

**City Commission**

Enid Weisman, Mayor

Enbar Cohen, Vice Mayor

Teri Holzberg, Commissioner

Denise Landman, Commissioner

Marc Narotsky, Commissioner

Robert Shelley, Commissioner

Howard Weinberg, Commissioner



**City Manager**

Eric M. Soroka, ICMA-CM

**City Clerk**

Ellisa L. Horvath, MMC

**City Attorney**

Weiss Serota Helfman

Cole & Bierman

# CITY COMMISSION MEETING AGENDA

## SEPTEMBER 1, 2015

**Aventura 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:**
  - Proclamation – Korean War Veterans
5. **CONSENT AGENDA:** Matters included under the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and considered separately. If the public wishes to speak on a matter on the consent agenda they must inform the City Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.
  - A. **APPROVAL OF MINUTES:**
    - July 7, 2015 Commission Regular Meeting
    - July 16, 2015 Commission Regular Meeting
    - July 16, 2015 Commissioner Workshop Meeting
  - B. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 15-06-26-2, BISCAYNE BOULEVARD LANDSCAPE MAINTENANCE TO THE BRICKMAN GROUP LTD. LLC. AT THE BID PRICE OF \$461,468.20; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR THE APPROPRIATION AND ALLOCATION OF FUNDS FOR SAID BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED JUSTICE ASSISTANCE GRANT APPLICATION WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT IN THE AMOUNT OF \$10,000; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, PROVIDING FOR THE APPOINTMENT BY THE COMMISSION OF THE FIFTH MEMBER TO THE BOARD OF TRUSTEES OF THE POLICE OFFICERS' RETIREMENT PLAN AND PROVIDING AN EFFECTIVE DATE.
- F. A RESOLUTION OF THE CITY OF AVENTURA, FLORIDA, ENCOURAGING THE FLORIDA LEGISLATURE TO REMOVE BARRIERS TO CUSTOMER-SITED SOLAR POWER; PROVIDING FOR AN EFFECTIVE DATE.
- G. MOTION TO APPROVE THE PRESENTATION OF A KEY TO THE CITY TO ROBERT SWEDROE
- H. MOTION AUTHORIZING THE APPROPRIATION OF UP TO \$10,000 FOR CRIME PREVENTION PROGRAMS, EQUIPMENT AND TRAINING FROM THE POLICE FORFEITURE FUNDS IN ACCORDANCE WITH THE CITY MANAGER'S MEMORANDUM
- I. CITY COMMISSION, ACTING IN ITS CAPACITY AS THE GOVERNING BOARD FOR THE CITY OF AVENTURA CITY OF EXCELLENCE SCHOOL
- MOTION TO ACCEPT FOR FILING THE SPECIAL PURPOSE FINANCIAL REPORT FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR THE FISCAL YEAR ENDED JUNE 30, 2015 AND TO ACCEPT FOR FILING THAT LETTER DATED AUGUST 20, 2015 ATTACHED HERETO AS ATTACHMENT 1
- J. CITY COMMISSION, ACTING IN ITS CAPACITY AS THE GOVERNING BOARD FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL
- MOTION TO ACCEPT AVENTURA CITY OF EXCELLENCE SCHOOL OUT-OF-FIELD WAIVERS AS OUTLINED IN THE CITY MANAGER'S MEMORANDUM DATED AUGUST 19, 2015

- K. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED AMENDMENT 1 TO THE AGREEMENT BETWEEN THE CITY OF AVENTURA AND PERFORMING ARTS CENTER AUTHORITY FOR MANAGEMENT, PROGRAMMING AND OPERATIONAL SUPPORT SERVICES FOR THE AVENTURA ARTS & CULTURAL CENTER; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; 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. **None.**

7. **ORDINANCES - FIRST READING/PUBLIC HEARING: None.**

8. **ORDINANCES - SECOND READING/PUBLIC HEARING:**

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(C)(5)A., COMMUNITY BUSINESS (B2) DISTRICT, TO ALLOW INCREASED LOT COVERAGE FOR PARCELS THAT ARE ADJACENT TO A PROPERTY ZONED AS RECREATION OPEN SPACE (ROS) DISTRICT AND ARE JOINED TO THE ROS PARCEL BY A UNITY OF TITLE OR COVENANT IN LIEU OF UNITY OF TITLE, PROVIDED THAT THE ROS LAND AREA IS NO LESS THAN 200 ACRES IN SIZE AND PROVIDED THAT ANY CLUBHOUSE AND/OR CONFERENCE CENTER BULDINGS ON THE B2 PARCEL DO NOT EXCEED TWO (2) STORIES IN HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

9. **RESOLUTIONS – PUBLIC HEARING:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AMENDING RESOLUTION NO. 97-35, RESOLUTION NO. 98-05, RESOLUTION NO. 2004-08, AND RESOLUTION NO. 2007-28 TO REVISE THE FEE SCHEDULE FOR DEVELOPMENT REVIEW, PLANNING AND ZONING APPLICATIONS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

10. **REPORTS**

11. **PUBLIC COMMENTS**

12. **OTHER BUSINESS: None**

**13. ADJOURNMENT**

**FUTURE MEETINGS\***

**COMMISSION MEETING (FIRST BUDGET HEARING) – SEPTEMBER 8, 2015 AT 6 PM  
COMMISSION CHAMBER**

**COMMISSION MEETING (SECOND BUDGET HEARING) – SEPTEMBER 16, 2015 AT 6 PM  
COMMISSION CHAMBER**

**COMMISSION WORKSHOP – SEPTEMBER 17, 2015 AT 9 AM  
EXECUTIVE CONFERENCE ROOM (5<sup>TH</sup> FLOOR)**

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

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 305-466-8901, not later than two days prior to such proceeding. One or more members of the City of Aventura Advisory Boards may be in attendance and may participate at the meeting. Anyone wishing to appeal any decision made by the Aventura City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Agenda items may be viewed at the Office of the City Clerk, City of Aventura Government Center, 19200 W. Country Club Drive, Aventura, Florida, 33180. Anyone wishing to obtain a copy of any agenda item should contact the City Clerk at 305-466-8901.



**CITY COMMISSION  
REGULAR MEETING MINUTES  
JULY 7, 2015  
FOLLOWING THE 6:00 P.M.  
LOCAL PLANNING AGENCY MEETING**

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

1. **CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 6:07 p.m. Present were the following: Mayor Enid Weisman, Vice Mayor Enbar Cohen, Commissioner Teri Holzberg, Commissioner Denise Landman, Commissioner Marc Narotsky, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. Commissioner Robert Shelley was absent. As a quorum was determined to be present, the meeting commenced.
2. **PLEDGE OF ALLEGIANCE:** The Pledge was done at the Local Planning Agency Meeting.
3. **AGENDA: REQUESTS FOR DELETIONS/EMERGENCY ADDITIONS:** None.
4. **SPECIAL PRESENTATIONS:** None.
5. **CONSENT AGENDA:** There were no requests from the public to address the Commission.

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

**A. Minutes were approved as follows:**

- June 2, 2015 Commission Regular Meeting
- June 23, 2015 Commission Workshop Meeting

**B. Resolution No. 2015-39 was adopted as follows:**

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

**C. Resolution No. 2015-40 was adopted as follows:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ADOPTING THE CURRENT MIAMI-DADE COUNTY LOCAL MITIGATION STRATEGY, AS AMENDED, IN ACCORDANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY RATING SYSTEM REQUIREMENTS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

**D. Resolution No. 2015-41** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR RFP NO. 15-06-01-2, FOOD PROGRAM MANAGEMENT SERVICES, TO KOSHER SUBWAY, INC. IN ACCORDANCE WITH THE RFP DOCUMENT ATTACHED AS EXHIBIT "A"; 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; AND PROVIDING FOR AN EFFECTIVE DATE.**

**E. Resolution No. 2015-42** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDED AND LETTING A BID/CONTRACT FOR BID NO. 15-06-19-2, BISCAYNE LAKE GARDENS ROAD RESURFACING IMPROVEMENTS TO M&M ASPHALT MAINTENANCE, INC. AT THE BID PRICE OF \$113,677; AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED CONTRACTS; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY AND EXPEDIENT ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR THE APPROPRIATION AND ALLOCATION OF FUNDS FOR SAID BID AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.**

**F. Resolution No. 2015-43** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION'S CONCEPT 1 DESIGN FOR THE NE 203 STREET AND BISCAYNE BOULEVARD INTERSECTION IMPROVEMENTS AS SHOWN IN EXHIBIT 1 ATTACHED HERETO; REQUESTING THE STATE OF FLORIDA TO EXPEDITE THE FUNDING DESIGN, AND CONSTRUCTION OF THIS IMPORTANT TRAFFIC FLOW SAFETY IMPROVEMENT PROJECT; PROVIDING DIRECTION TO THE CITY CLERK; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**RESOLUTION – PUBLIC HEARING:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL PURSUANT TO SECTION 31-144(f)(2)a. OF THE CITY CODE TO PERMIT A BUSINESS-RELATED SCHOOL IN THE MO (MEDICAL OFFICE) DISTRICT; GRANTING APPROVAL OF VARIANCE FROM SECTION 31-171(b)(8) OF THE CITY CODE TO PERMIT 28 PARKING SPACES FOR THE SCHOOL USE WHERE 42 PARKING SPACES ARE REQUIRED BY CODE; FOR THE MEDISCA NETWORK INC. TENANT SPACE IN THE OFFICE BUILDING AT 21550 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING FOR AN EFFECTIVE DATE.**

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

A motion to approve the Resolution was offered by Commissioner Landman and seconded by Commissioner Weinberg.

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

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

The motion to approve the Resolution was unanimously passed, by roll call vote, with Commissioner Shelley absent, and **Resolution No. 2015-44** was adopted.

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

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 “BUSINESS ZONING DISTRICTS” OF THE CITY’S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(C)(5)A., COMMUNITY BUSINESS (B2) DISTRICT, TO ALLOW INCREASED LOT COVERAGE FOR PARCELS THAT ARE ADJACENT TO A PROPERTY ZONED AS RECREATION OPEN SPACE (ROS) DISTRICT AND ARE JOINED TO THE ROS PARCEL BY A UNITY OF TITLE OR COVENANT IN LIEU OF UNITY OF TITLE, PROVIDED THAT THE ROS LAND AREA IS NO LESS THAN 200 ACRES IN SIZE AND PROVIDED THAT ANY CLUBHOUSE AND/OR CONFERENCE CENTER BUILDINGS ON THE B2 PARCEL DO NOT EXCEED TWO (2) STORIES IN HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

The staff report and comments provided at the Local Planning Agency Meeting were incorporated into the record by reference.

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

Mayor Weisman opened the public hearing.

Comments were provided by the following members of the public: Robert Borroughs (Coral Gables).

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

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

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

- A. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE COMPREHENSIVE MASTER PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR A PARCEL OF LAND LOCATED ON WEST COUNTRY CLUB DRIVE, CONTAINING A TOTAL OF 2.111 ACRES MORE OR LESS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”, FROM BUSINESS AND OFFICE TO PARKS AND RECREATION; AMENDING THE COMPREHENSIVE MASTER PLAN BY AMENDING THE FUTURE LAND USE DESIGNATION FOR A PARCEL OF LAND LOCATED ON WEST COUNTRY CLUB DRIVE CONTAINING A TOTAL OF 2.111 ACRES MORE OR LESS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT “B” FROM PARKS AND RECREATION TO BUSINESS AND OFFICE; PROVIDING FOR SUBMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

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

A motion for approval of the Ordinance was offered by Commissioner Narotsky and seconded by Commissioner Landman. The motion for approval of the Ordinance on second reading passed unanimously, by roll call vote, with Commissioner Shelley absent, and **Ordinance No. 2015-05** was adopted.

Mr. Wolpin reviewed the quasi-judicial procedures and read the following Ordinance by title:

- B. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AVENTURA BY AMENDING THE ZONING DESIGNATION FOR A PARCEL OF LAND LOCATED ON WEST COUNTRY CLUB DRIVE CONTAINING A TOTAL OF 2.111 ACRES MORE OR LESS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”, FROM B2, COMMUNITY BUSINESS DISTRICT TO ROS, RECREATION OPEN SPACE DISTRICT AND BY AMENDING THE ZONING DESIGNATION FOR A PARCEL OF LAND LOCATED ON WEST COUNTRY CLUB DRIVE CONTAINING A TOTAL OF 2.111 ACRES MORE OR LESS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT “B”, FROM ROS, RECREATION OPEN SPACE DISTRICT TO B2, COMMUNITY BUSINESS DISTRICT; APPROVING THE FOURTH AMENDMENT TO “RESTRICTIONS FOR BISCAYNE VILLAGE, MIAMI-DADE COUNTY, FLORIDA” RELATING TO THE GOLF COURSE AND COUNTRY CLUB PARCELS; ACCEPTING THE DECLARATION OF RESTRICTIONS CONTAINING THE APPLICANT’S PROFFER OF SITE IMPROVEMENTS AND OTHER RESTRICTIONS ON THE GOLF COURSE PARCEL, INCLUDING THE PARCEL DESCRIBED IN EXHIBIT “A”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE. (This Item is Quasi-Judicial)

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

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

The motion for approval of the Ordinance on second reading passed unanimously, by roll call vote, with Commissioner Shelley absent, and **Ordinance No. 2015-06** was adopted.

9. **RESOLUTIONS - PUBLIC HEARING:** Mr. Wolpin read the following Resolution by title:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, ACCEPTING AND ADOPTING IN PRINCIPLE, SUBJECT TO ANNUAL REVISION AND AUTHORIZATION, THE CITY OF AVENTURA CAPITAL IMPROVEMENT PROGRAM DOCUMENT FOR FISCAL YEAR 2015/16 TO 2019/20 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 of the Resolution was offered by Commissioner Narotsky and seconded by Commissioner Holzberg.

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

The motion for approval of the Resolution passed unanimously, by roll call vote, and **Resolution No. 2015-45** was adopted.

10. **REPORTS:**

Commissioner Weinberg reported on the Miami-Dade Metropolitan Planning Organization (MPO) meeting he attended, which included review of the 10-Year Transit Development Plan draft (showing the transit center at the Aventura Mall as funded) and a feasibility study regarding cable transit (now showing Aventura as a potential study location).

Commissioner Landman reported on the NALEO conference she attended in Las Vegas.

Mayor Weisman discussed the upcoming “Grown-Up” movie night.

11. **PUBLIC COMMENTS:** None.

12. **OTHER BUSINESS:** None.

13. **ADJOURNMENT:** There being no further business to come before the Commission at this time, the meeting was adjourned by consensus at 6:33 p.m.

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Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on July 7, 2015.



CITY COMMISSION  
REGULAR MEETING MINUTES  
JULY 16, 2015  
9:00 A.M.

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

1. **CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 9:00 a.m. Present were the following: Mayor Enid Weisman, Vice Mayor Enbar Cohen, Commissioner Teri Holzberg, Commissioner Denise Landman, Commissioner Marc Narotsky, Commissioner Robert Shelley, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.

2. **OVERVIEW AND REVIEW OF PROPOSED BUDGET:** Mr. Soroka reviewed the highlights of the budget process for the upcoming year as outlined in the budget message. He then reviewed the proposed 2015/2016 budget document, as follows:

A. **GENERAL FUND:**

- **REVENUES:** A motion to approve the General Fund Budget Revenues was offered by Commissioner Weinberg, seconded by Commissioner Landman, and unanimously passed.

- **GENERAL GOVERNMENT DEPARTMENTS:**

- **City Commission:** A motion to approve the City Commission Budget was offered by Commissioner Holzberg, seconded by Vice Mayor Cohen, and unanimously passed.

- **Office of the City Manager:** A motion to approve the Office of the City Manager Budget was offered by Commissioner Narotsky, seconded by Commissioner Holzberg, and unanimously passed.

- **Legal:** A motion to approve the Legal Department Budget was offered by Commissioner Shelley, seconded by Vice Mayor Cohen, and unanimously passed.

- **City Clerk's Office:** A motion to approve the City Clerk Budget was offered by Commissioner Holzberg, seconded by Commissioner Landman, and unanimously passed.

- **Finance:** A motion to approve the Finance Department Budget was offered by Commissioner Weinberg, seconded by Commissioner Holzberg, and unanimously passed.

- **Information Technology:** A motion to approve the Information Technology Budget was offered by Commissioner Landman, seconded by Commissioner Narotsky, and unanimously passed.

- **PUBLIC SAFETY DEPARTMENT:** A motion to approve the Public Safety Department Budget was offered by Commissioner Landman, seconded by Commissioner Holzberg, and unanimously passed.
- **COMMUNITY DEVELOPMENT DEPARTMENT:** A motion to approve the Community Development Department Budget was offered by Commissioner Shelley, seconded by Commissioner Narotsky, and unanimously passed.
- **COMMUNITY SERVICES DEPARTMENT:** A motion to approve the Community Services Department Budget was offered by Vice Mayor Cohen, seconded by Commissioner Landman, and unanimously passed.
- **ARTS & CULTURAL CENTER DEPARTMENT:** A motion to approve the Arts & Cultural Center Department Budget was offered by Vice Mayor Cohen, seconded by Commissioner Shelley, and unanimously passed.
- **NON-DEPARTMENTAL:** A motion to approve the Non-Departmental Budget was offered by Commissioner Holzberg, seconded by Commissioner Weinberg, and unanimously passed.
- **CAPITAL OUTLAY:** A motion to approve the Capital Outlay Budget was offered by Commissioner Landman, seconded by Commissioner Holzberg, and unanimously passed.

**B. MOTION TO ADOPT RESOLUTION TO ESTABLISH TENTATIVE MILLAGE RATE:** Mr. Wolpin read the following Resolution by title:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, ESTABLISHING A PROPOSED MILLAGE RATE FOR THE 2015/2016 FISCAL YEAR; PROVIDING FOR THE DATE, TIME AND PLACE OF THE PUBLIC HEARING TO CONSIDER THE PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion to approve the Resolution was offered by Vice Mayor Cohen and seconded by Commissioner Narotsky.

Mr. Soroka reviewed the Resolution, which established a millage rate for the 2015/2016 fiscal year of 1.7261 per \$1,000 of taxable assessed value.

Mr. Soroka announced the date of the Budget Hearings as September 8, 2015 and September 16, 2015, both at 6:00 p.m., in the Commission Chamber of the Aventura Government Center (19200 West Country Club Drive, Aventura, FL).

The motion to approve the Resolution unanimously passed, by roll call vote, and **Resolution No. 2015-46** was adopted.

C. **POLICE EDUCATION FUND:** A motion to approve the Police Education Fund Budget was offered by Commissioner Landman, seconded by Commissioner Holzberg, and unanimously passed.

D. **TRANSPORTATION AND STREET MAINTENANCE FUND:** A motion to approve the Transportation and Street Maintenance Fund Budget was offered by Commissioner Holzberg, seconded by Commissioner Landman, and unanimously passed.

E. **911 FUND:** A motion to approve the 911 Fund Budget was offered by Commissioner Landman, seconded by Vice Mayor Cohen, and unanimously passed.

F. **DEBT SERVICE FUND:** A motion to approve the Debt Service Fund Budget was offered by Commissioner Shelley, seconded by Commissioner Landman, and unanimously passed.

G. **CAPITAL PROJECTS FUND:** A motion to approve the Capital Projects Fund Budget was offered by Commissioner Narotsky, seconded by Commissioner Holzberg, and unanimously passed.

H. **STORMWATER UTILITY FUND:** A motion to approve the Stormwater Utility Fund Budget was offered by Commissioner Weinberg, seconded by Commissioner Landman, and unanimously passed.

I. **POLICE OFF-DUTY SERVICES FUND:** A motion to approve the Police Off-Duty Services Fund Budget was offered by Commissioner Narotsky, seconded by Commissioner Holzberg, and unanimously passed.

Mr. Soroka reviewed the components for the fund balance of the General Fund.

3. **MOTION TO APPROVE THE RENTAL RATE SCHEDULE FOR THE AVENTURA ARTS & CULTURAL CENTER:** Mr. Soroka reviewed the proposed Rental Rate Schedule for the Aventura Arts & Cultural Center.

A motion to approve the Rental Rate Schedule was offered by Commissioner Landman, seconded by Commissioner Shelley, and unanimously passed.

4. **RESOLUTION:** Mr. Wolpin read the following Resolution by title:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDING AND LETTING A BID/CONTRACT FOR BID NO. 15-06-25-2, NE 207<sup>TH</sup> STREET MILLING AND RESURFACING IMPROVEMENTS TO GENERAL ASPHALT COMPANY, INC. AT THE BID PRICE OF \$555,835; 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**

A motion to approve the Resolution was offered by Commissioner Holzberg, seconded by Commissioner Narotsky, and unanimously passed by roll call vote, and **Resolution No. 2015-47** was adopted.

