

City Commission
Susan Gottlieb, Mayor

Zev Auerbach
Bob Diamond
Teri Holzberg
Billy Joel
Michael Stern
Luz Urbáez Weinberg

The City of Aventura



City Manager
Eric M. Soroka, ICMA-CM

City Clerk
Teresa M. Soroka, MMC

City Attorney
Weiss Serota Helfman
Pastoriza Cole & Boniske

JUNE 7, 2011 6 p.m.

Government Center
19200 West Country Club Drive
Aventura, Florida 33180

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **AGENDA:** Request for Deletions/Emergency Additions
4. **SPECIAL PRESENTATIONS:** 10 year service awards to employees
5. **CONSENT AGENDA:** Matters included under the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and considered separately.
 - A. **APPROVAL OF MINUTES:**
May 3, 2011 Commission Meeting
May 12, 2011 Commission Meeting
May 12, 2011 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 AN EFFECTIVE DATE.**
 - C. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED CONTRACT FOR LANDSCAPE MAINTENANCE WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY ON BISCAYNE BOULEVARD FROM THE OLETA RIVER BRIDGE NORTH TO THE MIAMI-DADE/BROWARD COUNTY LINE BY AND BETWEEN THE CITY OF AVENTURA AND THE FLORIDA DEPARTMENT OF TRANSPORTATION;**

AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING THE APPOINTMENT OF MEMBERS TO THE CITY OF AVENTURA ARTS AND CULTURAL CENTER ADVISORY BOARD FOR A TWO-YEAR TERM; AND PROVIDING 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. 11-04-19-2, HVAC MECHANICAL MAINTENANCE SERVICES TO SSI MECHANICAL AND PREMIER AIR CONDITIONING & REFRIGERATION, INC. AT THE INDIVIDUAL BID PRICES AS 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.**

- G. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 11-05-16-02, BISCAYNE BOULEVARD DECORATIVE LIGHTING IMPROVEMENTS, TO UNDER POWER CORPORATION AT THE BID PRICE OF \$236,275; 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.**

- 6. ZONING HEARINGS: QUASI-JUDICIAL PUBLIC HEARINGS** – Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon any of these items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further details of the quasi-judicial procedures may be obtained from the Clerk.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING A SIGN VARIANCE FOR HHGREGG, INC. ON THE RETAIL BUILDING LOCATED AT 19925 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING AN EFFECTIVE DATE.

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

- 8. ORDINANCE – SECOND READING – PUBLIC HEARING:**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2010-10 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2010/2011 FISCAL YEAR BY REVISING THE 2010/2011 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT “A” ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

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

10. REPORTS

11. PUBLIC COMMENTS

- 12. OTHER BUSINESS:** None.

13. ADJOURNMENT

SCHEDULE OF FUTURE MEETINGS/EVENTS

WORKSHOP MEETING	JUNE 16, 2011	9AM	5TH FL. EX.CONF.ROOM
COMMISSION MEETING	JULY 12, 2011	6PM	COMMISSION CHAMBER

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.



**MINUTES
CITY COMMISSION MEETING
MAY 3, 2011 6 PM**

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 Susan Gottlieb at 6 p.m. Present were Commissioners Zev Auerbach, Teri Holzberg, Billy Joel, Michael Stern, Luz Urbaz Weinberg, Vice Mayor Bob Diamond, Mayor Gottlieb, City Manager Eric M. Soroka, City Clerk Teresa M. Soroka and City Attorney David Wolpin. As a quorum was determined to be present, the meeting commenced.

2. PLEDGE OF ALLEGIANCE: Led by Oscar Wasserman

3. AGENDA: REQUESTS FOR DELETIONS/EMERGENCY ADDITIONS: Mr. Soroka advised the Commission that the applicant for the sign variance in item 7 has requested a deferral until the June 7, 2011 meeting. After motion made by Commissioner Holzberg, seconded by Vice Mayor Diamond and unanimously passed, the request was granted and item 7 will be deferred until June 7, 2011.

4. ELECTION OF VICE MAYOR: After motion made by Commissioner Joel, seconded by Commissioner Holzberg and unanimously passed, Zev Auerbach was elected Vice Mayor for the next 6-month period.

5. SPECIAL PRESENTATIONS: Proclamation presented to Michael C. Krop High School student Raya Elias Pushett congratulating her on her participation in *Jeopardy* game show.

6. CONSENT AGENDA: A motion to approve the Consent Agenda was offered by Commissioner Joel, seconded by Commissioner Weinberg, passed unanimously and the following action was taken:

- A. The following minutes were approved:
 - April 5, 2011 Commission Meeting
 - April 14, 2011 Commission Meeting
 - April 14, 2011 Workshop Meeting

- B. Resolution No. 2011-31 was adopted as follows:

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

RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

- C. Resolution No. 2011-32** was adopted as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ACCEPTING AND ADOPTING THE ELECTION RESULTS OF THE APRIL 12, 2011 MUNICIPAL SPECIAL MAIL-IN BALLOT ELECTION, AS CERTIFIED BY THE CANVASSING BOARD AND ATTACHED HERETO; PROVIDING AN EFFECTIVE DATE.

- D. Resolution No. 2011-33** 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 CITY OF SWEETWATER 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.

- E. Resolution No. 2011-34** was adopted as follows:

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

- F.** The following motion was approved:

MOTION TO ACCEPT THE CITY MANAGER'S REVIEW OF ORDINANCE NO. 2008-08 TRANSPORTATION MITIGATION IMPACT FEE AS CONTAINED IN THE ATTACHED STAFF REPORT

6. ZONING HEARINGS: QUASI-JUDICIAL PUBLIC HEARINGS – Please be advised that the following items on the Commission's agenda are quasi-judicial in nature. If you wish to object or comment upon any of these items, please inform the Mayor when she requests public comments. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Commission to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Further details of the quasi-judicial procedures may be obtained from the Clerk.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, DENYING A SIGN VARIANCE FOR HHGREGG, INC. ON THE RETAIL BUILDING LOCATED AT 19925 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING AN EFFECTIVE DATE.

Deferred until the June 7, 2011 Commission meeting.

7. ORDINANCES: FIRST READING/PUBLIC INPUT: Mr. Wolpin read the following ordinance by title:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2010-10 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2010/2011 FISCAL YEAR BY REVISING THE 2010/2011 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

A motion for approval was offered by Commissioner Stern, and seconded by Commissioner Diamond. Mayor Gottlieb opened the public hearing. There being no speakers, the public hearing was closed. The motion for approval passed unanimously.

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

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

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 2011/12 (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 Vice Mayor Auerbach and seconded by Commissioner Joel. Mayor Gottlieb opened the public hearing. There being no speakers, the public hearing was closed. The motion for approval passed unanimously and **Ordinance No. 2011-05** was adopted.

9. RESOLUTIONS – PUBLIC HEARING: None.

10. REPORTS: As presented.

11. PUBLIC COMMENTS: Ms. Pushett.

12. OTHER BUSINESS: None.

13. ADJOURNMENT: There being no further business to come before the Commission at this time, after motion made, seconded and unanimously passed, the meeting adjourned at 6:39 p.m.

Teresa M. Soroka, MMC, City Clerk

Approved by the Commission on _____.

Anyone wishing to appeal any decision made by the City Commission with respect to any matter considered at a 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.



MINUTES
CITY COMMISSION MEETING
May 12, 2011 9 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 at 9 a.m. by Mayor Susan Gottlieb. Present were Commissioners Bob Diamond, Teri Holzberg, Billy Joel, Michael Stern, Luz Urbaz Weinberg, Vice Mayor Zev Auerbach, Mayor Gottlieb, City Manager Eric M. Soroka, City Clerk Teresa M. Soroka and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.

2. **RESOLUTION:** Mr. Wolpin read the following resolution by title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO THAT CERTAIN COLLECTIVELY BARGAINED CONTRACT ATTACHED HERETO BY AND BETWEEN THE CITY OF AVENTURA AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION, WHICH CONTRACT SHALL BE EFFECTIVE UPON SIGNATURE BY THE CITY MANAGER AND THE DADE COUNTY POLICE BENEVOLENT ASSOCIATION; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

A motion for approval was offered by Commissioner Joel and seconded by Commissioner Stern. The motion for approval passed unanimously by roll call vote and **Resolution No. 2011-35** was adopted.

3. **ADJOURNMENT:** There being no further business to come before the Commission at this time, after motion made, seconded and unanimously passed, the meeting adjourned at 9:04 a.m.

Teresa M. Soroka, MMC, City Clerk

Approved by the Commission _____.

Anyone wishing to appeal any decision made by the City Commission with respect to any matter considered at a 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.



MINUTES
CITY COMMISSION
WORKSHOP MEETING
MAY 12, 2011 9:04 a.m.

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

CALL TO ORDER/ROLL CALL: The meeting was called to order at 9:04 a.m. by Mayor Susan Gottlieb following the 9 a.m. Commission meeting. Present were Commissioners Bob Diamond, Teri Holzberg, Billy Joel, Michael Stern, Luz Urbaz Weinberg, Vice Mayor Zev Auerbach, Mayor Gottlieb, City Manager Eric M. Soroka, City Clerk M. Teresa Soroka and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.

1. **PROPOSED CHARTER REVISIONS** (Mayor Gottlieb): Mayor Gottlieb recommended that the charter be amended to provide that any revisions proposed by the Charter Revision Commission be placed on the next general election ballot to avoid stand alone election costs and that recommendations for amendments to the charter made by the Charter Revision Commission require a supermajority vote of the City Commission prior to submitting to the electorate.

CITY MANAGER SUMMARY: After extensive discussion, it was the consensus of the Commission to table this matter until further review.

2. **ADJOURNMENT:** There being no further business to come before the Commission at this time, the meeting adjourned at 10 a.m.

Teresa M. Soroka, MMC, City Clerk

Approved by the Commission on _____.

Anyone wishing to appeal any decision made by the City Commission with respect to any matter considered at a 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.

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: May 9, 2011

SUBJECT: **Resolution Declaring Equipment Surplus**

June 7, 2011 Commission Meeting Agenda Item 5-B

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

CCO1742-11

RESOLUTION NO. 2011-__

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

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

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

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

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

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

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

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

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

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

Commissioner Bob Diamond	_____
Commissioner Teri Holzberg	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Luz Urbàez Weinberg	_____
Vice Mayor Zev Auerbach	_____
Mayor Susan Gottlieb	_____

PASSED AND ADOPTED this 7th day of June, 2011.

SUSAN GOTTLIEB, MAYOR

ATTEST:

TERESA M. SOROKA, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

CITY OF AVENTURA

POLICE DEPARTMENT

INTER OFFICE MEMORANDUM

TO: Eric M. Soroka, City Manager

FROM: Steven Steinberg, Chief of Police

DATE: 9 May 2011

SUBJECT: Surplus Property

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

UNIT	MODEL	SERIAL	MANUFACTURE	TOTAL
GENERATOR	6500	GCAA-4215520	HONDA	1
SIREN CONTROL	PA-400		FEDERAL SIGNAL CORP	7
SIREN CONTROL	PA-300		FEDERAL SIGNAL CORP	2
CONTROL MODULE	SW-300		FEDERAL SIGNAL CORP	1
SIREN CONTROL	3892L6		CODE-3 P.S.E.	1
STROBES	400		WHELEN	5
MULTI-SIREN CONTROL	MPC-01		WHELEN	1
MULTI-PURPOSE MODULE	SPS6J		FEDERAL SIGNAL CORP	2
MULTI-PURPOSE MODULE	BL627		FEDERAL SIGNAL CORP	2
DOME LIGHT COVERS	STREET HAWKS SHL SERIES B		FEDERAL SIGNAL CORP	6
MECHANICAL JACK LIFTERS	USE FOR CROWN VICTORIA		FORD MOTOR CO.	3
PARTITIONS	USE FOR CROWN VICTORIA		PRO-GARD	5
PRISONER REAR SEAT ASSEMBLY	USE FOR CROWN VICTORIA		LAGUNA MANUFACTURING	11
GUN RACKS	ELR-220.R		BIG SKY RACKS	5
POLICE TRUNK PACKS			FORD MOTOR CO.	6
LIGHT BAR	LL288000	159115	WHELEN	1
LIGHT BAR	52 SERIES	TA836A	WHELEN	1
LIGHT BAR EDGE LFL LIBERTY SERIES	SL8BBBB	8245	WHELEN	1
LIGHT BAR EDGE ULTRA-9000 SERIES	9U728000	5851	WHELEN	1
LIGHT BAR EDGE 9000	727	236956	WHELEN	1
LIGHT BAR EDGE ULTRA 9000 SERIES	9U728000	8310	WHELEN	1
LAB TOP STANDS	LT5200		DNR ELECTRONICS	3
CENTER CONSOLE	JOTTO DESK			1

