

**City Commission**

Enid Weisman, Mayor

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



**City Manager**

Eric M. Soroka, ICMA-CM

**City Clerk**

Ellisa L. Horvath, MMC

**City Attorney**

Weiss Serota Helfman  
Cole & Bierman

## **CITY COMMISSION MEETING AGENDA**

### **NOVEMBER 3, 2015**

### **6:00 P.M.**

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

- 1. CALL TO ORDER/ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ELECTION OF VICE MAYOR**
- 4. AGENDA: Request for Deletions/Emergency Additions**
- 5. SPECIAL PRESENTATIONS:**
  - Employee Service Award
- 6. CONSENT AGENDA:** Matters included under the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and considered separately. If the public wishes to speak on a matter on the consent agenda they must inform the City Clerk prior to the start of the meeting. They will be recognized to speak prior to the approval of the consent agenda.
  - A. APPROVAL OF MINUTES:**
    - October 6, 2015 Commission Regular Meeting
    - October 15, 2015 Commission Workshop Meeting
  - B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO CONVERT NE 29TH PLACE TO A PUBLIC STREET, INCLUDING THE ACCEPTANCE OF RIGHT-OF-WAY DEEDS FROM AVENTURA MALL VENTURE AND AVENTURA COUNTRY CLUB, AND OTHER NECESSARY CONVEYANCES, EASEMENTS AND/OR DEDICATIONS FROM PROPERTY OWNERS IN ORDER TO ACCOMPLISH THE PUBLIC DEDICATION OF THE ROAD; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE ATTACHED WORK AUTHORIZATION NO. 01-0103-212 FOR PROFESSIONAL DESIGN SERVICES FOR THE NE 213<sup>TH</sup> STREET AND NE 183<sup>RD</sup> STREET SEAWALL IMPROVEMENTS PROJECT BY AND BETWEEN THE CITY OF AVENTURA AND CRAVEN THOMPSON AND ASSOCIATES, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.
- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED WORK AUTHORIZATION NO. 01-0103-217 FOR PROFESSIONAL PLANNING SERVICES BY AND BETWEEN THE CITY OF AVENTURA AND CRAVEN THOMPSON AND ASSOCIATES, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.
- F. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, SELECTING THE FIRMS OF KIMLEY-HORNE AND ASSOCIATES, INC., MARLIN ENGINEERING, INC., AND THE CORRADINO GROUP, INC. TO PERFORM PROFESSIONAL TRAFFIC ENGINEERING SERVICES RELATIVE TO RFP NO. 16-10-05-2, TRAFFIC ENGINEERING SERVICES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE TERMS AND FEES FOR SAID SERVICES WITH EACH FIRM; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
- G. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND APPLY FOR THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT JUSTICE ASSISTANCE GRANT; TO APPLY FOR, RECEIVE, AND EXPEND \$4,718 IN FUNDS FOR THE SCHOOL RESOURCE OFFICER PROJECT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
- H. MOTION AUTHORIZING THE APPROPRIATION OF UP TO \$7,500 FOR CRIME PREVENTION SCHOLARSHIPS FROM THE POLICE FORFEITURE FUNDS IN ACCORDANCE WITH THE CITY MANAGER'S MEMORANDUM.
- I. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING THE APPOINTMENT OF MEMBERS TO THE CHARTER REVISION COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

- J. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ESTABLISHING PROCEDURES FOR COMMISSION TRAVEL AND EXPENSES; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

- A. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING SIGN VARIANCE FOR CITY NATIONAL BANK ON PROPERTY LOCATED AT 2999 NE 191 STREET, CITY OF AVENTURA; AND PROVIDING FOR AN EFFECTIVE DATE.**

- B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING SIGN VARIANCE FOR A DIRECTORY SIGN MEASURING 208 SQUARE FEET, WHERE A DIRECTORY SIGN MEASURING A MAXIMUM OF 32 SQUARE FEET IS PERMITTED BY CITY CODE, FOR THE 9 STORY OPTIMA OFFICE BULDING AT 21500 BISCAYNE BOULEVARD, CITY OF AVENTURA; AND PROVIDING FOR AN EFFECTIVE DATE.**

- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO ALLOW LOT COVERAGE OF 55.24% FOR A MEDICAL OFFICE DEVELOPMENT LOCATED IN THE MEDICAL OFFICE (MO) DISTRICT WHERE MAXIMUM LOT COVERAGE OF 40% IS PERMITTED BY CODE AND TO ALLOW FLOOR AREA RATIO OF 2.0 WHERE MAXIMUM FLOOR AREA RATIO OF 1.50 IS PERMITTED BY CODE; FOR AN OFFICE BUILDING DEVELOPMENT TO BE CONSTRUCTED PURSUANT TO THE CITY'S GREEN BULDING PROGRAM, LOCATED AT 21291 NE 28 AVENUE, CITY OF AVENTURA; AND PROVIDING FOR AN EFFECTIVE DATE.**

- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO ALLOW A BUILDING HEIGHT OF 12 STORIES AND 129'8"; WHERE A MAXIMUM HEIGHT OF 12 STORIES AND 120' IS PERMITTED BY CODE, FOR A MEDICAL OFFICE BUILDING AT 2801 NE 213 STREET, CITY OF AVENTURA IN THE MO, MEDICAL OFFICE DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**8. ORDINANCES - FIRST READING/PUBLIC HEARINGS:**

- A. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2014-10 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2014/2015 FISCAL YEAR BY**

REVISING THE 2014/2015 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

**9. ORDINANCES - SECOND READING/PUBLIC HEARINGS:**

**A. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION" OF THE CITY OF AVENTURA CODE OF ORDINANCES BY AMENDING SECTION 2-371 "LOBBYISTS" OF ARTICLE VI. "LOBBYING ACTIVITIES" TO BE CONSISTENT WITH THE MIAMI-DADE COUNTY ETHICS CODE BY ELIMINATING THE LOBBYIST EXPENDITURE STATEMENT FILING REQUIREMENT FOR LOBBYISTS THAT HAVE MADE NO LOBBYING EXPENDITURE DURING A GIVEN REPORTING PERIOD AND ELIMINATING THE PAYMENT OF LOBBYIST REGISTRATION FEES BY PRINCIPALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**B. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE LEGISLATIVE EXPENSE AMOUNT FOR THE MAYOR AND INDIVIDUAL COMMISSIONERS AS PROVIDED FOR IN SECTION 2.06 OF THE CITY OF AVENTURA CHARTER, FROM \$6,059 TO \$8,059 PER YEAR; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**C. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; AMENDING THE CITY CODE BY AMENDING CHAPTER 18 "BUSINESS REGULATIONS, TAXES AND PERMITS", BY AMENDING ARTICLE IV "POLICE COST RECOVERY"; AT SECTION 18-80 "RECOVERY OF COSTS FOR FAILURE OF RESPONSIBLE PERSON TO APPEAR ON BEHALF OF BUSINESS"; TO AUTHORIZE IMPOSITION OF A MINIMUM SERVICE FEE IN LIEU OF THE RECOVERY OF ALL COSTS INCURRED BY THE CITY POLICE DEPARTMENT UNDER CIRCUMSTANCES IN WHICH A CRIMINAL PROSECUTION IS ABANDONED, DISMISSED OR FAILS AS A DIRECT RESULT OF THE FAILURE OF A RESPONSIBLE PERSON TO APPEAR IN LAW ENFORCEMENT OR COURT PROCEEDINGS ON BEHALF OF THE OWNER OR OPERATOR OF A BUSINESS ESTABLISHMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING**

**FOR PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

- 10. RESOLUTIONS – PUBLIC HEARINGS: None**
- 11. REPORTS**
- 12. PUBLIC COMMENTS**
- 13. OTHER BUSINESS: None**
- 14. ADJOURNMENT**

**FUTURE MEETINGS\***

**COMMISSION MEETING AND WORKSHOP – NOVEMBER 19, 2015 AT 10 AM  
EXECUTIVE CONFERENCE ROOM (5<sup>TH</sup> FLOOR)**

**COMMISSION MEETING – JANUARY 5, 2016 AT 6 PM  
COMMISSION CHAMBER**

**COMMISSION WORKSHOP – JANUARY 21, 2016 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  
OCTOBER 6, 2015  
6:00 P.M.**

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

1. **CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 6:00 p.m. The roll was called and 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.
2. **PLEDGE OF ALLEGIANCE:** The Pledge was led by students Nathaniel Manor and Sara Eghtessadi.
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 Holzberg, seconded by Commissioner Narotsky, and passed unanimously by roll call vote. The following action was taken:

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

- September 1, 2015 Commission Regular Meeting
- September 8, 2015 Commission Meeting (First Budget Hearing)
- September 16, 2015 Commission Meeting (Second Budget Hearing)
- September 17, 2015 Commission Special Meeting
- September 17, 2015 Commission Workshop Meeting

**B. Resolution No. 2015-55 was adopted as follows:**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ADOPTING THE CITY OF AVENTURA 2016 LEGISLATIVE PROGRAM AND PRIORITIES ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**C. Motion was approved as follows:**

**MOTION TO RATIFY THE CITY MANAGER'S REAPPOINTMENT OF RAQUEL ROTHMAN, ESQ. AND BARBARA BUXTON, ESQ. AS SPECIAL MASTERS FOR THE CITY OF AVENTURA CODE ENFORCEMENT PROCESS**

**D. Resolution No. 2015-56** was adopted as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE ATTACHED WORK AUTHORIZATION NO. 01-0103-211 FOR PROFESSIONAL DESIGN SERVICES FOR THE NE 191<sup>ST</sup> STREET DRAINAGE AND ROAD RESURFACING IMPROVEMENTS PROJECT BY AND BETWEEN THE CITY OF AVENTURA AND CRAVEN THOMPSON AND ASSOCIATES, INC.; AND PROVIDING AN EFFECTIVE DATE.**

**E. Resolution No. 2015-57** 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. 15-09-21-02, SOFFER TRAIL DECORATIVE LIGHTING TO UNDER POWER CORP. AT THE BID PRICE OF \$429,160; 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. Motion** was approved as follows:

**MOTION AUTHORIZING THE APPROPRIATION OF UP TO \$16,000 FOR FURNITURE/OFFICE EQUIPMENT FOR RECORDS SECTION AND ADMINISTRATIVE OFFICES FROM THE FEDERAL POLICE FORFEITURE FUNDS IN ACCORDANCE WITH THE CITY MANAGER'S MEMORANDUM**

**6. ZONING HEARINGS: QUASI-JUDICIAL PUBLIC HEARINGS:** Mr. Wolpin incorporated the quasi-judicial procedure provisions into the record and read the following Resolution by title:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO ALLOW A HEIGHT OF 16 STORIES AND 169 FEET FOR THE REDEVELOPMENT OF THE ORCHID HOTEL BUILDING AT THE TURNBERRY ISLE RESORT, WHERE A HEIGHT OF 12 STORIES AND 120 FEET IS PERMITTED BY CODE, ON PROPERTY LOCATED AT 19999 WEST COUNTRY CLUB DRIVE, 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 Weinberg and seconded by Commissioner Landman.

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 as outlined in Section 3 of the Resolution.

Jeffrey Bercow, Attorney (Bercow Radell & Fernandez – 200 S. Biscayne Blvd. #850, Miami, FL), and Don Wolfe, Architect (Nichols Brosch Wurst Wolfe & Associates, Inc. – 161 Almeria Avenue, Coral Gables, FL), provided testimony on behalf of the Applicant.

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

The motion to approve the Resolution was unanimously passed, by roll call vote, and **Resolution No. 2015-58** was adopted.

**7. ORDINANCES - FIRST READING – PUBLIC HEARINGS:**

Mr. Wolpin read the following Ordinance by title:

- A. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION” OF THE CITY OF AVENTURA CODE OF ORDINANCES BY AMENDING SECTION 2-371 “LOBBYISTS” OF ARTICLE VI. “LOBBYING ACTIVITIES” TO BE CONSISTENT WITH THE MIAMI-DADE COUNTY ETHICS CODE BY ELIMINATING THE LOBBYIST EXPENDITURE STATEMENT FILING REQUIREMENT FOR LOBBYISTS THAT HAVE MADE NO LOBBYING EXPENDITURE DURING A GIVEN REPORTING PERIOD AND ELIMINATING THE PAYMENT OF LOBBYIST REGISTRATION FEES BY PRINCIPALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

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

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

Mr. Soroka explained the Ordinance.

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

Mr. Wolpin read the following Ordinance by title:

- B. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE LEGISLATIVE EXPENSE AMOUNT FOR THE MAYOR AND INDIVIDUAL COMMISSIONERS AS PROVIDED FOR IN SECTION 2.06 OF THE CITY OF AVENTURA CHARTER, FROM \$6,059 TO \$8,059 PER YEAR; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

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

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

The motion for approval of the Ordinance passed on first reading passed (6-1), by roll call vote, with Commissioner Narotsky voting no.

Mr. Wolpin read the following Ordinance by title:

**C. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; AMENDING THE CITY CODE BY AMENDING CHAPTER 18 “BUSINESS REGULATIONS, TAXES AND PERMITS”, BY AMENDING ARTICLE IV “POLICE COST RECOVERY”; AT SECTION 18-80 “RECOVERY OF COSTS FOR FAILURE OF RESPONSIBLE PERSON TO APPEAR ON BEHALF OF BUSINESS”; TO AUTHORIZE IMPOSITION OF A MINIMUM SERVICE FEE IN LIEU OF THE RECOVERY OF ALL COSTS INCURRED BY THE CITY POLICE DEPARTMENT UNDER CIRCUMSTANCES IN WHICH A CRIMINAL PROSECUTION IS ABANDONED, DISMISSED OR FAILS AS A DIRECT RESULT OF THE FAILURE OF A RESPONSIBLE PERSON TO APPEAR IN LAW ENFORCEMENT OR COURT PROCEEDINGS ON BEHALF OF THE OWNER OR OPERATOR OF A BUSINESS ESTABLISHMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

Mr. Wolpin explained the Ordinance.

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

8. **ORDINANCES - SECOND READING/PUBLIC HEARINGS:** None.

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

10. **REPORTS:**

Commissioner Landman discussed Breast Cancer Awareness Month (October) and discussed the importance of early prevention.

Mayor Weisman discussed Aventura Hospital’s Breast Cancer Awareness evening for women on October 14<sup>th</sup>. She also reported on the festivities on Oct 31st at Founders Park for Halloween and movie night.

Commissioner Weinberg suggested that the City host a Miami-Dade County League of Cities dinner in Aventura. This item will be discussed at the October Workshop Meeting.

Nathaniel Manor and Sara Eghtessadi - Dr. Michael M. Krop Senior High School Representatives, provided an update.

**11. PUBLIC COMMENTS:**

- **Surfside Commissioner Michael Karukin – 2015 Miami Walk to End Alzheimer’s (November 7, 2015):** Commissioner Karukin encouraged participation in the Walk.

Jennifer Braisted (Advocacy/Public Policy Coordinator for Alzheimer’s Association Southeast Florida Chapter – 3333 Forest Hill Blvd., West Palm Beach) provided comments.

**12. OTHER BUSINESS:** None.

**13. ADJOURNMENT:** There being no further business to come before the Commission, a motion to adjourn was offered by Vice Mayor Cohen, seconded by Commissioner Landman, and unanimously approved; thus adjourning the meeting at 7:11 p.m.

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Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on November 3, 2015.



**CALL TO ORDER/ROLL CALL:** The meeting was called to order by Mayor Enid Weisman at 9:00 a.m. The following were present: Mayor Enid Weisman, Vice Mayor Enbar Cohen, Commissioner Teri Holzberg, 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. Commissioner Denise Landman was absent. As a quorum was determined to be present, the meeting commenced.

**1. RESOLUTION ESTABLISHING PROCEDURES FOR COMMISSION TRAVEL (City Manager):** Mr. Soroka reviewed the proposed resolution, which was drafted in accordance with Commission direction provided at the September Workshop Meeting, adding Annual Dade Days and Annual National Association of Latino Elected and Appointed Officials (NALEO) Conference to the list of pre-approved items.

**City Manager Summary:** It was the consensus of the City Commission for the proposed Resolution to be placed on the November Commission Meeting Agenda, with language added that all conference or seminars where more than three (3) members desiring to attend would require City Commission approval.

**2. CHARTER REVISION COMMISSION (City Manager):** Mr. Soroka reviewed the City Charter provision regarding the appointment of members to the Charter Revision Commission and provided the following list of recommended members: Stuart Altman, Billy Joel, Rebecca Fishman Lipsey, Stanley B. Price (formerly served), and Luz Weinberg.

Mr. Soroka and Mr. Wolpin discussed the Charter review and amendment process.

**City Manager Summary:** It was the consensus of the City Commission for a Resolution to be placed on the November Commission Meeting Agenda to appoint Mr. Altman, Mr. Joel, Ms. Fishman Lipsey, Mr. Price, and Ms. Weinberg to the Charter Revision Commission. A workshop meeting will be scheduled for November 3, 2015, at 4:30 p.m. for the Commission to provide the Charter Revision Commission with suggested items to study.