5. **ADJOURNMENT:** There being no further business to come before the Commission, a motion to adjourn was offered by Commissioner Landman, seconded by Commissioner Shelley, and unanimously passed. The meeting was adjourned at 10:18 a.m.

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Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on September 1, 2015.



**CITY COMMISSION  
WORKSHOP MEETING MINUTES  
JULY 16, 2015  
FOLLOWING THE 9:00 A.M.  
COMMISSION MEETING**

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

**CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 10:25 a.m. The following were present: Mayor Enid Weisman, Vice Mayor Enbar Cohen, Commissioner Teri Holzberg, Commissioner Denise Landman, Commissioner Marc Narotsky, Commissioner Robert Shelley, Commissioner Howard Weinberg, City Manager Eric M. Soroka, City Clerk Ellisa L. Horvath, and City Attorney David M. Wolpin. As a quorum was determined to be present, the meeting commenced.

**1. FINANCIAL TRANSPARENCY PORTAL DEMONSTRATION (City Manager):** Mr. Soroka provided an overview of the new Financial Transparency Portal, available on the City's website.

**City Manager Summary:** No action.

**2. RESOLUTION EXPRESSING SUPPORT FOR SOLAR CHOICE BALLOT PETITION (Mayor Weisman):** Mayor Weisman requested that a resolution be considered encouraging the Florida Legislature to remove barriers to customer-sited solar power, which would be consistent with the City of Aventura's interest in supporting solar energy.

**City Manager Summary:** It was the consensus of the City Commission to place a resolution on the September Commission Meeting Agenda.

**3. REQUEST TO AWARD KEY TO THE CITY (Commissioner Weinberg):** Commissioner Weinberg requested that the Commission consider awarding a key to Robert Swedroe, Architect, who designed a majority of the buildings in Aventura. Mr. Soroka reviewed the criteria for awarding a key to the City, as outlined in Resolution No. 2005-62. Commissioner Weinberg disclosed that Mr. Swedroe was his former father in law.

**City Manager Summary:** It was the consensus of the City Commission for the item to be placed on the September Commission Meeting Agenda, for consideration of final approval.

**4. SITE PLANS (City Manager):** Mr. Soroka reviewed applications for the following projects:

- Cabi Office Building – 2777 N.E. 185 Street (10 stories – 7 level parking garage), requiring variance approval for the height of the garage, due to its location next to a residential zone.
- Aventura Medical Office Building – 2801 N.E. 213 Street (12 stories - 7 level parking garage), requiring variance approval of nine feet, for the height of the office building.

**City Manager Summary:** No action.

The following additional item was discussed:

Vice Mayor Cohen requested that the topic of increasing the Commission salaries/expense accounts be discussed at the next workshop meeting.

**ADJOURNMENT:** There being no further business to come before the Commission, a motion to adjourn was offered by Commissioner Landman, seconded by Vice Mayor Cohen, and passed unanimously. The meeting was adjourned at 11:00 a.m.

---

Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on September 1, 2015.

**CITY OF AVENTURA**  
**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: July 27, 2015

SUBJECT: **Resolution Declaring Equipment Surplus**

---

**September 1, 2015 Commission Meeting Agenda Item 5B**

**RECOMMENDATION**

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

**BACKGROUND**

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

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

EMS/act

Attachment

RESOLUTION NO. 2015-\_\_

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

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

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

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

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

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

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

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

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

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

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

**PASSED AND ADOPTED** this 1<sup>st</sup> day of September, 2015.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, 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:** 27 July 2015

**SUBJECT:** Surplus Property

---

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

2010	2FABP7BV3AX118042	Ford Crown Victoria
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**CITY OF AVENTURA  
POLICE DEPARTMENT  
INTER OFFICE MEMORANDUM**

**TO:** Eric M. Soroka, City Manager

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

**DATE:** August 7, 2015

**SUBJECT:** Surplus Property

---

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

Lehman storage Inside containers:

MRE food expire September 2015  
8 backseats for Tahoe (surplus)  
12 backseats for caprice (surplus)  
8 backseats for utility ford (surplus)  
Miscellaneous siren parts (surplus)

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

**TO:** Eric M. Soroka, City Manager

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

**DATE:** 20 August 2015

**SUBJECT:** Surplus Property

---

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

**See attached memo and list of cell phones and accessories requested to be surplus.**

**CITY OF AVENTURA  
POLICE DEPARTMENT**



**MEMORANDUM**

**TO:** Chief Steven Steinberg via Deidre Fogelgren, Administrative Commander  
**FROM:** Rita G. Noa   
**DATE:** August 19, 2015  
**SUBJECT:** Cell Phone Surplus

---

We respectfully request that the, attached, list of cell phones and cell phone accessories be submitted for surplus. Upon approval, the cell phones will be turned in to our Crime Prevention Specialist, Ernest Long, and he will be donating the phones to the 'Cell Phone Bank' which is the 911 cell phone program for women in distress. They are located at 2775 N.W. 94<sup>th</sup> Avenue, Unit #205, Ocala, Florida 34482; telephone number 1-866-290-7864. This is the main distribution center for donated cell phones.

## Sprint Buy Back- City Cell Phones

Equipment Description	Model	MEID(DEC)	MIED(HEX)
Sprint Direct Connect MS 810G	E4277	268 435 4599 1184 0746	A0000027B4ACEA
"	E4277	268 435 4599 1184 0735	A0000027B4ACDF
"	E4277	268 435 4599 1184 0737	A0000027B4ACE1
"	E4277	268 435 4599 1184 0732	A0000027B4ACDC
"	E4277	268 435 4599 1184 0733	A0000027B4ACDD
"	E4277	268 435 4599 1184 0768	A0000027B4AD00
"	E4277	268 435 4599 1179 1290	A0000027B3EBBA
"	E4277	268 435 4599 1184 1178	A0000027B4AE9A
"	E4277	268 435 4599 1178 3462	A0000027B3CD26
"	E4277	268 435 459 911 783 461	A00 000 27B 3CD 25
"	E4277	268 435 459 911 783 460	A00 000 27B 3CD 24
"	E4277	268 435 459 915 393 156	A00 000 27E AE1 84
"	E4277	268 435 459 911 783 459	A00 000 27B 3CD 23
"	E4277	268 435 459 911 840 695	ADD 000 27B 4AC 87
"	E4277	268 435 459 911 841 173	A00 000 27B 4AE 95
"	E4277	268 435 459 911 840 745	A00 000 27B 4AC E9
Sprint Flip	SKU:MOTV950EKT	268 435 458 114 488 626	A0000015DD1432
"	MOTV950EKT	268 435 458 111 354 395	A0000015AD418
"	MOTV950EKT	268 435 458 114 481 138	A0000015DCF-6F2
"	MOTV950EKT	268 435 458 111 338 456	A0000015AD02D8
"	MOTV950EKT	268 435 458 111 350 206	A0000015AD30BE
"	MOTV950EKT	268 435 458 111 339 687	A0000015AD07A7
"	MOTV950EKT	268 435 458 111 337 306	A0000015ACFESA
"	MOTV950EKT	268 435 458 111 325 047	A00000A5ACCE77
"	MOTV950EKT	268 435 459 402 089 159	A00000221FE0C7
"	MOTV950EKT	268 435 458 111 339 277	A0000015AD060D
"	MOTV950EKT	268 435 458 111 350 233	A0000015AD30D9
"	MOTV950EKT	268 435 459 406 602 839	A000002264C057
"	MOTV950EKT	268 435 458 111 346 064	A0000015AD2090
"	MOTV950EKT	268 435 458 111 341 308	A0000015AD0DFC
"	MOTV950EKT	268 435 458 111 347 667	A0000015AD26D3
"	MOTV950EKT	268 435 458 111 328 921	A0000015ACDD99
"	MOTV950EKT	268 435 458 111 330 160	A0000015ACE270
"	MOTV950EKT	268 435 458 111 340 162	A0000015AD0982
"	MOTV950EKT	268 435 458 111 331 860	A0000015ACE914
"	MOTV950EKT	268 435 458 111346 049	A0000015AD2081
MOTOROLA	XT603	268 435 460 412 618 606	A00 000 2CC 08B 6E
SAMSUNG BLACKJACK	SGH-I607	R2TAA39487E	
SAMSUNG BLACKJACK	SGH-I607	R4TAA79889D	
SAMSUNG CINGULAR	SGH-I607	R7XP165006L	
SAMSUNG AT&T	SGH-A707	RU2P466995X	

SAMSUNG GALAXY II	SPH-D710	268 436 460 811 929 661	A00 000 30B 608 3D
NOKIA	6800A	0102 8200/135585/0	
BLACKBERRY WORLD ED	8830	076 071 839 46	4C6D9E4A
BLACKBERRY WORLD ED	8830	076 071 795 47	4C6D8D1B
BLACKBERRY WORLD ED	8830	076 071 764 92	4C6D812C
BLACKBERRY WORLD ED	8830	076 148 411 02	4CE2750E
BLACKBERRY WORLD ED	8830	076 071 840 30	4C6D9E9E
BLACKBERRY WORLD ED	8830	076 071 840 30	4C6D9E9E
BLACKBERRY WORLD ED	8830	076 124 172 46	4CBD78DE
BLACKBERRY WORLD ED	8830	076 071 844 56	4C6DAD48
BLACKBERRY WORLD ED	8830	076 115 784 45	4CBB0AC4D
BLACKBERRY WORLD ED	8830	076 124 172 05	4CBD7885
BLACKBERRY WORLD ED	SP8830ORIM	076 031 375 42	4C2FE006
BLACKBERRY WORLD ED	SP8830ORIM	076 031 375 16	4C2FDFEC
BLACKBERRY 9630		2684 3645 880 388 0004	A000001C383444
BLACKBERRY BOLD	9700	3673 6003 6855 176	

CAR CHARGERS	4
REGULAR CHARGERS	27
CLIPS	29
HANDS FREE EAR PLUGS	6
CASES	10
LOOSE BATTERIES	12
SEPARATE PLUGS	4
BASE	1

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

**TO:** Eric M. Soroka, City Manager

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

**DATE:** 21 August 2015

**SUBJECT:** Surplus Property

---

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

**See attached list of communications equipment to be surplus.**

**Capt. Michael Bentolila**

**CITY OF AVENTURA**

**POLICE DEPARTMENT**

**MEMORANDUM**

TO: Commander Fogelgren via Chain of Command

FROM: Michael Fernandez

SUBJECT: Surplus - Communications Equipment

Date: 8/20/15

---

Attached please find a list of items that we need to surplus.

The majority of the items are to be discarded.

The items that have an "N" in the discard section can be sold or donated. These items have been boxed separately.

Thank you.

**Communications Surplus**

QTY	Item/Description	Serial #	Condition	Discard (Y/N)
15	XYBIX Desklight Controller	N/A	Used, operable	N
4	XYBIX Desklight Controller	N/A	Broken	Y
5	XYBIX Desk tasklight	N/A	Broken	Y
1	Ericsson desktop radio speaker	8N00815	Broken	Y
1	Macom desktop radio speaker	39098402200009	Used, operable	N
1	Macom desktop radio speaker	39098502200070	Used, operable	N
1	Macom desktop radio speaker	39098502200079	Used, operable	N
1/3	Motorola Comm Series 10 Radio	436SXX5345	Not operable	Y
2/3		10A725886	Not operable	Y
3/3	Motorola Microphone	HMN3031C	Not operable	Y
2	Zetron Digital Desktop Controller	00726-041	Used	Y
	Zetron Digital Desktop Controller	00727-041	Used	Y
1	Panasonic Telephone	6BCTD166679	Used	Y
1	Dictaphone Recorder	Aventura property 1328	Used	N
1	Dictaphone Recorder	Aventura property 1329	Used	N
1	Unkn make Sec: Camera Controller	N/A	Used	Y
1	Panasonic Time lapse Video cassette Recorder	L9TB00786	Unkn	Y



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

**TO:** Eric M. Soroka, City Manager

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

**DATE:** August 25, 2015

**SUBJECT:** Surplus Property

---

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

**See attached list of items.**



# 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: August 3, 2015

SUBJECT: **Bid No. 15-06-26-2, Biscayne Boulevard Landscape Maintenance**

---

**September 1<sup>st</sup>, 2015 City Commission Meeting Agenda Item 5C**

#### **Recommendation:**

The City Commission adopt the attached Resolution awarding Bid No. 15-06-26-2 Biscayne Boulevard Landscape Maintenance, to the lowest responsible and responsive bidder, The Brickman Group LTD. LLC. for the price of \$461,468.20.

#### **Background:**

In accordance with the City's Purchasing Ordinance, bids for this project were solicited, advertised and opened on June 26, 2015. All contract specifications were reviewed by the Purchasing Agent, Finance Director, City Attorney and Landscape Architect prior to advertising for bids.

Two qualified bids were opened on June 26, 2015 and the results are as follows:

The Brickman Group, LTD. LLC.	\$461,468.20
Lukes' Landscaping, Inc.	\$534,856.00

This bid term was for one three year term, with the City retaining the sole option to renew the bid for one additional three year term. Bid specifications included grounds and irrigation maintenance standards of landscaped areas, maintenance standards for street furniture located in the Biscayne Boulevard right-of-way, and the bid also specified pricing for planting flowers three times per year.

City Commission  
August 3, 2015  
Page Two

The City's Landscape Architect, Kathy O'Leary-Richards, reviewed The Brickman Group's bid and visited their 3.5 acre facility. In addition, Ms. O'Leary-Richards spoke with three references from the City of Weston, Bal Harbour Village, and Pembroke Falls. All had favorable recommendations of Brickman's performance. She also reported that Brickman is qualified to perform the landscape maintenance services. A copy of her letter of recommendation is attached hereto.

The bid specifications also require the bidder to provide the City with 24 hour services ranging from clearing roadways to providing clean-up and recovery services for major emergencies, such as hurricanes, storms and flooding. The successful bidder was also required to own certain equipment necessary to maintain the medians and right-of-ways to the Florida Department of Transportation standards.

Based on the bids received, I recommend the lowest responsible and responsive bidder, The Brickman Group, LTD, LLC., be awarded Bid No. 15-06-26-2 at the base bid amount of \$461,468.20 per year.

RMS/gf

Attachments

RMS15009

RESOLUTION NO. 2015-\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AWARDDING AND LETTING A BID/CONTRACT FOR BID NO. 15-06-26-2, BISCAYNE BOULEVARD LANDSCAPE MAINTENANCE TO THE BRICKMAN GROUP LTD. LLC. AT THE BID PRICE OF \$461,468.20; 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. 15-06-26-2, BISCAYNE BOULEVARD LANDSCAPE MAINTENANCE; 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 The Brickman Group, LTD. LLC. 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, THAT:**

**Section 1:** The bid/contract for BID NO. 15-06-26-2, BISCAYNE BOULEVARD LANDSCAPE MAINTENANCE, is hereby awarded to The Brickman Group, LTD. LLC. in the amount of \$461,468.20.

**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, and 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 contract on behalf of the City.

**Section 3:** 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:** 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 No. 001-5001-539-3450, Street Maintenance Fund Line Item No. 120-5001-541-3450, and Stormwater Utility Fund Line Item No. 410-5001-538-3450.

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

**PASSED AND ADOPTED** this 1<sup>st</sup> day of September, 2015.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

July 30, 2015

Mr. Robert M. Sherman, CPRP  
Director of Community Services  
City of Aventura  
19200 West Country Club Drive  
Aventura, Florida 33180

Re: Biscayne Boulevard Landscape Maintenance  
Bid #15-06-26-2

Dear Mr. Sherman:

Pursuant to your directive, we have reviewed the bids submitted for the above-referenced project. We inspected the low bidder's facilities, met with key personnel and reviewed their equipment. Based on our review, it is our recommendation that this contract be awarded to the lowest and most responsive bidder, The Brickman Group, Ltd.

Please let me know if you require any additional information.

Sincerely,

O'Leary Richards Design Associates, Inc.



Kathryn O'Leary Richards, RLA, ASLA  
President

**City of Aventura**  
**Biscayne Boulevard Landscape Maintenance**  
**Bid # 15-06-26-2**  
**BID TABULATION**

Bid Open After 2:00 PM on Friday, June 26, 2015

Bidder	Item #	Description	Total		
Lukes Landscaping, Inc.	1	Biscayne Blvd from the Southern limits to the Northern City limits including NE 203 St. the F.E.C. Right-of-Way along Biscayne Blvd	\$ 434,000.00		
	2	Seasonal color replacement	Unit Price	Total flowers	Total
		4 1/2" pot, full 16,800 x 3 changes per year	\$ 1.65	50,400	\$ 83,160.00
	3	Merit Soil Drench for Royal Palms	Per application	Total trees	Total
		one application including follow up per year	\$ 8.00	206	\$ 1,648.00
	4	Cygon foliar spray Royal Palms	Per application	Total trees	Total
	one application including follow up per year	\$ 8.00	206	\$ 1,648.00	
	5	Pheonix Dactylifer maintenance Three applications per year	Per application	Total trees	Total
			\$ 40.00	120	\$ 14,400.00
<b>TOTAL BASE BID</b>					<b>\$ 534,856.00</b>

Bidder	Item #	Description	Total		
Brickman and ValleyCrest Companies	1	Biscayne Blvd from the Southern limits to the Northern City limits including NE 203 St. the F.E.C. Right-of-Way along Biscayne Blvd	\$ 366,231.70		
	2	Seasonal color replacement	Unit Price	Total flowers	Total
		4 1/2" pot, full 16,800 x 3 changes per year	\$ 1.67	50,400	\$ 84,168.00
	3	Merit Soil Drench for Royal Palms	Per Application	Total trees	Total
		one application including follow up per year	\$ 9.75	206	\$ 2,008.50
	4	Cygon Foliar Spray for Royal Palms	Per Application	Total trees	Total
	one application including follow up per year	\$ 30.00	206	\$ 6,180.00	
	5	Pheonix Dactylifera maintenance Three applications per year	Per Application	Total trees	Total
			\$ 8.00	120	\$ 2,880.00
<b>TOTAL BASE BID</b>					<b>\$ 461,468.20</b>

Rank	Bidder	Base Bid
1	Brickman and ValleyCrest Companies	\$ 461,468.20
2	Lukes Landscaping, Inc.	\$ 534,856.00

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.

Indra K. Sarju



6/26/15  
Dated

**CITY OF AVENTURA  
INVITATION FOR BID  
BISCAYNE BOULEVARD LANDSCAPE MAINTENANCE**

**IFB #15-06-26-2**

**SCHEDULE OF VALUES  
BISCAYNE BOULEVARD LANDSCAPE MAINTENANCE**

NOTE: The quantities shown in the Schedule of Values are an estimate only. They may vary significantly from the actual quantities ordered by the City. Payments shall be for the units ordered, placed, and accepted by the City. The Bidder, by signing this Bid Form and Contract, fully acknowledges that he/she will receive no additional compensation (no overhead/no anticipated profits, etc.) other than the bid unit price of the items times the number of items authorized, ordered, placed, and accepted by the City.