CITY OF AVENTURA

INFORMATION TECHNOLOGY DEPARTMENT

MEMORANDUM

TO: Eric M. Soroka, City Manager

FROM: Karen J. Lanke, Information Technology Director

DATE: May 24, 2011

SUBJECT: Surplus Computer Equipment

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

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

Attachment

**City of Aventura
Computer Equipment Inventory**

Exhibit A

#	Asset Tag	Brand	Model	Qty	Serial Number	Type
1		Worthington	Barcode Reader	1	NC98500069	Barcode Reader
2		Kodak	Easyshare Z7590	1	CTEK52127933	Camera
3		NEC	NC-16TC	1	56200011	Camera
4		Indiana	Cash Drawer	1	2521414	Cash Drawer
5		lomega	Zip 100	1	RBC61310G2	Disk Drive
6		Mace	1604RW	1	ZA1604RW04080045	DVR
7		Mace	1604RW	1	ZA1604RW0507A110092	DVR
8		Brother	Super G3 Fax	1	U60283H4J825335	Fax
9	477	Protec	Bytelan KVM	1	H00669437T	KVM
10	891	Dell	Latitude CPX	1	5GIS5	Laptop
11		Dell	Latitude D600	1	4HPPF51	Laptop
12		Dell	Latitude D600	1	BJC9H41	Laptop
13		Dell	Latitude D600	1	C3BQWB1	Laptop
14		Dell	Latitude D600	1	H2LHD51	Laptop
15		Dell	Latitude D610	1	3M07K81	Laptop
16		Dell	Latitude D610	1	8M07K81	Laptop
17		Dell	Latitude D610	1	FM07K81	Laptop
18		Dell	Latitude D610	1	H3BQWB1	Laptop
19		Dell	Latitude D610	1	JM07K81	Laptop
20		Dell	Latitude D630	1	HGZ82D1	Laptop
21		Dell	Latitude D630	1	J0J0WD1	Laptop
22		Toshiba	6100	1	72109834P0	Laptop
23		Toshiba	500CDT	1	12694253	Laptop
24		AOC	511SWB	1	32673BA003799	Monitor
25		Dell	1504FP	1	KR03X966476022C2D15D	Monitor
26		Dell	1504FP	1	MX03X9664760539QCC4A	Monitor
27		Dell	1504FP	1	MX0U30014760547TANXM	Monitor
28		Dell	1504FP	1	MX0U30014760549EAXEQ	Monitor
29		Dell	1704FPT	1	CN0Y429971618563CGPD	Monitor
30		Dell	1704FPT	1	CN0Y7299716185CKCQG3	Monitor
31		Dell	1707FPT	1	CN0CC28071618682B5KH	Monitor
32		Dell	1707FPT	1	CN0CC28071618682BSAY	Monitor
33		Dell	1800FP	1	MX07R4774832337G0QLF	Monitor
34		Dell	1800FP	1	MX07R4774832341E07P1	Monitor
35		Dell	1800FP	1	MX07R4774832341E0QLD	Monitor
36		Dell	2000FP	1	TW09E2494663537604AL	Monitor
37		Dell	E172FPT	1	CN0J18067161844KABW	Monitor
38		Dell	E770P	1	MX032DX478010A0H0BG	Monitor
39		Dell	E770S	1	MY0881UM4760318LB7EZ	Monitor
40		Dell	M992	1	MX0427364760529QBE8X	Monitor
41		Dell	Ultrasharp 15	1	MX05R1084760535EDWK5	Monitor
42		Dell	Ultrasharp 15	1	MX05R1084760535EDWK8	Monitor
43		Dell	Ultrasharp 15	1	MX05R1084760535EDWKF	Monitor
44		Dell	Ultrasharp 15	1	MX05R1084760535EDWKJ	Monitor
45		Dell	Ultrasharp 15	1	MX05R1084760535EDX6E	Monitor
46		Dell	Ultrasharp 15	1	MX05R1084760535EDX6L	Monitor
47		Dell	Ultrasharp 15	1	MX05R1084760535EDX6P	Monitor
48		Dell	Ultrasharp 15	1	MX05R1084760535EDX6R	Monitor
49		Dell	Ultrasharp 15	1	MX05R10847605369AXV6	Monitor
50		Dell	Ultrasharp 15	1	MX05R10847605369AXV7	Monitor
51		Dell	Ultrasharp 15	1	MX05R10847605369AXV8	Monitor
52		Dell	Ultrasharp 15	1	MX05R10847605369AYDE	Monitor
53		Gateway	CDP-15F23	1	8457890	Monitor
54		Integrgraph	21SD117	1	FA9560914	Monitor
55		KDS	CRT Monitor	1	1742SAC21002884	Monitor
56		Panasonic	WVBM1410	1	0YW10430	Monitor
57		Westinghouse	SK19	1	5010C73203013	Monitor
58		Dell	Dimension	1	J4V8301	PC
59		Dell	Dimension 4100	1	86PQ401	PC
60	1563	Dell	Dimension 4500	1	DDTBY11	PC
61		Dell	Optiplex GX270	1	5C85W61	PC
62		Dell	Optiplex GX270	1	79ASW61	PC

**City of Aventura
Computer Equipment Inventory**

Exhibit A

#	Asset Tag	Brand	Model	Qty	Serial Number	Type
63		Dell	Optiplex GX270	1	C5TNG31	PC
64		Dell	Optiplex GX270	1	CNFPH41	PC
65		Dell	Optiplex GX620	1	18HKWB1	PC
66		Dell	Optiplex GX620	1	2WHKBW1	PC
67		Dell	Optiplex GX620	1	480BK81	PC
68		Dell	Optiplex GX620	1	5XHKWB1	PC
69		Dell	Optiplex GX620	1	6RNFK81	PC
70		Dell	Optiplex GX620	1	6ZHKWB1	PC
71		Dell	Optiplex GX620	1	8BPLV71	PC
72		Dell	Optiplex GX620	1	B80BK81	PC
73		Dell	Optiplex GX620	1	D80BK81	PC
74		Dell	Optiplex GX620	1	DQ0Z461	PC
75		Dell	Optiplex GX620	1	DQPSWB1	PC
76		Dell	Optiplex GX620	1	DZHKWB1	PC
77		Dell	Optiplex GX620	1	FNBLV71	PC
78		Dell	Optiplex GX620	1	G80BK81	PC
79		Dell	Optiplex GX620	1	GQPSWB1	PC
80	2577	Dell	Optiplex GX620	1	H80BK81	PC
81		Dell	Optiplex GX620	1	HN9J0K81	PC
82		Dell	Optiplex GX620	1	HNBLV71	PC
83		Dell	Optiplex GX620	1	HWHKWB1	PC
84		Dell	Optiplex GX620	1	JQPSWB1	PC
85	1075	Gateway	E3400	1	21322710	PC
86		Dell	Axim	1	9XVMF21	PDA
87		HP	iPaq h5550	1	KRD44302QR	PDA
88		HP	iPaq h5555	1	KRD337012H	PDA
89		Palm	ilic	1	10GB13817FFK	PDA
90		Palm	ilic	1	10GB17107E28	PDA
91	2359	Wacom	Intuos 3	1	4JUM0610	Pen Tablet
92		Intertel	550-4300	38	na	Phone
93		Intertel	550-4400	85	na	Phone
94		Intertel	550-4500	32	na	Phone
95		Epson	TM590U	1	ARUG000195	Printer
96		Epson	TM590U	1	ARUK001390	Printer
97		Epson	TM590U	1	ARUK001401	Printer
98		Epson	TM590U	1	ARWG00213	Printer
99		Epson	TM590U	1	ARWG00248	Printer
100		Epson	TM590U	1	J9SG000768	Printer
101		Epson	TM590U	1	J9SG00763	Printer
102		Epson	TM590U	1	J9TG000769	Printer
103		Epson	TM590U	1	J9TG002667	Printer
104		Epson	TM590U	1	J9TG002752	Printer
105		Epson	TM590U	1	J9TG002758	Printer
106		Epson	TM590U	1	J9TG002759	Printer
107		Epson	TM590U	1	J9TG002762	Printer
108		Epson	TM590U	1	J9TG002762	Printer
109		Epson	TM590U	1	J9TG002763	Printer
110		Epson	TM590U	1	J9TG002840	Printer
111		Fargo	Pro L ID Printer	1	80330124	Printer
112		HP	Color Laserjet 3600	1	CNWBFB30294	Printer
113		HP	Deskjet 6127	1	MY4AD4B16Q	Printer
114		HP	Deskjet 6940	1	MY6387R0KG	Printer
115		HP	Deskjet 852C	1	MY0BM1639T	Printer
116	1202	HP	Laserjet 4050N	1	USBF018620	Printer
117	898	HP	Laserjet 8100N	1	USC0044118	Printer
118		HP	Photosmart 7960	1	CN39B320JP	Printer
119		IBM	4230	1	01FN458	Printer
120		IBM	4230	1	01FM797	Printer
121		Okidata	GE5293A	1	712B1002727	Printer
122		Zebra	105SE	1	6142847	Printer
123		Zebra	RW420	1	AZRC08155022	Printer
124		Zebra	RW420	1	XXRC05305040	Printer

**City of Aventura
Computer Equipment Inventory**

Exhibit A

#	Asset Tag	Brand	Model	Qty	Serial Number	Type
125		Sentry	A5835	1	AD936067	Safe
126		Sentry	A5835	1	AG505551	Safe
127		HP	Scanjet 5470C	1	CN16C11F0F6	Scanner
128		ADC	Kentox NCC5BBBBAA	1	531289	Switch
129		ADC	Kentox NCC5BBBBAA	1	560920	Switch
130		Lucent	P130	1	7106662	Switch
131	588	Lucent	P130	1	7106665	Switch
132	1004	Lucent	P130	1	10665843	Switch
133	1003	Lucent	P130	1	10666107	Switch
134		Lucent	P75	1	8117648	Switch
135		Lucent	P75	1	8126045	Switch
136	589	NP	Nuswitch FE-101	1	60115701223	Switch
137		Dell	Powervault 120T	1	US091XNK313400A03045	Tape Drive
138		IBM	Tape 7208 342	1	10P6682	Tape Drive
139		APC	1400VA	2	na	UPS
140		APC	Back UPS 700	8	na	UPS
141		APC	Back UPS E5500	2	na	UPS
142		APC	Back UPS RS800	9	na	UPS

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: May 11, 2011

SUBJECT: **Renewal of FDOT Landscape Maintenance Contract for Biscayne Boulevard**



June 7, 2011 City Commission Meeting Agenda Item 5C

RECOMMENDATION

It is recommended that the City Commission approve the attached Resolution authorizing the renewal of the attached Contract with the Florida Department of Transportation (FDOT) for landscape maintenance along Biscayne Boulevard from the Oleta River Bridge to the County line.

FDOT will reimburse the City in the amount of \$8,677.32 per year.

EMS/act

Attachment

CCO1743-11

RESOLUTION NO. 2011-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED CONTRACT FOR LANDSCAPE MAINTENANCE WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY ON BISCAYNE BOULEVARD FROM THE OLETA RIVER BRIDGE NORTH TO THE MIAMI-DADE/BROWARD COUNTY LINE BY AND BETWEEN THE CITY OF AVENTURA AND THE FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. The City Manager is hereby authorized to execute the attached Contract by and between the City of Aventura and the Florida Department of Transportation to provide landscape maintenance services on the Florida Department of Transportation Right-of-way on Biscayne Boulevard from the Oleta River bridge north to the Miami-Dade/Broward County line.

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

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

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

Commissioner Bob Diamond	_____
Commissioner Teri Holzberg	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Luz Urbàez Weinberg	_____
Vice Mayor Zev Auerbach	_____
Mayor Susan Gottlieb	_____

PASSED AND ADOPTED this 7th day of June, 2011.

SUSAN GOTTLIEB, MAYOR

ATTEST:

TERESA M. SOROKA, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.
SECRETARY

May 5, 2011

91 7108 2133 3938 2441 1217

Mr. Eric M. Soroka
City Manager
CITY OF AVENTURA
19200 West Country Club Drive
Aventura, Florida 33180

RE: Landscape Maintenance Joint Project Agreement
Contract No: **TBA**
Financial No.: 407334-2-78-01

Dear Mr. Soroka:

The existing JPA for Turf and Landscape Maintenance AP580 between City of Aventura and the Department will expire June 30, 2011.

If your City agrees, enclosed are two (2) new contract documents. Please leave the date blank on the first page and return the executed documents back to the Department before June 4th, 2011.

The contract time shall begin on July 1, 2011, and end on June 30, 2012.

Should you have any questions concerning this agreement, please contact me at telephone number (305) 470-5350.