**3. 2016 MEETING SCHEDULE (City Manager):** Mr. Soroka reviewed the proposed Commission Meeting Schedule for the 2016 calendar year and pointed out that the June Workshop Meeting was moved from the 16<sup>th</sup> to the 23<sup>rd</sup>.

Commissioner Shelley requested that the February 18<sup>th</sup> Workshop Meeting be moved to February 17<sup>th</sup>.

Commissioner Cohen noted that she was unable to physically attend the July 21<sup>st</sup> Workshop Meeting, but would participate via phone.

**City Manager Summary:** It was the consensus of the Commission to approve the proposed 2016 Commission Meeting Schedule, with the change of the February Workshop Meeting to February 17, 2016.

**4. ANNUAL SELECTION OF REPRESENTATIVE TO THE MIAMI-DADE COUNTY LEAGUE OF CITIES (City Manager):** Mr. Soroka requested consensus on the City's Representative to the Miami-Dade County League of Cities and noted that Commissioner Weinberg was the current representative and Vice Mayor Cohen served as the alternate. Commissioner Weinberg requested that he be selected to continue serving as the City's Representative, for continuity. Vice Mayor Cohen requested that she be selected to continue serving as the alternate.

**City Manager Summary:** It was the consensus of the Commission for Commissioner Weinberg to continue serving as the City's Representative to the Miami-Dade County League of Cities and for Vice Mayor Cohen to continue serving as the backup.

**5. CITY CLERK REVIEW (Mayor):** Mayor Weisman reviewed the City Clerk Evaluation for Ellisa Horvath, upon her one-year anniversary with the City.

Mayor Weisman and members of the Commission commended Mrs. Horvath.

Mayor Weisman requested that the record reflect the importance of the prior Commission listening to the prior City Clerk's recommendation of Ellisa Horvath, as her replacement.

**City Manager Summary:** It was the consensus of the Commission to provide Mrs. Horvath with a 5% bonus, in addition to the COLA increase that was given to all other employees.

**6. ARTS & CULTURAL CENTER ADVISORY BOARD (City Manager):** Mr. Soroka noted that Commissioner Landman had requested that this item be postponed until the next Workshop meeting, since she was not in attendance. He reviewed the current members and reported that Dr. Jules Oaklander may not be interested in serving again. Mr. Soroka requested that the Commission provide names/resumes for consideration at the next Workshop meeting.

Commissioner Shelley recommended that Judy Scott be considered.

Mayor Weisman recommended that Rina Gitlin Begun be considered.

**City Manager Summary:** It was the consensus of the Commission to postpone this item until the November Workshop meeting and to provide Mr. Soroka with names/resumes for consideration.

7. **MIAMI-DADE COUNTY LEAGUE OF CITIES MEETING (Commissioner Weinberg)**: Commissioner Weinberg suggested that the City host a Miami-Dade County League of Cities meeting in Aventura, perhaps in conjunction with the City of North Miami Beach.

**City Manager Summary**: It was the consensus of the Commission to host a Miami-Dade County League of Cities dinner in Aventura.

8. **ADJOURNMENT**: There being no further business to come before the Commission, a motion to adjourn was offered by Vice Mayor Cohen, seconded by Commissioner Holzberg, and passed unanimously; thereby adjourning the meeting at 9:49 a.m.

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Ellisa L. Horvath, MMC, City Clerk

Approved by the Commission on November 3, 2015.

**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: October 21, 2015

SUBJECT: **Resolution Declaring Equipment Surplus**



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**November 3, 2015 Commission Meeting Agenda Item 6B**

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

**CITY OF AVENTURA**

**INFORMATION TECHNOLOGY DEPARTMENT**

**MEMORANDUM**

TO: Eric M. Soroka, City Manager  
FROM: Karen J. Lanke, Information Technology Director  
DATE: October 21, 2015  
SUBJECT: Surplus Computer Equipment

---

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

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

Attachment

**City of Aventura  
Computer Equipment Inventory**

**Exhibit A**

<b>Brand</b>	<b>Model</b>	<b>Qty</b>	<b>Serial Number</b>	<b>Type</b>
APC	Back-UPS 500	1	NB0128260605	UPS
APC	Back-UPS 500	1	NB0128260986	UPS
APC	Back-UPS RS 700	1	3B0928X37808	UPS
APC	Back-UPS RS 700	1	3B0945X34713	UPS
APC	Back-UPS RS 700	1	3B0950X36481	UPS
APC	Back-UPS RS 700	1	3B1032X52812	UPS
APC	Back-UPS RS 800	1	3B0928X28414	UPS
APC	Back-UPS RS 800	1	3B0928X28458	UPS
APC	Back-UPS RS 800	1	3B0928X28461	UPS
APC	Back-UPS RS 800	1	3B0928X28487	UPS
APC	Back-UPS RS 800	1	3B0928X30068	UPS
APC	Back-UPS RS 800	1	5B0732U11695	UPS
APC	Back-UPS RS 800	1	5B0738U23129	UPS
APC	Back-UPS RS 800	1	5B0750U09325	UPS
APC	Back-UPS RS 800	1	5B0750U09376	UPS
APC	Back-UPS RS 800	1	5B0750U09705	UPS
APC	SUA1500RM2U	1	AS0504231256	UPS
APC	SUA2200RM2U	1	YS032221861	UPS
Dell	1505FP	1	CN-0U4795-71618-54P-CAPB	Monitor
Dell	1704FPt	1	CN-0Y4299-71618-563-CGNX	Monitor
Dell	1707FPt	1	CN-0YG613-71618-67S-ACAF	Monitor
Dell	1708FPf	1	CN-0PM372-72872-77I-152I	Monitor
Dell	Latitude D800	1	8M60H31	Laptop
Dell	Latitude D830	1	1L138F1	Laptop
Dell	Latitude E4200	1	D5G9WK1	Laptop
Dell	Latitude E6400	1	8H3MGJ1	Laptop
Dell	Latitude E6410	1	7BQ4SM1	Laptop
Dell	Latitude E6420	1	6QVP3R1	Laptop
Dell	Optiplex 745	1	G7Q3QD1	Desktop
Dell	Optiplex 755	1	7NNQGH1	Desktop
Dell	Optiplex 760	1	21S4WK1	Desktop
Dell	Optiplex 760	1	8TH5WK1	Desktop
Dell	Optiplex 780	1	3S0JKN1	Desktop
Dell	Optiplex 780	1	3T8KKN1	Desktop
Dell	Optiplex 780	1	3T9KKN1	Desktop
Dell	Optiplex 780	1	3T9LKN1	Desktop
Dell	Optiplex 780	1	3TBJKN1	Desktop
Dell	Optiplex 780	1	3TCCKN1	Desktop
Dell	Optiplex 780	1	3TCLKN1	Desktop
Dell	Optiplex 780	1	3TOMKN1	Desktop
Dell	Optiplex 780	1	507ZCP1	Desktop
Dell	Optiplex 780	1	D29MNN1	Desktop
Dell	Optiplex 790	1	D5KL1R1	Desktop
Dell	Optiplex 790	1	D5KR1R1	Desktop
Dell	Optiplex 790	1	D5LQ1R1	Desktop
Dell	Optiplex 790	1	D5ML1R1	Desktop
Dell	Optiplex790	1	D5KV1R1	Desktop
Honeywell	HPS3PMTX	1		Power Supply
HP	Color LaserJet CP3505n	1	CNBC84W06J	Printer
HP	Color LaserJet CP3525n	1	CNCCB4G035	Printer
HP	dc7600C	1	CAC64802P1	Desktop
HP	dc7900C	1	CAC92902WB	Desktop
HP	Deskjet 6940	1	MY810CS232	Printer
HP	KR145A	1	CNK9100T05	Monitor
HP	LaserJet 2420dn	1	Q5959A	Printer
HP	Officejet 6000	1	CNOCD1F22C	Printer
HP	Officejet 7610	1	CN38D2KH2W	Printer
HP	Officejet Pro L7590	1	MY84I2411K	Printer
HP	StorageWorks DAT 40 USB	1	USE6180021	Tape Drive
IBM	IBMR10000RTH	1	IS0905002481	UPS
IBM	SUFSUR25	1	NS0631025363	UPS
Mace	DVR-1600RT3-S	1	0907L4100019	DVR
Motorola	AP-5131	1	8269520900964	Access Point
Motorola	CRD9000-1000	1	9039000500895	Single-Slot Cradle
Motorola	CRD9000-1000	1	9039000500896	Single-Slot Cradle
Motorola	MC9090	1	8322000505772	Barcode Scanner
Motorola	MC9090	1	8322000505783	Barcode Scanner
NEC	LCD1770NX	1	64B08978TA	Monitor
Nikon	Coolpix L22	1	31051729	Camera
Samsung	SCH-U680	1	A0000048E575B8	Cell Phone

City of Aventura  
Computer Equipment Inventory

Exhibit A

Brand	Model	Qty	Serial Number	Type
Tropos	4210	1	31526	Router
Tropos	5210	1	39410	Router
Zebra	RW 420	1	XXRC09-53-0433	Printer
Zebra	RW 420	1	XXRC09-53-0435	Printer

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

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

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

**DATE:** 28 October 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:

2009	2FAHP71V59X126375	Norsea Blue Crown Victoria
------	-------------------	-------------------------------

# CITY OF AVENTURA

## OFFICE OF THE CITY MANAGER

### MEMORANDUM

TO: City Commission

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

DATE: October 13, 2015

SUBJECT: **Resolution Authorizing the Acceptance of the Right-of-Way Deeds for NE 29th Place to Complete Conversion to a Public Street**

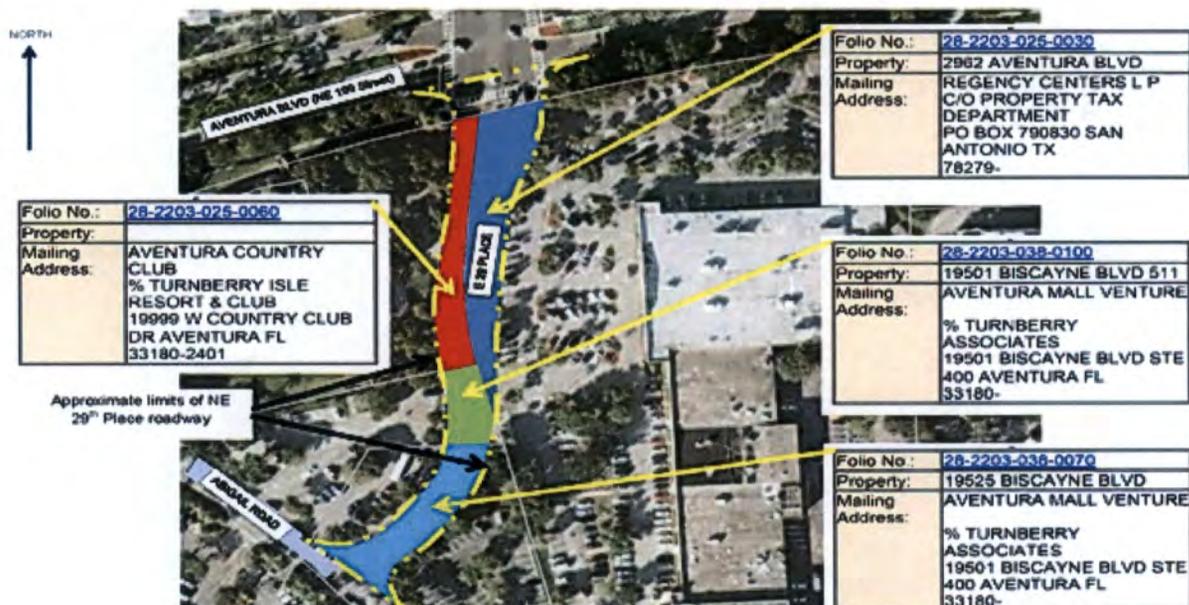
November 3, 2015 City Commission Meeting Agenda Item 6C

### RECOMMENDATION

It is recommended that the City Commission adopt the attached Resolution authorizing the acceptance of right-of-way deeds from Aventura Mall Venture and Aventura Country Club to convert NE 29<sup>th</sup> Place to a public street in accordance with Resolution No. 2013-40.

### BACKGROUND

NE 29<sup>th</sup> Place is a private road and portions of the road are owned by both Aventura Mall and Regency Centers, the owner of the Publix Shopping Center as depicted below. In 2013, The City Commission adopted a Resolution authorizing action to be taken to convert NE 29<sup>th</sup> Place to a public street (see attached). This was done in order to implement safety, lighting, drainage and landscape improvement to one of the busiest roads in the City.



The Administration has been working with both the Mall and Regency Center representatives to facilitate the conversion. The dedication was a condition as part of both of the recent site plan approvals for expansion of the Mall and redevelopment of the Publix Shopping Center.

Attached, is the right-of-way deeds for the portion of NE 29<sup>th</sup> Place that is currently owned by the Mall. The deeds and easement owned by Regency Centers are under review by the City Attorney's Office and will be processed shortly for dedication to the City.

The City's Engineering Consultant will be submitting final design for permitting of the improvements this month. Once approvals are obtained, this project will be placed out for bid. We expect work to commence in February 2016.

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

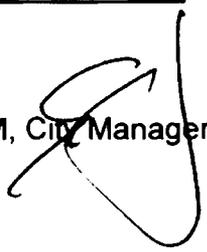
EMS/act

# CITY OF AVENTURA

## OFFICE OF THE CITY MANAGER

### MEMORANDUM

TO: City Commission

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

DATE: August 16, 2013

SUBJECT: **Resolution Authorizing the City Manager to Take Action to Convert NE 29th Place to a Public Street and Prepare Plans to Implement Safety, Lighting and Landscape Improvements.**

---

September 3, 2013 City Commission Meeting Agenda Item SK

### RECOMMENDATION

It is recommended that the City Commission adopt the attached Resolution authorizing the City Manager to take action to convert NE 29<sup>th</sup> Place to a public street and prepare plans to implement safety, lighting and landscape improvements.

### BACKGROUND

In January 1997, the City Commission adopted Resolution No. 97-05 approving a policy governing the conversion of private roads to public roads in the City. Since that time, the following roadways have been converted from private to public roads:

NE 183 <sup>rd</sup> Street	NE 190 <sup>th</sup> Street
NE 207 <sup>th</sup> Street	Turnberry Way
NE 214 <sup>th</sup> Street	NE 27 <sup>th</sup> Court
NE 35 <sup>th</sup> Avenue	Yacht Club Drive

The Policy section of our Capital Improvements Program Document specially states "Accept the dedication of private roads throughout the City in accordance with the Policy governing the conversion of private roads to public roads as outlined in Resolution No. 97-05".

As previously reported, I have been meeting with the representatives of the Aventura Mall and the Publix Shopping Center to discuss the NE 29th Place Safety Study and Improvements. As you know, the road is private and is owned by both the Mall and Regency Centers, the owner of the Publix Shopping Center. All parties have agreed that the best solution to implement the recommended improvements would be for the road to be converted to a public road under the jurisdiction of the City

Memo to City Commission  
Page 2

Although the City would be responsible for incurring the majority of the costs for the improvements, with the opening of the Library next year, in the long run I feel this is a better solution. This would also allow the City to install decorative street lighting and landscaping on NE 29th Place to improve the appearance of the area.

In order for the County to review and approve the proposed safety improvements, complete engineering plans are required. The Work Authorization for the City Engineer to prepare the plans is also included on this Agenda.

The next step in this process will be presenting a Resolution to the City Commission authorizing the execution of the Agreement to accept the dedication of the roadway. Once the necessary legal documents have been prepared and signed off by the current owners, the Agreement will be presented to the City Commission.

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

EMS/act

**RESOLUTION NO. 2013-40**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO TAKE ACTION TO CONVERT NE 29<sup>TH</sup> PLACE TO A PUBLIC STREET AND PREPARE THE NECESSARY PLANS TO IMPLEMENT SAFETY, LIGHTING AND LANDSCAPE IMPROVEMENTS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is in the best interests of the residents of the City of Aventura for their safety and welfare to convert NE 29<sup>th</sup> Place from a private road to a public street of the City; and

**WHEREAS**, the City Commission desires to implement certain recommended safety, lighting and landscape improvements to NE 29<sup>th</sup> Place.

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

**Section 1.** The City Manager is hereby authorized to take action to convert NE 29<sup>th</sup> Place to a public street and prepare the necessary plans to implement the safety, lighting and landscape improvements for this street.

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

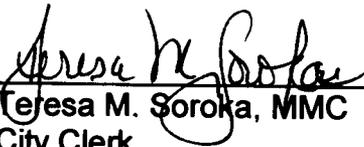
**Section 3.** This Resolution shall become effective immediately upon its adoption.