ITEM #	Item	TOTAL COST PER 12 MONTHS
1	Biscayne Blvd. from the Southern limits to the Northern City limits including N.E. 203 <sup>rd</sup> St., the F.E.C. Right-of-Way along Biscayne Blvd.	\$366,231.70
2	Seasonal Color Replacement, 4 ½" pot, full 16,800 x 3 changes per year	<p><b>Unit price shall be delivered and in-place: includes removal of prior season's flowers, fertilization, soil and soil amendments, and pre-emergent herbicide as per specifications.</b></p> <p>\$1.67 x 50,400 per year = \$84,168 <b>TOTAL</b></p>
3	Merit Soil Drench for Royal Palms (One application including follow up per year)	<p>Per Application</p> <p>\$9.75 _____ x 206 Royal Palms = \$2,008.50 <b>TOTAL</b></p>
4	Cygon Foliar Spray for Royal Palms ( <b>One application including follow up per year</b> )	<p>Per Application</p> <p>\$30 _____ x 206 Royal Palms = \$6,180 <b>TOTAL</b></p>
5	Phoenix Dactylifera Maintenance ( <b>Three applications per year</b> )	<p>Per Application</p> <p>\$8 x 120 Date Palms x 3 = \$2,880 <b>TOTAL</b></p>
<b>BASE BID</b>	<b>TOTAL BASE BID</b> <b>Total of Items 1 through 5 constitute the Base Bid</b>	<b>\$ 461,468.20</b> <b>BASE BID TOTAL</b>

**ADDITIONAL SCHEDULE OF VALUES**

A	One Landscape Foreman	Per Hour 8:00 a.m.-4:30 p.m., Mon.-Fri. =\$30 Per Hour for all other times =\$45
B	One Landscape Laborer	Per Hour 8:00 a.m.-4:30 p.m., Mon.-Fri. =\$24 Per Hour for all other times =\$36
C	One Front-End loader with Backhoe including Operator	Per Hour = \$75 Per Day = \$550 Per Week = \$2,000 Per Month = \$6,500
D	One min. 15,000 GVM Dump Truck with Operator	Per Hour = \$70 Per Day = \$450 Per Week = \$1,800 Per Month = \$6,000
E	Rate for (1) water tank, min. 500 gal. capacity, with pump and hose reel	Per Day = \$400 Per Week = \$1,500 Per Month = \$5,000
F	Rate for Topsoil (70/30 mix) delivered and installed in place	Per CY = \$58
G	Rate for Lawn Sand delivered and installed in place	Per CY = \$63
H	Coconut Palm OTC Injection	Per Palm Per Injection = \$75
I	One Irrigation Repair Specialist	Per Hour 8:00 a.m.-4:30p.m., Mon.-Fri. = \$55 Per Hour for all other times = \$75
J	One Irrigation Laborer	Per Hour 8:00 a.m.-4:30p.m., Mon.-Fri. = \$30 Per Hour for all other times = \$45

K	Rate for self propelled 24" Deep x 6" Wide Trencher with Operator	Per Hour = \$86.25 Per Week = \$3,370 Per Month = \$13,000
L	Solid St. Augustine 'Floritam' Sod in place for lawn repair	Per Square Foot = \$0.60
M	500 Sq. Ft. Palette of St. Augustine 'Floritam' sod delivered and installed per City direction	Per Palette = \$300
N	Gold Premium Shredded Mulch, Grade "A" or better delivered and installed in place	Per 100 cubic yards delivered and installed in place: \$3,800 _____ <b>TOTAL</b>
O	Rate for One Skid steer Loader (Bobcat) with Operator	Per Hour = \$75 Per Day = \$550 Per Week = \$2,000 Per Month = \$6,500
P	Foliar Spray to combat Ficus Whitefly (6950 lf along Bisc. Blvd. FEC R/W, 330 lf along Bisc. Blvd. Ramp to Ives Dairy Rd. (east side) & 1550 lf adjacent to NE 203 <sup>rd</sup> St. overpass walls, north & south sides)	Per Application = \$1,686 Per 500 LF Application = \$100
Q	Drench to combat Ficus Whitefly (6950 lf along Bisc. Blvd. FEC R/W, 330 lf along Bisc. Blvd. Ramp to Ives Dairy Rd. (east side) & 1550 lf adjacent to NE 203 <sup>rd</sup> St. overpass walls, (north & south sides)	Per Application = \$7,505.50 Per 500 LF Application = \$540
R	Micro-injectable systemic insecticide to combat Spiraling Whitefly	Per Injection = \$35
S	Plant 1 Gal. Arachis glabrata (Perennial Peanut) and remove old plantings; fertilize	Per Plant in place = \$5.50

T	Plant 3 Gal. <i>Clusia rosea</i> 'Nana' (Dwarf Pitch Apple) and remove old plantings; fertilize	Per Plant in place = \$12.25
U	Plant 3 Gal. <i>Chrysobalanus icaco</i> 'Red Tip' (Red Tip Cocoplum) and remove old plantings; fertilize	Per Plant in place = \$10.60
V	Plant 3 Gal. <i>Chrysobalanus 'Horizontalis'</i> (Horizontal Cocoplum) and remove old plantings; fertilize	Per Plant in place = \$15.50
W	Plant 3 Gal. <i>Hamelia patens</i> (Firebush) and remove old plantings; fertilize	Per Plant in place = \$10.60
X	Plant 3 Gal. <i>Ficus microcarpa</i> 'Green Island' (Green Island Ficus) and remove old plantings; fertilize	Per Plant in place= \$10.60
Y	Plant 45 Gal., 8'-10' Ht., <i>Ficus benjamina</i> (Weeping Fig) and remove old plantings; fertilize	Per Plant in place= \$225
Z	Plant 3 Gal. <i>Ixora 'Nora Grant'</i> (Pink Ixora) and remove old plantings; fertilize	Per Plant in place= \$10.60
AA	Plant 3 Gal. <i>Jasminum volubile</i> (Wax Jasmine) and remove old plantings; fertilize	Per Plant in place= \$10.15
BB	Plant 3 Gal. <i>Ruellia brittoniana</i> (Mexican Bluebell) and remove old plantings; fertilize	Per Plant in place= \$10.60
CC	Plant 3 Gal. <i>Schefflera arboricola</i> 'Trinette' (Arboricola) and remove old plantings; fertilize	Per Plant in place= \$10.60
DD	Plant 3 Gal. <i>Tripsacum dactylifera</i> (Fakahatchee Grass)	Per Plant in place= \$10.60
EE	Plant 7 Gal. <i>Clusia guttifera</i> (Small-Leaf Clusia) and remove old plantings; fertilize	Per Plant in place= \$36.50

FF	Plant 7 Gal. Zamia furfuracea (Cardboard Palm) and remove old plantings; fertilize	Per Plant in place= \$51.10
GG	Plant 22' clear wd. Phoenix dactylifera 'Medjool' (Medjool Date Palm) and remove old plantings; fertilize	Per Plant in place= \$11,500
HH	Plant 18'-20' g.w. Cocos nucifera 'Gr. Malayan' (Coconut Palm) and remove old plantings; fertilize	Per Plant in place= \$4,325
II	Plant 22' g.w. Roystonea regia (Royal Palm) and remove old plantings; fertilize	Per Plant in place= \$3,850

**NOTE: The unit price for replacement plant material to include delivery, installation, necessary soil amendments, removal and disposal of existing plant material, bed preparation, staking, super absorbent polymer, mulch and initial hand watering until established, if needed. All replacement plant material shall be top quality, Florida No. 1 or better. All 3 gallon material shall be a minimum of 18" height and full at time of planting. Seasonal color replacements shall include removal of existing plantings, fertilizers, additional top soil, bed preparation, pre-emergent herbicide, Atlas 3000 soil mix, initial and mid-term application of Nutricote, and initial hand watering. Quantities are an estimate only and may vary significantly from the actual quantities ordered by the City. Payments shall be for the units ordered, placed, and accepted by the City. The Bidder, by signing this Bid Form and Contract, fully acknowledges that he/she will receive no additional compensation (no overhead/no anticipated profits, etc.) other than the proposal or bid unit price of the items times the number of items authorized, ordered, placed, and accepted by the City.**



**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: August 13, 2015

SUBJECT: **Resolution Authorizing Execution of Justice Assistance Grant with the Florida Department of Law Enforcement**

---

**September 1, 2015 City Commission Meeting Agenda Item 5D**

**RECOMMENDATION**

It is recommended that the City Commission approve the attached Resolution authorizing execution of a Justice Assistance Grant with the Florida Department of Law Enforcement in the amount of \$10,000 for a cell antenna to increase signal coverage and improve cell phone capabilities within the Police Department building.

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

EMS/act

Attachment

CCO1900-15

RESOLUTION NO. 2015-\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED JUSTICE ASSISTANCE GRANT APPLICATION WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT IN THE AMOUNT OF \$10,000; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**Section 1.** The City Manager is authorized to execute the attached Justice Assistance Grant Application with the Florida Department of Law Enforcement in the amount of \$10,000.

**Section 2.** The City Manager is 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 Teri Holzberg	_____
Commissioner Denise Landman	_____
Commissioner Marc Narotsky	_____
Commissioner Robert Shelley	_____
Commissioner Howard Weinberg	_____
Vice Mayor Enbar Cohen	_____
Mayor Enid Weisman	_____

**PASSED AND ADOPTED** this 1<sup>st</sup> day of September, 2015.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct



## Subgrant Recipient

**Organization Name:** City of Aventura

**County:** Dade

## Chief Official

**Name:** Enid Weisman

**Title:** Mayor

**Address:** 19200 West Country Club Drive

**City:** Aventura

**State:** FL **Zip:** 33180-2403

**Phone:** 305-466-8900 **Ext:**

**Fax:**

**Email:** eweisman@cityofaventura.com

## Chief Financial Officer

**Name:** Brian Raducci

**Title:** Finance Director

**Address:** 19200 West Country Club Drive

**City:** Aventura

**State:** FL **Zip:** 33180-2304

**Phone:** 305-466-8900 **Ext:** 8922

**Fax:**

**Email:** bRaducci@cityofaventura.com

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

## Implementing Agency

**Organization Name:** Aventura Police Department

**County:** Dade

## Chief Official

**Name:** Steven Steinberg

**Title:** Chief of Police

**Address:** 19200 West Country Club Drive

**City:** Aventura

**State:** FL **Zip:** 33180-2403

**Phone:** 305-466-8996 **Ext:**

**Fax:** 305-466-8991

**Email:** steinbergs@aventurapolice.com

## Project Director

**Name:** Shelisa Anderson

**Title:** Grant Manager

**Address:** 19200 West Country Club Drive

**City:** Aventura

**State:** FL **Zip:** 33180-2403

**Phone:** 305-466-8965 **Ext:**

**Fax:**

**Email:** sanderson@aventurapolice.com

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct

## General Project Information

**Project Title:** COMMUNICATION IS VITAL  
**Subgrant Recipient:** City of Aventura  
**Implementing Agency:** Aventura Police Department  
**Project Start Date:** 7/1/2015      **End Date:** 9/30/2015

## Problem Identification

Reliable wireless connectivity is a vital component in maintaining an open line of communication with police, fire and other emergency responders in a time of crisis. The Aventura Police department is located on the first floor of the Aventura City building and because of the building structure there are issues with radio and cellular signal. Because of this, communication within the building can be very hard when trying to communicate with other officers, victims in cases, and outside agencies assisting with cases. Due to the location of the Police department and its building structure, communication through cell phones and radio are difficult at times within the building. Currently when detectives are conducting investigations and working their cases, they are actively using their cell phones to communicate with other agencies, victims, etc. Because of the interruption of signal in the building they are unable to use their phone at their desk. They have to walk outside of the building or to the other side of the building just to get service and complete a phone call. This hinders them from the investigation because they have to move away from their work area.

## Project Summary (Scope of Work)

Grant funds will be used to obtain a CellAntenna, it will help increase signal coverage and improves cell phone capabilities for all officers and detectives within the building. The CellAntenna will increase cell phone signal and also helps with radio signal, both improving the communication officers have with each other and the outside community.

The request to buy the CellAntenna with grant funding was because this is a non-budgeted item that will enhance public safety communications in our building

We will have a contract with the installer. It was not up for bid since it is GSA contract pricing.

This project requests federal grant funding for a law enforcement or criminal justice technology related project and may be subject to review and approval by the State Information Technology (IT) Point of Contact. By utilizing funds for this project, the subrecipient and implementing agency agree to conform to all state and national standards for technology and information sharing systems that connect to, and/or interface with state and national systems, and/or reside on the state Criminal Justice Network (CJNet). These standards include, but are not limited to, the FBI CJIS Security Policy and any rules, regulations or guidance enacted by the Criminal and Juvenile Justice Information System (CJJIS) Council under F.S. 943.06.?

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct

## Section Questions:

Question: Does the Subgrantee receive a single grant in the amount of \$500,000 or more from the U.S. Department of Justice?

Answer: No

Question: Does the Implementing Agency receive a single grant in the amount of \$500,000 or more from the U.S. Department of Justice?

Answer: No

Question: Part 1: In your business or organization's preceding completed fiscal year, did your business or organization (the subgrantee) receive (1) 80 percent or more of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and (2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements? If yes, answer "yes" or "no" to Part 2, below.

Answer: No

Question: Part 2: Does the public have access to information about the compensation of the executives in your business or organization (the subgrantee) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? If answer to Part 1, above, was "no," answer N/A.

Answer: Yes

Question: Do the Subrecipient and Implementing agencies understand that this is a cost-reimbursement agreement for satisfactory performance of eligible activities. Requests for reimbursement may be submitted quarterly or monthly as designated in the Financial Section of the agreement? Requests for reimbursement will be processed in conjunction with receipt and review of programmatic performance reports to determine successful completion of minimum performance for deliverables as specified in the agreement.

Answer: Yes

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

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## General Performance Info:

**Performance Reporting Frequency:** Monthly

**Federal Purpose Area:** 001 - Law enforcement programs

**State Purpose Area:** A - Accomplishments: Includes any accomplishments during the reporting period. Required for all projects.

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## Activity Description

**Activity:** Equipment Purchase  
**Target Group:** Law Enforcement  
**Geographic Area:** Urban  
**Location Type:** Police Department

---

## Objectives and Measures

**Objective:** A1 - Report on program accomplishments

**Measure:** Part 1

Please briefly describe what your program's accomplishments will be. Please include any benefits or changes to be observed as a result of JAG-funded activities, such as program completion, or changes in attitudes, skills, knowledge, or conditions. [500-character limit]

**Goal:** Adding the bi-amp will enhance public safety communication within the building

**Objective:** A2 - Report on usage of crimesolutions.gov Website

**Measure:** Part 1

Will you be using the crimesolutions.gov Website?

**Goal:** No

**Objective:** A3 - Report on subgrants from grantees other than FDLE

**Measure:** Part 1

Are you a subrecipient of a JAG award from another JAG grantee (other than FDLE)? An agency can be a primary recipient of a JAG award from BJA and a subrecipient of a JAG award from another JAG award primary recipient. Do not consider awards that you receive directly from USDOJ.

**Goal:** No

**Measure:** Part 2

If yes, enter grantee organization or agency name.

**Goal:** N/A

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct

**State Purpose Area:** E - Equipment Purchases and/or Technology Investments: Includes activities where equipment purchases or technology investments were made that improve efficiency and/or cost savings.

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## Activity Description

**Activity:** Equipment Purchases and/or Technology Investments  
**Target Group:** Equipment Purchases and/or Technology Investments  
**Geographic Area:** Urban  
**Location Type:** Police Department

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## Objectives and Measures

**Objective:** E1 - Report on JAG funding allocated for equipment and/or technology investments

**Measure:** Part 1

How much JAG funding has been allocated for equipment purchases and/or technology investments? Please report in dollars (\$).

**Goal:** \$10,000.00

**Objective:** E2 - Make equipment purchases and/or technology investments

**Measure:** Part 1

What types of equipment purchases and/or technology investments will be made with JAG funds? In your response, please list all that apply from the following choices: Computer-aided Dispatch (CAD), Computers/Mobile Data Terminals, Computer Software, Emergency Medical Services (EMS), Equipment for Police Cruisers (including in-car radios and laptops), In-car/On-person Camera Systems.

**Goal:** Bi-Amp to increase cell phone and radio coverage within the building, increasing officers and detectives communication with the public.

**Measure:** Part 2

What types of equipment purchases and/or technology investments will be made with JAG funds? In your response, please list all that apply from the following choices: Less-lethal Weapons, Impact Weapons (batons, bean bag shotgun rounds, etc.), Chemical Weapons (CS gas, pepper spray), Energy Devices (tasers) Lethal Weapons (firearms); License Plate Readers; Mobile Access Equipment (for example, aircards for Verizon, Sprint, AT&T, etc.); Radios.

**Goal:** Mobile Access Equipment - BiAmp to enhance cellular voice and data signal and public safety frequency

**Measure:** Part 3

What types of equipment purchases and/or technology investments will be

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct

made with JAG funds? In your response, please list all that apply from the following choices:

Security Systems (station or evidence room), Tactical Vests/Body Armor, Undercover Surveillance Equipment (microphones, video), Vehicles , Video Observation (station, community, pole cams), Other. Do not select other if your item fits into any of the categories above. If other, state "other" and specify.

**Goal:** Other - CellAntenna - fiber based cell phone repeater system to enhance cellular voice and data signal for all major cell phone carriers and Public safety frequency.

**Objective:** E3 - Achieve efficiencies or cost savings as a result of equipment purchases and/or technology investments.

**Measure:** Part 1

Describe any efficiencies or cost savings that will be achieved as a result of an equipment purchase and/or technology investment.

**Goal:** Technology investment - once installed officers and detectives will be able to use their phones more frequently and will allow them to work more comfortably.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct



## Section Questions:

Question: If "other" was selected for the geographic area, please describe.

Answer: N/A

Question: If "other" was selected for location type, please describe.

Answer: N/A

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct

**General Financial Info:**

**Note: All financial remittances will be sent to the Chief Financial Officer of the Subgrantee Organization.**

Financial Reporting Frequency for this Subgrant: Quarterly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 650662615

**Budget:**

Budget Category	Federal	Match	Total
Salaries and Benefits	\$0.00	\$0.00	\$0.00
Contractual Services	\$0.00	\$0.00	\$0.00
Expenses	\$0.00	\$0.00	\$0.00
Operating Capital Outlay	\$10,000.00	\$0.00	\$10,000.00
Indirect Costs	\$0.00	\$0.00	\$0.00
<b>-- Totals --</b>	<b>\$10,000.00</b>	<b>\$0.00</b>	<b>\$10,000.00</b>
<b>Percentage</b>	<b>100.0</b>	<b>0.0</b>	<b>100.0</b>

**Project Generated Income:**

Will the project earn project generated income (PGI) ? No

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct



## **Budget Narrative:**

OCO -

CellAntenna - Cellular fiber based cell phone repeater system to enhance 3G as well as 4G LTE and AWS cellular voice and data signal for Verizon, ATT, Sprint and T-Mobile. Includes 800 Mhz Public Safety frequency and 700 Mhz Public Safety Frequency.

Total Cost - \$11, 166. 75

Installation, shipping and handling were all included in the quoted price. There was no individual breakdown of those prices.

Cost in excess of the grant budget will be paid by Aventura Police department.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - Direct



## Section Questions:

Question: If salaries and benefits are included in the budget as actual costs for staff in the implementing agency, is there a net personnel increase, or a continued net personnel increase from the previous Byrne program?

Answer: N/A

Question: If benefits are to be included, are they reflected in the budget narrative?

Answer: N/A

Question: Indicate the Operating Capital Outlay threshold established by the subgrantee or implementing agency, if it is the sheriff's office.

Answer: \$5000.00

Question: If indirect cost is included in the budget, indicate the basis for the plan (e.g. percent of salaries and benefits), and provide documentation of the appropriate approval of this plan.

Answer: N/A

Question: If the budget includes services based on unit costs, provide a definition and cost for each service as part of the budget narrative for contractual services. Include the basis for the unit costs and how recently the basis was established or updated.

Answer: N/A

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct

## Section 5: Standard Conditions

Insert Standard Conditions Page here.

# Application for Funding Assistance

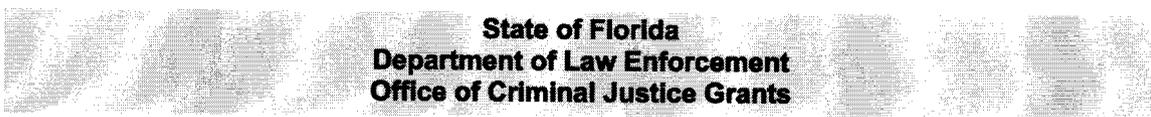
Florida Department of Law Enforcement

Justice Assistance Grant - Direct



In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duty authorized officers on the date, month and year set out below.

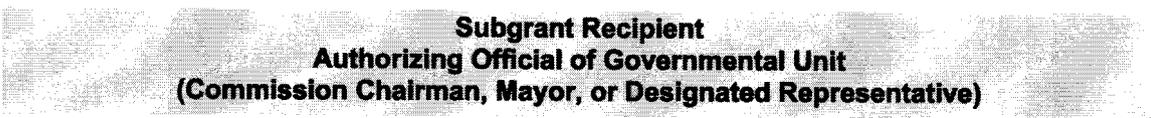
**Corrections on this page, including Strikeovers,  
whiteout, etc. are not acceptable.**



Signature: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_



Typed Name of Subgrant Recipient: \_\_\_\_\_

Signature: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_



Typed Name of Implementing Agency: \_\_\_\_\_

Signature: \_\_\_\_\_

Typed Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - Direct



**Insert Certifications and Authorizations here.**

**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: August 13, 2015

SUBJECT: **Resolution Appointing Fifth Member to Board of Trustees Police Officer's Retirement Plan**



---

September 1, 2015 City Commission Meeting Agenda Item JE

**RECOMMENDATION**

It is recommended that the City Commission adopt the attached Resolution appointing Laurence A. Herrup to fill a vacancy as the fifth member of the Police Officer's Retirement Plan Board of Trustees.

**BACKGROUND**

Section 36-23 of the City Code of Ordinances provides that the two members appointed by the City Commission and the two members selected by the police officers choose a fifth member of the Board. It also provides that the City Commission shall appoint the fifth member selected by the other four Board members as a ministerial duty. The Board took action at the August 13, 2015 meeting to choose Mr. Herrup.