Sincerely,

A handwritten signature in black ink that reads "Rudy Garcia".

Rudy Garcia
District Maintenance Engineer

cc: G. Gladson, R. Kenney, K. Al-Said, S. Ianotti, File

**TURF AND LANDSCAPE MAINTENANCE
JOINT PARTICIPATION AGREEMENT
BETWEEN THE
FLORIDA DEPARTMENT OF TRANSPORTATION
AND THE
CITY OF AVENTURA**

This Agreement, is made and entered into this ____ day of _____, 20__, by and between the State of Florida Department of Transportation, a component agency of the State of Florida, hereinafter referred to as the 'DEPARTMENT', and the **CITY OF AVENTURA** a municipal corporation of the State of Florida, existing under the Laws of the State of Florida, hereinafter referred to as the CITY.

RECITALS:

WHEREAS, the DEPARTMENT has jurisdiction and maintains the SR 5 in the CITY;
and;

WHEREAS, the DEPARTMENT, as part of the continual updating of the State of Florida Highway System and for the purpose of safety, has created roadside areas and median strips on the State Highway System within the corporate limits of the CITY; and

WHEREAS, the DEPARTMENT, at the CITY's request, has agreed to reimburse the CITY for the maintenance of turf and landscape, hereinafter referred to as the 'PROJECT', and

WHEREAS, the CITY recognizes that said median strips and roadside areas contain turf and landscape, which shall be maintained in accordance with Exhibit "A", 'Maintenance Responsibilities', which is herein incorporated by reference; and

WHEREAS, the DEPARTMENT has programmed funding for the PROJECT under Financial Project Number **407334-2-78-01**, and has agreed to reimburse the CITY for turf and landscape maintenance elements which are outlined in the attached Exhibit "B", 'Project Limits & Financial Summary', which is herein incorporated by reference; and

WHEREAS, the parties hereto mutually recognize the need for entering into an Agreement designating and setting forth the responsibilities of each party; and

WHEREAS, the parties are authorized to enter into this Agreement pursuant to **Section 339.08(e) and 339.12, Florida Statutes (F.S.)**;

NOW, THEREFORE, in consideration of the premises, the mutual covenants and other valuable considerations contained herein, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. INCORPORATION OF RECITALS

The foregoing recitals are true and correct and are incorporated into the body of this Agreement, as if fully set forth herein.

2. GENERAL REQUIREMENTS

- a. The CITY shall submit this Agreement to its CITY Commission/Council for ratification or approval by resolution. A copy of said resolution is attached hereto as Exhibit "C", 'CITY's Resolution', and is herein incorporated by reference.
- b. The CITY shall utilize the U.S. Department of Homeland Security's E-Verify system, in accordance with the terms governing use of the system, to confirm the employment eligibility of:
 - i. all persons employed by the CITY during the term of this Agreement to perform employment duties within Florida; and
 - ii. all persons, including subcontractors, assigned by the CITY to perform work pursuant to this Agreement with the DEPARTMENT.
- c. The CITY shall not commence the PROJECT until a Notice to Proceed has been provided from the DEPARTMENT, which shall become the effective date of this Agreement and shall not precede the date provided on page one (1) of the Agreement.
- d. The CITY shall be responsible for the maintenance of all areas that have turf and landscape within the DEPARTMENT's right-of-way as described in Exhibit "A", 'Maintenance Responsibilities'.
- e. The CITY shall be responsible for performing the required maintenance with a minimum frequency of twelve (12) times per year.
- f. All turf and landscape maintenance shall be in accordance with the latest edition of the State of Florida "Guide for Roadside Mowing" and the latest edition of the "Maintenance Rating Program".
- g. The CITY shall submit a work schedule to the DEPARTMENT. In addition, before the CITY starts the work, the DEPARTMENT shall be notified, via fax, of the state road(s) and the day(s) in which the CITY will be working. The fax shall be sent to the attention of the North Miami-Dade Maintenance Engineer, at 305-305-650-0067.
- h. The CITY shall not be responsible for the clean-up, removal and disposal of debris from the DEPARTMENT's right of way following a natural disaster (i.e. hurricane, tornados, etc.). However, the cost of any cycle or part thereof impaired

by any such event may be deducted from the DEPARTMENT's affected quarterly payment to the CITY.

- i. It is understood between the parties hereto that all the landscaping covered by this Agreement may be removed, relocated or adjusted at any time in the future as found necessary by the DEPARTMENT in order that the adjacent state road be widened, altered or otherwise changed and maintained to meet with future criteria or planning of the DEPARTMENT.

3. FINANCIAL PROVISIONS

- a. Eligible PROJECT costs may not exceed EIGHT THOUSAND SIX HUNDRED SEVENTY SEVEN DOLLARS WITH THIRTY TWO CENTS (\$8,677.32), as outlined in Exhibit "B", 'Project Limits & Financial Summary'.
- b. The DEPARTMENT agrees to pay the CITY for the herein described services at a compensation as detailed in this Agreement.
- c. The CITY shall provide the following quantifiable, measurable and verifiable units of deliverables. Each deliverable must specify the required minimum level of service to be performed and the criteria for evaluating successful completion. Said deliverables consists of:
 - i. Small Mowing
 - ii. Edging and Sweeping
 - iii. Litter Removal
 - iv. Landscape Maintenance
- d. Invoices shall be submitted by the CITY in detail sufficient for a proper pre-audit and post audit thereof, based on the quantifiable, measurable and verifiable units of deliverables as established in Section c above and Exhibit "B". Deliverables must be received and accepted in writing by the DEPARTMENT's Project Manager prior to payments.
- e. Supporting documentation must establish that the deliverables were received and accepted in writing by the CITY and that the required minimum level of service to be performed based on the criteria for evaluating successful completion as specified in Section "C" has been met.
- f. Travel costs will not be reimbursed.
- g. CITY providing goods and services to the DEPARTMENT should be aware of the following time frames. Upon receipt, the DEPARTMENT has five (5) working days to inspect and approve the goods and services. The DEPARTMENT has twenty (20) days to deliver a request for payment (voucher)

to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected, and approved.

- h. If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to **Section 55.03(1), F.S.**, will be due and payable, in addition to the invoice amount, to the CITY. Interest penalties of less than one (1) dollar will not be enforced unless the CITY requests payment. Invoices have to be returned to a CITY because of CITY preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the DEPARTMENT.
- i. A Vendor Ombudsman has been established within the Department of Financial Services. The Duties of this individual include acting as an advocate for the CITY who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at 850-413-5516.
- j. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the DEPARTMENT at all times during the period of this Agreement and for five (5) years after final payment is made. Copies of these documents and records shall be furnished to the DEPARTMENT upon request. Records of costs incurred include the CITY's general accounting records and the project records, together with supporting documents and records, of the contractor and all subcontractors performing work on the project, and all other records of the contractor and subcontractors considered necessary by the DEPARTMENT for a proper audit of costs.
- k. In the event this contract is for services in excess of \$25,000.00 and a term for a period of more than 1 year, the provisions of **Section 339.135(6)(a), F.S.**, are hereby incorporated:

“The DEPARTMENT, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The DEPARTMENT shall require a statement from the Comptroller of the DEPARTMENT that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the DEPARTMENT which are for an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) and which have a term for a period of more than 1 year.”

- l. The DEPARTMENT's obligation to pay is contingent upon an annual appropriation by the Florida Legislature.

4. COMMUNICATIONS

- a. All notices, requests, demands, consents, approvals and other communications which are required to be served or given hereunder, shall be in writing and hand-delivered or sent by either registered or certified U.S. mail , return receipt requested, postage prepaid, addressed to the party to receive such notices as follows:

To DEPARTMENT: Florida Department of Transportation
1000 NW 111th Avenue, Room 6205
Miami, FL 33172-5800
Attention: District Maintenance Engineer

To CITY: Mr. Eric M. Soroka
City Manager
CITY OF AVENTURA
19200 West Country Club Drive
Aventura, Florida 33180

5. INVOICING

- a. The CITY shall submit quarterly invoices for DEPARTMENT review, approval, and payment in accordance with this Agreement. Quarterly payments will be made upon invoice approval in an amount not to exceed one fourth of the eligible PROJECT costs. All cost charged to the PROJECT, including any approved services contributed by the CITY or others, shall be supported by properly executed payroll, time records, invoices, contracts or vouchers evidencing in proper detail the nature and propriety of the charges.
- b. In the event temporary work by the DEPARTMENT's forces or by other Contractors temporarily prevent the CITY from performing the work described in this Agreement, the DEPARTMENT shall deduct from the affected quarterly payment(s) the acreage affected area and only compensate the CITY for the actual work it performs.
 - i. The DEPARTMENT shall initiate this procedure only if the temporary work is for a period of one (1) month or longer. Adjustment to the CITY's payment shall also be done as noted in Section 2(g). In the event this Agreement is terminated as established in Section 8 herein, no payment will be prorated for the quarter in which termination occurs for the work that has been completed.

6. MAINTENANCE DEFICIENCIES

If the District Maintenance Engineer determines that the CITY is not accomplishing its

responsibilities under this Agreement, said District Maintenance Engineer may issue written notice, in care of the CITY on notice thereof. Thereafter, the CITY shall have a period of thirty (30) calendar days within which to correct the cited deficiency or deficiencies. If said deficiencies are not corrected within this time period the DEPARTMENT may, at its option, proceed as follows:

- a. Maintain the median or roadside area(s) declared deficient with DEPARTMENT and/or a Contractor's material, equipment and personnel. The actual cost for such work will be deducted from the DEPARTMENT's affected quarterly payment to the CITY; or
- b. Terminate this Agreement.

7. EXPIRATION/RENEWAL

This Agreement is for a term of one (1) year beginning on the date provided in the Notice to Proceed; and may be renewed twice, only if mutually agreed to in writing by the DEPARTMENT and the CITY. Any such renewal shall be subject to the same terms and conditions set forth in this Agreement, and shall be contingent upon both satisfactory CITY performance evaluations by the DEPARTMENT and the availability of funds.

This Agreement may be extended if mutually agreed in writing by both parties, for a period not to exceed six (6) months and shall be subject to the same terms and conditions set forth in this Agreement. There shall be only one (1) extension of this Agreement.

8. TERMINATION

This Agreement or part hereof, is subject to termination under any one of the following conditions:

- a. In the event the DEPARTMENT exercises the option identified by Section 6 of this Agreement.
- b. As mutually agreed by both parties.
- c. In accordance with **Section 287.058(1)(c), F.S.**, the DEPARTMENT shall reserve the right to unilaterally cancel this Agreement if the CITY refuses to allow public access to any or all documents, papers, letter, or other materials made or received by the CITY pertinent to this Agreement which are subject to provisions of Chapter 119, of the F.S.

9. ENTIRE AGREEMENT

This Joint Participation Agreement is the entire Agreement between the parties hereto, and it may be modified or amended only by mutual consent of the parties in writing.

10. GOVERNING LAW

This Agreement shall be governed and construed in accordance with the laws of the State of Florida.

11. AMENDMENT

This Agreement may be amended by mutual agreement of the DEPARTMENT and the CITY expressed in writing, executed and delivered by each party.

12. INVALIDITY

If any part of this Agreement shall be determined to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, if such remainder continues to conform to the terms and requirements of applicable law.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, on the day and year above written.

CITY OF AVENTURA:

**STATE OF FLORIDA, DEPARTMENT
OF TRANSPORTATION:**

BY: _____
CITY MAYOR/MANAGER

BY: _____
DISTRICT SECRETARY

ATTEST: _____
(SEAL) CITY CLERK

ATTEST: _____
(SEAL) EXECUTIVE SECRETARY

LEGAL REVIEW:

CITY ATTORNEY

DISTRICT CHIEF COUNSEL

Exhibit "A"

Maintenance Responsibilities

The CITY shall be responsible for the maintenance of all turf and landscape areas within the DEPARTMENT'S right of way on SR 5, as described below:

- a. Mow, cut and/or trim, and edge the grass or turf in accordance with the latest edition of the State of Florida "Guide for Roadside Mowing" and the latest edition of the "Maintenance Rating Program".
- b. Properly prune all plants, which include, but not limited to, plant and tree trimmings, in accordance with the latest edition of the "Maintenance Rating Program". Pruning such parts thereof which may present a visual or other safety hazard for those using or intending to use the right-of-way.
- c. Remove and properly dispose of litter from roadside and median strips.
- d. Remove and properly dispose of dead, diseased or otherwise deteriorated plants in their entirety.
- e. All work by the CITY shall be executed on the roadway under a traffic control plan in accordance with DEPARTMENT'S latest edition of the "FDOT Design Standards".