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

Commissioner Enbar Cohen	yes
Commissioner Teri Holzberg	absent
Commissioner Billy Joel	yes
Commissioner Howard Weinberg	yes
Commissioner Luz Urbáez Weinberg	yes
Vice Mayor Michael Stern	yes
Mayor Susan Gottlieb	yes

**PASSED AND ADOPTED** this 3rd day of September, 2013.

Attest:

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

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

Approved as to Form and Legal Sufficiency:  
City Attorney

  
\_\_\_\_\_  
David M. Wolpin

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO CONVERT NE 29TH PLACE TO A PUBLIC STREET, INCLUDING THE ACCEPTANCE OF RIGHT-OF-WAY DEEDS FROM AVENTURA MALL VENTURE AND AVENTURA COUNTRY CLUB, AND OTHER NECESSARY CONVEYANCES, EASEMENTS AND/OR DEDICATIONS FROM PROPERTY OWNERS IN ORDER TO ACCOMPLISH THE PUBLIC DEDICATION OF THE ROAD; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, as previously determined by Commission Resolution No. 2013-40, it is in the best interests of the residents of the City of Aventura for their safety and welfare to convert NE 29th Place to a public street under the control and/or ownership of the City; and

**WHEREAS**, the City Commission desires to authorize the City Manager to take any further action necessary to convert NE 29th Place to a public street, including the acceptance of Right-of-Way deeds, conveyances, easements and/or dedications of all necessary rights-of-way from property owners in order to accomplish the public dedication of the road and enable the City to implement authorized safety, lighting and landscape improvements to NE 29th Place; and

**WHEREAS**, Aventura Mall Venture, as the owner of the subject parcel comprising a portion of NE 29th Place, has agreed to convey to the City a Right-of-Way Deed for a portion of the proposed NE 29<sup>th</sup> Place for the purposes of a public right-of-way and all purposes incidental thereto (the "Aventura Mall Right-of-Way Deed") in the form attached hereto as Exhibit "A"; and

**WHEREAS**, Aventura Country Club, as the owner of the subject parcel comprising a portion of NE 29th Place, has agreed to convey to the City a Right-of-Way Quit Claim Deed for a portion of the proposed NE 29<sup>th</sup> Place for the purposes of a public right-of-way and all purposes incidental thereto (the "Aventura Club Right-of-Way Deed") in the form attached hereto as Exhibit "B"; and

**WHEREAS**, the City Commission wishes to accept the conveyances of the (i) Aventura Mall Right-of-Way Deed attached hereto as Exhibit "A" and (ii) the Aventura Club Right-of-Way Deed attached hereto as Exhibit "B", and authorize the City Manager to take all action necessary to accomplish the acquisition of the Right-of-Way parcels, including the recording of the deeds in the public records of Miami-Dade County, Florida; and

**WHEREAS**, the City Commission desires to further authorize the City Manager to accept other conveyances, easements and dedications from property owners in order to complete and accomplish the dedication of NE 29<sup>th</sup> Place as a public street, and take any further action necessary to enable the City to implement authorized safety, lighting and landscape improvements to NE 29<sup>th</sup> Place.

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

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

**Section 2. Acceptance of Rights-of-Way Deeds and Other Conveyances; Authorization to City Manager.** That the City Commission hereby accepts the conveyances of the (i) Aventura Mall Right-of-Way Deed attached hereto as Exhibit "A" and (ii) the Aventura Club Right-of-Way Deed attached hereto as Exhibit "B", and authorizes the City Manager to accept all other conveyances, easements and/or dedications of the right-of-way from property owners, subject to applicable conditions which preserve certain development rights of property owners, as found necessary by the City Manager, pursuant to advice of the City Attorney, to accomplish the conversion of NE 29<sup>th</sup> Place to a public street and to enable the City to implement the safety, lighting and landscape improvements for this public street.

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

**Section 4. Effective Date.** That this Resolution shall become effective immediately upon its adoption.

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

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

\_\_\_\_\_  
DAVID M. WOLPIN  
CITY ATTORNEY

# EXHIBIT "A"

THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:

Lillian M. Arango, Esq.  
Weiss Serota Helfman Cole & Bierman, P.L.  
2525 Ponce de Leon Blvd., Suite 700  
Coral Gables, Florida 33134

Folio Number(s): 28-2203-038-0070 (A portion thereof)  
28-2203-038-0100 (A portion thereof)

## RIGHT-OF-WAY-DEED

THIS INDENTURE is made this \_\_\_ day of \_\_\_\_\_, 2014, between **AVENTURA MALL VENTURE, a Florida General Partnership**, having its principal place of business in the County of Miami-Dade, State of Florida, with a mailing address of c/o Turnberry Associates, 19950 West Country Club Drive, 10<sup>th</sup> Floor, Aventura, Florida 33180, hereinafter referred to as the Grantor, and the **CITY OF AVENTURA, a Florida municipal corporation**, whose mailing address is 19200 West Country Club Drive, Aventura, Florida 33180, of the County of Miami-Dade, in the State of Florida, hereinafter referred to as the Grantee.

WITNESSETH that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to it in hand paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the Grantee, its heirs, successors and/or assigns in interest, for the purpose of a public highway and/or road and purposes incidental thereto, all right, title, interest, claim or demand of the Grantor, in and to the following described land, situated, lying and being in the County of Miami-Dade and State of Florida, to-wit:

*See Exhibit "A" Attached Hereto and Made a Part Hereof (the "Property").*

And the Grantor does hereby fully warrant the title to the Property, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

It is the intention of the Grantor hereto by this instrument to convey to the Grantee, and its heirs, successors and/or assigns in interest, the Property herein described for use as a public right-of-way, highway and/or road, and for all purposes incidental thereto.

Grantee covenants and agrees that the Grantor retains and reserves onto itself all development rights to the Property and that the dedication of the right- of-way herein shall not modify, amend, impact or change the existing zoning requirements or site development requirements (including but not limited to floor area ratio, lot coverage, setbacks, buffers, open/impervious space, parking or landscaping) pertaining to Grantor or for the Grantor's other property not conveyed hereby.

THIS CONVEYANCE IS SUBJECT TO:

1. Taxes and assessments not due and payable as of the date hereof and subsequent years and taxes or special assessments which are not shown as existing liens by the Public Records.

2. All conditions, restrictions, reservations, easements, covenants and limitations of record, without by this reference intending to re-impose the same.
3. All laws, ordinances, restrictions, prohibitions, regulations and other requirements imposed by governmental authorities.

**TO HAVE AND TO HOLD** the Property in fee simple forever.

**IN WITNESS WHEREOF**, the Grantor has caused this Right-of-Way Deed to be executed as of the day and year first written above.

**WITNESSESS:**

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

*Alma Lopez*

*Alma Lopez*

Print Name

*[Signature]*

*Darcy McNew*

Print Name

\_\_\_\_\_

Print Name

\_\_\_\_\_

Print Name

**GRANTOR(S):**

**AVENTURA MALL VENTURE, a Florida  
General Partnership**

By: Turnberry Aventura Mall Company Ltd., a  
Florida Limited Partnership, its General  
Partner

By: Tamco, Inc., a Florida corporation

By: \_\_\_\_\_  
Jacquelyn Soffer, Vice President

By: SDG Aventura Limited Partnership, a  
Delaware limited partnership, a general  
partner

By: SDG Properties VIII, Inc., a Delaware  
corporation, its General Partner

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

2. All conditions, restrictions, reservations, easements, covenants and limitations of record, without by this reference intending to re-impose the same.
3. All laws, ordinances, restrictions, prohibitions, regulations and other requirements imposed by governmental authorities.

**TO HAVE AND TO HOLD** the Property in fee simple forever.

**IN WITNESS WHEREOF**, the Grantor has caused this Right-of-Way Deed to be executed as of the day and year first written above.

**WITNESSES:**

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

\_\_\_\_\_

Print Name

\_\_\_\_\_

Print Name

Philip E. Goodchild

PHILIP E. GOODCHILD

Print Name

April Carrington

April Carrington

Print Name

**GRANTOR(S):**

**AVENTURA MALL VENTURE, a Florida  
General Partnership**

By: Turnberry Aventura Mall Company Ltd., a  
Florida Limited Partnership, its General  
Partner

By: Tamco, Inc., a Florida corporation

By: \_\_\_\_\_  
Jacquelyn Soffer, Vice President

By: SDG Aventura Limited Partnership, a  
Delaware limited partnership, a general  
partner

By: SDG Properties VIII, Inc., a Delaware  
corporation, its General Partner

By: \_\_\_\_\_

Name: \_\_\_\_\_ Richard S. Sokolov \_\_\_\_\_  
Title: \_\_\_\_\_ President and Chief Operating \_\_\_\_\_  
Officer

STATE OF FLORIDA )  
 )ss.  
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this 4 day of December, 2014, by Jacquelyn Soffer, as Vice President of Tamco, Inc., a Florida Corporation, the general partner of Turnberry Aventura Mall Company, Ltd., a Florida Limited Partnership, a general partner of Aventura Mall Venture, a Florida General Partnership, who executed the foregoing document on behalf of the partnership, and who is [ ] personally known to me or who has [ ] produced \_\_\_\_\_ as identification.

[SEAL]

Alma Herzowitz  
Notary Public, State of Florida  
Alma Herzowitz  
Print Name of Notary **ALMA HERZOWITZ**  
Commission No. 100381153 MY COMMISSION #FF114893  
EXPIRES April 26, 2018  
Commission Expires 10/26/15 FloridaNotaryService.com

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by \_\_\_\_\_, as \_\_\_\_\_ of SDG Properties VIII, Inc., a Delaware corporation, the general partner of SDG Aventura Limited Partnership, a Delaware limited partnership, a general partner of Aventura Mall Venture, a Florida General Partnership, who executed the foregoing document on behalf of the partnership, and who is [ ] personally known to me or who has [ ] produced \_\_\_\_\_ as identification.

[SEAL]

\_\_\_\_\_  
Notary Public, State of Florida  
\_\_\_\_\_  
Print Name of Notary  
\_\_\_\_\_  
Commission No.  
\_\_\_\_\_  
Commission Expires:

STATE OF FLORIDA )  
 )ss.  
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Jacquelyn Soffer, as Vice President of Tamco, Inc., a Florida Corporation, the general partner of Turnberry Aventura Mall Company, Ltd., a Florida Limited Partnership, a general partner of Aventura Mall Venture, a Florida General Partnership, who executed the foregoing document on behalf of the partnership, and who is [ ] personally known to me or who has [ ] produced \_\_\_\_\_ as identification.

[SEAL]

\_\_\_\_\_  
Notary Public, State of Florida  
\_\_\_\_\_  
Print Name of Notary  
Commission No. \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of September, 2014, by Richard J. Erickson, as President and CEO of SDG Properties VIII, Inc., a Delaware corporation, the general partner of SDG Aventura Limited Partnership, a Delaware limited partnership, a general partner of Aventura Mall Venture, a Florida General Partnership, who executed the foregoing document on behalf of the partnership, and who is [] personally known to me or who has [ ] produced \_\_\_\_\_ as identification.

[SEAL]



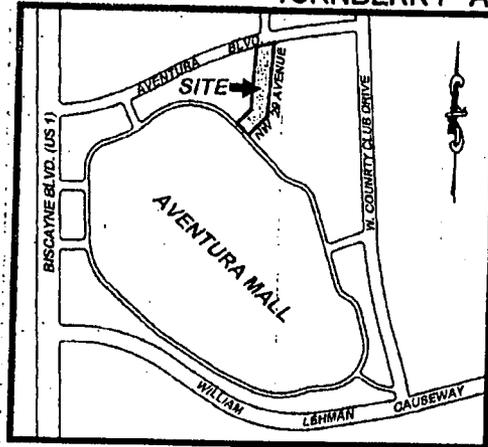
Jan L. Locke  
Notary Public, State of Florida  
Jan L. Locke  
Print Name of Notary  
Commission No. 618452  
Commission Expires: 10/22/2017

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF PROPERTY**

**EXHIBIT "A"**  
**SKETCH AND LEGAL DESCRIPTION**

FOR: CITY OF AVENTURA **SKETCH AND DESCRIPTION  
RIGHT OF WAY DEDICATION  
TURNBERRY ASSOCIATES**



**NOTES:**

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING AND ARE REFERENCED TO A THE NORTHERNMOST SOUTH BOUNDARY OF TRACT "G", AVENTURA SECOND ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 99, PAGE 21, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, WHICH BEARS NORTH 78°51'05" EAST.  
THIS SKETCH AND DESCRIPTION CONSISTS OF 4 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHERS.

**CERTIFICATE:**

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION AND OTHER PERTINENT DATA SHOWN HEREON, OF THE ABOVE DESCRIBED PROPERTY WAS MADE ON THE GROUND, CONFORMS TO THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 6J-17, (FLORIDA ADMINISTRATIVE CODE) AS ADOPTED BY DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

**LEGEND**

- M.D.C.R. DADE COUNTY RECORDS
- L ARC LENGTH
- O.R.B. OFFICIAL RECORD BOOK
- P.B. PLAT BOOK
- P.G. PAGE
- R RADIUS
- R/W RIGHT-OF-WAY
- U.E. UTILITY EASEMENT
- A CENTRAL ANGLE

GRAVEN THOMPSON & ASSOCIATES, INC.  
LICENSED BUSINESS NUMBER #271

RAYMOND YOUNG  
PROFESSIONAL SURVEYOR AND MAPPER NO 5789  
STATE OF FLORIDA

THIS SURVEY MAP AND REPORT OR COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL, OR A UNIQUE ELECTRONIC SIGNATURE OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNDER CHAPTER RULES 6J-17.061 & 6J-17.068 FLORIDA ADMINISTRATIVE CODE.

012001/010103/172\_NE 29 AVENUE/DRAWINGS/010103/172\_S0 ROW TURNBERRY SOUTH

THIS IS ONLY A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, leveling of the subject property or monuments set in connection with the preparation of the information shown hereon.  
The undersigned and GRAVEN THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertains to monuments, right-of-ways, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lends shown hereon were not abstracted for right-of-way and/or easements of record.

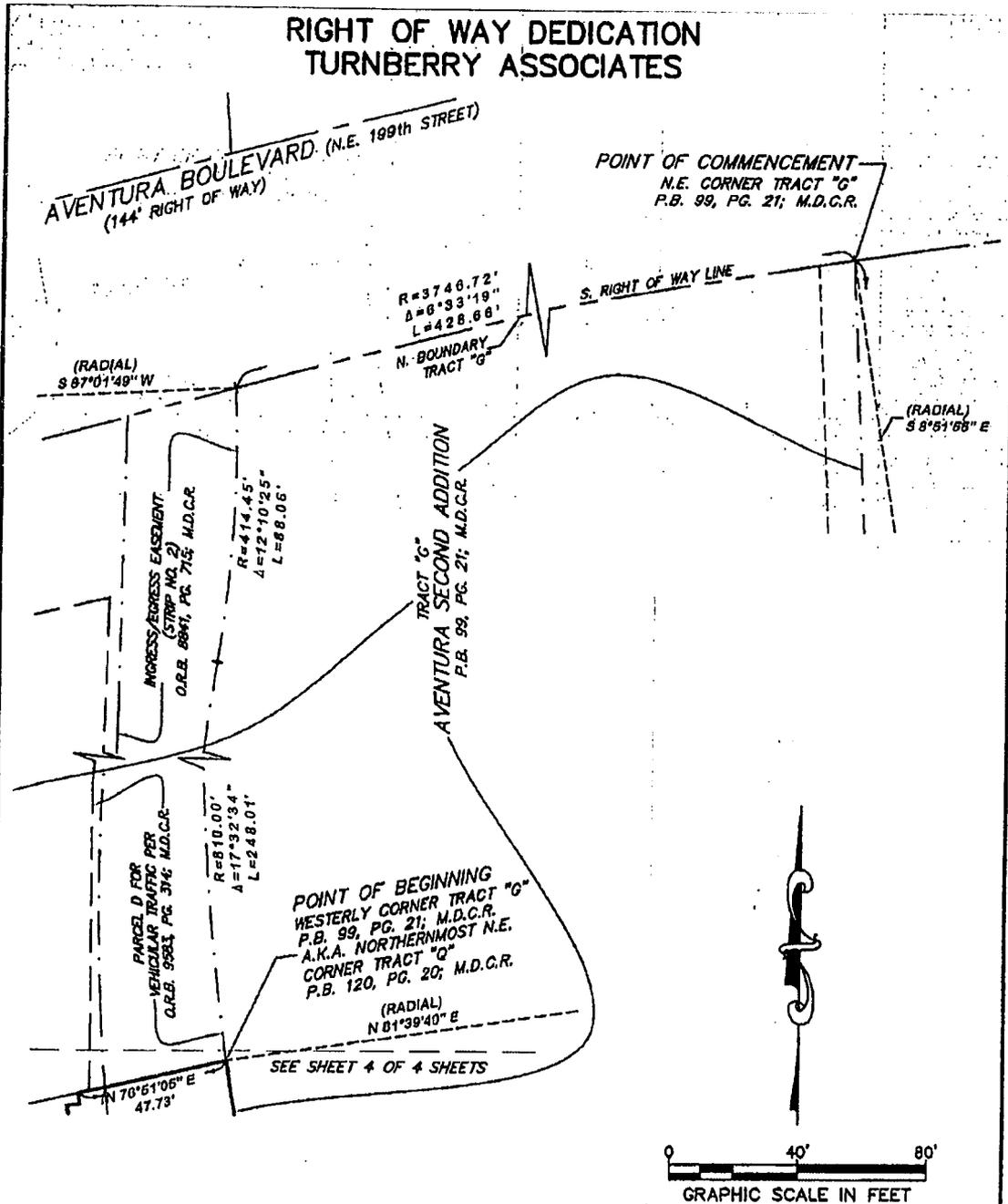
UPDATES and/or REVISIONS	DATE	BY	CK'D

**GRAVEN THOMPSON & ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYOR'S  
2840 N.W. 83RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 776-2200 TEL: (954) 776-6400  
FLORIDA LICENSED PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS SINCE 1971  
MATERIAL SHOWN HEREON IS THE PROPERTY OF GRAVEN THOMPSON & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2017