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

EMS/act

Attachment

CCO1901-15

RESOLUTION NO. 2015-\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, PROVIDING FOR THE APPOINTMENT BY THE COMMISSION OF THE FIFTH MEMBER TO THE BOARD OF TRUSTEES OF THE POLICE OFFICERS' RETIREMENT PLAN AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Ordinance No. 2004-07 established a Police Officers' Retirement Plan; and

**WHEREAS**, in accordance with the provisions of Section 36-23 of the City Code of Ordinances, the fifth member of the Board of Trustees of the Police Officers' Retirement Plan shall be appointed by the City Commission from a recommendation of the current members of the Board of Trustees; and

**WHEREAS**, the Board of Trustees has made recommendation to the City Commission and the City Commission wishes to provide for the appointment of the fifth member to the Police Officers' Retirement Plan.

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

**Section 1.** The City Commission hereby appoints Laurence A. Herrup to serve as a member of the Board of Trustees of the City of Aventura Police Officers' Retirement Plan for a two-year term.

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

**PASSED AND ADOPTED** this 1<sup>st</sup> day of September, 2015.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

**RESOLUTION NO. 2015-\_\_**

**A RESOLUTION OF THE CITY OF AVENTURA, FLORIDA, ENCOURAGING THE FLORIDA LEGISLATURE TO REMOVE BARRIERS TO CUSTOMER-SITED SOLAR POWER; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, solar power generates electricity with zero air emissions and no water use, thereby moving the County, State, and Country to a cleaner and more sustainable energy future; and

**WHEREAS**, the State of Florida has enormous potential for rooftop solar power, but has not yet focused on the realization for such potential; and

**WHEREAS**, the current law expressly denies citizens and businesses the freedom to purchase solar power electricity directly from someone other than a power company; and

**WHEREAS**, allowing non-utility solar providers to provide solar generated electricity, through a Power Purchase Agreement (PPA), directly to customers can remove the upfront cost for solar power systems to homeowners and expand solar power options to residential and commercial tenants, thereby expanding the choice for solar power to all Floridians; and

**WHEREAS**, as a Green Local Government, the Aventura City Commission would like to express its support of initiatives that support and encourage the use of solar power;

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

**Section 1.** The City Commission of the City of Aventura hereby urges the Florida Legislature to remove barriers that limit the sale of solar-generated electricity directly to the customer by anyone other than a power company, so long it does not preempt municipal ordinances designed to protect the public health, safety and welfare, complies with utility tax and franchise fee agreements, and does not impede on a municipality's home rule authority.

**Section 2.** The City Clerk is hereby directed to transmit an electronic copy of this Resolution to the Florida Legislature, Board of County Commissioners of Miami-Dade County, all municipalities in Miami-Dade County, the Miami-Dade County League of Cities, and the Florida League of Cities.

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

**PASSED AND ADOPTED THIS** 1<sup>st</sup> day of September, 2015.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

**CITY OF AVENTURA**  
**OFFICE OF THE CITY COMMISSION**

**MEMORANDUM**

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

FROM: Commissioner Howard Weinberg

DATE: July 8, 2015

SUBJECT: **Request for Key to the City for Robert Swedroe**

---

Please place on the Commission Workshop Agenda my request to award the Key to the City to "Aventura's Architect" Robert Swedroe.

Commission Resolution 2005-62 established the criteria for such an award. Those criteria include:

Section 3:

A making a valuable contribution in the fields of art, science or public health for the betterment of the lives of others

B contributions to the enhancement of the quality of life in the City of Aventura

C contributions to the economic development of the City of Aventura

Robert Swedroe meets and exceeds the established criteria and such an award on the 20th Anniversary of Aventura is most appropriate. As the attached list demonstrates, over the course of the last 40 years, Robert Swedroe has designed over 120 buildings that are currently standing in our 3.2 square mile city limits. The buildings that Mr. Swedroe designed comprise the lion's share of the current \$9 billion valuation from the Miami Dade County Property Appraiser and his designs continue to contribute to Aventura's healthy real estate market and tax base. It is not without a good deal of irony that we would recognize such accomplishments with a Key to the City given the fact that at the end of each day the vast majority of our residents use a key to enter their beautiful Robert Swedroe designed homes.

Robert Swedroe designed Don Soffer's projects throughout the Country Club Drive circle, Jules Trump's projects on Williams Island, Coscan's projects on Yacht Club Drive, WCI's Aventura project, and many others.

Robert is also a prolific artist and has had his work exhibited at Art Basel and locally at the Aventura Turnberry Jewish Center (yet another building that he was involved in designing).

Recently, Robert Swedroe has worked extensively with former Aventura Commissioner Bob Diamond on Bob Diamond's project to create an Aventura Historic Museum on the 2nd floor of Government Center once the temporary library moves out. Mr. Swedroe quite literally has the Aventura blue prints in his files and has been extraordinarily helpful and generous.

## AVENTURA PROJECTS

The firm of Robert M. Swedroe Architects and Planners has designed 120 structures in the City of Aventura. The following is a list of the major projects. This list does not include accessory structures such as clubhouses, gatehouses, pavilions, etc.

<u>Project</u>	<u>Client</u>
BellaMaré	WCI
Bella Vista Mid-Rise North	Turnberry Associates
Bella Vista Mid-Rise South	Turnberry Associates
Biscaya at Aventura	Turnberry Associates*
Bonavaida at Aventura	Turnberry Associates*
Bonaventura at Aventura	Turnberry Associates*
Bravura	Turnberry Associates*
Coronado	Turnberry Associates*
Courtyard Homes	Coscan
Crescent Hotel	Turnberry Associates
El Dorado Towers at Aventura	Turnberry Associates*
Ensenada at Aventura	Turnberry Associates*
Flamenco Towers at Aventura	Turnberry Associates*
Golden Point at the Waterways	Matt Spenadel
Hamptons I at Turnberry	Holiday Organization
Harbor Tower	Coscan
Harborside	Coscan
Harborview	Coscan
Landmark	Benny Bedzow
Marina Hotel	Turnberry Associates
North Tower Hotel	Turnberry Associates
One Island Place (North)	Coscan
One Island Place (South)	Coscan
Point Atlantic I	Coscan
Point Atlantic II	Coscan
Point Atlantic III	Coscan
Point Lifestyle Center	Coscan
Point North Tower	Coscan
Point South Tower	Coscan
Porta Vita Townhouses	Turnberry Associates
Portsvie at the Waterways	Coscan
Terraces at Turnberry	Shopco
Turnberry Marina Tower	Turnberry Associates
Turnberry Tower North	Turnberry Associates

Turnberry Tower South	Turnberry Associates
Turnberry Towers	Turnberry Associates
Villa Dorada, Aventura	Turnberry Associates*
Williams Island 1000 Bldg.	Trump Group
Williams Island 2000 Bldg.	Trump Group
Williams Island 3000 Bldg.	Trump Group
Williams Island 2600 Bldg.	Trump Group
Williams Island 2800 Bldg.	Trump Group
Williams Island 4000 Bldg.	Trump Group
Williams Island 7000 Bldg.	WCI

\*As Senior Designer with Morris Lapidus

## RESOLUTION NO. 2005-62

### A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, ESTABLISHING CRITERIA FOR THE AWARD OF KEYS TO THE CITY OF AVENTURA; APPROVING PROTOTYPE KEY TO THE CITY OF AVENTURA; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, from time to time, it is appropriate for the Mayor and the City Commission of the City of Aventura to award or present keys to the City of Aventura (the "City Key") to individuals who are worthy of special recognition by the City because of their actions or accomplishments; and

WHEREAS, the City Commission desires to establish criteria for the award and presentation of the City Key, as described herein.

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

**Section 1.**     **Recitals.**     That the above stated recitals are hereby confirmed and adopted.

**Section 2.**     **City Key Prototype.**     That the prototype or sample of the City Key, which is depicted on Exhibit "A" attached hereto, is hereby approved for use as the City Key pursuant to the provisions and procedures provided herein.

**Section 3.**     **Award of City Key.**     That the City Key shall be awarded to those persons, firms, organizations or entities who have distinguished themselves for public recognition and appreciation by their achievements or accomplishments, by activities which include but are not limited to, the following:

- a.           making of a valuable contribution in the fields of art, science or public health for the betterment of the lives of others;
- b.           contributions to the enhancement of the quality of life in the City of Aventura, county, region, state or nation;
- c.           contributions to the economic development of the City of Aventura;
- d.           acts of heroism for which recognition is appropriate;
- e.           rendering of service to the public;
- f.           activities which otherwise warrant recognition by award of the City Key.

**Section 4.**     **Procedure.**     That the procedure for the award of the City Key shall be that nominees for receipt of the City Key may be suggested by the Mayor or any Commissioner and be placed on the Agenda of any Commission Workshop meeting for consideration by the City Commission. Final

placed on the Agenda of any Commission Workshop meeting for consideration by the City Commission. Final approval shall be at a regular Commission meeting. Additionally, the Mayor or the Vice Mayor in the absence or unavailability of the Mayor may, in his or her discretion, from time to time, award the City Key to persons, firms, organizations, or entities who:

- a. clearly meet the criteria of Section 3 of this Resolution; or
- b. are dignitaries of Florida local and state government; or
- c. are foreign dignitaries who are recognized as valuable allies of the United States of America;

under those circumstances in which time does not permit presentation of a nomination to the City Commission at a Workshop or regular meeting.

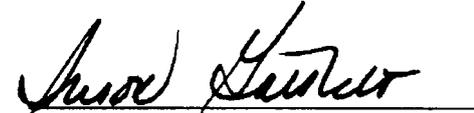
**Section 5. Implementation.** That the City Manager is authorized to provide for the implementation of the policies which are provided for herein and to arrange for the supply and purchase of the City Keys in accordance with appropriations made within the municipal budget.

**Section 6. Effective Date.** That this Resolution shall become effective immediately upon adoption hereof.

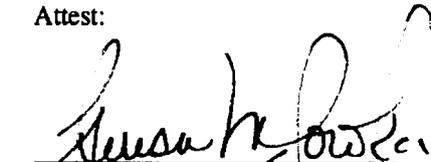
The foregoing Resolution was offered by Commissioner Diamond, who moved its adoption. The motion was seconded by Vice Mayor Joel and upon being put to a vote, the vote was as follows:

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

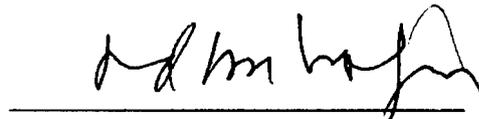
PASSED AND ADOPTED this 11th day of October, 2005.

  
\_\_\_\_\_  
Susan Gottlieb, Mayor

Attest:

  
\_\_\_\_\_  
Teresa M. Soroka, MMC  
City Clerk

Approved as to Form and Legal Sufficiency:

  
\_\_\_\_\_  
City Attorney

**CITY OF AVENTURA**  
**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: August 11, 2015

SUBJECT: **Disbursement of Police Forfeiture Funds**

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**September 1, 2015 City Commission Meeting Agenda Item 5H**

**RECOMMENDATION**

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

“Motion authorizing the appropriation of up to \$10,000 for crime prevention programs, equipment and training from the Police Forfeiture Funds in accordance with the City Manager’s memorandum.”

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

EMS/act

Attachment

CCO1899-15

**CITY OF AVENTURA  
POLICE DEPARTMENT**

**INTER OFFICE MEMORANDUM**

**TO:** Eric M. Soroka, City Manager  
**FROM:** ~~Steven Steinberg, Chief of Police~~  
**DATE:** 10 August 2015  
**SUBJECT:** Use of Forfeiture Funds

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

I am requesting City Commission approval for the expenditure of:

Crime Prevention programs, equipment and training	\$10,000
<b>Total Expenditure Request:</b>	<b>\$10,000</b>

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

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

## Summary

**Crime Prevention equipment, programs and training** - This is a request to spend up to \$10,000 of forfeiture funds to fund our departmental Crime Prevention unit. Funds will be used for crime prevention programs, equipment and training for the upcoming FY 2015-2016. All expenses for FY 2015 – 2016 for the Crime Prevention unit will come out of these approved funds in lieu of the Operating budget or CIP budget.

**CITY OF AVENTURA**

**FINANCE DEPARTMENT**

**MEMORANDUM**

TO: City Commission (ACES Board of Directors)

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

By:  Brian K. Raducci, Finance Director

DATE: August 25, 2015

SUBJECT: **Special Purpose Financial Report for ACES FY June 30, 2015**

September 1, 2015 City Commission Meeting Agenda Item 5I

**Recommendation**

It is recommended that the City Commission approve the following motion:

“Motion to accept for filing the Special Purpose Financial Report for the Aventura City of Excellence School for the fiscal year ended June 30, 2015 and to accept for filing that letter dated August 20, 2015 attached hereto as Attachment 1.”

**Background**

The Special Purpose Financial Report for ACES was electronically distributed to the Mayor and Commissioners on August 25, 2015 along with our memorandum. In addition, a letter dated August 20, 2015 (Attachment 1) from our auditors – Keefe McCullough was attached to the Commission agenda for your review.

The Rules of the Auditor General, Chapter 10.550, requires that the Report be filed as an official record at a public meeting. This motion satisfies that requirement. In addition, the auditors have requested that their letter (Attachment 1) be accepted for filing with the City Commission.

A representative from Keefe McCullough will be present at the meeting. However, since the Report is the responsibility of the City, I respectfully request that any questions be discussed with the City Manager prior to the meeting.

# CITY OF AVENTURA

## FINANCE DEPARTMENT

### MEMORANDUM

TO: City Commission (ACES Board of Directors)

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

FROM:  Brian K. Raducci, Finance Director

DATE: August 25, 2015

SUBJECT: **Aventura City of Excellence School (the "School")  
Special Purpose Financial Report**

---

#### **Background**

As required by State law and our Charter School Contract with the Miami-Dade County Public School District, we have prepared the School's financial statements for the fiscal year ended June 30, 2015 (attached). These statements encompass the School's 12<sup>th</sup> year of operations and were audited by Keefe McCullough.

The Report complies with Generally Accepted Accounting Principles (GAAP), which includes Governmental Accounting Standard Board (GASB) Statement No 34. The cover reflects that the Report contains the "Special Purpose Financial Report" for the "Aventura City of Excellence School, a Special Revenue Fund of the City of Aventura, Florida." As a result, the School's financial operations will be reflected in the City's Comprehensive Annual Financial Report for the fiscal year ended September 30, 2015, as well as in this Report.

The key schedules in this Report include the:

1. Statement of Revenues, Expenditures and Change in Fund Balance – Governmental Fund (page 12), and the;
2. Statement of Revenues and Expenditures Budget and Actual – Special Revenue Fund, (page 25).

Please note that on page 25, revenue and expenditures (Actual Amounts GAAP Basis Column), aggregated \$8,459,116 and \$8,256,465 respectively. The positive net difference of \$202,651 is then added to the beginning fund balance of \$1,849,670, resulted in an ending fund balance of \$2,052,321 (page 12 bottom). The increase in fund balance was primarily due to higher and lower than budgeted revenues and expenditures, respectively.

**Page (2)**  
**Aventura City of Excellence School**  
**Special Purpose Financial Statements**

Actual expenditures (on a budgetary basis) totaled \$8,256,465 or 97.64% of the total budget of \$8,455,846.

The balance of the Report contains the School's statements and a narrative on a GASB 34 basis. The purpose of the GASB 34 governmental financial statements is to more closely resemble the financial statements of non-governmental entities. Therefore, page 8 contains a Statement of Net Position which is reconciled to the Balance Sheet at the bottom of page 11. Similarly, the Statement of Activities (page 9) reflects a change in net position which is reconciled to the Statement of Revenues, Expenditures and Change in Fund Balance of the Governmental Fund at the bottom of page 13.

Whether you look at the School's operations from either a GASB 34 non-governmental basis (pages 8 – 9) or a traditional governmental basis (pages 10, 12 and 25), the School continues to operate well both from an educational and financial perspective.

The auditor letter dated August 20, 2015 is also required to be distributed to the City Commission by generally accepted auditing standards and was therefore attached to the September 1, 2015 City Commission Meeting Agenda. The Reports contained on pages 27 – 30 of the Special Purpose Financial Report are required by generally accepted auditing standards and the Rules of the Auditor General of the State of Florida. Please note that none of these documents contain any negative comments about the School or City's operations.

**Future Actions**

A motion will be placed on the September 1, 2015 agenda, to satisfy the Auditor General's requirement (Chapter 10.550), that the Financial Reports be filed as an official record at a public meeting.

Upon your review of this memorandum, please contact the City Manager with any questions you may have.



August 20, 2015

To the Honorable Mayor,  
Members of the City Commission and City Manager  
of the City of Aventura, Florida  
Aventura City of Excellence School  
Aventura, Florida

We have audited the financial statements of the Aventura City of Excellence School (a special revenue fund of the City of Aventura, Florida) (the "School"), as of and for the year ended June 30, 2015. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter to you dated April 27, 2015. Professional standards also require that we communicate to you the following information related to our audit.

#### Significant Audit Findings

##### *Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the School are described in Note 2 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year ended June 30, 2015. We noted no transactions entered into by the School during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the School's financial statements was:

- *Depreciation of capital assets* – Depreciation is provided on a straight-line basis over the respective estimated useful lives ranging from 3 to 25 years. Management has informed us they used all relevant facts available to them at the time of acquisition to make the best judgments about depreciation methods and estimated useful lives of capital assets.

We evaluated the key factors and assumptions used by management to develop and report the above estimate in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent and clear.

##### *Difficulties Encountered in Performing the Audit*

We encountered no difficulties in dealing with management in performing and completing our audit.

*Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. We did not identify material misstatements as a result of our audit procedures.

*Disagreements with Management*

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated August 20, 2015.

*Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the School's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the School's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the Management's Discussion and Analysis (MD&A) and the Statement of Revenues and Expenditures-Budget and Actual, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

Restriction on Use

This information is intended solely for the use of the City Commission and management of the School and is not intended to be, and should not be, used by anyone other than these specified parties.

We would be pleased to discuss any questions that you may have.

*Keefe McCullough*

KEEFE McCULLOUGH

# AVENTURA

CITY OF EXCELLENCE SCHOOL

## A Special Revenue Fund of the City of Aventura, Florida



## Special Purpose Financial Report For the Fiscal Year Ended June 30, 2015



**Aventura City of Excellence School**  
(A Special Revenue Fund of the  
City of Aventura, Florida)

Basic Financial Statements and  
Additional Information  
For the Year ended June 30, 2015

## Aventura City of Excellence School

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## INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor, Members of the City Commission and City Manager  
of the City of Aventura, Florida  
Aventura City of Excellence School  
Aventura, Florida

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the Aventura City of Excellence School, a special revenue fund of the City of Aventura, Florida (the "School"), as of and for the year ended June 30, 2015, and the related notes to the financial statements, which collectively comprise the School's basic financial statements as listed in the table of contents.

### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditor's Responsibility**

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

## **Opinions**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the School, as of June 30, 2015, and the changes in its financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

## **Emphasis of Matter**

As discussed in Note 2, the financial statements of the School are intended to present the financial position and changes in financial position of only the Aventura City of Excellence School, a special revenue fund of the City of Aventura, Florida, that portion that is attributable to the transactions of the School. They do not purport to, and do not, present fairly the financial position of the City of Aventura, Florida, as of June 30, 2015 and its changes in financial position or budgetary comparisons, where applicable, for the year then ended in conformity with accounting principles generally accepted in the United States of America.

## **Other Matters**

### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and the budgetary comparison information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

## **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated August 20, 2015, on our consideration of the School's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the School's internal control over financial reporting and compliance.

KEEFE McCULLOUGH

Fort Lauderdale, Florida  
August 20, 2015

# MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of the Aventura City of Excellence School's (the "School") financial performance provides an overview of the School's financial activities for the fiscal year ended June 30, 2015. Please read it in conjunction with the School's basic financial statements which immediately follow this discussion.

## **Overview of the Basic Financial Statements**

This discussion and analysis is intended to serve as an introduction to the School's basic financial statements. The basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) the notes to financial statements. This report also includes required supplementary information intended to furnish additional detail to support the basic financial statements themselves.

**Government-Wide Financial Statements:** The government-wide financial statements, which consist of the statement of net position and the statement of activities, are designed to provide readers with a broad overview of the School's finances, in a manner similar to a private-sector business.

The statement of net position presents financial information on all of the School's assets, liabilities, and deferred inflows/outflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the School's financial position is improving or deteriorating. However, as a governmental entity, the School's activities are not geared toward generating profit as are the activities of commercial entities. Other factors such as the safety at the School and quality of education, must be considered in order to reasonably assess the School's overall performance.