FDOT Financial Project Number: 407334-2-78-01

County: Miami-Dade

FDOT Project Manager: Guy Gladson, P.E.
Tel: 305-654-7163

CITY Project Manager: Mr. Eric M. Soroka

Exhibit "B"
Project Limits & Financial Summary

Below are the PROJECT limits and acreage of the areas to be maintained by the CITY OF AVENTURA under this Agreement.

STATE ROAD	ROAD NAME	FROM	TO
5	Biscayne Blvd.	Oleta River	Miami Dade/Broward County Line

Item Description	Quantity (AC)	# Cycles	Total Agreement Quantity(AC)	Current Agreement Unit Price	TOTAL Current Agreement Amount
Mowing small machine (E104 4 3)	0.78	12	9.360	\$106.54	\$997.21
Litter Removal (E110 30)	0.78	12	9.360	\$6.47	\$60.56
Edging & Sweeping (E110 32 1)	0.99	12	11.880	\$248.50	\$2952.18
Landscape Maintenance (E580 3 2)	0.128	12	1.536	\$3038.65	\$4667.37
					\$8,677.32

TOTAL ANNUAL AMOUNT ELIGIBLE FOR REIMBURSEMENT: \$ 8,677.32

Exhibit "C"

City Resolution

To be herein incorporated once approved by the CITY Commission/Council.

RESOLUTION NO. 2011-__

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

WHEREAS, Section 2-121 of the Aventura City Code provides for the creation of the Community Services Advisory Board; and

WHEREAS, in accordance with the provisions of Section 3.11 of the Aventura City Charter, the City Commission wishes to provide for approval of the Mayor's appointment of members to the Community Services Advisory Board.

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

Section 1. The City Commission hereby approves the appointment by the Mayor of the following individuals to serve as members of the Community Services Advisory Board for a term of one year:

- Ruthe Cohen
- Jonathan P. Evans
- Jaquelina Levy Hara
- Julie R. Israel
- Gary Pyott
- Julie Shapiro
- Melvin I. Taks

Section 2. 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 Bob Diamond _____
- Commissioner Teri Holzberg _____
- Commissioner Billy Joel _____
- Commissioner Michael Stern _____
- Commissioner Luz Urbaez-Weinberg _____
- Vice Mayor Zev Auerbach _____

Resolution No. 2011-__
Page 2

Mayor Susan Gottlieb _____

PASSED AND ADOPTED this 7th day of June, 2011.

SUSAN GOTTLIEB, MAYOR

ATTEST:

TERESA M. SOROKA, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

/tms

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: May 31, 2011

SUBJECT: **Appointment to the Arts & Cultural Center Advisory Board**

June 7, 2011 City Commission Meeting Agenda Item 5-E

BACKGROUND

As you are aware, the previous appointments to the Arts & Cultural Center Advisory Board (ACCAB) expired in March 2011.

The Ordinance creating the ACCAB provides for the following process to be utilized:

- The Board will consist of a minimum of seven (7) and a maximum of nine (9) members who shall be appointed by the Mayor, subject to the approval of the City Commission.
- Individuals wishing to be a member of the Board shall make application to the City Manager. The City Manager shall interview all applicants and make recommendations to the Mayor. The Mayor shall appoint to the Board members from the list of applicants recommended by the City Manager, subject to the approval of the City Commission.
- The membership of this Board should be representative of the broad spectrum of the arts and have specific experience and a strong commitment to performing arts.
- All efforts should be made for the membership of the Board to be representative of all age groups.

PROCESS

The following individuals requested to be re-appointed:

Amit Bloom
Gloria Muroff
Nancy Doyle

Judy Scott Lotwin
Jules Oaklander
Lenore Simmons
Ibis Romero
Barbara Brodsky*

*Request came after the deadline

The following individuals applied for the Board and were interviewed:

Jeanine Dronsick
Jeri Jandovitz
Enbar Cohen
Gladys Mezrahi
Amy Pinzar
Erin Yavner

After a careful review of the applicants and with the previously stated goals in mind, as well as emphasis to attract members from all age groups, the Mayor is recommending the City Commission appoint the following individuals to the Board:

Amit Bloom	Gladys Mezrahi
Gloria Muroff	Amy Pinzar
Nancy Doyle	Erin Yavner
Judy Scott Lotwin	
Dr. Jules Oaklander	
Lenore Simmons	

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

RESOLUTION NO. 2011-__

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING THE APPOINTMENT OF MEMBERS TO THE CITY OF AVENTURA ARTS AND CULTURAL CENTER ADVISORY BOARD FOR A TWO-YEAR TERM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 2008-17 enacted on November 6, 2008 provides for the creation of the Arts and Cultural Center Advisory Board; and

WHEREAS, in accordance with the provisions of Section 3.11 of the Aventura City Charter, the City Commission wishes to provide for approval of the Mayor's appointment of members to the Arts and Cultural Center Advisory Board.

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

Section 1. The City Commission hereby approves the appointment by the Mayor of the following individuals to serve as members of the Arts and Cultural Center Advisory Board for a term of two years:

Amit Bloom
Nancy Gillen Doyle
Judy Scott Lotwin
Gladys Mezrahi
Gloria Muroff
Dr. Jules Oaklander
Amy Pinzar
Lenore Toby-Simmons
Erin Yavner

Section 2. 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 Bob Diamond	_____
Commissioner Teri Holzberg	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Luz Urbaez-Weinberg	_____
Vice Mayor Zev Auerbach	_____
Mayor Susan Gottlieb	_____

PASSED AND ADOPTED this 7th day of June, 2011.

SUSAN GOTTLIEB, MAYOR

ATTEST:

TERESA M. SOROKA, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

/tms

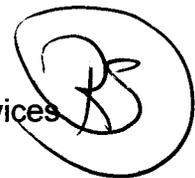
CITY OF AVENTURA

COMMUNITY SERVICES DEPARTMENT

MEMORANDUM

TO: City Commission

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

BY: Robert M. Sherman, Director of Community Services 

DATE: May 10, 2011

SUBJECT: **Bid No. 11-04-19-2 HVAC Mechanical Maintenance Services**

June 7th, 2011 City Commission Meeting Agenda Item 5-F

Recommendation

It is recommended that the City Commission adopt the attached Resolution awarding Bid No. 11-04-19-2 HVAC Mechanical Maintenance Services to the two lowest responsible and responsive bidders. SSI Mechanical and Premier Air Conditioning & Refrigeration, Inc. at the unit prices listed in the attached Bid Tabulation.

Background

In accordance with the City's Purchasing Ordinance, bids for this maintenance contract were solicited, advertised and opened on April 19, 2011. The bid was advertised in local newspapers and via the internet on DEMANDSTAR.

Bids were received from the following six firms:

SSI Mechanical
Premier Air Conditioning & Refrigeration, Inc.
Airstron, Inc.
DebonAir Mechanical, Inc.
Southeastern Chiller Services
Airmatic Controls, Inc.

The bid document requested hourly rates for both licensed technicians and equipment for the routine repairs of air conditioning units in the various buildings in the City, (except the Government Center, where we have an extended service agreement).

City Commission
May 19, 2011
Page Two

SSI Mechanical's labor rate of \$64.00 per hour was the lowest qualified bidder. Premier Air Conditioning & Refrigeration, Inc. submitted the next lowest qualified bid for labor at \$65.00 per hour.

In the event that SSI Mechanical cannot perform the required services, the second lowest qualified firm (Premier Air Conditioning & Refrigeration, Inc.) will be called.

Both recommended firms will be required to post the appropriate insurance that is acceptable to the City; and all work will be subject to the review and inspection of the City Mechanical Inspector when required. This contract is for one two (2) year term, with a two (2) year extension, at the City's sole discretion.

Please feel free to contact me if you have any questions.

RMS/gf

Attachments

RMS11014

RESOLUTION NO. 2011-___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARING AND LETTING A BID/CONTRACT FOR BID NO. 11-04-19-2, HVAC MECHANICAL MAINTENANCE SERVICES TO SSI MECHANICAL AND PREMIER AIR CONDITIONING & REFRIGERATION, INC. AT THE INDIVIDUAL BID PRICES AS 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. 11-04-19-2, HVAC MECHANICAL MAINTENANCE SERVICES; 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 SSI Mechanical and Premier Air Conditioning & Refrigeration, Inc. 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. 11-04-19-2, HVAC MECHANICAL

MAINTENANCE SERVICES is hereby awarded to SSI Mechanical and Premier Air Conditioning & Refrigeration, Inc. at the individual bid prices contained in Exhibit "A" attached.

Section 2: 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. 001-5001-539-4620, 001-9001-590-4620, and 190-6008-569-4635.

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 Bob Diamond	_____
Commissioner Teri Holzberg	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Luz Urbáez-Weinberg	_____
Vice Mayor Zev Auerbach	_____
Mayor Susan Gottlieb	_____

PASSED AND ADOPTED this 7th day of June, 2011.

SUSAN GOTTLIEB, MAYOR

ATTEST:

TERESA M. SOROKA, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

Exhibit "A"

SSI MECHANICAL

<u>Labor</u>	<u>Regular Rate</u>	<u>Overtime Rate</u>
HVAC Foreman/Supervisor	\$64.00	\$96.00
HVAC Service Technician	\$64.00	\$96.00
<u>Equipment</u>	<u>Regular Rate</u>	<u>Overtime Rate</u>
Bucket Truck	\$85.00 - \$120.00	\$95.00 - \$170.00
Crane	\$85.00 - \$120.00	\$95.00 - \$170.00
Scissor Truck	\$85.00 - \$120.00	\$95.00 - \$170.00

PREMIER AIR CONDITIONING & REFRIGERATION, INC.

<u>Labor</u>	<u>Regular Rate</u>	<u>Overtime Rate</u>
HVAC Foreman/Supervisor	\$75.00	\$95.00
HVAC Service Technician	\$65.00	\$85.00
<u>Equipment</u>	<u>Regular Rate</u>	<u>Overtime Rate</u>
Bucket Truck	\$480.00 per day	\$350.00
Crane	\$125.00 per hour	\$150.00
Scissor Truck	\$300.00 per day	\$300.00

**BID TABULATION
HVAC MECHANICAL MAINTENANCE SERVICES**

**BID # 11-04-19-2
 BID OPENING DATE: Monday, April 19, 2011 at 2:00 PM
 Bids Open After 2:00 PM on Monday, April 19, 2011**

Labor Rates: Titles	SSI Mechanical		Premier Air Conditioning & Refrigeration, Inc.		Airstrom, Inc.		DebonAir Mechanical, Inc		Southeastern Chiller Services		Airmatic Controls, Inc.	
	Regular Hours	OverTime Rate	Regular Hours	OverTime Rate	Regular Hours	OverTime Rate	Regular Hours	OverTime Rate	Regular Hours	OverTime Rate	Regular Hours	OverTime Rate
HVAC Foreman or Supervisor	\$ 64.00	\$ 96.00	\$ 75.00	\$ 95.00	n/a	n/a	\$ 105.00	\$ 157.50	\$ 115.00	\$ 175.00	\$ 110.00	\$ 130.00
HVAC Service Technician	\$ 64.00	\$ 96.00	\$ 65.00	\$ 85.00	\$ 80.00	\$ 120.00	\$ 105.00	\$ 157.50	\$ 115.00	\$ 175.00	\$ 95.00	\$ 120.00
Equipment Rates:												
Bucket Truck	\$85 - \$120	\$95 - \$170	**\$480.00	**\$350.00	\$ 150.00	\$ 225.00	\$ 175.00	\$ 200.00	**\$2205.00	**\$2205.00	**\$360.00	**\$360.00
Crane	\$85 - \$120	\$95 - \$170	\$ 125.00	\$ 150.00	***\$250.00	\$ 375.00	\$ 175.00	\$ 200.00	\$ 445.00	\$ 512.00	\$ 190.80	\$ 222.60
Scissor Truck	\$85 - \$120	\$95 - \$170	**\$300.00	**\$300.00	\$ 225.00	\$ 337.50	\$ 175.00	\$ 200.00			\$ 205.00	\$ 205.00

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.

<p>Note: Premier Air Conditioning * Per Day charge ** Overtime/Additional</p>	<p>Note: Airstrom, Inc ***up to 70 Ton</p>
<p>Note: Southeastern Chiller *Per Day</p>	<p>Note: Airmatic Controls, Inc. *Per Day</p>

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 

DATE: May 26, 2011

SUBJECT: **Bid No: 11-5-16-02 – Biscayne Boulevard Decorative Street Lighting Improvements**

June 7, 2011 City Commission Meeting Agenda Item 5-6

Recommendation

It is recommended that the City Commission adopt the attached Resolution awarding Bid No. 11-05-16-02, Biscayne Boulevard Decorative Street Lighting Improvements to the lowest responsible and responsive bidder, Under Power Corporation for the price of \$236,275.00. This project will be funded by Budget Line Item Number 001-8050-541-6341.