JOB NO.: 01-0103-172	SHEET 1 OF 4 SHEETS
DRAWN BY: RY	F.B. N/A PG. N/A
CHECKED BY: TCS	DATED: 12-27-13



# RIGHT OF WAY DEDICATION TURNBERRY ASSOCIATES

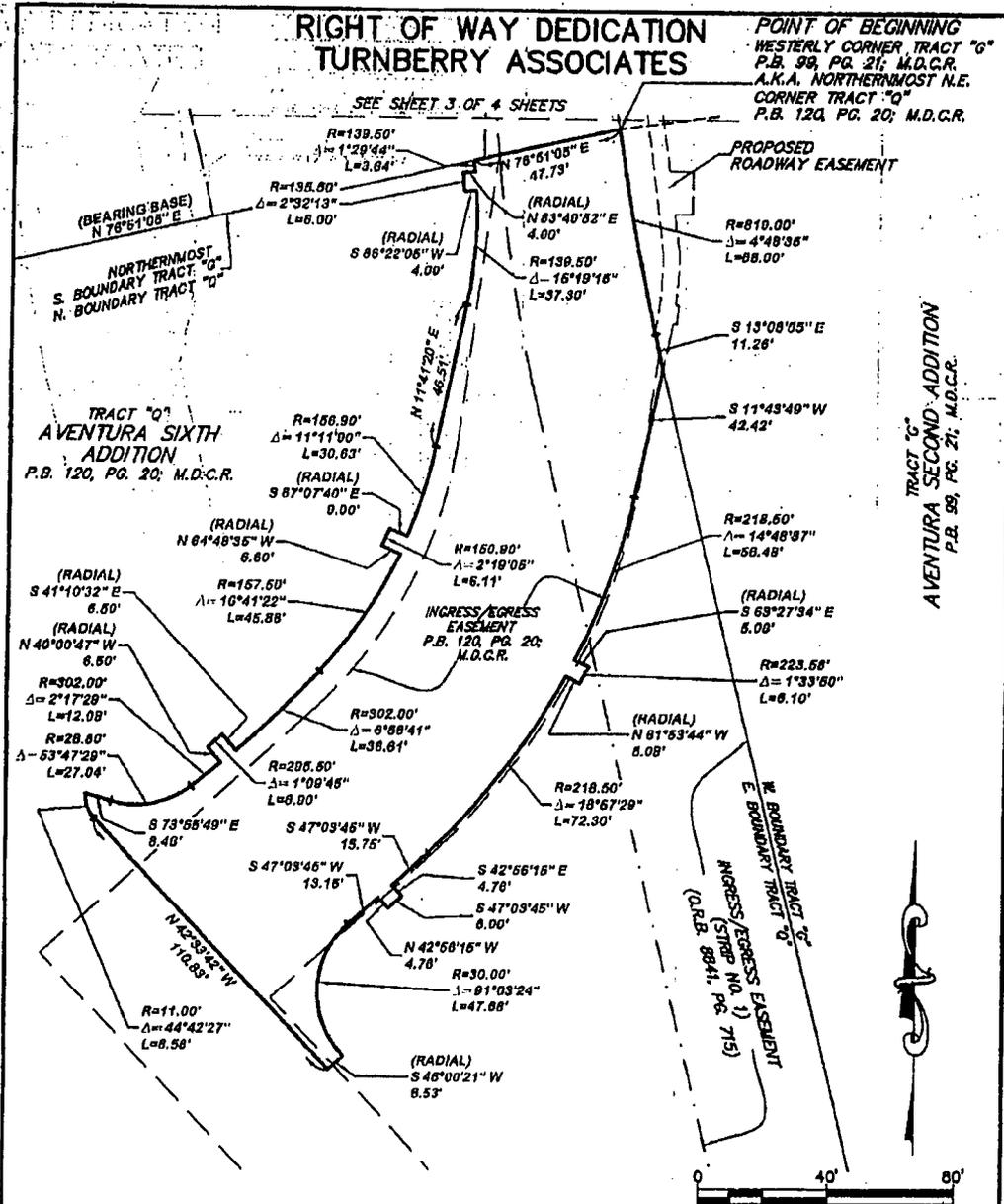


G:\2001\010103.172_JE 28 AVENUE\DRAWINGS\010103.172_20 ROW TURNBERRY SOUTH		JOB NO.: 01-0103-172	SHEET 3 OF 4 SHEETS
<b>Craven • Thompson &amp; Associates, Inc.</b> ENGINEERS PLANNERS SURVEYOR'S <small>3049 N.W. 83RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 738-6400 TEL: (954) 738-6400                  FLORIDA LICENSED ENGINEERING SURVEYING &amp; MAPPING BUSINESS NO. 271                  MATERIAL WHICH HEREON IS THE PROPERTY OF CRAVEN-THOMPSON &amp; ASSOCIATES, INC. AND SHALL                  NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2013</small>	DRAWN BY: RY	F.B. N/A	PG. N/A
	CHECKED BY: TCS	DATED: 12-27-13	

# RIGHT OF WAY DEDICATION TURNBERRY ASSOCIATES

**POINT OF BEGINNING**  
WESTERLY CORNER TRACT "G"  
P.B. 99, PG. 21, M.D.C.R.  
A.K.A. NORTHERNMOST N.E.  
CORNER TRACT "O"  
P.B. 120, PG. 20, M.D.C.R.

SEE SHEET 3 OF 4 SHEETS



CRAVEN • THOMPSON & ASSOCIATES, INC. ENGINEERS      PLANNERS      SURVEYOR'S <small>3863 ALX 83RD STREET, FORT LAUDERDALE, FLORIDA 33309 (954) 776-1400 FAX (954) 776-0400                  (FLORIDA LICENSED PROFESSIONAL SURVEYORS &amp; PLANNERS NUMBER 14,741)                  MATERIAL HEREON IS THE PROPERTY OF CRAVEN-THOMPSON &amp; ASSOCIATES, INC. AND SHALL                  NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2013</small>		JOB NO.: 01-0103-172	SHEET 4 OF 4 SHEETS
DRAWN BY: RY		F.B.N/A      P.G.N/A	
CHECKED BY: TCS		DATED: 12-27-13	

# EXHIBIT "B"

THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:

Lillian M. Arango, Esq.  
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
2525 Ponce de Leon Blvd., Suite 700  
Coral Gables, Florida 33134

Folio Number(s): 28-2203-025-0060 (A portion thereof)

## RIGHT-OF-WAY- QUIT CLAIM DEED

THIS INDENTURE is made this \_\_\_ day of \_\_\_\_\_, 2014, between **AVENTURA COUNTRY CLUB, a Florida General Partnership**, having its principal place of business in the County of Miami-Dade, State of Florida, with a mailing address of c/o Turnberry Isle Resort & Club, 19999 W Country Club Drive, Aventura, Florida 33180, hereinafter referred to as the Grantor, and the **CITY OF AVENTURA, a Florida municipal corporation**, whose mailing address is 19200 West Country Club Drive, Aventura, Florida 33180, of the County of Miami-Dade, in the State of Florida, hereinafter referred to as the Grantee.

WITNESSETH that the Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to it in hand paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged does hereby remise, release, and quit claim to the Grantee, its heirs, successors and/or assigns in interest, for the purpose of a public highway and/or road and purposes incidental thereto, all right, title, interest, claim or demand which Grantor has, in and to the following described land, situated, lying and being in the County of Miami-Dade and State of Florida, to-wit:

*See Exhibit "A" Attached Hereto and Made a Part Hereof (the "Property").*

It is the intention of the Grantor hereto by this instrument to convey to the Grantee, and its heirs, successors and/or assigns in interest, the Property herein described for use as a public right-of-way, highway and/or road, and for all purposes incidental thereto.

Grantee covenants and agrees that the Grantor retains and reserves onto itself all development rights to the Property and that the dedication of the right- of-way herein shall not modify, amend, impact or change the existing zoning requirements or site development requirements (including but not limited to floor area ratio, lot coverage, setbacks, buffers, open/impervious space, parking or landscaping) pertaining to Grantor or for the Grantor's other property not conveyed hereby.

THIS CONVEYANCE IS SUBJECT TO:

1. Taxes and assessments not due and payable as of the date hereof and subsequent years and taxes or special assessments which are not shown as existing liens by the Public Records.

2. All conditions, restrictions, reservations, easements, covenants and limitations of record, without by this reference intending to re-impose the same.
3. All laws, ordinances, restrictions, prohibitions, regulations and other requirements imposed by governmental authorities.

**TO HAVE AND TO HOLD** the Property in fee simple forever, the same together with all and singular appurtenances thereunto belonging or in any ways pertaining to, and all the estate, right, title interest, lien equity and claim whatsoever of the said Grantor, either in law or in equity, to the only proper use, benefit, and on behalf of the said Grantee forever.

**IN WITNESS WHEREOF**, the Grantor has caused this Right-of-Way Quit Claim Deed to be executed as of the day and year first written above.

**WITNESSES:**

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

[Signature]

DarcymcNew  
Print Name

[Signature]

Alma Herzowitz  
Print Name

**GRANTOR:**

**AVENTURA COUNTRY CLUB, a Florida  
General Partnership**

By: \_\_\_\_\_  
Name: Jacquelyn Soffel  
Title: Authorized Signatory

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this 4 day of December, 2014, by Jacquelyn Soffel, as Authorized Signatory of Aventura Country Club, a Florida General Partnership, on behalf of the partnership, who is  personally known to me or who has  produced \_\_\_\_\_ as identification.

[SEAL]

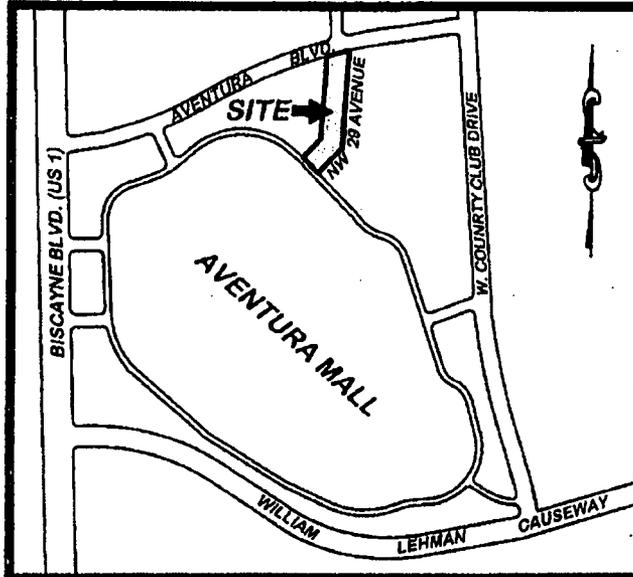
[Signature]  
Notary Public, State of Florida  
**ALMA HERZOWITZ**  
MY COMMISSION #FE114893  
Print Name of Notary  
EXPIRES April 26, 2018  
Commission #FE114893 FloridaNotaryService.com  
Commission Expires: \_\_\_\_\_

**EXHIBIT "A"**

**LEGAL DESCRIPTION OF PROPERTY**

FOR: CITY OF AVENTURA

# SKETCH AND DESCRIPTION RIGHT OF WAY DEDICATION TURNBERRY ISLE RESORT & CLUB



**NOTES:**

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING AND ARE REFERENCED TO A THE NORTHERNMOST SOUTH BOUNDARY OF TRACT "G", AVENTURA SECOND ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 99, PAGE 21, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, WHICH BEARS NORTH 76°51'05" EAST.

THIS SKETCH AND DESCRIPTION CONSISTS OF 4 SHEETS AND EACH SHEET SHALL NOT BE CONSIDERED FULL, VALID AND COMPLETE UNLESS ATTACHED TO THE OTHERS.

**CERTIFICATE:**

WE HEREBY CERTIFY THAT THIS SKETCH AND DESCRIPTION AND OTHER PERTINENT DATA SHOWN HEREON, OF THE ABOVE DESCRIBED PROPERTY WAS MADE ON THE GROUND, CONFORMS TO THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS OUTLINED IN CHAPTER 5J-17, (FLORIDA ADMINISTRATIVE CODE) AS ADOPTED BY DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

**LEGEND**

- M.D.C.R. DADE COUNTY RECORDS
- L ARC LENGTH
- O.R.B. OFFICAL RECORD BOOK
- P.B. PLAT BOOK
- PG. PAGE
- R RADIUS
- R/W RIGHT-OF-WAY
- U.E. UTILITY EASEMENT
- Δ CENTRAL ANGLE

**GRAVEN THOMPSON & ASSOCIATES, INC.**  
LICENSED BUSINESS NUMBER #271

\_\_\_\_\_  
**RAYMOND YOUNG**  
PROFESSIONAL SURVEYOR AND MAPPER NO 5799  
STATE OF FLORIDA

*THIS SURVEY MAP AND REPORT OR COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR A UNIQUE ELECTRONIC SIGNATURE OF A FLORIDA LICENSED PROFESSIONAL SURVEYOR AND MAPPER UNDER CHAPTER RULES 5J-17.081 & 5J-17.082 FLORIDA ADMINISTRATIVE CODE.*

G:\2001\010103.172\_NE 29 AVENUE\DRAWINGS\010103.172\_SD ROW TURNBERRY NORTH

THIS IS NOT A SKETCH OF SURVEY, but only a graphic depiction of the description shown hereon. There has been no field work, viewing of the subject property or monuments set in connection with the preparation of the information shown hereon.

The undersigned and GRAVEN THOMPSON & ASSOCIATES, INC. make no representations or guarantees as to the information reflected hereon pertaining to easements, rights-of-way, set back lines, reservations, agreements and other similar matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for right-of-way and/or easements of record.