The statement of activities presents information and shows how the School's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

**Fund Financial Statements:** A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The School has only one (1) category of funds - governmental funds.

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in assessing the School's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the School's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures and change in fund balance provide a reconciliation to facilitate this comparison between the governmental fund and governmental activities.

**Notes to the Basic Financial Statements:** The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

**Required Supplementary Information:** In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information concerning the School's adopted budget to actual results.

**Government-Wide Financial Analysis**

As noted earlier, net position over time, may serve as a useful indicator of financial position. The following table presents a comparative analysis of the condensed government-wide statements of net position:

Aventura City of Excellence School Net Position			
	2015	2014	Variance
<b>Assets:</b>			
Current assets	\$ 2,788,328	\$ 2,660,664	\$ 127,664
Capital assets, net of depreciation	1,738,588	1,852,628	(114,040)
Total assets	4,526,916	4,513,292	13,624
<b>Liabilities:</b>			
Current liabilities	751,686	822,924	(71,238)
Noncurrent liabilities	47,039	35,789	11,250
Total liabilities	798,725	858,713	(59,988)
<b>Net Position:</b>			
Net investment in capital assets	1,738,588	1,852,628	(114,040)
Unrestricted	1,989,603	1,801,951	187,652
Total net position	\$ 3,728,191	\$ 3,654,579	\$ 73,612

Current assets increased mainly due to an increase in pooled cash, cash equivalents and investments. Capital assets, net of depreciation, decreased due to the net effect of depreciation expense over new capitalized equipment. The decrease in total liabilities is due to the short term effect of year-end accounts payable and accrued expenses.

Resources that are subject to external restrictions on how they may be used are classified as restricted assets. As of June 30, 2015 and 2014, the School had no restricted assets. The remaining unrestricted balance may be used in any of the School's ongoing operations.

**Aventura City of Excellence School  
Management's Discussion and Analysis  
June 30, 2015**

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The following table presents comparative information of the condensed government-wide statements of changes in net position:

Aventura City of Excellence School Change in Net Position			
	<u>2015</u>	<u>2014</u>	<u>Variance</u>
<b>Revenues:</b>			
General revenues and transfers	\$ 7,010,196	\$ 6,717,474	\$ 292,722
Program revenues:			
Charges for services	631,157	651,496	(20,339)
Operating grants and contributions	343,556	324,820	18,736
Capital grants and contributions	<u>474,207</u>	<u>549,831</u>	<u>(75,624)</u>
Total revenues	<u>8,459,116</u>	<u>8,243,621</u>	<u>215,495</u>
<b>Expenses:</b>			
Instruction	5,121,226	5,201,083	(79,857)
Instructional media services	66,231	81,356	(15,125)
Operation of facility	1,682,538	1,741,053	(58,515)
School administration	1,176,029	1,018,714	157,315
Pupil transportation services	193,400	183,600	9,800
Community services	<u>146,080</u>	<u>182,732</u>	<u>(36,652)</u>
Total expenses	<u>8,385,504</u>	<u>8,408,538</u>	<u>(23,034)</u>
Change in net position	<u>\$ 73,612</u>	<u>\$ (164,917)</u>	<u>\$ 238,529</u>

- General revenues increased approximately 4% primarily due to the State Legislature increase in funding for education. In addition, the departmentalization of the fourth grade increased the School's capacity by 12 students (from 996 to 1,008) in the 2014/15 school year.
- Capital grants and contributions decreased primarily due to the available funding from the Miami-Dade County School Board. However, the School continued its plan to replace computers and servers, upgrade network switches and routers, replace AV equipment and smartboards, modernize the phone system and expand the mobile classroom.
- Total expenses remained at approximately \$ 8.4 million while maintaining a step increase in salaries based on the revised pay plan and the service awards based on years of service. The total number of employees was 92 full-time and 9 part-time. Six part-time positions were eliminated when the After-School Programs were outsourced to a private company and one instructional technology teacher was added. The School continued to maximize the use of technology embedded in classroom instruction as well as in a lab setting.

### **Financial Analysis of the School's Funds**

As noted earlier, the School uses fund accounting to maintain control over resources that have been segregated for specific activities or objectives. The focus of the School's governmental funds is to provide information on near-term inflows, outflows and balances of spendable resources. Such information is useful in assessing the School's financing requirements. In particular, assigned fund balance may serve as a useful measure of the School's net resources available for spending at the end of the fiscal year.

As of the end of fiscal year 2014/15 the School's governmental fund reported ending fund balance of \$ 2,052,321. The fund balance assigned and available for spending at the School's discretion is \$ 2,042,855. These funds will be available for the School's future ongoing operations. The fund balance increased by \$ 202,651 from the prior year.

### **Budgetary Highlights**

This year a great deal of time and effort was expended on professional development and curriculum alignment based on Florida's State Standards formally referred to as Common Core, increasing parental involvement, integration of science, technology, engineering and math (STEAM), intramural and competitive sport programs and identifying and working with at-risk students. This year we maintained and expanded all our present academic programs with an emphasis on professional development and implementation related to the Florida State Standards.

### **Capital Assets and Debt Administration**

As of June 30, 2015, the School had an investment in capital assets of \$ 1,738,588. This amount is net of accumulated depreciation of \$ 956,141. This amount represents a net decrease of \$ 114,040 or 6.2%.

The School has no outstanding debt.

### **Economic Factors**

Facts, decisions or conditions that are expected to have a significant effect on the financial position or results of operations of the School in fiscal year 2015/16 include the following:

- The 2015/16 school year represents the 13th year of operations of the school. Our past has shown that we can continue to operate a high performing school provides a quality education for our students, within the school-based revenues. We have also been fortunate to have involved parents in fund-raising activities for school improvements.

The following items represent important highlights:

- The school will increase enrollment by 12 students this upcoming year. The school's capacity enrollment will increase from 1,008 to 1,020 students for the 2015/16 school year.

- Teacher salary increases will reflect a new performance pay plan in accordance with Florida Statute 1012.22, rewarding teachers who are rated effective and highly effective.
- An English language arts teacher was added to the middle school staff. This will reduce class sizes and enable teachers to teach a five period day instead of the current six periods.
- In order to comply with National Food Lunch Program guidelines, revenues and expenditures associated with the lunch program are required to be included in the school's budget and collected by the school. This increased the budget by \$ 200,000. Previously the vendor selected by CSUSA collected the revenues and paid its own expenses.
- Funds have been budgeted to provide for computer replacements and expanding the use of laptops in the classroom.
- Reserve funds were not utilized to balance the budget.

The overall budget increased by 5.8% or \$ 493,276, largely due to including the cost of food services in the budget, the addition of one new position, workers' compensation and employee salary increases. The budget includes funding for lease payments to the Debt Service Fund to pay annual costs associated with the long term debt borrowed for the construction of the elementary school wing. Based on proposals submitted at the State level the FTE revenues are conservatively expected to increase by 2%.

### **Requests for Information**

This financial report is designed to provide a general overview of the Aventura City of Excellence School's finances for all those with an interest. If you should have any questions pertaining to the information presented in this report or would like additional information, please contact the Finance Director at the City of Aventura, 19200 West Country Club Drive, Aventura, Florida 33180.

# BASIC FINANCIAL STATEMENTS

**Aventura City of Excellence School  
Statement of Net Position  
June 30, 2015**

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	<b>Governmental Activities</b>
<b>Current Assets:</b>	
Cash, cash equivalents, and investments	\$ 2,743,033
Due from other governments	35,829
Prepaid expenses	<u>9,466</u>
Total current assets	<u>2,788,328</u>
<b>Noncurrent Assets:</b>	
Capital assets, net of accumulated depreciation	<u>1,738,588</u>
Total assets	<u>4,526,916</u>
<b>Current Liabilities:</b>	
Accounts payable	177,511
Accrued expenses	558,496
Compensated absences	<u>15,679</u>
Total current liabilities	<u>751,686</u>
<b>Noncurrent Liabilities:</b>	
Compensated absences	<u>47,039</u>
Total noncurrent liabilities	<u>47,039</u>
Total liabilities	<u>798,725</u>
<b>Commitments and Contingencies (Note 6)</b>	-
<b>Net Position:</b>	
Net investment in capital assets	1,738,588
Unrestricted	<u>1,989,603</u>
Total net position	<u>\$ 3,728,191</u>

The accompanying notes to basic financial statements are an integral part of these statements.

**Aventura City of Excellence School  
Statement of Activities  
For the Year Ended June 30, 2015**

	<u>Expenses</u>	<u>Program Revenues</u>			<u>Governmental</u>
		<u>Charges for Services</u>	<u>Operating Grants and Contributions</u>	<u>Capital Grants and Contributions</u>	<u>Net Revenue (Expense) and Change in Net Position</u>
<b>Functions/Programs:</b>					
Instruction	\$ 5,121,226	\$ -	\$ 120,580	\$ -	\$ (5,000,646)
Instructional media services	66,231	-	-	-	(66,231)
Operation of facility	1,682,538	372,803	87,908	474,207	(747,620)
School administration	1,176,029	-	-	-	(1,176,029)
Pupil transportation services	193,400	-	135,068	-	(58,332)
Community services	146,080	258,354	-	-	112,274
Total governmental activities	<u>\$ 8,385,504</u>	<u>\$ 631,157</u>	<u>\$ 343,556</u>	<u>\$ 474,207</u>	<u>(6,936,584)</u>
General revenues:					
FTE nonspecific revenues					6,654,247
Miscellaneous income					248,957
Investment earnings					6,992
Transfers from other funds of the City					100,000
					<u>7,010,196</u>
					73,612
					<u>3,654,579</u>
					<u>\$ 3,728,191</u>

The accompanying notes to basic financial statements are an integral part of these statements.

**Aventura City of Excellence School  
Balance Sheet - Governmental Fund  
June 30, 2015**

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	<b>Special Revenue Fund</b>
	<u>                    </u>
<b>Assets:</b>	
Cash, cash equivalents and investments	\$ 2,743,033
Due from other governments	35,829
Prepaid expenditures	<u>9,466</u>
Total assets	<u>\$ 2,788,328</u>
 <b>Liabilities:</b>	
Accounts payable	\$ 177,511
Accrued expenses	<u>558,496</u>
Total liabilities	<u>736,007</u>
 <b>Commitments and Contingencies</b> (Note 6)	 -
 <b>Fund Balance:</b>	
Nonspendable	9,466
Assigned	<u>2,042,855</u>
Total fund balance	<u>2,052,321</u>
Total liabilities and fund balance	<u>\$ 2,788,328</u>

The accompanying notes to basic financial statements are an integral part of these statements.

**Aventura City of Excellence School  
 Reconciliation of the Balance Sheet - Governmental Fund  
 to the Statement of Net Position  
 June 30, 2015**

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**Total Fund Balance - Governmental Fund** \$ 2,052,321

Amounts reported for governmental activities in the  
 Statement of Net Position are different because:

Capital assets used in governmental activities are not  
 financial resources; and therefore, are not reported in  
 the governmental fund:

Cost of capital assets is	\$	2,694,729	
Accumulated depreciation is		<u>(956,141)</u>	1,738,588

Long-term liability which is not due and payable in  
 the current period; and therefore, is not reported in  
 the governmental fund:

Compensated absences			<u>(62,718)</u>
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**Net Position of Governmental Activities** \$ 3,728,191

The accompanying notes to basic financial statements are an integral part of these statements.

**Aventura City of Excellence School  
Statement of Revenues, Expenditures and  
Change in Fund Balance - Governmental Fund  
For the Year Ended June 30, 2015**

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	<b>Special Revenue Fund</b>
<b>Revenues:</b>	
Federal sources	\$ 97,805
State sources	7,384,102
Local sources	870,217
Investment earnings	6,992
	<hr/>
Total revenues	8,359,116
	<hr/>
<b>Expenditures:</b>	
Current:	
Instruction	5,121,226
Instructional media services	66,231
Operation of facility	1,421,194
School administration	1,161,030
Pupil transportation services	193,400
Community services	146,080
Capital outlay	147,304
	<hr/>
Total expenditures	8,256,465
	<hr/>
Excess of revenues over expenditures	102,651
	<hr/>
<b>Other Financing Sources:</b>	
Transfers from other funds of the City	100,000
	<hr/>
Total other financing sources	100,000
	<hr/>
Net change in fund balance	202,651
	<hr/>
<b>Fund Balance, July 1, 2014</b>	1,849,670
	<hr/>
<b>Fund Balance, June 30, 2015</b>	\$ <u><u>2,052,321</u></u>

The accompanying notes to basic financial statements are an integral part of these statements.

**Aventura City of Excellence School  
 Reconciliation of the Statement of Revenues,  
 Expenditures and Change in Fund Balance –  
 Governmental Fund to the Statement of Activities  
 For the Year Ended June 30, 2015**

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**Net Change in Fund Balance - Total Governmental Fund** \$ 202,651

Amounts reported for governmental activities in the Statement of Activities are different because:

The governmental fund reports capital outlays as expenditures; however, in the Statement of Activities these costs are allocated over their estimated useful lives as provision for depreciation:

Cost of capital assets	17,277
Current year provision for depreciation	(131,317)

Some revenues and expenses reported in the Statement of Activities are not reported in the governmental fund because they have no effect on current financial resources:

Change in compensated absences payable	(14,999)
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**Change in Net Position of Governmental Activities** \$ 73,612

The accompanying notes to basic financial statements are an integral part of these statements.

## **Note 1 - Organization and Operations**

Aventura City of Excellence School (the "School"), is a special revenue fund of the City of Aventura, Florida (the "City"). The School commenced operations in August 2003 in the City and offers classes for kindergarten through eighth grade with a capacity enrollment of 1,008 for the year ended June 30, 2015. The School is funded from public funds based on enrollment and can also be eligible for grants in accordance with state and federal guidelines, including food service and capital outlay. The School can accept private donations and the City can incur debt for the operation of the School.

## **Note 2 - Summary of Significant Accounting Policies**

A summary of the School's significant accounting policies is as follows:

**Reporting entity:** The School operates under a charter granted by the sponsoring school district, the Miami-Dade County Public School District (the "District"). The current charter is effective until June 30, 2018 but provides for a renewal of up to 15 years by mutual agreement of both parties. In 2005, the School amended the charter to include grades six through eight. In 2012, the School amended the charter to increase the School capacity from 972 to 1032 over five years commencing with the fiscal year 2012/2013. At the end of the term of the charter, the District may choose not to renew the charter under grounds specified in the charter in which case the District is required to notify the School in writing at least 90 days prior to the charter's expiration. During the term of the charter, the District may also terminate the charter for good cause as defined.

The School is owned and operated by the City, is part of the City's government and is not a separate legal entity or otherwise organized apart from the City. The City was incorporated in November 1995. The City operates under a Commission-Manager form of government. In accordance with Chapter 10.850, *Rules of the Auditor General of the State of Florida*, the School is required to prepare special purpose financial statements. Section 10.855(4) states that the special purpose financial statements should present the charter school's financial position including the charter school's current and capital assets and current and long-term liabilities, and net position; and the changes in financial position. The financial statements contained herein present only the operations of the School and do not purport to, and do not, present the financial position and changes in financial position of the City. Only capital assets acquired with School revenues are reported. The facility used by the School is owned by the City and the capital assets and related debt for the facilities are not included in this report.

**Basis of presentation:** Based on the guidance provided in the American Institute of Certified Public Accountants, *Audit and Accounting Guide – Audits of State and Local Governments* and the provisions of Section 228.056(9), Florida Statutes, the School is presented as a governmental organization for financial statement reporting purposes.

**Government-wide financial statements:** The School's basic financial statements include both government-wide (reporting the School as a whole) and fund financial statements. Both the government-wide and fund financial statements categorize primary activities as either governmental or business-type. All of the School's activities are classified as governmental activities.

In the government-wide statement of net position, the governmental activities column is reported on a full accrual, economic resource basis, which recognizes all current and noncurrent assets and all current and noncurrent liabilities. The School's net position is reported in three (3) categories: net investment in capital assets; restricted; and unrestricted.

**Note 2 - Summary of Significant Accounting Policies (continued)**

The government-wide statement of activities reports both the gross and net cost of each of the School's functions. The net costs, by function, are supported by general revenues. The statement of activities reduces gross expenses by related program revenues. Program revenues must be directly associated with the function. Operating grants include operating specific and discretionary grants while the capital grants column reflects capital-specific grants.

**Fund financial statements:** The School's accounts are organized on the basis of funds. The operations of the fund is accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, equity, revenues and expenditures.

The Charter School *Special Revenue Fund* is a governmental fund type and is used to account for all of the School's financial transactions.

**Measurement focus and basis of accounting:**

Basis of accounting refers to the point at which revenues or expenditures/expenses are recognized in the accounts and reported in the basic financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied. Governmental funds use the current financial resources measurement focus and the government-wide statement uses the economic resources measurement focus.

Governmental activity in the government-wide financial statements is presented on the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when a liability is incurred.

The governmental fund financial statements are presented on the modified accrual basis of accounting under which revenue is recognized in the accounting period in which it becomes susceptible to accrual (i.e., when it becomes both measurable and available). Revenues susceptible to accrual include FTE nonspecific revenue, transportation funds, capital grant funds, operating grants and contributions and investment earnings. Intergovernmental revenues are recognized when all eligibility requirements have been met, if available. "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. For this purpose, the School considers revenues to be available if they are collected within two (2) months of the end of the current fiscal year. Expenditures generally are recorded when a liability is incurred. However, expenditures related to compensated absences are recorded only when paid from expendable available financial resources.

**Capital assets:** Capital assets purchased or acquired with an original cost of \$ 5,000 or more are capitalized at historical cost or estimated historical cost and are reported in the government-wide financial statement. Donated capital assets are valued at the estimated fair market value as of the date received. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized and depreciated over the remaining useful lives of the related capital assets. Other costs incurred for repairs and maintenance are expensed as incurred.

Capital assets, which include equipment acquired with state shared revenues are reported in the government-wide financial statements.

Depreciation on leasehold improvements and equipment is provided on the straight-line basis over the respective estimated useful lives ranging from 15 to 25 years and 3 to 10 years, respectively.

## Note 2 - Summary of Significant Accounting Policies (continued)

Within governmental funds, amounts incurred for the acquisition of capital assets are reported as fund expenditures. Depreciation expense is not reported within the governmental fund financial statements.

**Deferred outflows/inflows of resources:** In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The School does not have any items that qualify for reporting in this category.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The School does not have any items that qualify for reporting in this category.

**Unearned revenue:** Unearned revenue arises when the School receives resources before it has a legal claim to them.

### Net position classifications:

#### ***Government-wide financial statements:***

Net position is displayed in three (3) components:

- *Net investment in capital assets* - consists of capital assets net of accumulated depreciation and reduced by the outstanding balances of any bonds or other borrowings that are attributable to the acquisition, construction or improvement of those assets.
- *Restricted* - consists of net position with constraints placed on their use either by: 1) external groups such as creditors, grantors, contributors or laws or regulations of other governments, or 2) imposed by law through constitutional provisions or enabling legislation. There are no restricted net assets as of the year-end.
- *Unrestricted* – indicates that portion of net position that is available to fund future operations and that do not meet the definition of “restricted” or “net investment in capital assets”.

### ***Fund balance classifications:***

***Fund financial statements:*** The School follows the provisions of Governmental Accounting Standards Board (“GASB”) Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. This statement requires that governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the School is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent.

**Note 2 - Summary of Significant Accounting Policies (continued)**

The following classifications describe the relative strength of the spending constraints:

- *Nonspendable Fund Balance* – amounts that are not in spendable form (such as prepaid items) or are legally or contractually required to be maintained intact. The School has classified \$ 9,466 of prepaid items as being nonspendable as these items are not expected to be converted to cash.
- *Restricted Fund Balance* – amounts that are constrained to specific purposes by external providers (such as grantors, creditors, etc.) or imposed by law through constitutional provisions, or by enabling legislation.
- *Committed Fund Balance* – amounts constrained to specific purposes by formal action of the government's highest level of decision making. The City Commission is the highest level of decision-making authority for the government and School that can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation.
- *Assigned Fund Balance* – amounts the School intends to use for a specific purpose but are neither restricted nor committed. Assignments can be made by the City Manager, which the City Commission Members, by resolution, delegated such authority at their direction. The School has a total of \$ 2,042,855 in Assigned Fund Balance.
- *Unassigned Fund Balance* – amounts that have not been assigned to other funds and that have not been restricted, committed, or assigned to specific purposes within the general fund. Positive amounts are only reported in the General Fund.