Background

In accordance with the City's Purchasing Ordinance, bids for this project were solicited, advertised, and opened on May 18, 2011. The City received the following two (2) bids for this project:

Under Power Corporation	\$236,275.00
R & D Electric, Inc.	\$239,663.00

This bid price allows for purchase and installation of decorative street lighting on the east side of Biscayne Boulevard from the north side corner of NE 199th Street to the north side corner of the William Lehman Causeway.

Reimbursement for street light pole purchase and installation will be provided to the City through funding from the America Recovery and Reinvestment Act.

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

RESOLUTION NO. 2011-___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 11-05-16-02, BISCAYNE BOULEVARD DECORATIVE LIGHTING IMPROVEMENTS, TO UNDER POWER CORPORATION AT THE BID PRICE OF \$236,275; 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. 11-05-16-02, Biscayne Boulevard Decorative 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 Under Power Corporation has 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. 11-05-16-02, Biscayne Boulevard Decorative Lighting Improvements, is hereby awarded to Under Power Corporation in the amount of \$236,275.

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 001-8050-541-6341.

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 Bob Diamond	_____
Commissioner Teri Holzberg	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Luz Urbáez Weinberg	_____
Vice Mayor Zev Auerbach	_____
Mayor Susan Gottlieb	_____

PASSED AND ADOPTED this 7th day of June, 2011.

SUSAN GOTTLIEB, MAYOR

ATTEST:

TERESA M. SOROKA, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

MEMORANDUM

CRAVEN THOMPSON AND ASSOCIATES, INC.

Date: May 26, 2011

To: Tony Tomei, City of Aventura - Capital Projects Manager

From: Chad E. Edwards, P.E., Consulting Engineer

Reference: Biscayne Boulevard Decorative Lighting Improvements
Bid Package Review - Bid Number 11-5-16-02
CTA Project No. 01-0103-139

At your request, we have reviewed the bid results for the above referenced project and have checked the qualifications and references for the apparent low bidder, Under Power Corp. A total of two (2) bids were received, ranging in price from \$236,275.00 to \$239,663.00. We spoke with representatives from Miami-Dade County Public Works Department (MDCPW), Miami-Dade County Parks and Recreation, City of Miami Beach Public Works Department, and the City of Miami, regarding the qualifications and past performance by Under Power Corp. on similar projects. All agencies described Under Power Corp. as a qualified firm and capable of performing the type of work required under this contract. Under Power Corp. has completed multiple ARRA funded jobs for MDCPW and the City of Miami. Their staff is knowledgeable with the ARRA reporting process and specific requirements unique to ARRA funded projects.

Under Power Corp. is currently under contract with the City of Miami Beach to maintain existing roadway lighting within FDOT right-of-way and have produced good quality work and have always been quick to respond to any concerns during the length of their contract. The City of Miami indicated that Under Power Corp. has produced excellent work from start to finish, including maintaining proper MOT, keeping good photo records of the project, providing a clean finished project site, and meeting all lighting specifications. No references indicated problems or issues with Change Orders. They also indicated that Under Power Corp. had met the contract requirements and time frames on past projects.

Please note that the submitted base bid from R&D Electric indicated \$225,713.00, but the sum of the individual line items totaled \$239,663.00 resulting in Under Power Corp. being the low bidder with a base bid of \$236,275.00.

Based on our review of the bids and reference checks, it is my professional opinion that Under Power Corp. is qualified to perform the work under this contract and has successfully performed similar types of electrical and lighting roadway work for government agencies in the past. Therefore, I am recommending the award of the contract for this project to Under Power Corp. as the lowest responsive, responsible bidder with a base bid in the amount of \$236,275.00.

City / FDOT LAP Grant amount = \$261,000.00

Base Bid from Under Power Corp. = \$236,275.00

Dollars remaining after utilization of base bid = \$24,725.00

Bid Alternate A

(4 Light Poles) = \$89,570.00

This includes the pole removal and replacement from the William Lehman Causeway south to NE 193rd Street.

Bid Alternate B

(7 Light Poles) = \$141,295.00

This includes the pole removal and replacement from NE 193rd Street to NE 191st Street.

Bid Alternate C

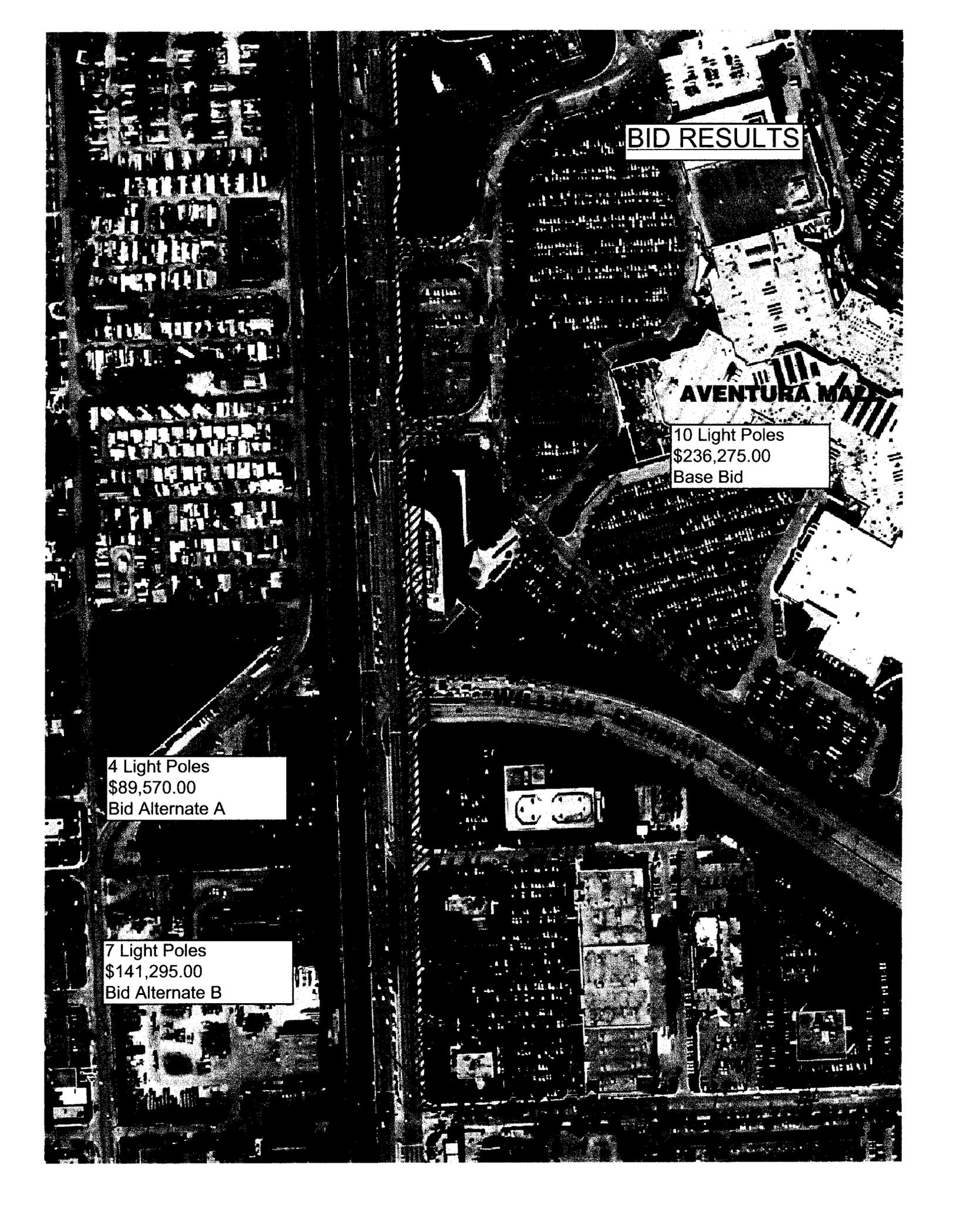
(1 Light Pole) = \$21,550.00

The following are responses to your questions regarding the bid results:

1. In order to fully utilize all of the ARRA money we could install one (1) light pole south of the Causeway without any additional money being contributed by the City.
2. The additional cost to the City to provide poles from the Causeway to NE 191st Street = \$206,140.00
3. The additional cost to the City to provide poles from the Causeway to NE 193rd Street = \$64,845.00
4. The additional cost to the City to provide poles from NE 193rd Street to NE 191st Street = \$141,295.00.

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

CEE/tg



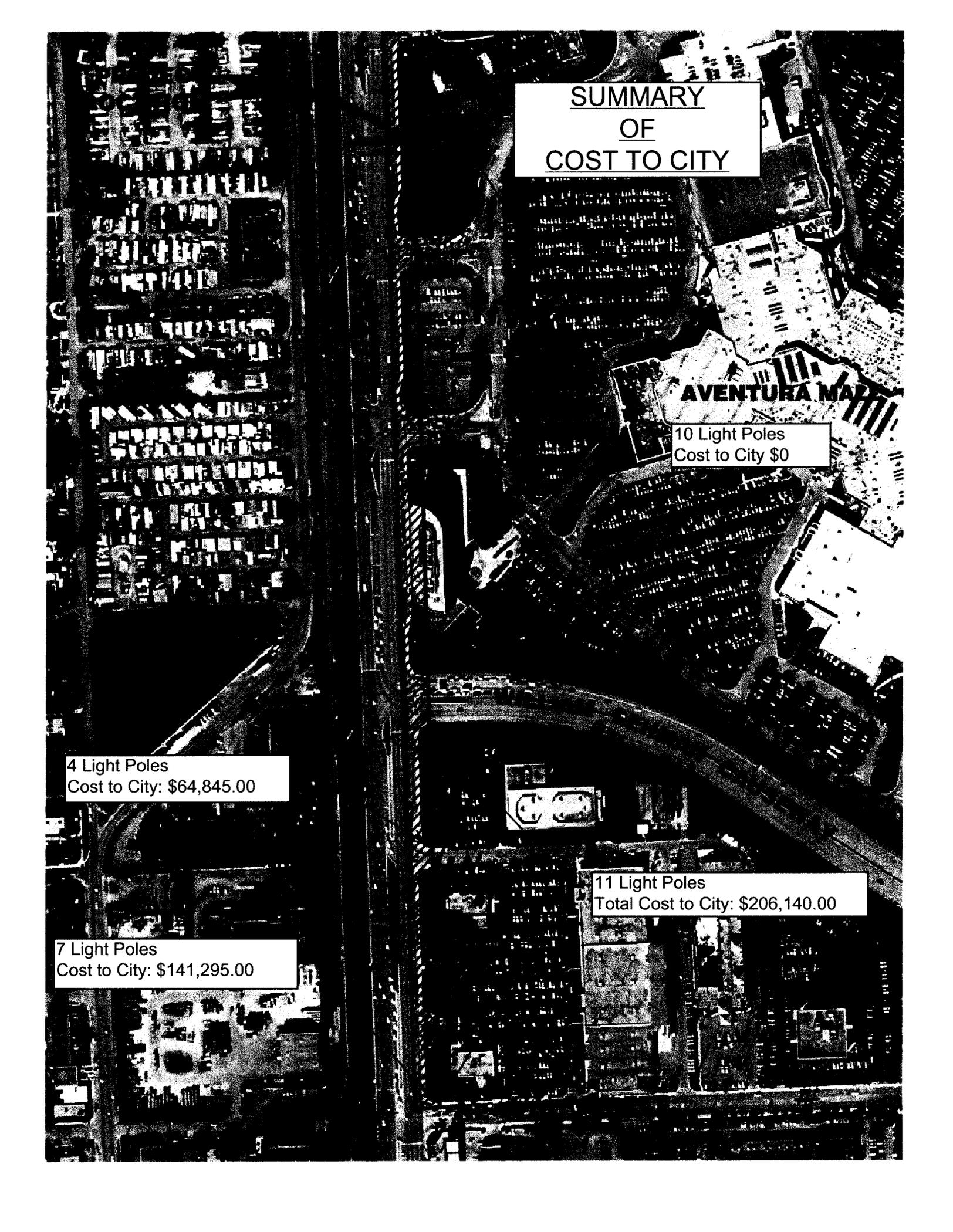
BID RESULTS

AVENTURA MA

10 Light Poles
\$236,275.00
Base Bid

4 Light Poles
\$89,570.00
Bid Alternate A

7 Light Poles
\$141,295.00
Bid Alternate B



**SUMMARY
OF
COST TO CITY**

AVENTURA MA

10 Light Poles
Cost to City \$0

4 Light Poles
Cost to City: \$64,845.00

7 Light Poles
Cost to City: \$141,295.00

11 Light Poles
Total Cost to City: \$206,140.00

SECTION 00410

BID FORM

THIS BID IS SUBMITTED TO:

City of Aventura
19200 West Country Club Drive
Aventura, Florida 33180
BID FOR: Biscayne Boulevard Decorative Lighting Improvements
BID No: 11-5-16-2

The undersigned BIDDER proposes and agrees, if this Bid is accepted, to enter into an agreement with The City of Aventura in the form included in the Contract Documents to perform and furnish all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

1. BIDDER accepts all of the terms and conditions of the Advertisement or Invitation to Bid and Instructions to BIDDER'S, including without limitation those dealing with the disposition of Bid Security. This Bid will remain subject to acceptance for 180 days after the day of Bid opening. BIDDER agrees to sign and submit the Agreement with the Bonds and other documents required by the Bidding Requirements within ten days after the date of City's Notice of Award.