UPDATES and/or REVISIONS	DATE	BY	CK'D

**GRAVEN • THOMPSON & ASSOCIATES, INC.**

ENGINEERS      PLANNERS      SURVEYOR'S

3063 N.W. 63RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (804) 738-8800 TEL: (804) 738-8400

FLORIDA LICENSED ENGINEERS, SURVEYORS & MAPPERS BUSINESS No. 271

MATERIAL SHOWN HEREON IS THE PROPERTY OF GRAVEN THOMPSON & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2013

JOB NO.: 01-0103-172	SHEET 1 OF 4 SHEETS
DRAWN BY: RY	F.B. N/A    PG. N/A
CHECKED BY: TCS	DATED: 12-27-13

# RIGHT OF WAY DEDICATION TURNBERRY ISLE RESORT & CLUB

## LEGAL DESCRIPTION:

A PORTION OF TRACT "G", AVENTURA SECOND ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 99, PAGE 21 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

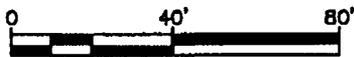
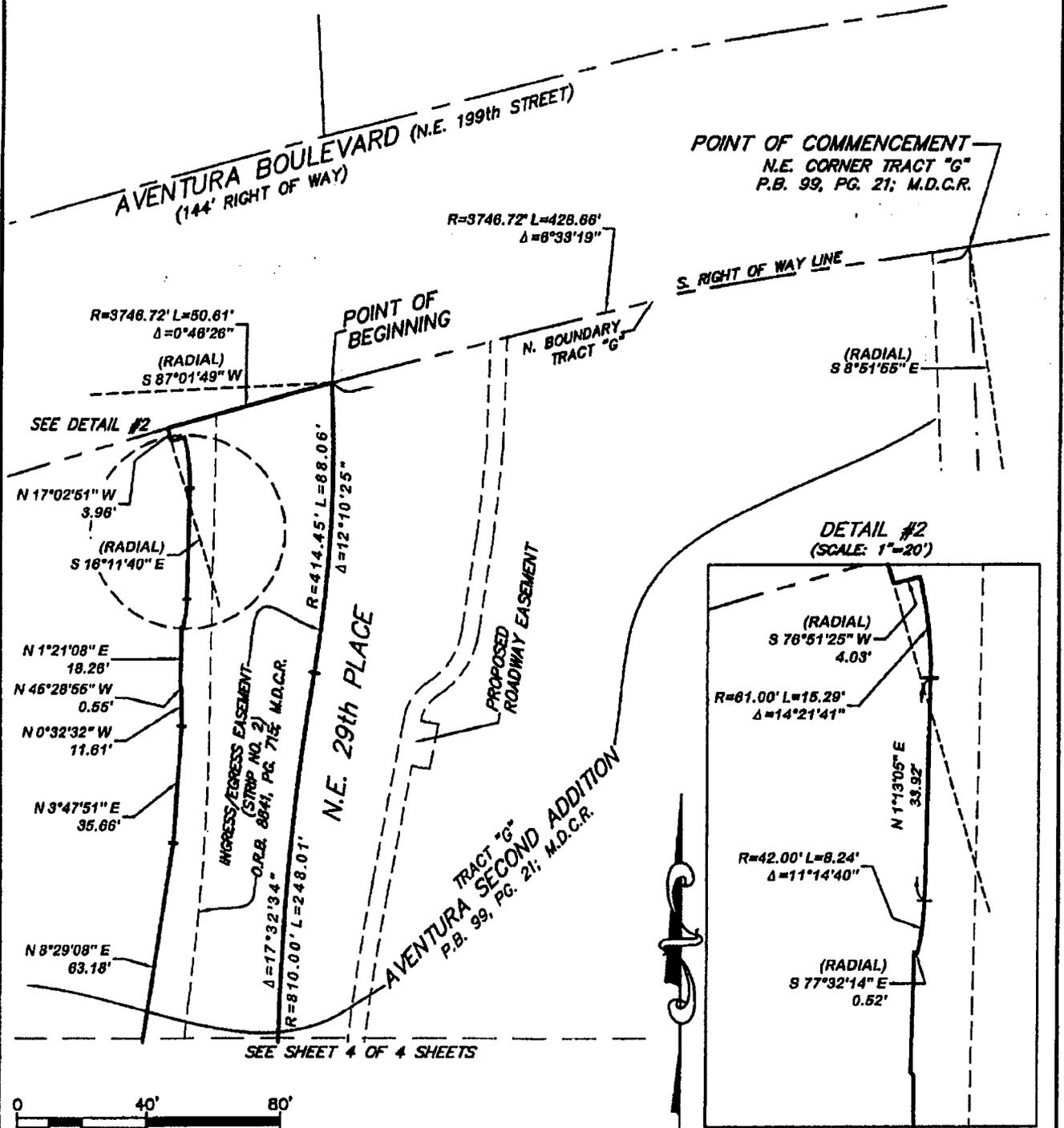
COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT "G", SAID POINT LYING ON THE ARC OF A CIRCULAR CURVE CONCAVE SOUTHERLY FROM WHICH THE RADIUS POINT BEARS SOUTH 08°51'55" EAST; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 3746.72 FEET, THROUGH A CENTRAL ANGLE OF 08°33'19", FOR AN ARC DISTANCE OF 428.88 FEET TO THE POINT OF BEGINNING, THE LAST DESCRIBED CURVE BEING THE NORTH BOUNDARY OF SAID TRACT "G" AND THE SOUTH RIGHT OF WAY LINE OF AVENTURA BOULEVARD (N.E. 199th STREET), SAID POINT OF BEGINNING LYING ALONG THE ARC OF A CIRCULAR CURVE CONCAVE WESTERLY FROM WHICH THE RADIUS POINT BEARS SOUTH 87°01'49" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 414.25 FEET, THROUGH A CENTRAL ANGLE OF 12°10'25", FOR AN ARC DISTANCE OF 88.08 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE EASTERLY; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 810.00, THROUGH A CENTRAL ANGLE OF 17°32'34", FOR AN ARC DISTANCE OF 248.01 FEET TO A WESTERLY CORNER OF SAID TRACT "G" AND THE NORTHERNMOST NORTHEAST CORNER OF TRACT "Q", AVENTURA SIXTH ADDITION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 120, PAGE 20 OF SAID PUBLIC RECORDS, THE LAST TWO (2) DESCRIBED CURVES LYING ALONG THE EAST BOUNDARY OF THAT CERTAIN PARCEL D FOR VEHICULAR TRAFFIC AS DESCRIBED IN OFFICIAL RECORDS BOOK 9583, PAGE 314 OF SAID PUBLIC RECORDS AND ALONG THE EAST BOUNDARY OF THAT CERTAIN INGRESS/EGRESS EASEMENT (STRIP NO.2), AS DESCRIBED IN OFFICIAL RECORDS BOOK 8841, PAGE 715 OF SAID PUBLIC RECORDS; THENCE SOUTH 78°51'05" WEST ALONG THE NORTHERNMOST SOUTH BOUNDARY OF SAID TRACT "G" AND A NORTH BOUNDARY OF SAID TRACT "Q", A DISTANCE OF 47.73 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE WESTERLY FROM WHICH THE RADIUS POINT BEARS SOUTH 82°20'08" WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 139.50, THROUGH A CENTRAL ANGLE OF 01°12'28", FOR AN ARC DISTANCE OF 2.94 FEET TO A POINT OF TANGENCY; THENCE NORTH 08°52'19" WEST, A DISTANCE OF 11.30 FEET; THENCE NORTH 08°23'07" WEST ALONG A LINE NOT TANGENT TO THE NEXT DESCRIBED CURVE, A DISTANCE OF 19.08 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE EASTERLY FROM WHICH THE RADIUS BEARS NORTH 79°45'33" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 238.75 FEET, THROUGH A CENTRAL ANGLE OF 10°13'43", FOR AN ARC DISTANCE OF 42.82 FEET TO A POINT OF TANGENCY; THENCE NORTH 00°00'44" WEST, A DISTANCE OF 29.85 FEET; THENCE NORTH 05°14'24" EAST, A DISTANCE OF 7.52 FEET; THENCE NORTH 09°58'08" EAST, A DISTANCE OF 12.59 FEET; THENCE NORTH 07°40'58" EAST, A DISTANCE OF 9.24 FEET; THENCE NORTH 82°19'02" WEST, A DISTANCE OF 4.80 FEET; THENCE NORTH 07°40'58" EAST, A DISTANCE OF 8.00 FEET; THENCE SOUTH 82°19'02" EAST, A DISTANCE OF 4.80 FEET; THENCE NORTH 07°40'58" EAST, A DISTANCE OF 3.51 FEET; THENCE NORTH 08°29'08" EAST, A DISTANCE OF 63.18 FEET; THENCE NORTH 03°47'51" EAST, A DISTANCE OF 33.86 FEET; THENCE NORTH 00°32'32" WEST, A DISTANCE OF 11.61 FEET; THENCE NORTH 45°28'55" WEST, A DISTANCE OF 0.55 FEET; THENCE NORTH 01°21'08" EAST, A DISTANCE OF 18.28 FEET; THENCE SOUTH 77°32'14" EAST ALONG A LINE RADIAL TO THE NEXT DESCRIBED CURVE, A DISTANCE OF 0.52 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE WESTERLY; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 42.00 FEET, THROUGH A CENTRAL ANGLE OF 11°14'40", FOR AN ARC DISTANCE OF 8.24 FEET TO A POINT OF TANGENCY; THENCE NORTH 01°13'05" EAST, A DISTANCE OF 33.92 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE WESTERLY; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 61.00 FEET, THROUGH A CENTRAL ANGLE OF 14°21'41", FOR AN ARC DISTANCE OF 15.29 FEET; THENCE SOUTH 78°51'25" WEST ALONG A LINE RADIAL TO THE LAST DESCRIBED CURVE, A DISTANCE OF 4.03 FEET; THENCE NORTH 17°02'51" WEST, A DISTANCE OF 3.98 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE CONCAVE SOUTHERLY FROM WHICH THE RADIUS POINT OF THE NEXT DESCRIBED CURVE BEARS SOUTH 18°11'40" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 3746.72 FEET, THROUGH A CENTRAL ANGLE OF 00°46'26", FOR AN ARC DISTANCE OF 50.81 FEET TO THE POINT OF BEGINNING, THE LAST DESCRIBED CURVE LYING ALONG THE NORTH BOUNDARY OF SAID TRACT "G" AND ALONG SAID SOUTH RIGHT OF WAY LINE.

SAID LANDS SITUATE IN THE TOWN OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA. CONTAINING 14,162 SQUARE FEET OR 0.325 ACRES MORE OR LESS.

G:\2001\010103.172\_NE 29 AVENUE\DRAWINGS\010103.172\_SD ROW TURNBERRY NORTH

	<b>CRAVEN • THOMPSON &amp; ASSOCIATES, INC.</b>	JOB NO.: 01-0103-172	SHEET 2 OF 4 SHEETS
	ENGINEERS      PLANNERS      SURVEYOR'S	DRAWN BY: RY	F.B. N/A      PG. N/A
	<small>3843 N.W. 83RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX: (954) 738-6400 TEL.: (954) 738-6400          FLORIDA LICENSED ENGINEERING, SURVEYING &amp; MAPPING BUSINESS NO. 271          MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON &amp; ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2013</small>	CHECKED BY: TCS	DATED: 12-27-13

# RIGHT OF WAY DEDICATION TURNBERRY ISLE RESORT & CLUB



GRAPHIC SCALE IN FEET

G:\2001\010103.172\_N.E. 29 AVENUE DRAWINGS\010103.172\_20 ROW TURNBERRY NORTH

**GRAVEN • THOMPSON & ASSOCIATES, INC.**  
ENGINEERS PLANNERS SURVEYORS  
3043 N.W. 43RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX (954) 738-4499 TEL (954) 738-6400  
FLORIDA LICENSED ENGINEERING, SURVEYING & MAPPING SUBCLASS NO. 871  
MATERIAL SHOWN HEREON IS THE PROPERTY OF GRAVEN THOMPSON & ASSOCIATES, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2013

JOB NO.: 01-0103-172

SHEET 3 OF 4 SHEETS

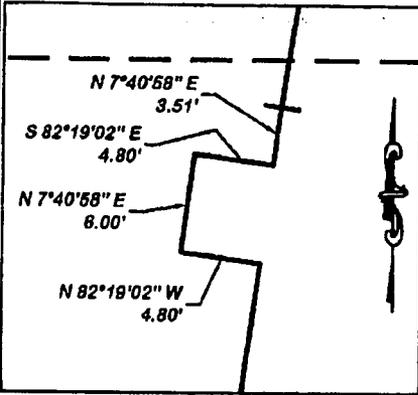
DRAWN BY: RY

F.B. N/A PG. N/A

CHECKED BY: TCS

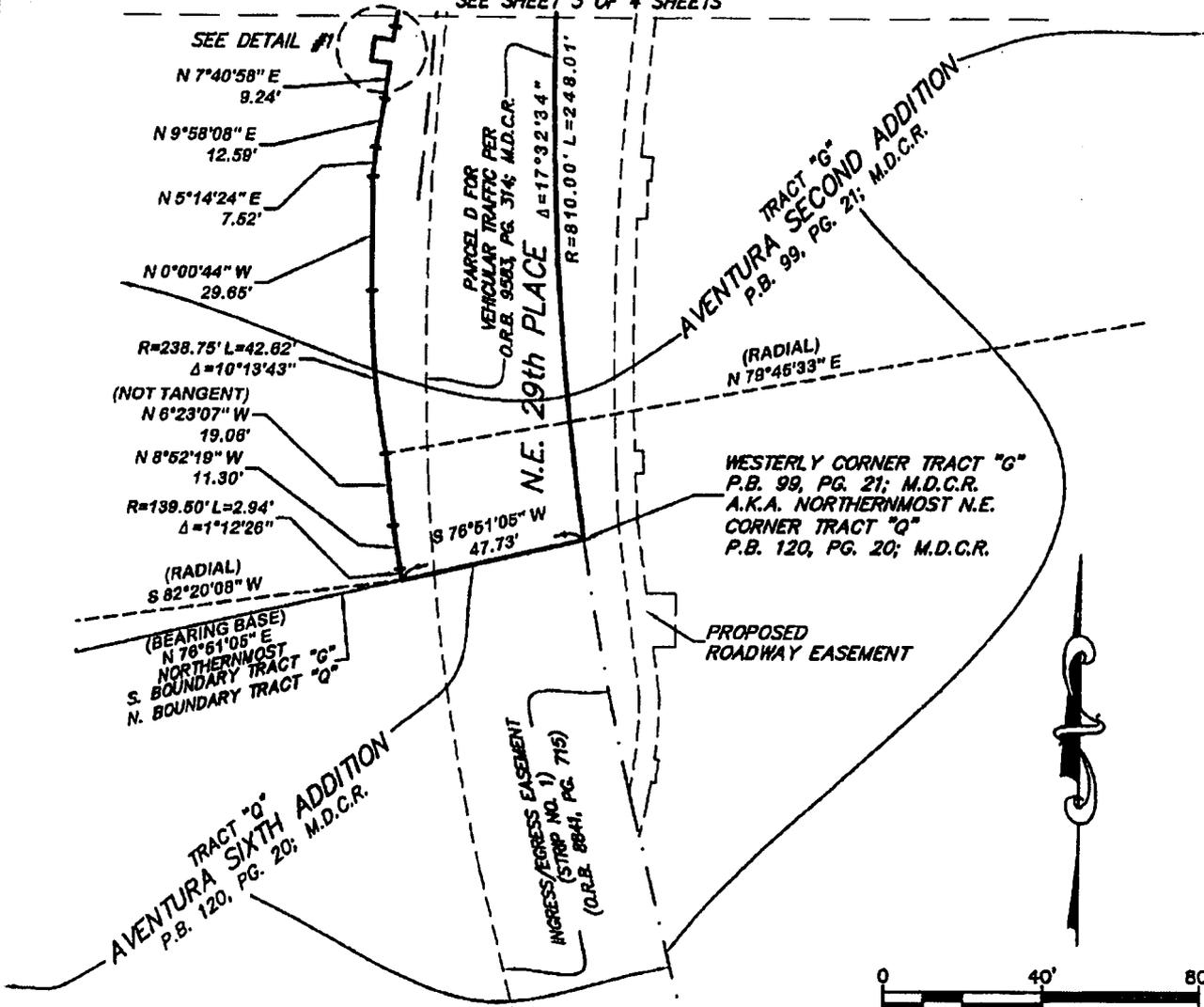
DATED: 12-27-13

# RIGHT OF WAY DEDICATION TURNBERRY ISLE RESORT & CLUB



DETAIL #1  
(SCALE: 1"=20')

SEE SHEET 3 OF 4 SHEETS



G:\2001\010103.172\_NE 29 AVENUE\DRAWINGS\010103.172\_SD ROW TURNBERRY NORTH

**Craven • Thompson & Associates, Inc.**  
 ENGINEERS PLANNERS SURVEYOR'S  
 3043 N.W. 83RD STREET, FORT LAUDERDALE, FLORIDA 33309 FAX (954) 738-6469 TEL (954) 738-6400  
 LICENSED ENGINEERING, SURVEYING & MAPPING LICENSE NO. 171  
 MATERIAL SHOWN HEREON IS THE PROPERTY OF CRAVEN-THOMPSON & ASSOCIATES, INC. AND SHALL  
 NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION. COPYRIGHT (C) 2013

JOB NO.: 01-0103-172	SHEET 4 OF 4 SHEETS
DRAWN BY: RY	F.B. N/A PG. N/A
CHECKED BY: TCS	DATED: 12-27-13

**CITY OF AVENTURA**  
**CITY MANAGER'S OFFICE**

**MEMORANDUM**

TO: City Commission

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

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

DATE: October 13, 2015

SUBJECT: **Recommendation – Work Authorization No. 01-0103-212  
Professional Design Services for NE 213<sup>th</sup> Street and NE 183<sup>rd</sup> Street  
Seawall Improvements - Craven Thompson & Associates, Inc.**

---

**November 3, 2015, City Commission Meeting Agenda Item 60**

**Recommendation**

It is recommended that the City Commission adopt the attached Resolution awarding Work Authorization No. 01-0103-212 to Craven Thompson and Associates, Inc. for Professional Design Services for NE 21th Street and NE 183<sup>rd</sup> Street Seawall Improvements for an amount of \$64,760.00. This project is included in the Capital Improvements Program for the 2015/16 fiscal year.

**Background**

The project is to be designed in accordance with the City's Capital Improvement Program approved by the City Commission. In particular, construction drawings will provide details for repair, and procedures to address, deteriorated precast piles, caps and wall panels. The cost also includes services pertaining to surveying, bidding, and construction services. The proposed budget is \$390,000 and will be funded by Budget Line Item #410-5001-538-6306.

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

RESOLUTION NO. 2015-\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE ATTACHED WORK AUTHORIZATION NO. 01-0103-212 FOR PROFESSIONAL DESIGN SERVICES FOR THE NE 213<sup>TH</sup> STREET AND NE 183<sup>RD</sup> STREET SEAWALL IMPROVEMENTS PROJECT BY AND BETWEEN THE CITY OF AVENTURA AND CRAVEN THOMPSON AND ASSOCIATES, INC.; 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 attached Work Authorization No. 01-0103-212 (\$64,760.00) for professional design services for the NE 213<sup>th</sup> Street and NE 183<sup>rd</sup> Street Seawall Improvements project by and between the City and Craven Thompson and Associates, Inc.