The School uses restricted amounts first when both restricted and unrestricted fund balance is available unless there are legal documents/contracts that prohibit doing this, such as in grant agreements requiring dollar for dollar spending. Additionally, the School would first use committed fund balance, followed by assigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

**Encumbrances:** Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of funds are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of formal budgetary integration.

Encumbrances are recorded at the time a purchase order or other commitment is entered into. Encumbrances outstanding at year-end represent the estimated amount of expenditures which would result if unperformed purchase orders and other commitments at year-end are completed. Encumbrances lapse at year-end; however, the City and School generally intends to honor purchase orders and other commitments in process. As a result, encumbrances outstanding at year-end are re-appropriated in the next fiscal year and are therefore presented as committed or assigned fund balance for the subsequent year.

At June 30, 2015, there were no encumbrances outstanding.

**Note 2 - Summary of Significant Accounting Policies (continued)**

**Deposits and investments:** The School's cash, cash equivalents, and investments are maintained by the City in a pooled account for all funds. This enables the City to invest large amounts of idle cash for short periods of time and to optimize earnings potential. Cash, cash equivalents, and investments represent the amount owned by the Charter School Special Revenue Fund. The City is responsible for all risks related to the School's cash, cash equivalents, and investments. These risks and the City's related policies are disclosed in the Note 3.

**Post-retirement benefits:** The City of Aventura provides post-employment healthcare coverage, including medical and dental benefits, to eligible individuals which consist of an implicit subsidy. The estimated liability is recorded in the financial statements of the City. No amount is allocated to the Charter School Special Revenue fund since the amount is deemed insignificant by management as of June 30, 2015.

**Compensated absences:** The School's sick leave policy is to permit employees to accumulate earned but unused sick pay benefits. Upon termination, sick pay is paid out between 0-50% based on length of service, and other applicable limits. The School's vacation policy is that earned vacation is cumulative although limited to certain maximums based on length of service.

Accumulated compensated absences are recorded in the government-wide financial statements when earned. Expenditures for accumulated compensated absences have been recorded in the governmental fund only if they have matured, (e.g., resulting from employee resignations, terminations or retirements).

**State funding (primary source of revenue):** Student funding is provided by the State of Florida through the School Board of Miami-Dade County, Florida. In accordance with the Charter Agreement, the School Board retains 2% as an administrative fee. This funding is received on a pro rata basis over the twelve-month period and is adjusted for changes in full-time equivalent student population. After review and verification of Full-Time Equivalent ("FTE") reports and supporting documentation, the Florida Department of Education may adjust subsequent fiscal period allocations of FTE funding for prior year's errors disclosed by its review as well as to prevent the statewide allocation from exceeding the amount authorized by the State Legislature. Normally, such adjustments are reported in the year the adjustments are made.

**Interfund transfers:** Other financing sources include \$ 100,000 in revenue from the Intersection Safety Camera Program. These funds were transferred from the City's general fund to assist in the support of general operations of the School.

**Use of estimates:** The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

**Date of management review:** Subsequent events were evaluated by management through August 20, 2015, which is the date the financial statements were available to be issued.

**Note 3 –Deposits and Investments**

As discussed in Note 2, the School's cash, cash equivalents, and investments are maintained by the City in a pooled account for all funds.

**Note 3 –Deposits and Investments (continued)**

**Deposits:** The City's custodial credit risk policy is in accordance with Florida Statutes. Florida Statutes authorize the deposit of City funds in demand deposits or time deposits of financial institutions approved by the State Treasurer. These are defined as public deposits. All City public deposits are held in qualified public depositories pursuant to Chapter 280, Florida Statutes, "Florida Security for Public Deposits Act." Under the act, all qualified public depositories are required to pledge eligible collateral having a market value equal to or greater than the average daily or monthly balance of all public deposits times the depository's collateral pledging level. The collateral pledging level may range from 50% to 125% depending upon the depository's financial condition and the length of time that the depository has been established. All collateral must be deposited with the State Treasurer. Any losses to public depositors resulting from insolvency are covered by applicable deposit insurance, sale of securities pledged as collateral and, if necessary, assessment against other qualified public depositories of the same type as the depository in default. The City's bank balances were insured either by the federal depository insurance corporation or collateralized in the bank's participation in the Florida Security for Public Deposits Act.

The Florida SBA Pool is not a registrant with the Securities and Exchange Commission ("SEC"); however, its board has adopted operating procedures consistent with the requirements for a 2a-7 fund. The SBA investments are hereinafter referred to as "Florida PRIME". For the Florida PRIME, a 2a7-like pool, the value of the City's position is the same as the value of the pool shares and is recorded at amortized cost. At June 30, 2015, the School's investment share in the Florida PRIME was that of approximately \$945,000. The SBA is governed by Chapter 19-7 of the Florida Administrative Code. These rules provide guidance and establish the general operating procedures for the administration of the SBA. Additionally, the Office of the Auditor General of the State of Florida performs the operational audit of the activities and investments of the SBA. The SBA accounts are not subject to custodial credit risk as these investments are not evidenced by securities that exist in physical or bank entry form.

**Investments:** On July 8, 2014, the City re-adopted Chapter 6.6 of the Administrative Policy and Directives and Procedures Manual, entitled "Investments Objective and Parameters," as the City's Investment Policy for the management of Public Funds ("the policy"). The policy was created in accordance with Section 218.415, Florida Statutes. The policy applies to all investments held and controlled by the City, with the exception of a defined benefit pension plan and debt issuance where there are other existing policies or indentures in effect for the investment of related funds.

The City's policy for investments other than pension plan and debt issuance is summarized herein. The Finance Director has responsibility for the type of investments the City makes. The investment policy establishes permitted investments, asset allocation, issuer limits, credit rating requirements and maturity limits to protect the City's assets. All investment securities are held by a Trust custodian, and are managed by financial advisors. In general, the City's policy allows to invest in the following: (1) securities and obligations of the United States and its agencies; (2) non-negotiable interest bearing time deposits or savings accounts provided that such deposits are secured by collateral as prescribed by the Florida Security for Public Deposits Act, Chapter 280, Florida Statutes; (3) repurchase agreements collateralized by full or general faith and credit obligations of the U. S. Government or Agency securities; (4) the Florida Local Government Surplus Funds Trust Fund "SBA"; (5) intergovernmental investment pools authorized pursuant to the Florida Interlocal Cooperation Act, provided by Section 163.01, Florida Statutes, and provided that such funds contain no derivatives; (6) money market mutual funds - registered investment companies with the highest credit quality rating; (7) commercial paper of any U.S. company; (8) corporate notes; (9) asset backed securities issued by corporations organized and operating within the United States or by depository institutions licensed by the United States; and (10) taxable/tax exempt municipal bonds.

**Note 3 –Deposits and Investments (continued)**

As of June 30, 2015, the School's allocation of cash, cash equivalents and investments consisted of the following:

Deposits and money market funds with financial institutions	\$ 946,903
State Board of Administration - SBA, Florida PRIME	945,352
U.S. Treasury bills	259,675
Corporate and other bonds	212,967
U.S. Government obligations	172,202
U.S. Sponsored agencies	92,253
Mortgage and asset backed securities	90,687
Municipal obligations	11,734
Commercial paper	10,860
Petty cash	400
	<u>\$ 2,743,033</u>

**Interest rate risk** - The City's policy is to limit its exposure to fair value losses arising from changes in interest rates by structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and investing operating funds primarily in shorter-term securities, money market mutual funds or similar investment pools.

This is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The City's policy is that unless matched with specific cash flow, the City will not directly invest in securities maturing more than seven (7) years from the date of purchase. Because of inherent difficulties in accurately forecasting cash flow requirements, a portion of the portfolio should be continuously invested in readily available funds to ensure that proper liquidity is maintained to meet ongoing obligations.

Information about the exposure of the School's debt-type investments to this risk using the segmented time distribution model is as follows:

Summary of Investments and Interest Rate Risk	Time to Maturity (in Years)				
	Fair Value	Less Than 1 Year	1-5 Years	6-10 Years	Greater than 10 Years
State Board of Administration - SBA, Florida PRIME	\$ 945,352	\$ 945,352	\$ -	\$ -	\$ -
U.S. Treasury bills	259,675	81,049	178,626	-	-
Corporate and other bonds	212,967	55,336	157,631	-	-
U.S. Government obligations	172,202	37,770	134,432	-	-
U.S. Sponsored agencies	92,253	16,268	61,059	10,710	4,216
Mortgage and asset backed securities	90,687	-	90,687	-	-
Municipal obligations	11,734	3,259	8,475	-	-
Commercial paper	10,860	10,860	-	-	-
Total	<u>\$ 1,795,730</u>	<u>\$ 1,149,894</u>	<u>\$ 630,910</u>	<u>\$ 10,710</u>	<u>\$ 4,216</u>

**Note 3 –Deposits and Investments (continued)**

**Credit Risk** - Generally, credit risk is the risk that an issuer of a debt-type investment will not fulfill its obligation to the holder of the investment. This is measured by assignment of a rating by a nationally-recognized rating organization. The City’s investment policy provides strict guidelines and limits investments to highly rated securities with minimum ratings of A (long term securities), A-1/P-1 (short term securities), and AAAm (money market mutual funds). The Finance Director shall determine the appropriate action for any investment held that is downgraded below the minimum rating by one or more rating agencies. U.S. Government securities or obligations explicitly guaranteed by the U.S. Government are not considered to have credit risk exposure.

The School’s portfolio is rated by Standard & Poor’s as follows:

Rating	Fair Value
AAA	\$ 126,597
AAAm	945,352
AA+	525,755
AA	21,568
AA-	27,233
A-1+	23,624
A-1	10,860
A+	38,649
A	60,617
A-	15,475
	<u>\$ 1,795,730</u>

**Concentration** - The City's policy is to maintain a diversified portfolio to minimize the risk of loss resulting from concentration of assets in a specific issuer. Specific limits have been established which limit the percentage of portfolio assets that can be invested with a specific issuer. GASB Statement No. 40, *Deposit and Investment Risk Disclosures*, requires disclosure when the percentage is 5% or more in any one issuer. Investments issues or explicitly guaranteed by the U.S. government and investments in mutual funds, external investments pools, or other pooled investments are excluded from this requirement. At June 30, 2015, the School had no investments in any one issuer, amounting to 5% or more, requiring disclosure under GASB No. 40.

**Custodial credit risk** - For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty (e.g., broker-dealer) to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The City's investment policy requires securities, with the exception of certificates of deposit, to be registered in the City's name and held with a third party custodian.

**Foreign credit risk** - For an investment, foreign credit risk is the risk that fluctuations in currency exchange rates may affect transactions conducted in currencies other than U.S. dollars and the carrying value of foreign investments. The City is not exposed to foreign credit risk.

**Aventura City of Excellence School  
Notes to Basic Financial Statements  
June 30, 2015**

**Note 4 –Capital Assets**

A summary of changes in governmental capital assets is as follows:

	Balance July 1, 2014	Additions	Deletions	Balance June 30, 2015
Leasehold improvements	\$ 2,223,897	\$ -	\$ -	\$ 2,223,897
Equipment	586,608	17,277	(133,053)	470,832
Less: accumulated depreciation	<u>957,877</u>	<u>131,317</u>	<u>(133,053)</u>	<u>956,141</u>
	<u>\$ 1,852,628</u>	<u>\$ (114,040)</u>	<u>\$ -</u>	<u>\$ 1,738,588</u>

The provision for depreciation for the year ended June 30, 2015 amounted to approximately \$ 131,000. The School allocated depreciation to operation of facility.

**Note 5 - Long-Term Liabilities**

The following is a summary of long-term liabilities for fiscal year ended June 30, 2015:

	Balance July 1, 2014	Increases	Decreases	Balance June 30, 2015	Amount Due Within One Year (Estimate)
Compensated absences	\$ <u>47,719</u>	\$ <u>36,737</u>	\$ <u>(21,738)</u>	\$ <u>62,718</u>	\$ <u>15,679</u>

**Note 6 - Commitments and Contingencies**

**Management contract:** The City has a contract with Charter Schools USA, Inc. (“CSUSA”) for administrative and educational management services for the operations of the School. All staff of the School, except the principal, two assistant principals (dean of discipline & operations and dean of curriculum) and a custodian, are employees of CSUSA. Total fees paid to the management company for fiscal year 2014/15 were approximately \$ 280,000. The majority of other reimbursed expenditures by the City to CSUSA relate to teachers’ salaries and benefits.

The current agreement with CSUSA will expire on June 30, 2018. This agreement provides for an additional renewal term of up to five years upon agreement of both parties and provided the Miami-Dade County School Board extends the charter granted to the City. The fee for services is 4.3% calculated based on certain funding sources of the School, with a not to exceed per student cap, through 2017/18; and to be negotiated thereafter upon reaching a renewal arrangement.

**Lease agreement:** The School's operations are located at a facility that is owned by the City. In September 2002, the City entered into a bond indenture agreement with the Florida Intergovernmental Finance Commission through an interlocal governmental agreement. As a result, the City issued \$ 12,610,000 in Series 2002 Revenue Bonds to finance the acquisition of land and the construction of a charter school as well as the construction of a community center. Approximately \$ 6,650,000 of the bond issue was related to the acquisition, construction and equipping of the School facility. On June 15, 2012, the City issued \$ 9,885,000 in Series 2012 Refunding Revenue Bonds with a rate of 2.18% to refund the then outstanding balance of the Series 2002 Revenue Bonds. Approximately \$ 5,213,000 of the Series 2012 Refunding Revenue Bonds relates to that portion of the original Series 2002 Revenue Bonds that was utilized for the acquisition, construction and equipping of the School facility. The City refunded the Series 2002 Revenue Bonds to reduce its total debt service payments through maturity (2027) by approximately \$ 3,810,000.

**Note 6 - Commitments and Contingencies (continued)**

The School is leasing its premises from the City under an operating lease agreement, which expired June 30, 2015, but was renewed for an additional year. The lease can renew each additional year as long as the School operates pursuant to the Charter issued by the School Board of Miami-Dade County. The rent amount is determined annually and is based on the annual debt service of the Refunding Revenue Bonds.

Future minimum payments required from the School by the City for the debt service of the Revenue Bonds are estimated to be approximately as follows:

Year Ending <u>June 30,</u>	
2016	\$ 442,000
2017	443,000
2018	443,000
2019	393,000
2020	394,000
Thereafter	<u>3,164,000</u>
	<u>\$ 5,279,000</u>

**Grant Funding:** The School receives financial assistance from federal, state and local governmental agencies in the form of grants. The disbursement of funds received under these programs generally requires compliance with terms and conditions specified in the grant agreements and may be subject to audit by the grantor agencies. In accordance with OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*, and the Florida Single Audit Act, the School was not required to conduct a "single audit" since the required threshold of federal or state money is currently \$ 500,000 and the School did not exceed such threshold.

**Note 7 - Risk Management**

The School is exposed to various risks of loss related to torts, thefts of, damage to and destruction of assets, errors and omissions, employee health, workers' compensation and natural disasters for which the City carried commercial insurance. Settlement amounts have not exceeded insurance coverage for the past three (3) years. In addition, there were no reductions in insurance coverage from those in the prior year.

**Note 8 - Defined Contribution Pension Plans**

The City is a single-employer that contributes to four (4) defined contribution pension plans based on employee classification created in accordance with *Internal Revenue Code Section 401 (a)*. The employees of the School are eligible to participate in three (3) of the City's defined contribution pension plans. The School has four (4) full-time employees who are eligible to participate in these plans. Under these plans, the City contributes amounts ranging from 7% to 15% of employee salary for each of the four School employees. The City contributions for the Principal vest in the year they are contributed. The City's contributions to the other employees vest beginning after one (1) year of service through year five (5) in 20% increments. Participants are not permitted to make contributions during the year. The City made plan contributions for these four employees of approximately \$ 36,000 during the year. Plan provisions and contribution requirements may be amended by the City Commission.

**Note 8 - Defined Contribution Pension Plans (continued)**

In addition, the City provides to these full-time employees a deferred compensation plan under *Section 457 of the Internal Revenue Code*. Under this program, employees may voluntarily elect to defer a portion of their salary to future years; with no required contributions from the City.

Both programs are administered by ICMA Retirement Corp. The City does not exercise any control or fiduciary responsibility over the Plans' assets.

REQUIRED SUPPLEMENTARY  
INFORMATION

**Aventura City of Excellence School  
Statement of Revenues and Expenditures  
Budget and Actual - Special Revenue Fund  
For the Year Ended June 30, 2015**

	Budgeted Amounts		Actual Amounts, Budgetary Basis	Budget to GAAP Differences Over (Under)	Actual Amounts GAAP Basis	Variance
	Original	Final				
<b>Revenues and Transfers:</b>						
FTE nonspecific revenues	\$ 6,446,697	\$ 6,768,746	\$ 6,781,323	\$ -	\$ 6,781,323	\$ 12,577
Capital grant funds	500,000	500,000	467,711	-	467,711	(32,289)
Charges for services	391,100	446,100	467,063	-	467,063	20,963
Miscellaneous income	207,000	207,000	239,060	-	239,060	32,060
Field trip revenue	225,000	225,000	164,094	-	164,094	(60,906)
Transportation funds	115,000	115,000	135,068	-	135,068	20,068
Transfers from other funds of the City	100,000	100,000	100,000	-	100,000	-
Operating grants and contributions	71,000	85,000	97,805	-	97,805	12,805
Investment earnings	9,000	9,000	6,992	-	6,992	(2,008)
Allocation of fund balance	100,886	-	-	-	-	-
<b>Total revenues and transfers</b>	<b>8,165,683</b>	<b>8,455,846</b>	<b>8,459,116</b>	<b>-</b>	<b>8,459,116</b>	<b>3,270</b>
<b>Expenditures:</b>						
Salaries	4,427,234	4,427,234	4,458,994	-	4,458,994	(31,760)
Professional services	664,000	675,000	648,081	-	648,081	26,919
Lease expense - transfers	444,000	444,000	444,000	(444,000)	-	-
Repairs and maintenance	316,500	356,500	275,849	-	275,849	80,651
Payroll taxes	338,683	338,683	334,964	-	334,964	3,719
Administration fee	-	136,175	135,786	-	135,786	389
Employee health insurance	447,995	447,995	380,688	-	380,688	67,307
Supplies and events	303,500	436,488	376,935	-	376,935	59,553
Field trips and after-school	215,000	185,000	252,424	-	252,424	(67,424)
Capital outlay	142,000	142,000	147,304	-	147,304	(5,304)
Utilities	165,000	165,000	173,362	-	173,362	(8,362)
Textbooks	156,000	156,000	128,956	-	128,956	27,044
Bonuses	122,500	122,500	91,189	-	91,189	31,311
Food services	69,000	69,000	89,984	-	89,984	(20,984)
Workers' compensation insurance	46,647	46,647	77,138	-	77,138	(30,491)
Telephone	70,160	70,160	62,302	-	62,302	7,858
Pension contributions	61,287	61,287	55,892	-	55,892	5,395
Insurance	38,000	38,000	26,691	-	26,691	11,309
Travel	26,400	26,400	22,478	-	22,478	3,922
Stipends	103,950	103,950	72,511	-	72,511	31,439
Dues and fees	6,327	6,327	937	-	937	5,390
Lease expense	1,500	1,500	-	444,000	444,000	1,500
<b>Total expenditures</b>	<b>8,165,683</b>	<b>8,455,846</b>	<b>8,256,465</b>	<b>-</b>	<b>8,256,465</b>	<b>199,381</b>
<b>Net change in fund balance</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 202,651</b>	<b>\$ -</b>	<b>\$ 202,651</b>	<b>\$ 202,651</b>

See Notes to Supplementary Information.

**Aventura City of Excellence School  
Notes to Required Supplementary Information  
June 30, 2015**

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*Note A:*

The School formally adopted a budget for the year ended June 30, 2015. Budgeted amounts may be amended by resolution or ordinance by the City Commission. The budget has been prepared in accordance with accounting principles generally accepted in the United States of America with the exception of the items described in Note B. A comparison of the actual results of operations to the budgeted amounts for the Special Revenue Fund is presented as required supplementary information.