In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that

- (a) BIDDER has examined copies of all the Bidding Documents and of the following Addenda (receipt of all which is hereby acknowledged.)

Addendum No. <u> 1 </u>	Dated: <u>5/12/11</u>
Addendum No. <u> 2 </u>	Dated: <u>5/17/11</u>
Addendum No. _____	Dated: _____
Addendum No. _____	Dated: _____

- (b) BIDDER has familiarized themselves with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and Law and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work.
- (c) BIDDER has studied carefully all reports and drawings of subsurface conditions and drawings of physical conditions.
- (d) BIDDER has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests and studies (in addition to or to supplement those referred to in (c) above) which pertain to the subsurface or physical conditions at the site or otherwise may affect the cost, progress, performance, or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, and no additional examinations, investigations, explorations, tests, reports or similar information or data are or will be required

Biscayne Boulevard Decorative Lighting Improvements
City of Aventura Bid No. 11-5-16-2
CTA Project No. 01-0103.139
Addendum No. 1
5/12/11

by BIDDER for such purposes.

- (e) BIDDER has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports or similar information or data in respect of said Underground Facilities are or will be required by BIDDER in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents.
 - (f) BIDDER has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.
 - (g) BIDDER has given Consultant written notice of all conflicts, errors, discrepancies that it has discovered in the Contract Documents and the written resolution thereof by Consultant is acceptable to BIDDER.
 - (h) This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; BIDDER has not directly or indirectly induced or solicited any other BIDDER to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other BIDDER or over the City.
3. BIDDER understands and agrees that the Contract Price is lump sum to furnish and install all of the Work complete in place. The Schedule of Values is provided for the purpose of Bid Evaluation and when initiated by the City, the pricing of change orders. Contractor's price will not be adjusted to reflect any deviation from the Schedule Of Values, except to the extent that the City changes the scope of Project after the Contract Date.

As such the Contractor shall furnish all labor, materials, equipment, tools superintendence and services necessary to provide a complete in place Project for the Bid Price of:

\$ 487,620.00 / FOUR HUNDRED AND EIGHTY -
SEVEN THOUSAND SIX HUNDRED AND TWENTY dollars and
ZERO cents LUMP SUM

(Written Total Bid Price - From Schedule Of Values)

BIDDER agrees that the work will be complete in full within 180 calendar days from the date stipulated in the Notice to Proceed. If Bid Alternates are awarded, then the completion time for the work covered under the Bid Alternates will be agreed to prior to the issuance of the Notice to Proceed.

Biscayne Boulevard Decorative Lighting Improvements
City of Aventura Bid No. 11-5-16-2
CTA Project No. 01-0103.139
Addendum No. 1
5/12/11

4. Communications concerning this Bid shall be addressed to:

BIDDER: Under Power Corp
Address: 7900 NW 60 ST
MIAMI, FL 33166
Telephone 305-468-9900
Facsimile Number 305-468-9955
Attention: Alex Tirse

5. The terms used in this Bid which are defined in the General Conditions of the Construction Contract included as part of the Contract documents have the meanings assigned to them in the General Conditions.

SUBMITTED THIS DAY MAY 13TH, 20 11.

SECTION 00410
SCHEDULE OF VALUES
FOR LUMP SUM
CONTRACT
GENERAL REQUIREMENTS

Item	Quantity	Description	Unit	Unit Price	Extended Cost
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BASE BID

The base bid includes the removal of existing light poles and installation of new light poles from NE 199th Street (Aventura Boulevard) to the William Lehman Causeway.

GENERAL

1	1	GENERAL CONDITIONS	LS	\$ 2,000.00	\$ 2,000.00
2	1	MOBILIZATION	LS	\$ 5,000.00	\$ 5,000.00
3	1	MAINTENANCE OF TRAFFIC	LS	\$ 12,000.00	\$ 12,000.00
SUB-TOTAL					\$ 19,000.00

DEMOLITION

4	7	EXISTING LIGHT POLE TO BE REMOVED COMPLETE	EA	\$ 300.00	\$ 2,100.00
SUB-TOTAL					\$ 2,100.00

LIGHTING

5	7	PULL BOX (ROADSIDE) (28" X 18" X 12") (F&I)	EA	\$ 600.00	\$ 4,200.00
6	10	PURCHASE LIGHT POLE COMPLETE (WITH TWO FIXTURES) (F)	EA	\$ 11,125.00	\$ 111,250.00

Biscayne Boulevard Decorative Lighting Improvements
City of Aventura Bid No. 11-5-16-2
CTA Project No. 01-0103.139
Addendum No. 1
5/12/11

7	10	INSTALL LIGHT POLE COMPLETE (WITH TWO FIXTURES) (I)	EA	\$ 4,150.00	\$ 41,500.00
8	2,200	CONDUCTOR #2	LF	\$ 2.80	\$ 6,160.00
9	4,100	CONDUCTOR #4	LF	\$ 1.90	\$ 7,790.00
10	10	POLE CABLE DISTRIBUTION SYSTEM (CONVENTIONAL)	EA	\$ 1,500.00	\$ 15,000.00
11	1	MODIFY EXISTING SERVICE POINT	LS	\$ 550.00	\$ 550.00
12	1	PURCHASE LIGHT POLE COMPLETE (WITH TWO FIXTURES) AND DELIVER TO CITY OF AVENTURA	EA	\$ 11,125.00	\$ 11,125.00
13	1	PROVIDE TEMPORARY LIGHTING	LS	\$ 6,600.00	\$ 6,600.00
14	10	ARRA LOGO MEDALLION INSTALLED IN SIDEWALK ADJACENT TO NEW LIGHT POLE	EA	\$ 100.00	\$ 1,000.00
SUB-TOTAL					\$ 205,175.00
15	1	ALLOWANCE FOR CITY OF AVENTURA POLICE DEPARTMENT PRESENCE (\$40/HR)	LS	\$10,000	\$10,000

TOTAL VALUE OF BASE BID \$ 236,275.00

Biscayne Boulevard Decorative Lighting Improvements
City of Aventura Bid No. 11-5-16-2
CTA Project No. 01-0103.139
Addendum No. 1
5/12/11

CITY OF AVENTURA
COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

TO: City Commission

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

BY: Joanne Carr, AICP
Community Development Director

DATE: May 12, 2011

SUBJECT: Request of hhgregg, Inc. for Sign Variance
19925 Biscayne Boulevard, City of Aventura
(01-SV-11)

June 7, 2011 City Commission Meeting Agenda Item 6

This item was deferred from the May 3, 2011 meeting agenda at the applicant's request.

The applicant has revised its request for sign variance from 294 square feet to 176 square feet. The revised sign drawings are attached as Exhibit #1.

RECOMMENDATION

It is recommended that the City Commission approve the request for variance to permit a wall sign measuring 176 square feet on the west building elevation; where one sign measuring 162 square feet is permitted by Code, for the hhgregg appliances & electronics store at 19925 Biscayne Boulevard.

It is further recommended that the City Commission accept the applicant's proffer to add landscaping to the south property limit and that such landscaping be completed prior to final sign permit inspection.

ANALYSIS

The basis for this recommendation is based on the location of the tenant space adjacent to the Biscayne Boulevard/Ives Dairy Road overpass. As detailed in the staff report on the May 3 City Commission agenda, the applicant has been

advised of the previous City Commission action in 1998 to permit a larger monument sign to compensate for the height of the overpass, however, the applicant has argued that this particular tenant space in the plaza is the most impacted as it is at the northern end of the plaza, where the height of the overpass is greater than the other stores. Staff recommends a minimal increase in wall signage under this circumstance. The requested size of 176 square feet is 14 square feet larger than permitted by City Code. The previous request on the May 3 agenda was for a wall sign that was 132 square feet larger than permitted by City Code.

Staff has also suggested to the applicant that the monument sign may be repainted with colors that match the colors of the three stores in the plaza to provide greater visibility and that it may also consider relocation on site of two trees within the store's façade, with the approval of the plaza owner and appropriate permits.

CRITERIA FOR SIGN VARIANCE APPROVAL

The criteria for approval of sign variances are set out in Section 31-191(j)(8) of the City of Aventura Land Development Regulations, as follows:

"The Sign Variance maintains the basic intent and purpose of these regulations; particularly as it affects the stability and appearance of the City and provided that the variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required."

The basic intent and purpose of the sign regulations is to allow signage that is effective in indexing the environment, serves as an index to needed goods and services, enhances the physical appearance of the City, promotes traffic safety while preventing visual distraction and is compatible with its surroundings.

It is staff's opinion that this revised sign size of 176 square feet, where a sign size of 162 square feet is permitted by Code, does preserve the unique aesthetic character of the City and is not in conflict with the basic intent and purpose of the sign code. A wall sign at 176 square feet will be compatible with its surroundings and will not be detrimental to the community. The sign will effectively index the environment, will preserve the physical appearance of the City and will prevent visual distraction while providing direction and visibility.

Prepared for:



Aventura, FL.
8/26/10

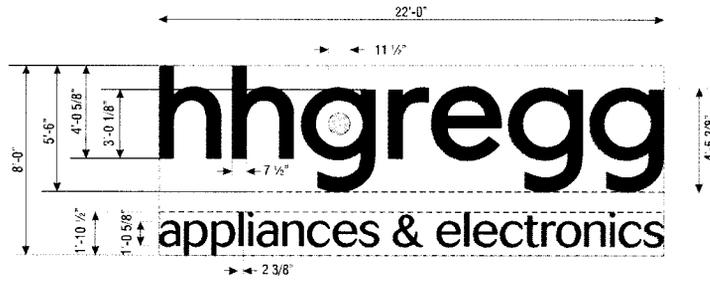


Client: 	Revisions:		 125 Phyllis Drive Crofton, PA 19021 (215) 826-0980 Phone (215) 826-0514 Fax	Design and construction documents as instruments of service are given in confidence and remain property of Imageone Industries. The use of this design and construction documents for purposes other than the specific project named herein is strictly prohibited without the express written consent of Imageone Industries.	Location: 19925 Biscayne Blvd. Aventura, FL	Drawn By: MP	Date: 9/2/10																				
	<table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>9/2/10</td> <td>CHANNEL LETTERS PER CODE</td> <td>MP</td> </tr> <tr> <td>2</td> <td>9/2/10</td> <td>CHANNEL LETTERS PER ARCHITECTURAL RENDERING</td> <td>MP</td> </tr> <tr> <td>3</td> <td>11/19/11</td> <td>CHANGE ARCHITECTURAL RENDERING</td> <td>MP</td> </tr> <tr> <td>4</td> <td>1/24/11</td> <td>SHOW OPTIONAL LETTER SIZES (A & B) WITH SIGN OPTIONS</td> <td>MP</td> </tr> <tr> <td>5</td> <td>3/24/11</td> <td>REVISE DRAWINGS</td> <td>MP</td> </tr> </tbody> </table>	REV			DATE	DESCRIPTION	BY	1	9/2/10	CHANNEL LETTERS PER CODE	MP	2	9/2/10	CHANNEL LETTERS PER ARCHITECTURAL RENDERING	MP	3	11/19/11	CHANGE ARCHITECTURAL RENDERING	MP	4	1/24/11	SHOW OPTIONAL LETTER SIZES (A & B) WITH SIGN OPTIONS	MP	5	3/24/11	REVISE DRAWINGS	MP
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5	3/24/11	REVISE DRAWINGS	MP																								
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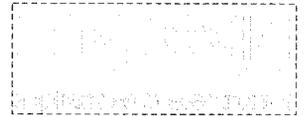
Exhibit #1
01-SV-11



WEST ELEVATION
SCALE: 1/4" = 1'-0"