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

**Section 3.** The funds to be allocated and appropriated pursuant hereto and for the purposes of carrying out the tenets of this Resolution shall be from Budget Line Item Number 410-5001-538-6306.

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

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

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

## WORK AUTHORIZATION NO. 01-0103-212

The City of Aventura has requested Work Authorization No. 01-0103-212 as provided for in the Agreement between the City of Aventura and Craven Thompson and Associates, Inc. and approved by the City Commission on July 3, 2001.

This Work Authorization No 01-0103-212 provides for technical services in accordance with Articles 3, 4, 6, 7 and 8 of the Agreement as further detailed in the scope of services in Exhibit A.

Payment for such services shall be in accordance with Article 5 of the Agreement.

### Design Phase

Task 1: Prepare Topographic Survey of Seawalls .....	\$12,500.00
Task 2: Visual Observation and Structural Assessment of Seawalls.....	\$9,500.00
Task 3: Prepare Plans and Specifications for Restoration of Seawalls.....	\$11,500.00
Task 4: Project Management .....	\$5,120.00
<b>Total Lump Sum Design Phase.....</b>	<b>\$38,620.00</b>

### Bidding and Construction Phase

Task 5: Prepare bid documents .....	\$5,680.00
Task 6: Provide support during bidding.....	\$5,000.00
Task 7: Provide limited construction phase engineering services .....	\$9,000.00
Task 8: Provide construction phase support services .....	\$5,960.00
<b>Total Lump Sum Construction Phase.....</b>	<b>\$25,640.00</b>

### Reimbursable Expenses

Printing, Graphics, Communications, Couriers, Express Mail, Etc. ....	\$500.00
<b>Total Estimated Reimbursable Expenses .....</b>	<b>\$500.00</b>

Total Lump Sum Expenses are ..... \$64,260.00

Total Estimated Reimbursable Expenses are ..... \$500.00

The time period for this work authorization will be:

Surveying Phase.....	30 Days
Inspection Phase.....	40 Days
Design Phase.....	120 Days
Bid Phase .....	75 Days
Construction Phase.....	260 Days

CITY:

CITY OF AVENTURA, FLORIDA  
through its City Manager

BY \_\_\_\_\_  
City Manager

Eric M. Soroka, ICMA-CM

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

Notice to Proceed \_\_\_ Yes \_\_\_ No

Project Initiation Date \_\_\_\_\_

RECOMMENDED through its  
Capital Projects Manager

BY Antonio F. Tomei  
Capital Projects Manager

Antonio F. Tomei

13 day of OCT., 2015

## **Exhibit A**

Consultant will provide professional surveying and engineering services specific to the preparation of plans for the restoration of seawalls on NE 183<sup>rd</sup> Street (approx. 1,100 LF) and NE 213<sup>th</sup> Street (approx. 2,500 LF).

### Design Tasks

1. Prepare a topographic survey of the concrete seawall along the south side of NE 183<sup>th</sup> Street, lying south of the Admiral Port Condominium, approximately 1,000 linear feet, and the concrete seawall along the north side of NE 213<sup>th</sup> Street, bounded on the west by the west end of the canal adjacent to the city park at NE 34<sup>th</sup> Avenue and bounded on the east by the east right-of-way line for NE 37<sup>th</sup> Avenue, approximately 2,500 linear feet. This Topographic Survey will include the location of all above ground visible fixed improvements from the south edge of the seawall north to the edge of pavement along NE 183<sup>th</sup> Street, and the location of all above ground visible fixed improvements from the north edge of the seawall south to the sidewalk within the park area and south to the edge of pavement along NE 213<sup>th</sup> Street. Individual piles will be located. Elevations will be measured sufficient for engineering design and cross sections will be shown at 50 foot intervals. All elevations will be based on the National Geodetic Vertical Datum of 1929 (NGVD29).
2. Visual observation of the seawalls from land and water side, and structural assessment of the current condition of the existing piles, panels and caps.
3. Prepare design of repair details and procedures for deteriorated precast concrete piles and wall panels.

### Bidding and Construction Tasks

4. Prepare bid documents, respond to questions during pre-bid phase, evaluate bids and provide recommendation for contract award.
5. Provide limited services related to construction observation.

**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: October 21, 2015

SUBJECT: **Resolution Approving Work Authorization No. 01-0103-217 With Craven Thompson and Associates, Inc. for Planning Services**



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**November 3, 2015 City Commission Meeting Agenda Item 10E**

**RECOMMENDATION**

It is recommended that the City Commission adopt the attached Resolution which approves Work Authorization No. 01-0103-217 with Craven Thompson and Associates, Inc. for Planning Services required by the Community Development Department for Fiscal Year 2015/16.

**BACKGROUND**

The City's Engineer, Craven Thompson and Associates, Inc., provides miscellaneous planning services as requested by the City's Community Development Director by utilizing the firm of Cordova Rodriguez Engineering, Inc. It is anticipated, due to the additional plan review workload for Fiscal Year 2015/16, the Work Authorization limit of \$50,000 will be exceeded. Work Authorizations exceeding \$50,000 requires City Commission approval. The attached Work Authorization is estimated to be \$75,000. The cost of these services are offset by fees charged to developers.

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

EMS/act

Attachment

CCO1916-15

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED WORK AUTHORIZATION NO. 01-0103-217 FOR PROFESSIONAL PLANNING SERVICES BY AND BETWEEN THE CITY OF AVENTURA AND CRAVEN THOMPSON AND ASSOCIATES, INC.; 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 Work Authorization No. 01-0103-217 (\$75,000.00) for professional planning services by and between the City and Craven Thompson and Associates, Inc.

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

**Section 3.** The funds to be allocated and appropriated pursuant hereto and for the purposes of carrying out the tenets of this Resolution shall be from Budget Line Item Number 001-4001-524-3190.

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

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

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

## WORK AUTHORIZATION NO. 01-0103-217

The City of Aventura has requested Work Authorization No. 01-0103-217 as provided for in the Agreement between the City of Aventura and Craven Thompson and Associates, Inc. and approved by the City Commission on July 3, 2001.

This Work Authorization No 01-0103-217 provides for technical services in accordance with Articles 3, 4, 6, 7 and 8 of the Agreement as further detailed in the scope of services in Exhibit A.

Payment for such services shall be in accordance with Article 5 of the Agreement.

Planning Services (Task No. 22090)

Provide Miscellaneous Planning Services.....Hourly, Not-To-Exceed \$74,000.00

**Total Planning Services .....Hourly, Not-To-Exceed \$74,000.00**

Reimbursable Expenses

Travel, Printing, Graphics, Communications, Couriers, Express Mail, etc. ....\$1,500.00

**Total Reimbursable Expenses.....\$1,500.00**

Total Estimated Labor Expenses are.....\$74,000.00

Total Estimated Reimbursable Expenses are .....\$1,500.00

The time period for this work authorization will be:

Planning Services October 1, 2015 - September 30, 2016

CITY:

CITY OF AVENTURA, FLORIDA  
through its City Manager

BY \_\_\_\_\_  
City Manager

Eric M. Soroka, ICMA-CM

\_\_\_\_\_ day of \_\_\_\_\_, 2014

Notice to Proceed \_\_\_ Yes \_\_\_ No

Project Initiation Date \_\_\_\_\_

RECOMMENDED through its  
Director of Community Development

BY Joanne Carr  
Director of Community Development

Joanne Carr, AICP

17 day of October, 2014

## **Exhibit A**

Consultant shall provide miscellaneous planning services as requested by the City's Director of Community Development. Service shall include, but not be limited to: meeting attendance, site plan review, plat review, coordination with site plan applicants and/or Director of Community Development, preparation of planning reports, review and interpretation of City Code, assistance in processing site plan applications and approvals, and other planning services as requested. Consultant or Consultant's representative shall be available for meetings and coordination at City Government Center on a bi-monthly basis as requested by the City's Director of Community Development. Consultant shall use Cordova Rodriguez Engineering, Inc. (CRE) as a subconsultant for miscellaneous planning services. CRE will limit their on-site visits to the Community Development department to every week (8 hours per visit) unless directed otherwise by the Director of Community Development.

Work Authorization No. 01-0103-217 shall cover the period from October 1, 2015 through September 30, 2016.

**CITY OF AVENTURA**  
**COMMUNITY SERVICES DEPARTMENT**

**MEMORANDUM**

TO: City Commission

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

BY: Robert M. Sherman, Community Services Director 

DATE: September 22, 2015

SUBJECT: **Resolution to rank firms to provide Professional Traffic Engineering Services as set forth in RFP 16-10-05-2**

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**November 3, 2015 Commission Meeting Agenda Item 10F**

**Recommendation:**

It is recommended that the City Commission adopt the attached Resolution authorizing the City Manager to negotiate contracts with Kimley-Horne and Associates, Inc., Marline Engineering Inc., and The Corradino Group, Inc. to provide professional Traffic Engineering Services in accordance with the terms and conditions as set forth in RFP 16-10-05-2, Traffic Engineering Services, attached hereto.

**Background:**

Pursuant to City Code, the City requested submission of proposals from qualified firms to provide Traffic Engineering Services on September 1, 2015. Currently, our traffic engineering services is provided for under a subcontract with the firm that provides our general engineering services. The RFP was prepared to obtain traffic engineering services directly under contract with the City

Ten firms responded to RFP and the list of firms is attached. Based on the selection criteria contained in the RFP, the highest ranked proposals were requested to make formal presentations before the selection committee consisting of the City Manager, Community Development Director, Finance Director and Community Services Director.

The highest ranked firms were:

- Kimley-Horne and Associates, Inc.
- Marlin Engineering, Inc.
- The Corradino Group, Inc.
- Miller Legg & Associates, Inc.

Each top ranked firm made their presentation to the Selection Committee on September 21, 2015. Miller Legg & Associates withdrew two days before the presentations.

Based upon the content of the presentations, it became evident that all three firms were well qualified to perform Traffic Engineering Services under the terms contained in the RFP; and in addition, each firm had their own area of expertise that the City would benefit from.

Furthermore, each firm demonstrated exceptional individual strong points in specific disciplines over the other two firms; such as Transit Planning Services, Bicycle/Pedestrian Planning, Site Plan Review Services, Capital Project Planning and Cost Estimating Services. The Committee felt it would be in City's best interests to award the services to all three firms. Although, we normally recommend one firm for professional services this would allow the City to choose the firm based on the discipline required for a project and/or services needed.

Based on the foregoing, the Committee recommends that the City Commission approve the attached resolution authorizing the City Manager to negotiate a contract with Kimley-Horne and Associates, Inc., Marlin Engineering, Inc., and The Corradino Group, Inc. to provide professional Traffic Engineering Services.

Please feel free to direct all questions regarding this RFP to the City Manager.

**CITY OF AVENTURA**  
**Proposal Tabulation Sheet**  
**TRAFFIC ENGINEERING SERVICES**  
**RFP #: 16-10-05-2**

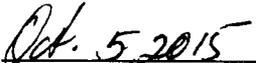
***Proposal Open After 2:00 P.M. on Monday, October 5<sup>th</sup>, 2015***

**COMPANY NAME**

The Corradino Group, Inc.  
Miller Legg & Associates, Inc.  
Marlin Engineering, Inc.  
McMahon Associates, Inc.  
Simmons & White, Inc.  
Kimley-Horn and Associates, Inc.  
F.R. Aleman & Associates, Inc.  
C H Perez & Associates Consulting Engineers, Inc.  
Calvin, Giordano & Associates, Inc.  
R. J. Behar & Company, Inc.

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

  
\_\_\_\_\_  
Signature: Indra K. Sarju, CPPB

  
\_\_\_\_\_  
Dated

RESOLUTION NO. 2015-\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, SELECTING THE FIRMS OF KIMLEY-HORNE AND ASSOCIATES, INC., MARLIN ENGINEERING, INC., AND THE CORRADINO GROUP, INC. TO PERFORM PROFESSIONAL TRAFFIC ENGINEERING SERVICES RELATIVE TO RFP NO. 16-10-05-2, TRAFFIC ENGINEERING SERVICES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE TERMS AND FEES FOR SAID SERVICES WITH EACH FIRM; 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 of Aventura, in accordance with applicable State law, has requested proposals from firms to provide professional services relative to Professional Traffic Engineering Services; and

**WHEREAS**, proposals were evaluated by a Review Committee consisting of the Community Services Director, the Finance Director, the Community Development Director, and the City Manager; and

**WHEREAS**, said Selection Committee recommends the firms of Kimley-Horne and Associates, Inc., Marlin Engineering, Inc., and the Corradino Group, Inc. based on the experience and qualifications of said firms; and

**WHEREAS**, the City Commission desires to authorize the City Manager to negotiate a scope of services and fees with the three (3) recommended firms.

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

**Section 1.** The firms of Kimley-Horne and Associates, Inc., Marlin Engineering, Inc., and the Corradino Group, Inc. are hereby selected to perform Traffic Engineering Services for the City relative to RFP No. 16-10-05-2 Traffic Engineering Services.

**Section 2.** The firms have been selected on the basis of their experience and qualifications and have not finalized a fee structure with the City. Therefore, the City Manager shall immediately negotiate the scope of services and basis of fees with each firm.

**Section 3.** The basis of fees above described shall be negotiated by the City Manager and approved by the City Commission prior to said firms beginning any labor or work for which the City may later be billed.

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

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

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015.

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

ATTEST:

\_\_\_\_\_  
ELLISA L. HORVATH, MMC, CITY CLERK  
APPROVED AS TO LEGAL SUFFICIENCY:

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

**CITY OF AVENTURA  
REQUEST FOR PROPOSAL  
16-10-05-2**

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**TRAFFIC ENGINEERING SERVICES**

**SUBMITTAL DATE: Monday, October 5, 2015 2:00 P.M.**

**LAST DATE TO SUBMIT QUESTIONS: Monday, September 28, 2015**

**ISSUING DATE: Tuesday, September 1, 2015**

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**REQUEST FOR PROPOSAL  
RFQ # 16-10-05-2  
CITY OF AVENTURA**

**TRAFFIC ENGINEERING SERVICES**

The City of Aventura, Florida, (the "City") is requesting proposals from qualified firms to provide the City with Traffic Engineering Services. Such proposals, which will be received at the address below, until 2:00 P.M. (EST), Monday, October 5, 2015 at which time they will be opened and read aloud.

**RFP # 16-10-05-2  
Office of the City Manager  
City of Aventura  
19200 West Country Club Drive  
Aventura, FL 33180**

Submittals must be received no later than **2:00 P.M.** on Monday, October 5, 2015 and clearly marked on the outside "**RFP # 16-10-05-2 TRAFFIC ENGINEERING SERVICES**". Late submittals will not be accepted.

Interested parties may obtain the Request for Proposal (RFP) package from [www.demandstar.com](http://www.demandstar.com) or [www.cityofaventura.com/finance/bids.shtml](http://www.cityofaventura.com/finance/bids.shtml), on or after Tuesday, September 1, 2015. The RFP package contains detailed information about the Statement of Work, Proposal submission requirements and selection procedure resulting from this RFP.

Any or all questions should be directed in writing to Indra Sarju, Purchasing Agent at [sarjui@cityofaventura.com](mailto:sarjui@cityofaventura.com) (305) 466-8925 by Monday, September 28, 2015.

Pursuant to City Code Sec. 2-260 (Ordinance 2002-12), public notice is hereby given that a "Cone of Silence" is imposed concerning this City's competitive purchasing process, which generally prohibits communications concerning the RFP from the time of advertisement of the RFP until the beginning of the City Commission meeting at which the City Manager makes a written recommendation to the City Commission concerning the competitive purchase transaction. Please see the detailed specifications for the public solicitation for services for a statement fully disclosing the requirements of the "Cone of Silence".

Please see the applicable "Campaign Finance Restrictions on Vendors," provisions in the RFP package.

The City of Aventura reserves the right to accept or reject any and/or all proposals or parts of proposals, to workshop or negotiate any and all proposals, to waive irregularities and to request re-proposals on the required materials or services.

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Eric M. Soroka, ICMA-CM  
City Manager

# **GENERAL INFORMATION**

## **A. SCOPE OF SERVICES**

Provide Professional Traffic Engineering Services.

## **B. PROPOSAL DUE DATES**

Complete proposals are due on Monday, October 5, 2015 at 2:00 P.M. Proposals must be received in the Office of the City Manager by the date and time indicated, with opening immediately following at the City of Aventura, 19200 West Country Club Drive, Aventura, FL 33180.