*Note B:*

For budgeting purposes, certain amounts are budgeted as transfers out to the City's Debt Service Fund. For separate reporting of the Charter School Special Revenue Fund, these amounts are reclassified as follows:

Lease expense for School facility	\$ 444,000
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OTHER INDEPENDENT  
AUDITOR'S REPORTS

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER  
MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENTS PERFORMED  
IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor, Members of the City Commission and City Manager  
of the City of Aventura, Florida  
Aventura City of Excellence School  
Aventura, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Aventura City of Excellence School, a special revenue fund of the City of Aventura, Florida (the "School"), as of and for the year ended June 30, 2015, and the related notes to the financial statements, which collectively comprise the School's basic financial statements, and have issued our report thereon dated August 20, 2015.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the School's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the School's internal control. Accordingly, we do not express an opinion on the effectiveness of the School's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of the internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the School's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is intended solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

KEEFE McCULLOUGH

Fort Lauderdale, Florida  
August 20, 2015

## INDEPENDENT AUDITOR'S REPORT TO MANAGEMENT

To the Honorable Mayor, Members of the City Commission and City Manager  
of the City of Aventura, Florida  
Aventura City of Excellence School  
Aventura, Florida

### Report on the Financial Statements

We have audited the financial statements of the Aventura City of Excellence School, a special revenue fund of the City of Aventura, Florida (the "School"), as of and for the fiscal year ended June 30, 2015, and have issued our report thereon dated August 20, 2015.

### Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and Chapter 10.850, Rules of the Auditor General.

### Other Report

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*. Disclosures in that report, which is dated August 20, 2015, should be considered in conjunction with this management letter.

### Prior Audit Findings

Section 10.854(1)(e)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings or recommendations made in the preceding annual financial audit report.

### Official Title

Section 10.854(1)(e)5., Rules of the Auditor General, requires the name or official title of the entity. The official title of the entity is Aventura City of Excellence School.

### Financial Condition

Section 10.854(1)(e)2., Rules of the Auditor General, require that we report the results of our determination as to whether or not the School has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that the School did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.854(1)(e)6.a. and 10.855(12), Rules of the Auditor General, we applied financial condition assessment procedures for the School. It is management's responsibility to monitor the School's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

**Transparency**

Sections 10.854(1)(e)7. and 10.855(13), Rules of the Auditor General, require that we report the results of our determination as to whether the School maintains on its website the information specified in Section 1002.33(9)(p), Florida Statutes. In connection with our audit, we determined that the School maintained on its website the information specified in Section 1002.33(9)(p), Florida Statutes.

**Other Matters**

Section 10.854(1)(e)3., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Section 10.854(1)(e)4., Rules of the Auditor General, requires that we address noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

**Purpose of this Letter**

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the City Commission and applicable management and is not intended to be and should not be used by anyone other than these specified parties.

KEEFE McCULLOUGH

Fort Lauderdale, Florida  
August 20, 2015



**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: August 19, 2015

SUBJECT: **Recommendation to Accept Aventura City of Excellence School Out-Of-Field Waivers**

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**September 1, 2015 City Commission Meeting Agenda Item 5J**

**RECOMMENDATION**

It is recommended that the City Commission acting in its capacity as the Governing Board of the Aventura City of Excellence School accept the out-of-field waivers list as outlined in this memorandum.

**BACKGROUND**

The Miami-Dade County School Board requires the Governing Board of each charter school annually to accept a list of teachers considered out-of-field. Teachers working on additional certification or endorsements for subjects that they are teaching are considered out-of-field until requirements are met. All teachers hold current certification. The additional certification or endorsements are extra credentials. This is a typical practice as teachers expand their professional development.

Below are listings of instructional staff members who are working toward additional certification the following subject areas:

**English Speakers of Other Languages (ESOL) Endorsement** – This is an add-on to a current certificate to be able to teach English language learners. The following teachers are involved in a five course sequence, allowing six years for completion:

Michelle Pizzini, Jaqueline Perczek, Anthony Tykala, Mario Lacerda

**Gifted Endorsement** – This is an add-on to a current certificate to be able to teach students who are identified as gifted learners. The teachers are involved in a five course sequence, allowing five years for completion:

Memo to City Commission  
Page 2

Elise Damas, Elizabeth Cooper, Zita De Vita, Jaqueline Perczek, Anthony Tykala,  
Jessica Arguelles

**Language Arts 5-9**

Jaqueline Perczek, Anthony Tykala

EMS/act

CCO1902-15

**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: August 26, 2015

SUBJECT: **Amendment 1 to Agreement with Performing Arts Center Authority for Management, Programming and Operational Support Services for the Aventura Arts & Cultural Center**



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**September 1, 2015 City Commission Meeting Agenda Item 5K**

**RECOMMENDATION**

It is recommended that the City Commission adopt the Attached Resolution authorizing the execution of the attached Amendment 1 to the Agreement with Performing Arts Center Authority (PACA) and the City for Management, Programming and Operational Support Services for the Aventura Arts & Cultural Center.

**BACKGROUND**

Article 4 of the subject Agreement provides that the current Agreement expires September 30, 2015. It also provides that the Agreement shall be renewable in one-year terms not-to-exceed a total of five (5) one-year terms, upon mutual amendment to the Agreement. Attached hereto is the Amendment 1 to the Agreement which extends the Agreement for one more year, October 1, 2015 through September 30, 2016.

As part of the extension process the consumer price index increase previously provided for on the fees for services paid to PACA was eliminated. Based on the fact that PACA offset some of their increased costs associated with the update to Ticketmaster by revising the Ticket Fee Schedule, this consumer price index increase was eliminated.

Based on PACA's proven track record, their performance to date and the City's philosophy of privatizing services to provide professional services to our residents in the most economical manner, it is recommended that we continue to utilize PACA to manage the Aventura Arts & Cultural Center.

Memo to City Commission  
Page 2

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

EMS/act

Attachment

CCO1903-15

RESOLUTION NO. 2015-\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED AMENDMENT 1 TO THE AGREEMENT BETWEEN THE CITY OF AVENTURA AND PERFORMING ARTS CENTER AUTHORITY FOR MANAGEMENT, PROGRAMMING AND OPERATIONAL SUPPORT SERVICES FOR THE AVENTURA ARTS & CULTURAL CENTER; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**Section 1.** The City Manager is hereby authorized to execute the attached Amendment 1 to the Agreement between the City of Aventura and Performing Arts Center Authority for management, programming and operational support services for the Aventura Arts & Cultural Center.

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

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

**PASSED AND ADOPTED THIS** 1<sup>st</sup> day of September, 2015.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

AMENDMENT 1

TO

AGREEMENT

Between

PERFORMING ARTS CENTER AUTHORITY

and

CITY OF AVENTURA

for

MANAGEMENT, PROGRAMMING AND OPERATIONAL SUPPORT SERVICES FOR THE  
AVENTURA ARTS & CULTURAL CENTER

AMENDMENT 1

To

AGREEMENT

Between

PERFORMING ARTS CENTER AUTHORITY

and

CITY OF AVENTURA

for

MANAGEMENT, PROGRAMMING AND OPERATIONAL SUPPORT SERVICES FOR THE  
AVENTURA ARTS & CULTURAL CENTER

This is the First Amendment to the Agreement dated September 28, 2012 ("Agreement"), between: PERFORMING ARTS CENTER AUTHORITY (PACA), an independent special district and a public body, politic and corporate, in Broward County organized in the State of Florida under the laws of Florida (hereinafter "PACA"), which is located at the Broward Center for the Performing Arts in Broward County, Florida 33312 and the City of Aventura (hereinafter "CITY" or "AVENTURA"), a Florida municipal corporation, collectively referred to as the "parties or "Parties".

The parties hereby agree to amend the AGREEMENT, as indicated by underlined text for additions and stricken – thru text for deletions from the existing Agreement text of Article 4 and Section 5.2.1, as follows:

ARTICLE 4

TERM AND TIME OF PERFORMANCE

The initial term of this Agreement shall begin on October 1, 2012. ("Effective Date"), and it shall continue in full force and effect for thirty six (36) months through September 30, 2015, unless terminated sooner as provided in Article 7 herein .Thereafter, the Agreement shall be subject to renewable one-year terms not-to-exceed a total of five (5) one-year terms, upon mutual written amendment to this Agreement by PACA and AVENTURA at the City's discretion. If the term of this Agreement extends beyond a single fiscal year of PACA or of AVENTURA, the continuation of this Agreement beyond the end of any fiscal year shall be subject to the appropriation and availability of funds in accordance with Chapter 129, Florida Statutes, as amended, and Florida Statutes Section 166.241, as amended. The parties hereby agree to renew the AGREEMENT through September 30, 2016, as the first of the above described and permitted one- year renewal terms.

5.2 METHOD OF BILLING AND PAYMENT FOR AVENTURA'S PAYMENTS TO PACA

5.2.1 The fees for Services as stated in Section 5.1.1 shall be payable by AVENTURA to PACA as follows:

Commencing with the Effective Date of this Agreement, The fees for Services, as stated in section 5.1.1 shall be payable to PACA as follows: Eleven Thousand Dollars (\$11,000.00) is due every thirty (30) calendar day cycle. ~~In the event the net revenues generated by the AACC for the period of October 1, 2012 through September 30, 2013, equal at least Two Hundred Thousand Dollars (\$200,000.00), PACA shall be paid an additional Twelve Thousand Dollars (\$12,000.00) for the period no later than October 30, 2013. If the gross revenues exceed Two Hundred and Ten Thousand Dollars (\$210,000.00) for the period of October 1, 2013 through September 30, 2014, PACA shall be paid an additional \$12,000 for that period no later than October 30, 2014. If the gross revenues exceed Two Hundred Twenty-five Thousand Dollars (\$225,000.00) for the period of October 1, 2014 2015 through September 30, 2015 2016, PACA shall be paid an additional \$12,000 for that period no later than October 30, 2015 2016.~~ Net revenues as used in this section shall include ticket sales for AACC Presents performances, box office fees, facility fees, facility rent, service package fees, production service fees, net food & beverage revenues, parking revenue and any other net revenues generated by the operations of the AACC from the users of the AACC.

~~Commencing on October 1, 2013, the fees for services paid to PACA shall be increased by three percent (3%) and then on October 1, 2014, the fees for services paid to PACA shall be increased by three percent (3%) or the consumer price index for that date, whichever is less.~~

PACA will submit invoices for compensation following the end of each thirty (30) calendar day cycle, after the services for which invoices are submitted have been completed. An original invoice will be submitted by PACA to AVENTURA. Invoices shall designate the nature of the services performed for the period.

EFFECTIVE DATE

The effective date of this Amendment to the AGREEMENT shall be the date of complete execution by the parties, and the Agreement shall remain in full force and effect, except as amended above..

**[THIS SPACE INTENTIONALLY LEFT BLANK.]**

IN WITNESS WHEREOF, the parties hereto have made and executed this First Amendment to the AGREEMENT dated September 28, 2012, on the respective dates under each signature: PERFORMING ARTS CENTER AUTHORITY, signing by and through its Chair or Vice Chair, and CITY OF AVENTURA, signing by and through its City Manager, duly authorized to execute same.

**PACA**

PERFORMING ARTS CENTER AUTHORITY, an independent special district and a public body politic and corporate

ATTEST:

\_\_\_\_\_  
PACA's Board Secretary

By \_\_\_\_\_  
Chair

(SEAL)

\_\_\_\_\_ day of \_\_\_\_\_, 2015

Approved as to form by PACA's General Counsel, Joni Armstrong Coffey, Broward County Attorney, in Fort Lauderdale Broward County, Florida

By \_\_\_\_\_  
Andrea S. Froome (Date)  
Senior Assistant County Attorney

FIRST AMENDMENT TO THE AGREEMENT BETWEEN PERFORMING ARTS CENTER  
AUTHORITY AND CITY OF AVENTURA FOR, MANAGEMENT, PROGRAMMING AND  
OPERATIONAL SUPPORT SERVICES FOR THE AVENTURA ARTS AND CULTURAL CENTER

**AVENTURA**

CITY OF AVENTURA, a municipality in the  
State of Florida

By \_\_\_\_\_  
Eric M. Soroka, City Manager

\_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

By \_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L  
City Attorney

(SEAL)

**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: June 15, 2015

SUBJECT: Application to Amend Section 31-144(c)(5)a. of the Land Development Regulations to add a provision for increased lot coverage for specific uses (01-LDR-15)

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July 7, 2015                      Local Planning Agency Agenda Item 4  
July 7, 2015                      City Commission Meeting Agenda Item 7  
September 1, 2015              City Commission Meeting Agenda Item 8

**RECOMMENDATION**

It is recommended that the City Commission approve the request for an amendment to Section 31-144, "Business Zoning Districts" of the Land Development Regulations to add to that section, a provision for a maximum lot coverage of 55% of the total lot area for parcels in the Community Business (B2) district that are adjacent to property zoned Recreation Open Space (ROS) district that are joined to the ROS parcel by way of unity of title or covenant in lieu of unity of title, provided that the ROS land area is no less than 200 acres in size and provided that any clubhouse and/or conference center buildings on the B2 zoning parcel do not exceed two (2) stories in height.

**THE REQUEST**

The owner of the Turnberry Isle Resort is proposing an expansion to the resort's country club facilities, consisting of a two-story, 50 foot tall addition to the conference center with approximately 45,000 square foot of ballroom and meeting rooms, one additional level of parking on the existing parking structure, demolition of the Orchid hotel building and reconstruction of the hotel structure and improvements to the drop-off area at the existing porte-cochere at the main entrance to the resort. The owner has submitted an application for administrative site plan approval and that application is currently under review.

In order to build the resort expansion as proposed and to accommodate a future expansion, the owner is requesting an amendment to the site development criteria of the B2 zoning district to increase maximum lot coverage from 40% to 55% for parcels in the Community Business (B2) District that are adjacent to property zoned Recreation Open Space (ROS) District. The conditions of the amendment will be that the Community Business District (B2) parcel is joined to the ROS parcel by way of unity of title or covenant in lieu of unity of title, that the ROS land area is no less than 200 acres in size and that any clubhouse and/or conference center buildings on the B2 zoning parcel do not exceed two (2) stories in height.

## **BACKGROUND**

The current lot coverage for all buildings on the resort site is 37%, where a maximum lot coverage of 40% is permitted for parcels in the B2 zoning district. The applicant advises that the current expansion proposal will increase lot coverage to 52.1%. A planned future expansion will increase lot coverage to 55%.

The B2 zoning district allows a maximum height of 12 stories or 120 feet. The proposed expansion of the resort could maintain the 40% lot coverage maximum by building vertically. The increased lot coverage is requested to keep the low profile of the conference center building. The proposed expansion is proposed at 2 stories or 50 feet.

Generally, lot coverage maximums are included in development codes to ensure that open space is provided and also to ensure that proper drainage is provided and maintained. Section 31-144(c) of the Code includes "all buildings on site" in lot coverage calculation. This includes the primary building and any accessory buildings, such as parking structures, but does not include surface parking areas.

The resort's clubhouse, conference center, spa, parking structure and tennis courts are located within the Community Business (B2) zoning district. The B2 site area is approximately 16.66 acres. The resort's golf course and nursery/maintenance area is located within the Recreation Open Space (ROS) zoning district. The ROS site area is approximately 241 acres. The applicant proposes that the entire area be joined by a unity of title or covenant in lieu of unity of title to combine the two zoning parcels. Once joined, the 241 acre golf course would serve as the open space to offset the requested increase in lot coverage.

The consulting engineer for the Turnberry Isle Resort has confirmed that an increase of 15% (40% current maximum to 55% proposed) in permitted lot coverage will not affect the ability to provide and maintain proper drainage. The drainage structures and retention ponds are currently functioning as intended. Any development application for expansion will be required to include drainage plans to upgrade and improve, as necessary, any components of the drainage system. Those drainage plans will be reviewed by the City's Consultants as part of the site plan review process.

## DESCRIPTION OF THE PROPOSED AMENDMENT

The proposed amendment to the Community Business (B2) District follows in underlined text:

"Section 31-144(c). Community Business (B2) District.

c) *Community Business (B2) District.* This district is intended primarily to provide for general commercial activity for a wide range of goods and services to the entire community and sub region. Such businesses generally require locations convenient for both vehicular and pedestrian traffic and would be expected to have orientation toward and direct access to arterial roadways.

(5) *Site development standards.*

a. *Floor area ratio and lot coverage and minimum landscaped open space requirements:*

1. For all buildings: Any structure parking serving the primary use on the site shall be incorporated into the building envelope and shall be compatibly designed. Such parking structure shall comply with all minimum setback and buffer yard requirements.

2. The floor area ratio shall be 0.40 at one story and shall be increased by 0.11 for each additional story. Structure parking shall not count as part of the floor area, but shall be counted in computing building height. The total lot coverage permitted for all buildings on the site shall not exceed 40 percent of the total lot area, except as provided in Subsection 4. or 5. below. The floor area ratio shall not exceed 2.0 for all buildings in this district in conformance with the comprehensive plan.

3. For shopping center buildings with more than 1,000,000 square feet of gross leasable area that provide public amenities including, but not limited to, public plazas, fountains or other water features, seating areas and recreational walking areas and that do not exceed five stories in height, the minimum landscaped open space shall be 15 percent of the total lot area. Said open space shall be extensively landscaped with grass, trees and shrubbery in accordance with a landscape plan to be approved by the City Manager. The non-leasable areas within enclosed or non-enclosed malls which are landscaped with grass, trees

and/or shrubbery, water areas therein, and areas therein with permanent art display areas may be used as part of the required landscaped open space provided such areas do not exceed ten percent of the required landscaped open space.

4. For parcels that include one or more shopping center buildings, the maximum lot coverage shall not exceed 45% of the total lot area, provided that such shopping center buildings contain more than 1,000,000 square feet of gross leasable area and do not exceed five stories in height and that the shopping center building provides a centralized multi-modal transportation facility which is enclosed within a parking structure, and which may be used by: City transit providers, County transit providers, any other governmental entities requesting use of the facility and private transit providers.

“5. For parcels that are adjacent (sharing a property line) to a property zoned as Recreation Open Space (ROS) District and are joined to the parcel by a unity of title or a covenant in lieu of unity of title, in form acceptable to the City Manager and City Attorney and recorded in the Public Records of Miami-Dade County, Florida, the maximum lot coverage shall not exceed 55% of the total lot area of the B2 zoning parcel, provided that the ROS land area is no less than 200 acres in size and provided that any clubhouse and/or conference center buildings on the B2 zoning parcel do not exceed two (2) stories in height.” ...

## **ANALYSIS**

Staff provides the following analysis of the request using the standards for reviewing proposed amendments to the text of the Land Development Regulations contained in Section 31-77 of the City Code.

1. *The proposed amendment is legally required.*

The proposed amendment is legally required to implement the requested revision to the Code.

2. *The proposed amendment is consistent with the goals and objectives of the Comprehensive Plan.*

The proposed amendment is consistent with the goals and objectives of the Comprehensive Plan, specifically, with the Business and Office land use designation described in the Future Land Use Element of the City's Comprehensive Plan. This category provides that "...the specific range and intensity of uses applicable in a particular Business and Office property is dependent upon the particular land use, design, urban services, transportation, environmental and social conditions on and around the subject property, including consideration of applicable goals, objectives and policies of the Plan.

3. *The proposed amendment is consistent with the authority and purpose of the LDRs.*

The proposed amendment is consistent with the authority and purpose of the Land Development Regulations. The purpose of the LDRs is to implement further the Comprehensive Plan of the City by establishing regulations, procedures and standards for review and approval of all development and uses of land and water in the City. Further, the LDRs are adopted in order to foster and preserve public health, safety and welfare and to aid in the harmonious, orderly and progressive development and redevelopment of the City. The proposed amendment is consistent with this purpose. The proposed amendment will aid in the harmonious, orderly and progressive redevelopment of the City.

4. *The proposed amendment furthers the orderly development of the City.*

The proposed amendment furthers the orderly development of the City, for the reasons provided in Paragraph 3 above.

5. *The proposed amendment improves the administration or execution of the development process.*

The proposed amendment improves the administration or execution of the development process in that it provides for regulation and a process by which to approve development or redevelopment of a property within the Community Business District.