2 SIGN DETAIL (5'-6" LETTER SET)
SCALE: 1/4" = 1'-0"



176 SQ. FT.

Color Key

- PMS 715
- Ansys, RFL Metallic # 1731
- Vinyl 3P Commercial Flat # 1033-11
- Solid Color
- Ansys Yellow Phosphor # 7016
- Vinyl 3P Synthetic Gloss Yellow # 1033-17
- H&M Black
- Paint Metal Fluoresc # MP 51 ESP Black
- Vinyl 3P Synthetic # 3670-12
- H&M White
- Vinyl 3P Commercial # 1033-10



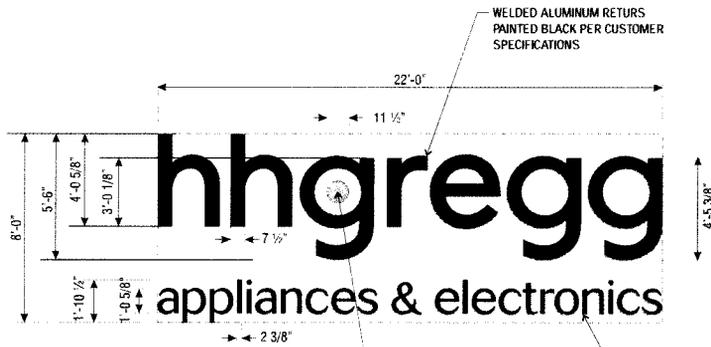
REV.	DATE	DESCRIPTION	BY
1	02/10	CHANNEL LETTERS PER CODE	MP
2	02/10	CHANNEL LETTERS PER ARCHITECTURAL RENDERING	MP
3	11/31/11	CHANGE ARCHITECTURAL RENDERING	MP
4	1/24/11	SHOW OPTIONAL LETTER SIZES (6' & 7') WITH SOFT OPTIONS	MP
5	3/24/11	REVISE DRAWINGS	MP

imageone
 identification specialists
 125 Phyllis Drive
 Croydon, PA 19021
 (215) 828-0980 Phone
 (215) 828-0514 Fax

Design and construction documents as instruments of service are given in confidence and remain property of Imageone Industries. The use of the design and construction documents for purposes other than the specific project named herein is strictly prohibited without the express, written consent of Imageone Industries.

Location: 19925 Biscayne Blvd.
Aventura, FL
 Description: W. Elevation - 7ft Letter Set

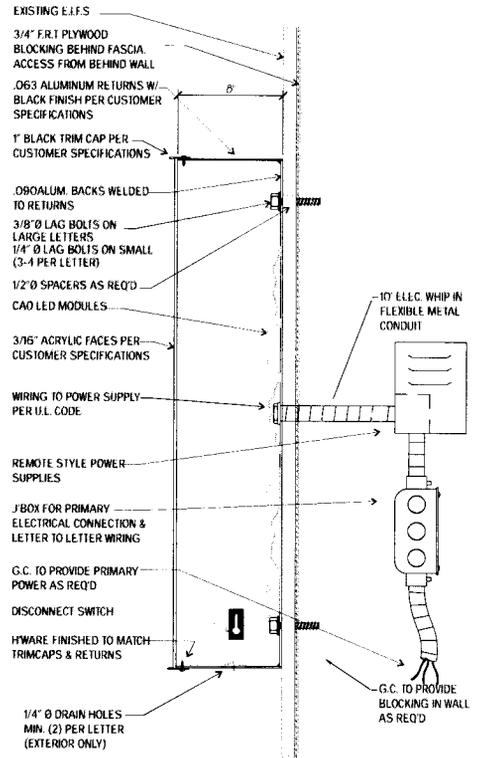
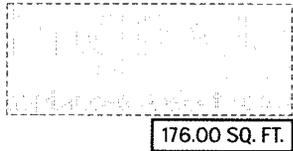
Drawn By: MP	Date: 9/2/10
Job No.: 09-806_R5	Scale: AS NOTED
Drawing No.:	09806-2



4 SIGN DETAIL (5'-6" LETTER SET)
SCALE: 1/4" = 1'-0"

3/16" PIGMENTED ACRYLIC
W/ 1" BLACK JEWELITE TRIMCAP
PER CUSTOMER SPECIFICATIONS

3/16" RED ACRYLIC #2793
W/ 1" BLACK JEWELITE TRIMCAP
PER CUSTOMER SPECIFICATIONS



TYPICAL SIGNAGE SECTION

Color Key

■	MS 19	Acrylic - Red Trimcap # 2793
■	MS 1470	Acrylic - Black Trimcap # 3670-31
■	MS 1470	Acrylic - Black Trimcap # 2096
■	MS 1470	Acrylic - Black Trimcap # 3670-125
■	MS 1470	Acrylic - Black Trimcap # MP 927SP Black
■	MS 1470	Acrylic - Black Trimcap # 3670-22
■	MS 1470	Acrylic - Black Trimcap # 3670-20

U.L. NOTE

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

ELECTRICAL LOAD MAX

7.87 AMPS @ 120 VOLTS

ELECTRICAL REQMTS

(1) 20 AMP CIRCUIT

Client:



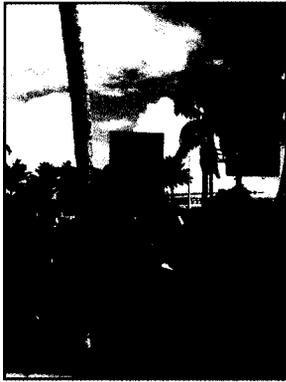
REV.	DATE	DESCRIPTION	BY
1	9/2/10	CHANNEL LETTERS PER CODE	MP
2	9/2/10	CHANNEL LETTERS PER ARCHITECTURAL RENDERING	MP
3	11/2/11	CHANGE ARCHITECTURAL RENDERING	MP
4	1/24/11	SHOW OPTIONAL LETTER SIZES (6" & 7") WITH SQFT OPTIONS	MP
5	3/24/11	REVISE DRAWINGS	MP

imageone
Identification specialists
125 Physics Drive
Croydon, PA 19021
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(215) 926-0514 Fax

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Location:	19925 Biscayne Blvd. Aventura, FL
Description:	W. Elevation - 7ft Letter Set

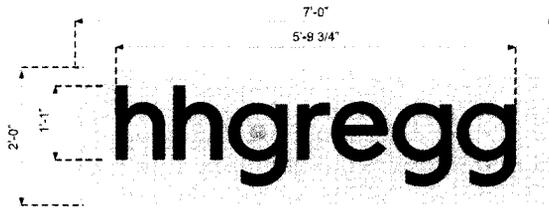
Drawn By:	MP	Date:	9/2/10
Job No.:	09-806_R6	Scale:	AS NOTED
Drawing No.:	09806-3		



PYLON A



PYLON A



PYLON B



PYLON B

PYLON FACE REPLACEMENT

- SUPPLY & INSTALL (2) NEW FACES ON EACH TENANT PYLON
- ROUTED ALUMINUM BACKED BY ACRYLIC W/ VINYL OVERLAY
- DIMENSIONS TO BE CONFIRMED PRIOR TO FABRICATION

RED: PMS#711C
GOLD: PMS#7409C

Client:



REV#	DATE	DESCRIPTION	BY
1	9/2/10	CHANNEL LETTERS PER CODE	MP
2	9/2/10	CHANNEL LETTERS PER ARCHITECTURAL RENDERING	MP
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125 Phyllis Drive
Croydon, PA 19021
(215) 826-7980 Phone
(215) 826-5514 Fax

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Location: 19925 Biscayne Blvd.
Aventura, FL
Description: PYLONS

Drawn By: MP
Date: 9/2/10
Job No.: 09-806_R5
Scale: AS NOTED
Drawing No.: 09806-4



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:

Table with 2 columns: Name, Relationship. Entries include Bonnie Miskel, Esq. (Attorney) and Tom Gianni (Image One).

(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...

WITNESS MY HAND THIS 5th DAY OF April, 2011.

AUTHORIZED REPRESENTATIVE OF APPLICANT:

By: Bonnie Miskel (Signature)
Name: Bonnie Miskel (Print)
Title: Shareholder of Siegel Lipman
Address: 5355 Town Center Rd. Boca Raton Fl. 33486

OWNER

By: [Signature] (Signature)
Name: Jorge Linkewer for Deer Capital LLC (Print)
Title: MANAGER
Address: 18205 Biscayne Blvd., #2202 Aventura, Florida: 33160

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)
PALM BEACH

Before me the undersigned authority personally appeared Bonnie Miskel as the authorized representative of the Applicant and 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 5th day of April, 2011

[Signature]
AFFIANT

[Signature]
Notary Public State of Florida At Large

Printed Name of Notary
My commission expires:
NOTARY PUBLIC-STATE OF FLORIDA
Ruth McGlynn
Commission # DD698223
Expires: SEP. 13, 2011
BONDED THRU ATLANTIC BONDING CO., ETC.



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 5th DAY OF Apr. 2011

APPLICANT:

By: Boonie Miskal (Signature)
 Name: Boonie Miskal (Print)
 Title: Shareholder/agent (Print)

WITNESS MY HAND THIS 6 DAY OF April 2011

PROPERTY OWNER:

By: [Signature] (Signature)
 Name: Jorge Linkewer for (Print)
 Title: Manager (Print)

Deer Capital, LLC

*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)
PALM BEACH

Before me, the undersigned authority, personally appeared Bonnie Miskel 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.

Bonnie Miskel
AFFIANT

SWORN TO AND SUBSCRIBED before me this 5 day of April, 2011

Ruth McGlynn
Notary Public State of Florida At Large
Printed Name of Notary: Ruth McGlynn
My commission expires: _____
Commission # DD698223
Expires: SEP. 13, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jorge Linkewer 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.

Jorge Linkewer
AFFIANT

SWORN TO AND SUBSCRIBED before me this 6 day of April, 2011

Marta I. Bracikowski
Notary Public State of Florida At Large
Printed Name of Notary: Marta I. Bracikowski
My commission expires: _____
Commission # EE 27159
Expires: Jan 8, 2015
BONDED THROUGH NATIONAL NOTARY ASSN.

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared _____ 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

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 _____ 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

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

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).

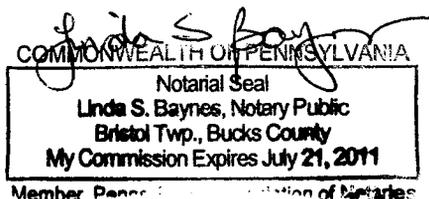
The nature of the Business Relationship is as follows:

- 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 15th DAY OF April, 2011

APPLICANT:

By: [Signature] (Signature)
Name: Thomas A. Gianni (Print)
Title: V.P. Operations, Indigo LLC (Print)



WITNESS MY HAND THIS 21 DAY OF April, 2011

PROPERTY OWNER: Deer Capital LLC

By: [Signature] (Signature)
Name: Jorge Linkewer (Print)
Title: Manager for Deer Capital LLC (Print)

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

RESOLUTION NO. 2011-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING A SIGN VARIANCE FOR HHGREGG, INC. ON THE RETAIL BUILDING LOCATED AT 19925 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the property described herein is zoned B2, Community Business District;
and

WHEREAS, the Applicant, Bonnie Miskel, Esq. for hgregg, Inc., through Application No. 01-SV-11, has requested a sign variance to permit one wall sign measuring 176 square feet, where one wall sign measuring 162 square feet, is permitted by Code; and

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 approved herein; and

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

Section 1. Application No. 01-SV-11 for Sign Variance to allow a wall sign measuring 176 square feet, where a wall sign measuring 162 square feet is permitted by Code, for the retail building at 19925 Biscayne Boulevard, City of Aventura, on property legally described in Exhibit "A" to this resolution, is hereby approved.

Section 2. The City accepts the applicant's proffer to add landscaping to the north property limit. The applicant shall submit to the City for permit approval, a landscape plan for improvement to the north property limit. Such landscape improvement shall be completed prior to final sign permit inspection.

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

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

Commissioner Bob Diamond	yes
Commissioner Teri Holzberg	yes
Commissioner Billy Joel	yes
Commissioner Michael Stern	yes
Commissioner Luz Urbaez-Weinberg	yes
Vice Mayor Zev Auerbach	yes
Mayor Susan Gottlieb	yes

PASSED AND ADOPTED this 7th day of June, 2011.