Proposals should be addressed or delivered to:

RFP # 16-10-05-2  
Office of the City Manager  
City of Aventura  
19200 West Country Club Drive  
Aventura, FL 33180

Questions Concerning this RFP must be received by Monday, September 28, 2015 and directed to:

Ms. Indra Sarju, Purchasing Agent  
City of Aventura  
19200 West Country Club Drive  
Aventura, FL 33180  
Phone: (305) 466-8925  
Email: [sarjui@cityofaventura.com](mailto:sarjui@cityofaventura.com)

**In order to facilitate review of the proposals, each proposer must submit an original with one (1) CD that contain a single PDF file that contains your entire response in the order as presented in the Proposer document, including any attachments plus three (3) additional copies with CDs of the RFP response on or before the submission deadline indicated herein.**

THE RESPONSIBILITY FOR OBTAINING AND SUBMITTING A PROPOSAL TO THE OFFICE OF THE CITY MANAGER ON OR BEFORE THE STATED DATE AND TIME OF:

**MONDAY, OCTOBER 5, 2015 AT 2:00 P.M.**

IS SOLELY AND STRICTLY THE RESPONSIBILITY OF THE PROPOSER. THE CITY IS NOT RESPONSIBLE FOR DELAYS CAUSED BY ANY MAIL, PACKAGE OR COURIER SERVICE, INCLUDING THE U.S. MAIL, OR CAUSED BY ANY OTHER OCCURRENCE. ANY PROPOSAL RECEIVED AFTER THE DATE AND TIME STATED IN THE SOLICITATION TIMETABLE IN THIS REQUEST FOR PROPOSAL WILL NOT BE OPENED AND WILL NOT BE CONSIDERED. ELECTRONIC OR FACSIMILE PROPOSALS SHALL NOT BE CONSIDERED.

Hand-carried Proposals may be delivered to the above address during the City's regular business hours, Monday through Friday, excluding holidays observed by the City, but not beyond the Due Date and Time. Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements and for ensuring that the required information appears on the outer wrapper or envelope used by such service.

The Proposal must be signed by an authorized officer of the Proposer who is legally authorized to enter into a contractual relationship in the name of the Proposer. The submittal of a Proposal by a Proposer will be considered by the City as constituting an offer by the Proposer to perform the required services, and/or provide the required goods, at the price stated by the Proposer.

### **C. ACRONYMS/DEFINITIONS**

For the purposes of this Request for Proposal (RFP), the following acronyms/definitions will be used:

**Contract:** Shall refer to the Contract that may result from this RFP.

**Contractor:** The organization(s)/individual(s) that is awarded and has an approved contract with the City for the services identified in this RFP.

**City/Owner:** City of Aventura or designated representative when appropriate.

**Commission:** The term Commission as used throughout this document will mean the City Commission of City of Aventura, Florida.

**Competitive Solicitation:** Means an invitation to bid, a request for proposal, or an invitation to negotiate.

**Evaluation Committee:** An independent committee comprised solely of City representatives established to review proposals submitted in response to the RFP, score the proposals and recommend a Proponent(s).

**FSS:** Florida State Statutes.

**May:** Indicates something that is not mandatory but permissible.

**Offeror:** Shall refer to any offerer(s) submitting an Offer in response to this RFP.

**Proposal:** Shall refer to any offer(s) submitted in response to this RFP.

**Proposal Due Date & Time:** Shall refer to the due date and time listed in this Solicitation.

**Proponent:** Organization/individual submitting a bid/proposal in response to this RFP.

**Proposer:** Shall refer to anyone submitting a Proposal in response to the RFP.

**Provider or Successful Proposer:** Shall refer to the Proposer receiving an award as a Result of this RFP.

**RFP:** Request for Proposal

**Request for Proposal, RFP, RFQ or Solicitation:**

Shall mean this Request for Proposal including all Exhibits and Attachments as approved by the City and amendments or change orders issued by the City.

**Responsible Vendor:** A vendor who has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance.

**Responsive Bid/Proposal:** A bid or proposal or reply submitted by a responsive and responsible vendor that conforms in all material respects to the solicitation.

**Shall/Must:** Indicates a mandatory requirement. Failure to meet a mandatory requirement will, if material, result in the rejection of a proposal as non-responsive.

**Should:** Indicates something that is recommended but not mandatory. If the Proponent fails to provide recommended information, the City may, at its sole option, ask the Proponent to provide the information or evaluate the proposal without the information. Failure after demand will result in rejection.

**Sub-Contractor & Sub-Consultant:** Shall refer to any person, firm, entity, or organization, other than the employees of the Successful Proposer, who contract with the Successful Proposer to furnish labor, or labor and materials, in connection with the Work or Services to the City, whether directly or indirectly, on behalf of the Successful Proposer.

**Work, Services, Program, Project or Engagement:**

Shall refer to all matters and things that will be required to be done by the Successful Proposer in accordance with the Scope of Work and the Terms and Conditions of this Solicitation.

## REQUEST FOR PROPOSAL

**SUBJECT:** Traffic Engineering Services

**OPENING DATE & TIME:** Monday, October 5, 2015 @ 2:00 P.M.

**SUBMIT TO:** RFP # 16-10-05-2  
Office of the City Manager  
City of Aventura  
19200 West Country Club Drive  
Aventura, Florida 33180

**RFP NUMBER:** 16-10-05-2

### INTENT

The City of Aventura, Florida (the "City") is inviting the submission of proposals from qualified firms to provide Traffic Engineering Services for the City.

### BACKGROUND

The City has a diverse population of over 37,000 residents. It is located in the northeast corner of Miami-Dade County and is approximately 3.5 square miles in size.

The City is committed to the efficient administration of government operations. The staff, along with its consultants, contractors and service providers have been providing exceptional customer service to its residents, businesses and visitors for nearly 20 years. The City is also committed to providing quality products and services at competitive prices and we expect that tradition to continue.

Pursuant to Chapter 287.055, Florida Statutes, the City intends to retain a consultant to provide Traffic Engineering Services as described under the section labeled "**SERVICES SOUGHT**" below. In order to fulfill the needs of quick response and professional expertise, the City intends to retain one (1) Traffic Engineering Consultant.

While pursuing this RFP process, the City reserves the right to award contracts to Consultants who will best serve the interests of the City and whose Responses are considered by the City to be the most responsive and most responsible.

The City reserves the right to accept or reject any or all Responses, based upon its deliberations and opinions. In making such determination, the City reserves the right to investigate the financial capability, integrity, experience and quality of performance of each Consultant, including officers, principals, senior management and supervisors as well as the staff identified in the Response.

**The City also reserves the right to waive minor variations or irregularities in the Responses.**

**SERVICES SOUGHT**

The scope of services sought shall include but not be limited to providing the City with municipal Traffic Engineering Services on a contractual basis such as:

Transportation planning and traffic engineering, traffic-impact and safety studies, parking studies; neighborhood traffic management; multi-modal traffic planning and design, Roadways/Transportation planning and design, bicycle and pedestrian paths design and integrated mobility options; traffic calming; collection of traffic counts and reports; signal timing analysis and warrant studies; signs and pavement markings and other miscellaneous professional services that the City may desire.

**In order to facilitate review of the proposals, each proposer must submit an original with one (1) CDs that contain a single PDF file that contains your entire response in the order as presented in the Proposer document, including any attachments plus three (3) additional copies with CDs of the RFP response on or before the submission deadline indicated herein.**

Submittals shall be received no later than 2:00 P.M. on Monday October 5, 2015 and clearly marked on the outside **“RFP # 16-10-05-2 TRAFFIC ENGINEERING SERVICES PROPOSAL”**.

**OFFICE OF THE CITY MANAGER  
CITY OF AVENTURA  
19200 WEST COUNTRY CLUB DRIVE  
AVENTURA FL 33180**

The proposal shall include the following information at a minimum.

1. Qualifications of firm and principals, including but not limited to: firm’s history; number of years in business; local availability of key personnel; demonstrated ability to cooperate with local municipal agencies; comply with all applicable laws and regulations.
2. Provide all necessary licenses and permits relating to performing all services requested by the City.
3. The successful firm will be required to meet with any involved City department upon request by the City Manager or his designee. The successful firm’s project manager will be available to resolve any related issues that arise during the normal course of providing the requested services. The successful firm will be expected to coordinate and communicate effectively with designated City personnel. The

frequency, nature, scope, and definition of the services desired by the City may change from time to time, at the City's sole discretion.

**This solicitation, although described as a Request for Proposals, shall serve as a request for qualifications pursuant to Sec. 287.055, F.S.**

### **CONTENT OF PROPOSAL**

Please submit the following information, with responses numbered accordingly, on 8.5" x 11" sheets:

1. Name, address, telephone, fax number and email address of your firm.
2. Type of organization (i.e., individual, partnership, corporation, joint venture, etc.), year established, and address of home office if different than above.
3. Principals of the firm.
4. Name and title of person who will be responsible for City account.
5. Name, function, and qualifications of personnel in the organization who will be involved in this project. Please note, to receive further consideration, the contact person or project manager assigned to this project must, within the past five (5) years, have conducted or been solely responsible for providing professional design and engineering services in a similar environment.
6. General, workers' compensation, automobile and professional liability insurance company name, and extent of coverage.
7. A complete list of present clients and at least three (3) letters of recommendation.
8. Any other information you feel is appropriate to assist in the selection process.
9. Respondents must submit one (1) original and three (3) copies of the proposal.

## **EVALUATION OF PROPOSALS**

1. A Review Committee consisting of the City Manager, and the Community Development Director, Community Services Director and the Finance Director will evaluate the written proposals based on the following criteria:

✓ **Approach to Handling of Potential Projects and Timeliness**

Indicate Firm's understanding of the City's needs and projects proposed.  
(Max. 20 points)

✓ **Qualification of Project Team**

Credentials and accomplishments of the proposed team (up to 3) members.  
(Max. 25 points)

✓ **Previous Similar Projects and References**

Experience and background in providing similar municipal services and past performance, including, but not limited to, familiarity with local, state and federal regulatory agencies procedures and requirements, and assisting in the administration of grants requirements. (Max. 25 points)

✓ **Qualifications of Firm**

To include years of municipal experience, ability, capacity and skill of firm(s) and personnel to perform (i.e., references), including timeliness, stability and availability and licenses. (Max. 20 points)

✓ **Submittal Package**

Compliance with the response preparation and submission requirements.  
(Max. 10 points)

The evaluation process and criteria which are utilized by City shall comply with Sec. 287.055, F.S., as applicable.

2. The highest ranked proposals will be identified and those firms will be requested to make a formal presentation before the selection committee. The selected firms will then be ranked according to the content of their presentations. The City Manager will then recommend that the City Commission adopt a resolution authorizing the City Manager to negotiate an agreement with the highest-ranking firm to provide Traffic Engineering Services for the City.

## **CITY'S RIGHTS**

The City reserves the right to accept or reject any and/or all proposals or parts of proposals, to workshop or negotiate any and all proposals, to waive irregularities, and to request re-proposals on the required materials or services. The City Commission shall make a final determination and award of proposal(s).

All materials submitted in response to the RFP become the property of the City and will be returned only at the option of the City. The City has the right to use any or all ideas presented in any response to the RFP, whether amended or not, and selection or rejection of the Proposal does not affect this right, provided however, that any submittal that has been submitted to the City Manager's Office may be withdrawn prior to submittal opening time stated herein, upon proper identification and signature releasing submittal documents back to the proposing firm.

### **INSURANCE REQUIREMENTS**

Such policy or policies shall be without any deductible amount unless otherwise noted in this Agreement and shall be issued by approved companies authorized to do business in the State of Florida, and having agents upon whom service of process may be made in Miami-Dade County, Florida. The vendor shall pay all deductible amounts, if any. The vendor shall specifically protect the City and by naming the "City of Aventura" as additional insureds under the Commercial Liability Policy as well as on any Excess Liability Policy coverage. The official title of the certificate holder is the "City of Aventura." This official title shall be used in all insurance documentation.

The Contractor shall purchase and maintain, in full force and effect for the life of the contract, at contractor's sole expense, the following insurance policies:

1. A business automobile policy (including automobile liability, garage keepers, and garage liability) which covers any vehicles used in connection with this agreement, regardless of whether the vehicle is owned, rented, hired or borrowed by the contractor. Minimum limits for bodily/property damage liability shall be One Million Dollars (\$1,000,000) per occurrence. Coverage must be afforded on a form no more restrictive than the latest edition of the Business Automobile Liability Policy, without restrictive endorsements, as filed by the Insurance Services Office, and must include:

Owned Vehicles, if applicable.

Hired and Non-Owned Vehicles, if applicable.

Employers' Non-Ownership, if applicable.

2. A Comprehensive general liability policy shall be provided which shall contain minimum limits of One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) combined single limit for bodily injury liability and property damage liability. Coverage must be afforded on a form no more restrictive than the latest edition of the Commercial General Liability Policy, without restrictive endorsements, as filed by the Insurance Services Office and must include:

Premises and/or operations and independent contractors. Products and/or Completed Operations for contracts. Broad Form Contractual Coverage applicable to this specific Agreement, including any hold harmless *and/or* indemnification agreement.

Personal Injury Coverage with Employee and Contractual Exclusions removed, with minimum limits of coverage equal to those required for Bodily Injury Liability and Property Damage Liability.

3. A workers' compensation and employer's liability policy which covers all of the contractor's employees to be engaged in work on this contract as specified by and in accordance with Chapter 440, Florida Statutes, as may be amended from time to time, the "Workers' Compensation Law" of the State of Florida, and all applicable federal laws. In addition, the policy(ies) must include:

Employers' Liability with a limit of One Hundred Thousand Dollars (\$100,000) each accident.

The contractor acknowledges that the City will not be held responsible for Workers' Compensation or medical care for any/all of the contractor's employees.

4. A crime policy or fidelity bond covering, among other things: theft, employee dishonesty, or embezzlement. The policy or bond shall have minimum limits of Five Hundred Thousand Dollars (\$500,000) per occurrence.

The City of Aventura shall be named as additional insured on policies listed as 1–4 of the contractor's above required policies of insurance except for the Workers' Compensation insurance. The form and types of coverage and sufficiency of insurer shall be subject to approval of the City Manager.

The contractor agrees to indemnify, defend and hold harmless the City of Aventura from and against any and all claims, suits, judgments, executions, and/or liabilities as to bodily injuries and/or property damages which arise or grow out of this contract or contractors performance or operations hereunder. Notwithstanding any other provisions of this solicitation, it is hereby provided that to the extent that Sec. 725.08, F.S., is applicable, the selected contractor/ vendor shall indemnify and hold harmless the City and City's officers and employees solely to the fullest extent authorized by Sec. 725.08(1), F.S., which shall be deemed to be incorporated herein.

The contractor shall, in its contract with the City, be required to indemnify and hold harmless the City and its officers, agents, employees and instrumentalities from any and all liability, claims, liabilities, losses, and causes of action, including attorneys' fees and costs of defense which the City or its officers, employees, agents and

instrumentalities may incur as a result of claims, demands, suits, causes of actions or proceedings of any kind of nature arising out of, or relating to or resulting from the provision of professional services by the contractor and/or its officers, employees, agents or independent contractors. The contractor shall be required to pay all claims and losses in connections therewith, and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the City, where applicable, including appellate proceedings, and shall pay all costs, judgments and attorneys' fees which may issue thereon. The City shall require that the contractor expressly understands and agrees that any insurance protection required by this agreement or otherwise provided by the contractor shall in no way limit the responsibility to indemnify, keep and save harmless and defend the City and its officers, employees, agents or instrumentalities as herein provided.

Copies of all policies or certificates of such insurance shall be delivered to the City, and said documentation shall provide for the City to be notified a minimum of thirty (30) days prior to any cancellation, termination, reduction or non-renewal of any required insurance policy.

The Contractor shall also, upon request by the City, provide copies of all official receipts and endorsements as verification of contractor's timely payment of each insurance policy premium as required by this contract.

Coverage is not to cease and is to remain in force (subject to cancellation notice) until all performance required of the vendor is completed. All policies must be endorsed to provide the City with at least thirty (30) days' notice of expiration, cancellation, and/or restriction. If any of the insurance coverages will expire prior to the completion of the work, copies of renewal policies shall be furnished at least thirty (30) days prior to the date of their expiration.

The City reserves the right to review and revise any insurance requirements at the time of renewal or amendment of this Agreement, including, but not limited to, deductibles, limits, coverage, and endorsements based on insurance market conditions affecting the availability or affordability of coverage, or changes in the scope of work or specifications that affect the applicability of coverage. If the vendor uses a subcontractor, then the vendor shall ensure that subcontractor names the City as an additional insured.

## **GENERAL REQUIREMENTS**

- A. Proposers must have been in business for a period of no less than five (5) years. In the event of a joint venture, at least one (1) of the entities must have been in business for a period of no less than five (5) years.
- B. The original proposal with CDs and three (3) additional copies of the RFP response must be furnished on or before the submission deadline indicated herein.

