
2401	241	Workers' Compensation	23,659	27,105	13,847	27,657
2501	250	Unemployment Compensation	10,596	5,000	669	5,000
		subtotal	\$ 2,429,160	\$ 2,603,225	\$ 1,099,545	\$ 2,661,478
<u>Operating Expenditures/Expenses</u>						
4001	330	Travel/Conferences/Training	\$ 6,060	\$ 6,000	\$ 11,383	\$ 6,000
4101		Cell Phone	840	840	420	840
5290	590	Other Mat'l & Supply	67,267	65,000	40,584	68,000
5299	790	Miscellaneous Expense	1,480	3,000	698	3,000
5410	521	Memberships/Dues/Subscription	-	839	-	839
5411	520	Textbooks	73,202	93,000	101,609	103,000
5901	791	Athletic Activities	22,636	18,000	11,284	22,000
		subtotal	\$ 171,485	\$ 186,679	\$ 165,977	\$ 203,679
Total Function 5102			\$ 2,600,645	\$ 2,789,904	\$ 1,265,522	\$ 2,865,157

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6003-569
Exceptional Student Program 5250

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
<u>Personnel Services</u>						
1220	120	Teacher	\$ 83,311	\$ 92,970	\$ 41,832	\$ 98,765
1230	130	Other Certified Instruction				
		Dean of Student Services	72,083	62,296	24,583	64,165
1502	291	Bonuses	3,384	5,000	1,000	5,000
2101	221	Social Security- matching	11,759	11,878	5,135	12,464
2201	211	Pension	141	1,164	66	1,222
2301	231	Health, Life & Disability Insurance	13,640	12,931	4,651	13,321
2302	232	Dental Insurance	1,787	1,500	322	1,800
2401	241	Workers' Compensation	2,134	2,018	925	2,118
2501	250	Unemployment Compensation	696	-	-	-
		subtotal	\$ 188,935	\$ 189,757	\$ 78,514	\$ 198,855
<u>Operating Expenditures/Expenses</u>						
3190	310	Prof & Tech Services-SPED	\$ 50,673	\$ 46,000	\$ 11,614	\$ 51,000
4001	330	Travel/Conferences/Training	31	3,000	-	1,012
5290	590	Other Mat'l & Supply	4,643	6,000	2,464	6,000
5299	790	Miscellaneous Expense	1,232	1,500	720	1,500
5410	521	Memberships/Dues/Subscription	-	988	-	988
		subtotal	\$ 56,579	\$ 57,488	\$ 14,798	\$ 60,500
Total Function 5250			\$ 245,514	\$ 247,245	\$ 93,312	\$ 259,355

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6004-569
Substitute Teachers 5901

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Personnel Services						
1220	120	Pool Sub	\$ 27,427	\$ 28,138	\$ 12,037	\$ 28,982
1225	140	Teacher - P/T	65,449	55,000	51,488	65,000
1502	291	Bonuses	1,436	500	500	500
2101	221	Social Security- matching	7,113	5,672	4,854	5,736
2201	211	Pension	-	211	-	217
2301	231	Health, Life & Disability Insurance	5,122	4,292	2,011	4,418
2302	232	Dental Insurance	1,581	500	925	600
2401	241	Workers' Compensation	1,601	964	409	975
2501	250	Unemployment Compensation	1,560	1,000	675	1,000
Total Function 5901			\$ 111,289	\$ 96,277	\$ 72,899	\$ 107,428

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6005-569
Instruct Media Services 6200

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Personnel Services						
1230	130	Media Specialist	\$ 50,949	\$ 54,098	\$ 17,001	\$ 54,905
1502	291	Bonuses	1,180	2,500	500	2,500
2101	221	Social Security- matching	3,559	4,138	1,107	4,200
2201	211	Pension	-	334	-	341
2301	231	Health, Life & Disability Insurance	4,691	4,251	2,844	4,377
2302	232	Dental Insurance	3,062	500	226	600
2401	241	Workers' Compensation	534	703	314	714
2501	250	Unemployment Compensation	371	-	49	-
		subtotal	\$ 64,346	\$ 66,524	\$ 22,041	\$ 67,637
Operating Expenditures/Expenses						
5411	520	Textbooks	\$ 1,885	\$ 3,000	\$ 1,199	\$ 3,000
		subtotal	\$ 1,885	\$ 3,000	\$ 1,199	\$ 3,000
Total Function 6200			\$ 66,231	\$ 69,524	\$ 23,240	\$ 70,637

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6006-569
School Administration 7300