Susan Gottlieb, Mayor

ATTEST:

Teresa M. Soroka, MMC, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY:

CITY ATTORNEY

This Resolution was filed in the Office of the City Clerk this 8th day of June, 2011

CITY CLERK

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

Tract A-12, Aventura Twelfth Addition, according to the plat thereof recorded in Plat Book 146, Page 19 of the Public Records of Miami-Dade County, Florida, less and except therefrom the following parcel vested in the State of Florida Department of Transportation pursuant to that certain order of taking recorded April 3, 1998 in Official Records Book 18041, Page 3522 of the Public Records of Miami-Dade County, Florida:

Begin at the northwest corner of Tract B-12 of said plat of Aventura Twelfth Addition; Thence along the north line of said Tracts A-12 and B-12, North $87^{\circ}33'08''$ East a distance of 21.102 meters (69.23 feet) to a point on a circular concave to the east and having a radius of 1,687.000 meters (5,534.77 feet) and a tangent bearing of South $00^{\circ}48'11''$ West; Thence run southerly along the arc of said circular curve to the left through an angle of $01^{\circ}55'32''$ for a distance of 56.695 meters (186.01 feet) to reference point "C" and the point of reverse curvature with a circular curve concave to the west and having a radius of 603.000 meters (1,978.34 feet); Thence run southerly along the arc of said circular curve to the right through a central angle of $06^{\circ}26'15''$ for a distance of 67.752 meters (222.28 feet) to a non-tangent point on a circular curve concave to the east and having a radius of 1,156.328 meters (3,793.72 feet) and a tangent bearing of South $01^{\circ}37'10''$ West; Thence run southerly along the arc of said circular curve to the left through a central angle of $02^{\circ}25'46''$ for a distance of 49.030 meters (160.86 feet); Thence along the east limited access right of way line of State Road No. 5 (Biscayne Boulevard) for the following two (2) courses: (1) North $28^{\circ}05'09''$ West a distance of 9.346 meters (30.66 feet); (2) North $05^{\circ}24'59''$ West a distance of 63.659 meters (208.85 feet); Thence along the east right of way line of State Road No. 5 (Biscayne Boulevard) for the following two (2) courses: (1) South $87^{\circ}30'59''$ West a distance of 4.267 meters (14.00 feet); (2) North $02^{\circ}07'21''$ West a distance of 101.121 meters (331.76 feet) to the point of beginning.

CITY OF AVENTURA
FINANCE DEPARTMENT

MEMORANDUM

TO: City Commission

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

BY:  Brian K. Raducci, Finance Director

DATE: April 26, 2011

SUBJECT: **Mid-Year Budget Amending Ordinance – FY 2010/11**

1st Reading May 3, 2011 City Commission Meeting Agenda Item 8
2nd Reading June 7, 2011 City Commission Meeting Agenda Item 8

RECOMMENDATION

It is recommended that the City Commission approve the attached ordinance amending the FY 2010/11 budget.

BACKGROUND

Now that we are a little more than half way through FY 2010/11, it is necessary to make a few “clean up” adjustments to our current year Budget. This amendment will assist us in preparing our FY 2011/12 Budget, as well as assist us in ensuring that the “final” FY 2010/11 Adopted Budget contains sufficient appropriations to satisfy all actual expenditures.

We are only required to amend budgets when a Department’s total budget has been exceeded. In all cases, we will only amend the specific expenditure accounts that are primarily responsible for the amendment and in some cases, associated revenues may be increased to justify the overage in expenditures. Listed below is a summary of the amendments by fund, department and the circumstances that support each recommendation.

General Fund – (001) – \$454,000 (net increase)

Office of the City Manager (0501) – \$44,000

1201 – Employee Salaries & 2201 – Pension

Requires a budget amendment increase of \$39,000 and \$5,000 respectively, due to the incorrect calculation of an individual’s salary and related items stemming from the following:

You may recall that in the FY 2010/11 Adopted Budget, the Capital Projects Manager/Code Officer position was allocated 60%/40% to the City Manager and Community Development Departments respectively. Unfortunately, when the Assistant to City Manager/Personnel Officer’ salary and related items were projected, only 60% (instead of the correct 100%) of such costs were allocated to the City Manager’s

Department, as part of the formula from the Capital Projects Manager/Code Officer position was inadvertently applied to the Assistant to City Manager/Personnel Officer' salary. This amendment will properly gross up the Assistant to City Manager/Personnel Officer' salary in the City Manager's Department. The increase described above will be offset by a corresponding decrease of \$44,000 in the General Fund Capital Reserve (6999) budgeted funds.

Public Safety (2001) – \$334,000

1390 – Court Time

Requires a budget amendment increase of approximately \$50,000 due to the Department's operational needs and the Intersection Safety Camera Program. This overage will be offset by \$50,000 in additional Intersection Safety Camera Program revenue (3542000).

2201 – Pension

Requires a budget amendment increase primarily due to an anticipated overage of approximately \$284,000 in Pension-related costs. The overage described above should be offset by \$284,000 in Section 185 Premium Tax revenue (3125200) which is required to be deposited into the appropriate Police Officers' Retirement Trust Fund as provided in §185.11, Florida Statutes. Prior to FY 2009/10, the additional pension-related cost and revenue were simply netted against each other for Financial Statement Purposes. Recently, our previous auditors recommended that these amounts be presented at gross to better reflect the full cost of the Pension Plan. Since this recommendation was made after the adoption of the FY 2010/11 Budget, the current year budget does not reflect this new practice and thus necessitates the above amendment.

Community Services (5001) – \$120,000

4854 – Summer Recreation

Requires a budget amendment primarily due a projected overage of approximately \$120,000 in Summer Recreation costs. This is due to higher than anticipated activity that is expected throughout the remaining fiscal year. This overage is expected to be offset by an additional \$120,000 in Summer Recreation revenue (3475000).

Non-departmental (9001) – \$21,000

4620 – R&M - Government Center

This amendment pertains to the unanticipated purchase of a four year extended Factory Warranty for parts and labor for the Government Center Chillers. This purchase will extend the original factory warranty coverage through May 11, 2015, and should prevent costly repairs to the units over the same time. The overage will be offset by a corresponding decrease of \$21,000 in the General Fund Capital Reserve (6999) budgeted funds.

Capital Outlay (8050/8070/8090) – \$175,000 “Reallocation”

Community Services (8050) 6310 – Entrance Monument Sign

Requires a budget amendment of \$50,000 due to the decision to install two Entrance Monument signs after the FY 2010/11 Budget was adopted. The project involves the removal and disposal of two existing City entrance signs located on Biscayne at the City’s north and south limits and replacing them with two new illuminated monument signs.

Arts & Cultural Center (8070) 6301 – Improve. Other Than Bldg/Marquee

Requires a budget amendment of \$125,000 due to the decision to install an Informational Sign at the Mall after the FY 2010/11 Budget was adopted.

Non-Departmental (8090) 6999 – Capital Reserve

Both capital outlay overages above will be offset by a corresponding decrease of \$50,000 and \$125,000 respectively in the General Fund Capital Reserve (6999) budgeted funds.

F M L C 1999 Debt Service Fund – (230) – \$5,565,000

The following budget amendment is due to the refinancing of the remaining portion of the original 1999 F M L C Loan with a Bank of America Bank Loan in January of 2011. You will recall that this transaction resulted in a nearly \$530,000 NPV savings over the life of the loan.

0100 – Payment to Refund Bond Escrow

Requires a budget amendment in the amount of \$5,505,000 due to the planned refinancing in January 2011 of the remaining portion of the original 1999 loan. This overage will be offset by the receipt of \$5,565,000 in new debt proceeds (3850100).

7330 – Other Debt Service Costs

Requires a budget amendment of \$60,000 due to the payment of closing costs associated with the refinancing. This overage will be offset by the receipt of new debt proceeds (3850100).

The budget amendments outlined above, are expected to have little to no impact on the FY 2010/11 overall budget or carryover that was utilized in the preparation of the FY 2010/11 Adopted Budget. Based on this analysis, I recommend approval of the attached Ordinance.

CITY OF AVENTURA
GENERAL FUND 001
 FY 2010/11 BUDGET AMENDMENT

REVENUES

OBJECT CODE NO	CATEGORY	2010/11 ADOPTED AMOUNT	2010/11 AMENDED AMOUNT	2010/11 REVISED BUDGET
3125200	Section 185 Premium Tax	\$ -	\$ 284,000	\$ 284,000
3475000	Summer Recreation	300,000	120,000	420,000
3542000	Intersection Safety Camera Program	500,000	50,000	550,000
	Total Revenue	\$ 800,000	\$ 454,000	\$ 1,254,000

TOTAL AMENDMENTS - REVENUE

\$ 454,000

EXPENDITURES

OBJECT CODE NO	CATEGORY	2010/11 ADOPTED AMOUNT	2010/11 AMENDED AMOUNT	2010/11 REVISED BUDGET
OFFICE OF THE CITY MANAGER (0501)				
<u>PERSONAL SERVICES</u>				
1201	Employee Salaries	\$ 468,314	\$ 39,000	\$ 507,314
2201	Pension	83,852	5,000	88,852
	Total City Manager	\$ 552,166	\$ 44,000	\$ 596,166
PUBLIC SAFETY (2001)				
<u>PERSONAL SERVICES</u>				
1390	Court Time	\$ 50,000	\$ 50,000	\$ 100,000
2201	Pension	1,654,800	284,000	1,938,800
	Total Public Safety	\$ 1,704,800	\$ 334,000	\$ 2,038,800
COMMUNITY SERVICES (5001)				
<u>OTHER CHARGES & SERVICES</u>				
4854	Summer Recreation	\$ 180,000	\$ 120,000	\$ 300,000
	Total Community Services	\$ 180,000	\$ 120,000	\$ 300,000
NON-DEPARTMENTAL (9001)				
<u>OTHER CHARGES & SERVICES</u>				
4620	R&M - Government Center	\$ 124,000	\$ 21,000	\$ 145,000
	Total Non-Departmental	\$ 124,000	\$ 21,000	\$ 145,000
CAPITAL OUTLAY - (8050/8070/8090)				
<u>Community Services - 50-541</u>				
6310	Entrance Monument Sign	\$ -	\$ 50,000	\$ 50,000
<u>Arts & Cultural Center - 70-575</u>				
6301	Improve. Other Than Bldg/Marquee	\$ -	\$ 125,000	\$ 125,000
<u>Non-Departmental - 90-590</u>				
6999	Capital Reserve	\$ 15,433,488	\$ (240,000)	\$ 15,193,488
	Total Capital Outlay	\$ 15,433,488	\$ (65,000)	\$ 15,368,488

TOTAL AMENDMENTS - EXPENDITURES

\$ 454,000

CITY OF AVENTURA
 F M L C 1999 DEBT SERVICE FUND 230
 FY 2010/11 BUDGET AMENDMENT

REVENUES

OBJECT CODE NO. CATEGORY	2010/11 ADOPTED AMOUNT	2010/11 AMENDED AMOUNT	2010/11 REVISED BUDGET
3850100 Proceeds from Refunding Bonds	\$ -	\$ 5,565,000	\$ 5,565,000
Total	\$ -	\$ 5,565,000	\$ 5,565,000

TOTAL AMENDMENTS - REVENUE

\$ 5,565,000

EXPENDITURES

OBJECT CODE NO. CATEGORY	2010/11 ADOPTED AMOUNT	2010/11 AMENDED AMOUNT	2010/11 REVISED BUDGET
<u>DEBT SERVICE</u>			
<u>Non-Departmental - 590</u>			
0100 Payment to Refund Bond Escrow	\$ -	\$ 5,505,000	\$ 5,505,000
7330 Other Debt Service Costs	20,000	60,000	80,000
Total	\$ 20,000	\$ 5,565,000	\$ 5,585,000

TOTAL AMENDMENTS - EXPENDITURES

\$ 5,565,000

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF AVENTURA
PROPOSED ORDINANCE - JUNE 7, 2011

in the XXXX Court,
was published in said newspaper in the issues of

05/05/2011

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

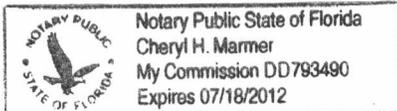
Sworn to and subscribed before me this

05 day of MAY, A.D. 2011



(SEAL)

MARIA MESA personally known to me



CITY OF AVENTURA

PUBLIC NOTICE OF PROPOSED ORDINANCE

NOTICE IS HEREBY GIVEN that on Tuesday, the 7th day of June, 2011, at a meeting of the City Commission of the City of Aventura to be held at 6 p.m. in the City Commission Chamber at the Aventura Government Center, 19200 West Country Club Drive, Aventura, Florida, the City Commission will consider the adoption of the following Ordinance on second reading, entitled:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2010-10 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2010/2011 FISCAL YEAR BY REVISING THE 2010/2011 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinance may be inspected by the public at the Office of the City Clerk, 19200 West Country Club Drive, Aventura, Florida. Interested parties may appear at the Public Hearing and be heard with respect to the proposed Ordinance. Any person wishing to address the City Commission on any item at this Public Hearing may do so after the Mayor opens the public hearing.

In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this proceeding because of that disability should contact the Office of the City Clerk, 305-466-8901, not later than two business days prior to such proceedings.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at a meeting or hearing, that person 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.

Teresa M. Soroka, MMC City Clerk
11-4-140/1692210M