### 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:

Name	Relationship (i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)
<u>Michael J. Murren</u>	<u>Attorney</u>
<u>Jeff Berrow</u>	<u>Attorney</u>
<u>Thomas Checcha</u>	<u>Civil Engineer</u>
<u>Don Fertin, Jr.</u>	<u>Surveyor</u>
<u>Donald Wolfe</u>	<u>Architect</u>

(Attach Additional Sheets if Necessary)

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

WITNESS MY HAND THIS 18<sup>th</sup> DAY OF May, 2005

AUTHORIZED REPRESENTATIVE OF APPLICANT:

By: [Signature]  
 Name: Michael J. Murren  
 Title: Attorney  
 Address: 200 S. Biscayne Blvd # 856  
Miami, FL 33131

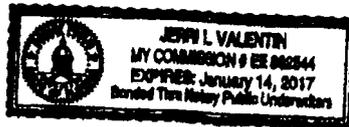
OWNER  
 By: [Signature]  
 Name: Jonathan Curry  
 Title: General Counsel  
 Address: 19950 W. Country Club Drive, 10<sup>th</sup> Floor  
Aventura, FL 33180

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

SWORN TO AND SUBSCRIBED BEFORE ME this 18<sup>th</sup> day of May, 2005

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





# BUSINESS RELATIONSHIP AFFIDAVIT\*

This Affidavit is made pursuant to Section 31-71(b)(2)(i) 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 18 DAY OF May 2018

APPLICANT:

By: [Signature] (Signature)  
 Name: Michael J. Morron (Print)  
 Title: Attorney (Print)

WITNESS MY HAND THIS 18 DAY OF May 2018

PROPERTY OWNER:

By: [Signature] (Signature)  
 Name: Joan Miller Curry (Print)  
 Title: Owner 16000 SW 16th St (Print)

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

WITNESS MY HAND THIS 18<sup>th</sup> DAY OF MAY, 2015

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

By: \_\_\_\_\_ (Signature)

Name: DANIEL FORTIN JR (Print)

Name: \_\_\_\_\_ (Print)

Title: VP- FORTN LEAVY SR (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Print)

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

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

WITNESS MY HAND THIS 18 DAY OF MAY 2005

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: THOMAS CHECCA (Print)

Title: PROJECT ENGINEER (Print)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

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WITNESS MY HAND THIS 18 DAY OF May, 2005

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Michael J. Marra (Print)

Title: Attorney (Print)

By: [Signature] (Signature)

Name: Jeff Berlew (Print)

Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Print)

Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)

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

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

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael M. Merrijo 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.

[Signature]  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18<sup>th</sup> day of May, 2005



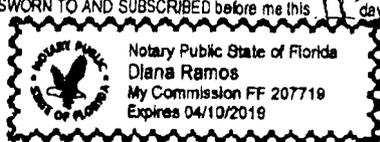
[Signature]  
Notary Public State of Florida At Large  
Diana Ramos  
Printed Name of Notary  
My commission expires: 4/10/19

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Jeffrey Brown 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.

[Signature]  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18<sup>th</sup> day of May, 2005



[Signature]  
Notary Public State of Florida At Large  
Diana Ramos  
Printed Name of Notary  
My commission expires: 4/10/19

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

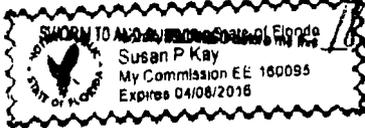
SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_

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

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Thomas Checca 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.



Thomas Checca  
AFFIANT  
May 18, 2016  
Susan P. Kay  
Notary Public State of Florida At Large  
Printed Name of Notary  
My commission expires: 04-08-2016

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.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_

\_\_\_\_\_  
AFFIANT  
\_\_\_\_\_  
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.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_

\_\_\_\_\_  
AFFIANT  
\_\_\_\_\_  
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.

SWORN TO AND SUBSCRIBED before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_

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

NOTARIZATION PROVISION

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Daniel Fournier III 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.

*[Signature]*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 18<sup>th</sup> day of MAY, 20015

Susan T. Kelly  
Notary Public State of Florida At Large  
Printed Name of Notary  
My commission expires: 04-26-2016

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: \_\_\_\_\_

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: \_\_\_\_\_

ORDINANCE NO. 2015-\_\_\_\_\_

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING SECTION 31-144 "BUSINESS ZONING DISTRICTS" OF THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 31-144(C)(5)A., COMMUNITY BUSINESS (B2) DISTRICT, TO ALLOW INCREASED LOT COVERAGE FOR PARCELS THAT ARE ADJACENT TO A PROPERTY ZONED AS RECREATION OPEN SPACE (ROS) DISTRICT AND ARE JOINED TO THE ROS PARCEL BY A UNITY OF TITLE OR COVENANT IN LIEU OF UNITY OF TITLE, PROVIDED THAT THE ROS LAND AREA IS NO LESS THAN 200 ACRES IN SIZE AND PROVIDED THAT ANY CLUBHOUSE AND/OR CONFERENCE CENTER BUILDINGS ON THE B2 PARCEL DO NOT EXCEED TWO (2) STORIES IN HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, TB Isle Resort, LP, through Application No. 01-LDR-15, is requesting an amendment to Section 31-144 "Business Zoning Districts" of Chapter 31 "Land Development Regulations" of the Code of Ordinances ("City Code") to include a provision for a maximum lot coverage of 55% for parcels zoned as Community Business (B2) District that are adjacent (sharing a property line) to a property zoned as Recreation Open Space (ROS) District and that are joined to the parcel by a unity of title or covenant in lieu of unity of title and provided that the ROS land area is no less than 200 acres in size and provided that any clubhouse and/or conference center buildings on the B2 zoning parcel do not exceed two (2) stories in height; and

**WHEREAS**, the Business and Office future land use category applicable to the proposed amendment provides that "...the specific range and intensity of uses applicable in a particular Business and Office property is dependent upon the particular land use, design, urban services, transportation, environmental and social conditions on and around the subject property, including consideration of applicable goals, objectives and policies of the Plan;" and

**WHEREAS**, the City Commission finds that the proposed amendment to Section 31-144 of the City Code to provide increased lot coverage is consistent with the applicable goals, objectives and policies of the City's Comprehensive Plan; and

**WHEREAS**, the City Commission has been designated as the Local Planning Agency for the City pursuant to Section 163.3174, Florida Statutes; and

**WHEREAS**, the Local Planning Agency has reviewed the proposed amendment during the required public hearing and has recommended approval to the City Commission; and

**WHEREAS**, the City Commission has reviewed the proposed amendment, and finds that it is in the best interest of the public to amend Section 31-144 of Chapter 31 "Land Development Regulations," as set forth in this Ordinance; and

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

**WHEREAS**, the City Commission has reviewed the action set forth in the Ordinance and has determined that such action is consistent with the Comprehensive Plan.

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

**Section 1. Recitals.** The foregoing whereas clauses are hereby ratified and incorporated within this Ordinance.

**Section 2. City Code Amended.** That Section 31-144 "Business Zoning Districts" of Article VII "Use Regulations" of Chapter 31 "Land Development Regulations" of the City Code is hereby amended to read as follows<sup>1</sup>:

\* \* \*

**Sec. 31-144. – Business Districts. ...**

*(c) Community Business (B2) District.* This district is intended primarily to provide for general commercial activity for a wide range of goods and services to the entire community and sub region. Such businesses generally require locations convenient for both vehicular and pedestrian traffic and would be expected to have orientation toward and direct access to arterial roadways.

...

*(5) Site development standards.*

a. *Floor area ratio and lot coverage and minimum landscaped open space requirements:*

1. For all buildings: Any structure parking serving the primary use on the site shall be incorporated into the building envelope and shall be compatibly designed. Such parking structure shall comply with all minimum setback and buffer yard requirements.

2. The floor area ratio shall be 0.40 at one story and shall be increased by 0.11 for each additional story. Structure parking shall not count as part of the floor area, but shall be counted in computing building height. The total lot coverage permitted for all buildings on the site shall not exceed 40 percent of the total lot area, except as provided in Subsection 4. or 5. below. The floor area ratio shall not exceed 2.0 for all buildings in this district in conformance with the comprehensive plan.

3. For shopping center buildings with more than 1,000,000 square feet of gross leasable area that provide public amenities including, but not limited to, public plazas, fountains or other water features, seating areas and recreational walking areas and that do not exceed five stories in height, the minimum landscaped open space shall be 15 percent of the total lot area. Said open space shall be extensively landscaped with grass, trees and shrubbery in accordance

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<sup>1</sup> Underlined provisions constitute proposed additions to existing text. Strikethrough provisions constitute proposed deletions to existing text.

with a landscape plan to be approved by the City Manager. The non-leasable areas within enclosed or non-enclosed malls which are landscaped with grass, trees and/or shrubbery, water areas therein, and areas therein with permanent art display areas may be used as part of the required landscaped open space provided such areas do not exceed ten percent of the required landscaped open space.

4. For parcels that include one or more shopping center buildings, the maximum lot coverage shall not exceed 45% of the total lot area, provided that such shopping center buildings contain more than 1,000,000 square feet of gross leasable area and do not exceed five stories in height, and that the shopping center building provides a centralized multi-modal transportation facility which is enclosed within a parking structure, and which may be used by City transit providers, County transit providers, any other governmental entities requesting use of the facility and private transit providers.

5. For parcels that are adjacent (sharing a property line) to a property zoned as Recreation Open Space (ROS) District and are joined to the parcel by a unity of title or covenant in lieu of unity of title, in form acceptable to the City Manager and City Attorney and recorded in the Public Records of Miami-Dade County, Florida, the maximum lot coverage shall not exceed 55% of the total lot area of the B2 zoning parcel, provided that the ROS land area is no less than 200 acres in size and provided that any clubhouse and/or conference center buildings on the B2 zoning parcel do not exceed two (2) stories in height.

...

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

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

**Section 5. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

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

Commissioner Teri Holzberg	<u>Yes</u>
Commissioner Denise Landman	<u>Yes</u>
Commissioner Marc Narotsky	<u>Yes</u>
Commissioner Robert Shelley	<u>Absent</u>
Commissioner Howard Weinberg	<u>Yes</u>
Vice Mayor Enbar Cohen	<u>Yes</u>
Mayor Enid Weisman	<u>Yes</u>

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

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

**PASSED** on first reading on this 7<sup>th</sup> day of July, 2015.

**PASSED AND ADOPTED** on this 1<sup>st</sup> day of September, 2015.

\_\_\_\_\_  
ENID WEISMAN, MAYOR

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

This Ordinance was filed in the Office of the City Clerk this \_\_\_\_ day of \_\_\_\_\_, 2015.

# 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: August 26, 2015

SUBJECT: Proposed Revisions to Development Review, Planning and Zoning Application Fee Schedule for the City of Aventura (01-DRF-15)

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**September 1, 2015 City Commission Meeting Agenda Item 9**

### RECOMMENDATION

It is recommended that the City Commission adopt the attached Resolution revising the development review, planning and zoning application fee schedule.

### THE REQUEST

City staff is requesting the revisions to the current development review, planning and zoning application fee schedule as shown on Exhibit #1. The increases are proposed to the administrative site plan review fees to cover costs of City staff review, outside consultants' review and the City Attorney's review of development, planning and zoning applications.

### BACKGROUND

The fee schedule for development review, planning and zoning application fees was last revised through Resolution No. 2007-28 passed on June 12, 2007. Staff has reviewed recent administrative site plan review files and has determined that the application fee should be increased to cover increased costs incurred by the City for consultants' reviews of the site plans. No increase is proposed for the remaining types of applications on the fee schedule.

**City of Aventura**  
**Development Review, Planning and Zoning Application Fee**  
**Schedule<sup>1</sup>**  
**Revised June, 2007 ~~September 1, 2015~~**

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**1. Planning & Zoning Application Fees**

The following application fees shall be paid, in total, at the time of application. Each individual action shall be submitted with an application fee.

<b><i>Type of Application</i></b>	<b><i>Application Fee</i></b>
Development of Regional Impact	\$25,000
Amendments to the Comprehensive Plan Land Use Map	Small Scale \$ 7,500 Large Scale \$10,000
Amendments to the Text of the Comprehensive Plan	\$ 7,500
Amendments to the Official Zoning Map	\$ 7,500
Amendments to the text of the Land Development Regulations	\$ 7,500
Administrative Site Plan Review – Single Use Sites (Residential or Non-Residential)	<del>\$ 7,500</del> <u>\$10,000</u>
Additional fee <u>for each review</u> after <del>three (3)</del> <u>third</u> reviews of plans	\$ 2,500
Major revision to administrative site plan approval	<del>\$ 7,500</del> <u>\$10,000</u>
Minor revision to administrative site plan approval	<del>\$ 4,000</del> <u>\$5,000</u>
Administrative Site Plan Review – Mixed Use Sites	<del>\$15,000</del> <u>\$17,500</u>
Additional fee <u>for each review</u> after <del>three (3)</del> <u>third</u> reviews of plans	\$ 5,000
Major revision to administrative site plan approval	<del>\$15,000</del> <u>\$17,500</u>

<sup>1</sup> Underlined provisions constitute proposed additions to existing text; ~~stricken through~~ provisions indicate proposed deletions from existing text.

Minor revision to administrative site plan approval	\$7,500 <u>\$8,750</u>
Tentative Plat	\$ 7,500 plus \$100 per lot/tract
Final Plat	\$ 5,000 plus \$100 per lot/tract
Conditional Use	\$5,000
Modification of Condition of Conditional Use	\$2,500
Variance	\$5,000
Modification of Condition of Variance	\$2,500
Sign Variance	\$5,000
Abandonment of Right of Way	\$5,000
Appeal of Administrative Decision	\$1,000
Request for Postponement of Public Hearing Application	\$1,000
Temporary Use	\$2,500
Entrance Feature/Guardhouse	\$5,000
Modification/Replacement of Ent. Feature/Guardhouse	\$2,500
Development Agreement	\$5,000
Restrictive Covenant/Easements	\$5,000
Modification/Release of Covenant or Easement	\$2,500

## **2. Planning & Zoning Building Permit Review Fees**

Signs, fences, swimming pools, additions	\$	150
Interior/Exterior Renovations	\$	150
Trailer/Sales Office Permit	\$	150
Residential & Non-Residential Master permit	\$	500
Modification to master permit	\$	250

**3. Other Planning & Zoning Fees**

Alcoholic Beverage Application	\$	100
Zoning Verification Letter	\$	100
Pre-submittal review of plans	\$	200
Advisory letter/memoranda regarding applicable codes, interpretations, etc.	\$	500
Research request	\$	75/hr

**4. Advertising Costs**

All applications requiring public notice shall provide to the Community Development Department, at the cost of the applicant, a notarized list of all owners within a 300 foot radius of the property subject of the application along with two copies of self-adhesive labels containing the names and addresses of all property owners as required by City Code.

In addition to the mailing list and labels and the fee schedule outlined in 1. above, applications requiring public notice shall pay a deposit to cover the costs of property posting notice, mailing notice and newspaper advertisements by the City, as follows:

- i) The sum of \$10,000 for applications for Development of Regional Impact, Amendments to the Comprehensive Plan, Amendments to the Official Zoning Map, Amendments to the text of the Land Development Regulations
- ii) The sum of \$1,000 for all other applications noted in 1. above.

In the event that the publication, notice and mailing charges exceed the amount of the deposit above, the applicant shall be responsible to pay to the City the full cost of such charges.

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RESOLUTION NO. 2015-\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AMENDING RESOLUTION NO. 97-35, RESOLUTION NO. 98-05, RESOLUTION NO. 2004-08, AND RESOLUTION NO. 2007-28 TO REVISE THE FEE SCHEDULE FOR DEVELOPMENT REVIEW, PLANNING AND ZONING APPLICATIONS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Section 34-2 of the City Code, the City Commission is authorized to provide a fee schedule for development review, planning and zoning applications provided by the City and to amend such fees from time to time by Resolution following a public hearing; and

**WHEREAS**, the City Commission adopted Resolution No. 97-35 which established the fee schedule for development review, planning and zoning applications provided by the City; and

**WHEREAS**, the City Commission adopted Resolution No. 98-05 which revised the fee schedule for site plan applications; and

**WHEREAS**, the City Commission adopted Resolution No. 2004-08 which revised the application names on the fee schedule; and

**WHEREAS**, the City Commission adopted Resolution No. 2007-28 which added application types and fees and which revised other application fees on the fee schedule; and

**WHEREAS**, it is recommended that the fee schedule be revised to increase the current development review, planning and zoning application fees for administrative site plan review applications to cover the costs incurred by the City to review such applications; and

**WHEREAS**, the City Commission has held a public hearing as provided by law.

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

**Section 1.** The fee schedule for development review, planning and zoning applications adopted by Resolution No. 97-35, as amended by Resolution No. 98-05, Resolution No. 2004-08 and Resolution No. 2007-28 is hereby further amended as follows<sup>1</sup>:

**“City of Aventura  
Development Review, Planning and Zoning Application Fee Schedule  
Revised June, 2007- September 1, 2015**

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**1. Planning & Zoning Application Fees**

The following application fees shall be paid, in total, at the time of application. Each individual action shall be submitted with an application fee.

<b><i>Type of Application</i></b>	<b><i>Application Fee</i></b>
Development of Regional Impact	\$25,000
Amendments to the Comprehensive Plan Land Use Map	Small Scale \$ 7,500 Large Scale \$10,000
Amendments to the Text of the Comprehensive Plan	\$ 7,500
Amendments to the Official Zoning Map	\$ 7,500
Amendments to the text of the Land Development Regulations	\$ 7,500
Administrative Site Plan Review – Single Use Sites (Residential or Non-Residential)	<del>\$ 7,500</del> <u>\$10,000</u>
Additional fee <u>for each review</u> after <del>three</del> <u>(3) third</u> reviews of plans	\$ 2,500
Major revision to administrative site plan approval	<del>\$ 7,500</del> <u>\$10,000</u>
Minor revision to administrative site plan approval	<del>\$ 4,000</del> <u>\$5,000</u>

<sup>1</sup> Underlined provisions constitute proposed additions to existing text; stricken-through provisions indicate proposed deletions from existing text.

Administrative Site Plan Review – Mixed Use Sites	\$15,000 \$17,500
Additional fee <u>for each review</u> after <del>three (3)</del> <u>third</u> reviews of plans	\$ 5,000
Major revision to administrative site plan approval	\$15,000 \$17,500
Minor revision to administrative site plan approval	\$7,500 \$8,750
Tentative Plat	\$ 7,500 plus \$100 per lot/tract
Final Plat	\$ 5,000 plus \$100 per lot/tract
Conditional Use	\$5,000
Modification of Condition of Conditional Use	\$2,500
Variance	\$5,000
Modification of Condition of Variance	\$2,500
Sign Variance	\$5,000
Abandonment of Right of Way	\$5,000
Appeal of Administrative Decision	\$1,000
Request for Postponement of Public Hearing Application	\$1,000
Temporary Use	\$2,500
Entrance Feature/Guardhouse	\$5,000
Modification/Replacement of Ent. Feature/Guardhouse	\$2,500
Development Agreement	\$5,000
Restrictive Covenant/Easements	\$5,000
Modification/Release of Covenant or Easement	\$2,500

**2. Planning & Zoning Building Permit Review Fees**

Signs, fences, swimming pools, additions	\$ 150
Interior/Exterior Renovations	\$ 150
Trailer/Sales Office Permit	\$ 150
Residential & Non-Residential Master permit	\$ 500

Modification to master permit \$ 250

**3. Other Planning & Zoning Fees**

Alcoholic Beverage Application	\$ 100
Zoning Verification Letter	\$ 100
Pre-submittal review of plans	\$ 200
Advisory letter/memoranda regarding applicable codes, interpretations, etc.	\$ 500
Research request	\$ 75/hr

**4. Advertising Costs**

All applications requiring public notice shall provide to the Community Development Department, at the cost of the applicant, a notarized list of all owners within a 300 foot radius of the property subject of the application along with two copies of self-adhesive labels containing the names and addresses of all property owners as required by City Code.

In addition to the mailing list and labels and the fee schedule outlined in 1. above, applications requiring public notice shall pay a deposit to cover the costs of property posting notice, mailing notice and newspaper advertisements by the City, as follows:

- i) The sum of \$10,000 for applications for Development of Regional Impact, Amendments to the Comprehensive Plan, Amendments to the Official Zoning Map, Amendments to the text of the Land Development Regulations
- ii) The sum of \$1,000 for all other applications noted in 1. above.

In the event that the publication, notice and mailing charges exceed the amount of the deposit above, the applicant shall be responsible to pay to the City the full cost of such charges.”

**Section 2.** The revised fee schedule is attached as Exhibit “A” to this Resolution.

**Section 3.** The City Manager is authorized to take all necessary and expedient action to carry out the aims of this Resolution.

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

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

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

**PASSED AND ADOPTED** this 1<sup>st</sup> day of September, 2015.

\_\_\_\_\_  
Enid Weisman, Mayor

ATTEST:

\_\_\_\_\_  
Ellisa Horvath, MMC, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
CITY ATTORNEY

This Resolution was filed in the Office of the City Clerk this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Ellisa Horvath, MMC, City Clerk

Exhibit "A" to Resolution No. 2015-\_\_

**City of Aventura**  
**Development Review, Planning and Zoning Application Fee**  
**Schedule**  
**Revised September 1, 2015**

---

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Amendments to the text of the Land Development Regulations	\$ 7,500
Administrative Site Plan Review – Single Use Sites (Residential or Non-Residential)	\$10,000
Additional fee for each review after third review of plans	\$ 2,500
Major revision to administrative site plan approval	\$10,000
Minor revision to administrative site plan approval	\$ 5,000
Administrative Site Plan Review – Mixed Use Sites	\$17,500
Additional fee for each review after third review of plans	\$ 5,000
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Variance	\$5,000
Modification to Condition of Variance	\$2,500
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