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Personnel Services						
1211	110	Administrators Dean of Academics Principal	\$ 214,256	\$ 220,825	\$ 117,358	\$ 212,623
1260	160	Other Support Personnel 2 Receptionist Administrative Secretary Registrar/Compliance/ESE Business Manager Network/Comp Tech	239,339	249,170	138,751	264,868
1502	291	Bonuses	4,097	6,500	500	6,500
2101	221	Social Security- matching	32,487	35,955	16,929	36,528
2201	211	Pension	22,289	23,987	11,432	24,633
2301	231	Health, Life & Disability Insurance	44,365	40,903	15,628	41,787
2302	232	Dental Insurance	5,246	4,000	1,981	4,700
2401	241	Workers' Compensation	4,650	6,110	3,499	6,207
2501	251	Unemployment Compensation	1,456	2,000	194	2,000
		subtotal	\$ 568,185	\$ 589,450	\$ 306,272	\$ 599,846
Operating Expenditures/Expenses						
3114		After School Programs	\$ 92,182	\$ 98,000	\$ 46,419	\$ 98,000
4001	330	Travel/Conferences/Training	8,073	10,000	6,655	10,000
4041	201	Automobile Allowance	5,400	5,400	2,700	5,400
4101		Telephone	600	480	300	600
4855	790	Field Trips/School Events	160,242	185,000	81,299	162,000
4856		Special Events	175,140	130,000	74,281	153,000
5290	590	Other Mat'l & Supply	14,484	25,000	8,483	25,000
5410	521	Memberships/Dues/Subscription	937	3,000	1,383	3,000
		subtotal	\$ 457,058	\$ 456,880	\$ 221,520	\$ 457,000
Total Function 7300			\$ 1,025,243	\$ 1,046,330	\$ 527,792	\$ 1,056,846

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6007-569
Pupil Transit Services 7800

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Operating Expenditures/Expenses						
3190	310	Prof & Tech Services	\$ 193,400	\$ 195,000	\$ 96,700	\$ 195,000
Total Function 7800			\$ 193,400	\$ 195,000	\$ 96,700	\$ 195,000

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6008-569
Operation of Plant 7900

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Personnel Services						
1260	160	Other Support Personnel Janitor	\$ 31,836	\$ 31,215	\$ 16,297	\$ 32,427
2101	221	Social Security- matching	2,451	2,388	1,183	2,481
2201	211	Pension	4,241	4,370	2,152	4,540
2301	231	Health, Life & Disability Insurance	320	139	327	142
2302	232	Dental Insurance	-	500	-	500
2401	241	Workers' Compensation	948	1,000	698	1,000
subtotal			\$ 39,796	\$ 39,612	\$ 20,657	\$ 41,090
Operating Expenditures/Expenses						
3148	312	Planning/Management Fee CSUSA	\$ 279,956	\$ 297,000	\$ 139,878	\$ 300,000
3149		MDCSB Administrative Fee	135,786	137,704	70,953	144,743
3201	312	Accounting & Auditing Fees	11,600	12,000	7,500	11,000
3431	310	Contract-Food Services	89,984	269,000	138,953	275,000
4101	370	Communications	60,022	70,000	29,256	70,000
4301	430	Electricity	127,902	140,000	67,531	140,000
4320	380	Pub Ut Svc Othr Energy Sv	35,460	24,000	11,562	24,000
4440	360	Office Equip - Leasing Expense	25,040	28,000	20,108	28,000
4501	320	Insurance & Bond Premium	23,691	35,000	4,719	35,000
4620	350	Contract- Building Maintenance	155,597	217,000	75,157	197,000
4635	350	Repairs & Maintenance	101,967	90,000	47,257	90,000
5120		Computer Supplies/Software	18,679	23,000	12,608	35,000
5290	590	Other Mat'l & Supply	2,425	10,000	6,153	10,000
5295	510	Cleaning/Janitorial Supplies	-	1,000	-	-
subtotal			\$ 1,068,109	\$ 1,353,704	\$ 631,635	\$ 1,359,743
Other Uses						
5901	790	Contingency	\$ -	\$ 125,000	\$ 26,276	\$ 85,000
5905	790	AACC Expenses	5,075	5,000	-	5,000
9129	921	Lease Payments to City Debt Service Fund	444,000	444,000	222,000	444,000
subtotal			\$ 449,075	\$ 574,000	\$ 248,276	\$ 534,000
Total Function 7900			\$ 1,556,980	\$ 1,967,316	\$ 900,568	\$ 1,934,833

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6009-569
Child Care Supervision 9102

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Operating Expenditures/Expenses						
3113	310	Contract-Recreation Programs	\$ 110,452	\$ 110,000	\$ 63,383	\$ 120,000
3201	312	Accounting & Auditing Fees	2,000	1,000	500	1,000
4301	430	Electricity	10,000	10,000	5,000	10,000
4501	320	Insurance & Bond Premium	3,000	3,000	1,500	3,000
4620	350	Contract- Building Maintenance	10,483	9,000	3,961	9,000
4635	350	Repairs & Maintenance	7,802	8,500	4,250	8,500
5290	590	Other Mat'l & Supply	2,343	5,500	6,870	5,500
		subtotal	\$ 146,080	\$ 147,000	\$ 85,464	\$ 157,000
Total Function 9102			\$ 146,080	\$ 147,000	\$ 85,464	\$ 157,000

CITY OF AVENTURA
CHARTER SCHOOL
2016/17
BUDGETARY ACCOUNT SUMMARY
190-6010-569
Capital Outlay 7400

ACCOUNT #	SCHOOL OBJECT CODE	DESCRIPTION	2014/15 ACTUAL	2015/16 APPROVED BUDGET	2015/16 HALF YEAR ACTUAL	2016/17 CITY MANAGER PROPOSAL
Capital Outlay						
6401	692	Computer Equipment >5000	\$ 44,912	\$ 80,100	\$ 75,442	\$ 65,500
6402	643	Computer Equipment <5000	96,864	143,750	130,360	227,500
6410	640	Furniture, Fixture & Equipment	5,528	50,000	-	-
Total Function 7400			\$ 147,304	\$ 273,850	\$ 205,802	\$ 293,000

Upgrade Network Switches and Routers	\$	10,000
Replace 2 Servers		10,000
Replace AV Equipment and/or Smartboards		45,500
Subtotal	\$	<u>65,500</u>

Replace 85 Laptops/Computers	\$	102,000
Add 90 New Laptops		108,000
Replace Color Laser Printer		3,500
Replace Security Cameras		5,000
Mobile Learning Computer Labs		9,000
Subtotal	\$	<u>227,500</u>

ORDINANCE NO. 2016-__

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE ATTACHED CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2016/17 (JULY 1 – JUNE 30), PURSUANT TO SECTION 4.05 OF THE CITY CHARTER; AUTHORIZING EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; PROVIDING FOR BUDGETARY CONTROL; PROVIDING FOR PERSONNEL AUTHORIZATION; PROVIDING FOR GIFTS AND GRANTS; PROVIDING FOR AMENDMENTS; PROVIDING FOR ENCUMBRANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS:

Section 1. The 2016/2017 Operating and Capital Improvement Program Budget for the Aventura City of Excellence School, a copy of said budget being attached hereto and made a part hereof as specifically as if set forth at length herein, be and the same is hereby established and adopted.

Section 2. Expenditure of Funds Appropriated in the Budget Authorized. Funds appropriated in the Budget may be expended by and with the approval of the City Manager in accordance with the provisions of the City Charter and applicable law. Funds of the City shall be expended in accordance with the appropriations provided in the Budget adopted by this Ordinance and shall constitute an appropriation of the amounts specified therein. Supplemental appropriations or the reduction of appropriations, if any, shall be made in accordance with Section 4.07 of the City Charter.

Section 3. Budgetary Control. The Budget establishes a limitation on expenditures by department total. Said limitation requires that the total sum allocated to the Charter School department for operating and capital expenses may not be increased or decreased without specific authorization by a duly-enacted Resolution affecting such amendment or transfer.

Therefore, the City Manager may authorize transfers from one individual line item account to another, so long as the line item accounts are within the same department and fund.

Section 4. Personnel Authorization. The “Personnel Allocation Summary” enumerates all authorized budgeted positions. However, the City Manager may amend said authorized budgeted positions in order to address the operating needs of the department so long as sufficient budgeted funds are available.

Section 5. Grants and Gifts. When the City of Aventura receives monies from any source, be it private or governmental, by Grant, Gift, or otherwise, to which there is attached as a condition of acceptance any limitation regarding the use or expenditures of the monies received, the funds so received need not be shown in the Operating Budget nor shall said budget be subject to amendment of expenditures as a result of the receipt of said monies, but said monies shall only be disbursed and applied toward the purposes for which the said funds were received. To ensure the integrity of the Operating Budget, and the integrity of the monies received by the City under Grants or Gifts, all monies received as contemplated above must, upon receipt, be segregated and accounted for based upon generally accepted accounting principles and where appropriate, placed into separate and individual trust and/or escrow accounts from which any money drawn may only be disbursed and applied within the limitations placed upon the Gift or Grant as aforesaid.

Section 6. Amendments. Upon the passage and adoption of the Charter School Fund Budget for the City of Aventura, if the City Manager determines that the Department Total will exceed its original appropriation, the City Manager is hereby authorized and directed to prepare such Ordinances as may be necessary and proper to modify any line item from the Budget hereby.

Section 7. Encumbrances. All outstanding encumbrances at June 30, 2016 shall lapse at that time; and all capital outlay encumbrances and capital outlay expenditures not spent during the fiscal year may be re-appropriated in the 2016/2017 fiscal year.

Section 8. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 9. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.



CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: April 11, 2016

SUBJECT: **Ordinance Amending 2015/16 Charter School Fund Budget**

1st Reading April 28, 2016 City Commission Meeting Agenda Item 2B
2nd Reading May 3, 2016 City Commission Meeting Agenda Item 9C

RECOMMENDATION

It is recommended that the City Commission approve the attached Ordinance amending the 2015/16 Charter School Fund Budget. The total amount of the amendment is \$67,000.

BACKGROUND

The attached document has been prepared to recognize unanticipated revenues and expenditures in the amount of \$67,000 associated with the State of Florida's Best and Brightest Teacher Scholarship Program. Florida's Best and Brightest Teacher Scholarship Program rewards classroom teachers who have been evaluated as highly effective and who have earned college entrance scores on the SAT or ACT at or above the 80th percentile.

At ACES, eight teachers qualified for the scholarship program. This is a State funded program.

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

EMS/act

Attachment

CCO1937-16

ORDINANCE NO. 2016-__

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2015-04, WHICH ORDINANCE ADOPTED A CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2015/2016 (JULY 1 – JUNE 30) BY REVISING THE 2015/2016 FISCAL YEAR BUDGET DOCUMENT AS OUTLINED IN EXHIBIT “A” ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, upon the periodic review and analysis of current budgetary commitments and obligations, and based upon the projected needs and requirements of the Aventura City of Excellence School and upon the recommendations of the City Manager (and the concurrence of the Finance Director as to Accounting Principles), it is deemed necessary to adjust, amend and implement the 2015/2016 Operating and Capital Budget of the Aventura City of Excellence School as set forth in Exhibit “A” attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS:

Section 1. The recitals contained in the preamble to this Ordinance are incorporated by reference herein.

Section 2. The City Commission hereby authorizes the amendment of Ordinance No. 2015-04, which Ordinance adopted a budget for the 2015/2016 fiscal year for the Aventura City of Excellence School by revising the 2015/2016 budget as set forth on the attached Exhibit “A”, which exhibit is deemed incorporated by reference as though set forth in full herein.

Section 3. The City Manager is hereby authorized to do all things necessary to carry out the aims of this Ordinance.

Section 4. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Commissioner Narotsky, who moved its adoption on first reading. This motion was seconded by Commissioner Landman, and upon being put to a vote, the vote was as follows:

Commissioner Enbar Cohen	<u>Yes</u>
Commissioner Teri Holzberg	<u>Yes</u>
Commissioner Denise Landman	<u>Yes</u>
Commissioner Marc Narotsky	<u>Yes</u>
Commissioner Howard Weinberg	<u>Yes</u>
Vice Mayor Robert Shelley	<u>Absent</u>
Mayor Enid Weisman	<u>Yes</u>

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

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

PASSED on first reading this 28th day of April, 2016.

PASSED AND ADOPTED on second reading this 3rd day of May, 2016.

ENID WEISMAN, MAYOR

ATTEST:

ELLISA L. HORVATH, MMC, CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

EXHIBIT A

Budget Amendments
CHARTER SCHOOL FUND 190

OBJECT CODE	CATEGORY	2015/16 ADOPTED BUDGET	2015/16 AMENDED AMOUNT	2015/16 REVISED BUDGET
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Revenues

<u>State Shared Revenues</u>				
3359301	Best & Brightest Scholarship	\$ -	\$ 67,000	\$ 67,000
	SUBTOTAL	\$ -	\$ 67,000	\$ 67,000

Total Amendments-Revenues

\$ 67,000

Expenditures

	<u>Kto 3</u>			
1502	Bonuses	\$ 48,000	\$ 43,000	\$ 91,000
	SUBTOTAL	\$ 48,000	\$ 43,000	\$ 91,000
	<u>4 to 8</u>			
1502	Bonuses	\$ 60,000	\$ 24,000	\$ 84,000
	SUBTOTAL	\$ 60,000	\$ 24,000	\$ 84,000

Total Amendments-Expenditures

\$ 67,000