- C. Costs of preparation of a response to this RFP are solely those of the Proposer's. The City of Aventura assumes no responsibility for any such costs incurred by the Proposer's.
- D. Proposing team members responding to this RFP must be present at the presentation to the Selection Committee. The Committee will conduct no phone interviews.
- E. The contents of the written proposal of the successful firm will become part of the contractual obligations.
- F. Proposers shall respond to each item in the Content Proposal Section.
- G. Proposals shall be typed or printed. All corrections made by the Proposer prior to the initial screening must be initialed and dated by the Proposer. No changes or corrections will be allowed after the initial screening of proposals has commenced.
- H. The City of Aventura reserves the right to accept or reject any or all proposals, with or without cause, to waive technicalities, or to accept the proposal which, in its sole judgment, serves the best interest of The City of Aventura.
- I. Any person submitting a proposal in response to this invitation must execute Form PUR.7068. SWORN STATEMENT UNDER SECTION 287.133(A), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES, including proper check(s) in the space provided, and enclosed said form with the proposal (See attached for blank form).
- J. The City reserves the right to issue modifications or addenda to more fully meet the needs of the City.
- K. By submitting a proposal, the Proposer certifies that he or she has fully read and understands the proposal method and has full knowledge of the scope, nature, and quality of work to be performed.
- L. The City reserves the right to negotiate modifications to proposals that it deems acceptable, reject any and all proposals, and to waive minor irregularities in the procedure.
- M. All firms submitting a proposal shall document the date and time they visited the project site.
- N. All proposals submitted shall be binding for one hundred twenty (120) calendar days following opening. Proposals should be prepared simply and

economically, providing a straightforward, concise description of the Proposer's ability to fulfill the requirements of the proposal.

- O. In accordance with Chapter 119 Florida Statutes (Public Records Law), and except as may be provided by other applicable State and Federal Law, all Proposers should be aware that Request for Proposals or Request for Qualifications and the responses are public record. All proposals received in response to this Request for Proposal or Request for Qualifications will become the property of the City of Aventura and will not be returned to the Proposers. In the event of contract award, all documentation produced as part of the contract will become the property of the City.

### **NONCONFORMANCE TO CONTRACT CONDITIONS**

Services offered must be in compliance with RFQ/RFP conditions and specifications and any resulting agreement at all times. Services not conforming to RFQ/RFP conditions, specifications or time frames may be terminated at proposer(s) expense and acquired on the open market. Any increase in cost may be charged against the proposer.

### **ASSIGNMENT**

The contractor shall not transfer or assign the performance required by this proposal without the City's prior written consent. Any award issued pursuant to this proposal invitation and monies which may be payable by the City, are not assignable except with the City's prior written approval.

### **AWARD OF PROPOSAL**

The City reserves the right to accept or reject any and/or all proposals or parts of proposals, to workshop or negotiate any and all proposals, to waive irregularities, and to request new proposals on the required materials or services. The City also reserves the right to award the contract on a split order basis, group by group or item by item, or such combination as will best serve the interests of the City unless otherwise stated. The City also reserves the right to waive minor variations to the specifications (interpretation of such to be made by the applicable department personnel). Final determination and award of proposal (s) shall be made by the City Commission.

### **IDENTICAL (TIE PROPOSALS)**

Shall be awarded by the City in compliance with Florida State Statutes providing for a drug free workplace and also City Ordinance #96-07; that is, in the event of an identical tie bid, a preference shall be given to a business having a drug free workplace under Florida State Statute 287.087, as amended. Failure to provide proof of compliance when requested shall be just cause for rejection of the proposal as determined by the City, holding the City harmless for such rejection.

## **PREFERENCE TO LOCAL BUSINESSES**

Pursuant to Section 1(G), of Ordinance No. 96-07, “businesses located within the (corporate limits) of the City shall receive a preference bonus of 10% or 10 points during the tabulation of bid proposals.”

## **HOLD HARMLESS**

All proposers shall hold the City, its officials and employees harmless and covenant not to sue the City, its officials and employees from their decisions to reject, award or not award a proposal, as applicable.

## **CANCELLATION**

Failure on the part of the vendor to comply with the conditions, specifications, requirements and terms as determined by the City, shall be just cause for cancellation of the award, with the vendor holding the City harmless.

## **DISPUTES**

If any dispute concerning a question of fact arises under this contract, other than termination for default or convenience, the dispute will be handled in accordance with Section 2-259 of the City Code.

## **ADDENDA, CHANGES OR INTERPRETATIONS DURING BIDDING**

Any inquiry or request for interpretation received five (5) or more days prior to the date fixed for the opening of the proposals will be given consideration. All such changes or interpretations will be made in writing in the form of an addendum and, if desired, will be mailed or sent by available means to all known prospective proposers not later than the established proposal opening date. Each prospective proposer shall acknowledge receipt of such addenda by including it in the proposal form. In case any proposer fails to include such addenda or addendum, his proposal will nevertheless be considered as though it had been received and acknowledged and the submission of his proposal will constitute acknowledgement of the receipt of same. All addenda are a part of the contract documents and each proposer will be bound by such addenda, whether or not received by him. It is the responsibility of each prospective proposer to verify that he has received all addenda issued before proposals are opened.

Any or all questions should be directed in writing to Indra Sarju, Purchasing Agent at [sarjui@cityofaventura.com](mailto:sarjui@cityofaventura.com) (305) 466-8925 by Monday, September 28, 2015. Under no circumstances will the City accept facsimile or electronic transmissions in lieu of a sealed proposal. Any proposals received in the above manner will be deemed unresponsive and a “no proposal” will be entered for the proposer.

No verbal or written information which is obtained other than by information in this RFP or by Addenda to this RFP shall be binding on the CITY.

### **DEFAULT PROVISIONS**

In case of default by the proposer or contractor, the City may cancel the service agreements, procure the articles or services from other sources and hold the proposer or contractor responsible for any excess costs occasioned or incurred thereby.

### **SECONDARY/OTHER VENDORS**

The City reserves the right in the event the primary proposer cannot provide an item(s) or Service(s) in a timely manner as requested, to contact the second best proposer of this RFP to perform said service. If the secondary contractor is unavailable, the City reserves the right to seek and obtain other sources without thereby violating the intent of the contract.

### **CONE OF SILENCE PROVISION**

- A. Notwithstanding any other provision of these specifications, the provisions of City Code Sec. 2-260 "Cone of Silence" are applicable to this transaction. The "Cone of Silence," as used herein, means a prohibition on any communication regarding a particular Request For Proposal ("RFP"), Request for Qualification ("RFQ") or bid, between:
  - a potential vendor, service provider, proposer, bidder, lobbyist, or consultant, and
  - the City Commission, City's professional staff including, but not limited to, the City Manager and his or her staff, any member of the City's selection or evaluation committee.
- B. The Cone of Silence shall be imposed upon each RFP, RFQ and bid after the advertisement of said RFP, RFQ or bid.
- C. The Cone of Silence shall terminate at the beginning of the City Commission meeting at which the City Manager makes his or her written recommendation to the City Commission. However, if the City Commission refers the Manager's recommendation back to the Manager or staff for further review, the Cone of Silence shall be reimposed until such time as the Manager makes a subsequent written recommendation.
- D. The Cone of Silence shall not apply to:
  - (1) oral communications at pre-bid conferences;

- (2) oral presentations before selection or evaluation committees;
- (3) public presentations made to the City Commissioners during any duly noticed public meeting;
- (4) communications in writing at any time with any City employee, unless specifically prohibited by the applicable RFP, RFQ or bid documents. The bidder or proposer shall file a copy of any written communication with the City Clerk. The City Clerk shall make copies available to any person upon request;
- (5) communications regarding a particular RFP, RFQ or bid between a potential vendor, service provider, proposer, bidder, lobbyist or consultant and the City's Purchasing Agent or City employee designated responsible for administering the procurement process for such RFP, RFQ or bid, provided the communication is limited strictly to matters of process or procedure already contained in the corresponding solicitation document;
- (6) communications with the City Attorney and his or her staff;
- (7) duly noticed site visits to determine the competency of bidders regarding a particular bid during the time period between the opening of bids and the time the City Manager makes his or her written recommendation;
- (8) any emergency procurement of goods or services pursuant to City Code;
- (9) responses to the City's request for clarification or additional information;
- (10) contract negotiations during any duly noticed public meeting;
- (11) communications to enable City staff to seek and obtain industry comment or perform market research, provided all communications related thereto between a potential vendor, service provider, proposer, bidder, lobbyist, or consultant and any member of the City's professional staff including, but not limited to, the City Manager and his or her staff are in writing or are made at a duly noticed public meeting.

E. Please contact the City Attorney for any questions concerning Cone of Silence compliance.

F. Violation of the Cone of Silence by a particular bidder or proposer shall render any RFP award, RFQ award or bid award to said bidder or proposer voidable by the City Commission and/or City Manager.

## **CAMPAIGN FINANCE RESTRICTIONS ON VENDORS**

- A. Pursuant to Ordinance 2005-14; City Code Section 2-420, vendors of the City are prohibited from in any way providing campaign contributions to City Commission candidates.
- B. City Code Sec. 2-420. Prohibited campaign contributions by vendors.
- (a) *General, prohibition, disqualification, definitions.*
- (1) a. No vendor shall give, solicit for, deliver or provide a campaign contribution directly or indirectly to a candidate, or to the campaign committee of a candidate, for the Offices of Mayor or Commissioner. Commencing on the effective date of this article, all proposed City contracts, as well as requests for proposals (RFP), requests for qualifications (RFQ), requests for letters of interest (RFLI), invitations to submit qualifications (ISQ) or solicitations of bids issued by the City, shall incorporated notice of this section so as to notify potential vendors of the proscription embodied herein.
- b. No candidate or campaign committee of a candidate for the Offices of Mayor or Commissioner, shall deposit into such candidate's campaign account any campaign contribution which is received directly or indirectly from a vendor or which such candidate or campaign committee knows or should know was solicited by or for a vendor or delivered or provided for a vendor. Candidates (or those acting on their behalf) shall ensure compliance with this code section by confirming through examination of the official vendor list which is posted on the City of Aventura website to verify the vendor status of any potential contributor. A candidate or the campaign committee of a candidate shall not be in violation of this subsection if the vendor ways' not listed as a vendor in the City website at the time that the contribution was received or deposited so long as the candidate or the campaign committee of a candidate did not know that the person or entity was a vendor of the City.
- (2) Each prohibited act of giving, soliciting for, delivering or providing a campaign contribution or depositing a campaign contribution in violation of this section shall constitute a separate violation. All contributions deposited into a candidate's campaign account in violation of this section shall be forfeited to the City's general revenue fund.
- (3) a. A person or entity, other than a then existing vendor, who directly or indirectly makes a campaign contribution to a candidate who is elected to the office of Mayor or Commissioner shall be disqualified for a period of 12 months following the swearing in of the subject elected official from serving as a vendor with the City. A then existing vendor who directly or indirectly makes a contribution to a candidate who is elected to the Office of Mayor or Commissioner, shall be disqualified from serving as a vendor with the City for a period of 12 months from a final finding of a violation of this section, or from the time of action on a waiver request by the City Commission pursuant to subsection (b) below, in the

event that a waiver is sought by the vendor. In the event that such waiver request for a particular transaction is granted, the affected vendor shall nonetheless be disqualified from serving as a vendor with the City as to any other goods, equipment or services to be provided by the vendor to the City, beyond the vendor goods, equipment or services which are the subject matter of any waiver which is granted. In the event such waiver request is denied for a particular transaction the 12-month disqualification period shall continue to apply to both the particular transaction for which the waiver was sought, as well as all other vendor activities for the provision of goods, equipment or services to the City during that 12-month period.

b. For purposes of this section, the term "disqualified" shall be defined to include:

1. Termination of a contributor/vendor's existing contracts with the City, subject to the applicable waiver provisions of subsection (b) herein; and
2. Disqualification of a contributor's response to solicitation requests for prospective vendor contracts with the City, subject to the applicable waiver of subsection (b) herein.

(4) As used in this section:

a. *Vendor.*

1. A "vendor" is a person and/or entity who has been selected by the City as the successful bidder on a present or pending bid to provide to the City goods, equipment or services, or has been approved by the City of a present or pending award to provide to the City goods, equipment or services, prior to, upon or following execution of a contract, or purchase order.

2. "Vendor" shall include natural persons and/or entities who hold a controlling financial interest in a vendor entity. The term "controlling financial interest" shall mean the ownership, directly or indirectly, of ten percent or more of the outstanding capital stock in any corporation or a direct or indirect interest of ten percent or more in a firm. The term "firm" shall mean a corporation, partnership, business trust or any legal entity other than a natural person.

3. "Vendor" shall not include City officers or employees.

4. For purposes of this section, "vendor" status shall terminate upon completion of performance of the agreement for the provision of goods, equipment or service.

b. *Services.* For purposes of this section, the term "services" shall mean the rendering by a vendor through competitive bidding or otherwise, of labor, professional and/or consulting services to the City, including, but not limited to, the provision of lobbying services to the City.

c. *Campaign contributions.* The term "campaign contribution" shall have the meaning which is ascribed to the term "contributions" pursuant to F.S. § 106.011, as amended.

(b) *Waiver of prohibition.*

(1) *Criteria for waiver.* The requirements of this section may be waived by the affirmative vote of five members of the City Commission for a particular transaction after a public hearing, upon finding that:

a. The goods, equipment or services to be involved in the proposed transaction are unique and the City cannot avail itself of such goods, equipment or services without entering into a transaction which would violate this section but for waiver of its requirements; or

b. The business entity involved in the proposed transaction is the sole source of supply as determined by the City Manager in accordance with procedures established by the City Manager; or

c. An emergency contract (as authorized by subsection 2-253(5) of this Code) must be made in order to protect the health, safety or welfare of the citizens of the City; or

d. A contract for the provision of goods, equipment or services exists which, if terminated by the City would be substantially adverse to the best economic interests of the City.

(2) *Limited waiver.* Notwithstanding the denial of the City Commission of a waiver request regarding the provision of goods, equipment or services under an existing contract pursuant to subsection (b)a. above, the City Commission, may by the affirmative vote of five members of the City Commission after a public hearing, grant a limited waiver concerning an existing contract for the provision of goods, equipment or services between a vendor and the City upon finding that in order to protect the health, safety and welfare of the citizens of the City, it is necessary that the affected contract be continued for a limited duration (not to exceed a period of six months) in order for the City to obtain a replacement vendor.

(3) *Full disclosure.* Any grant of a waiver or limited waiver by the City Commission must first be supported with a full disclosure of the subject campaign contribution.

(c) *Implementation.* The City Manager is authorized to adopt additional procurement procedures for goods, equipment or services to implement this section. These procedures shall provide for the assembly, maintenance and posting of an official City vendor list as referenced above.

(d) *Penalty.* The Ethics Commission created pursuant to Miami-Dade County Ordinance 97-105, shall have primary jurisdiction for enforcement of this section. A finding by the Ethics Commission that a person violated this section, shall subject such person to an admonition or public reprimand and/or a fine of \$250.00 for the first violation, and \$500.00 for each subsequent violation.

(e) *Applicability.* This section shall be applied only prospectively to campaign contributions which are made after the date of this section.

(Ord. No. 2005-14, § 3, 10-11-05)

### **PUBLIC ENTITY CRIME/DISQUALIFICATION**

Pursuant to Section 287.133(3)(a), Florida Statute all proposers are advised as follows:

“A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity and may not transact business with any public entity in excess of the threshold amount provided in s.287.017 for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.”

### **CONFLICTS OF INTEREST**

The award of any contract hereunder is subject to the provisions of Chapter 112, Florida State Statutes. BIDDER's must disclose with their Bids, the name of any officer, director, partner, associate or agent who is also an officer or employee of the City of Aventura or its agencies.

**THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK**

## RESPONDENT'S CERTIFICATION

**RFP # 16-10-05-2**

### PROVIDE TRAFFIC ENGINEERING SERVICES

I have carefully examined the Request for Proposal.

I hereby propose to furnish the services specified in the Request for Proposal. I agree that my submittal will remain firm for a period of at least 120 days in order to allow the City adequate time to evaluate the submittals and determine a ranking of the most qualified firms.

I certify that all information contained in this submittal is truthful. I further certify that I am duly authorized to provide this submittal on behalf of the firm as its act and deed and that the firm is ready, willing and able to perform if awarded the contract.

I further certify, under oath, that this submittal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation tendering a submittal for the same service, that no officer, employee or agent of the City of Aventura or any other respondent is interested in said submittal; and that the undersigned executed this Respondent's Certification with full knowledge and understanding of the matters therein contained and was duly authorized to do so.

Addendum # \_\_\_ Dated \_\_\_\_\_  
Addendum # \_\_\_ Dated \_\_\_\_\_  
Addendum # \_\_\_ Dated \_\_\_\_\_

\_\_\_\_\_  
NAME OF BUSINESS

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NAME & TITLE, TYPED OR PRINTED

MAILING ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
CITY, STATE, ZIP CODE

(\_\_\_\_) \_\_\_\_\_  
TELEPHONE NUMBER

\_\_\_\_\_  
FAX NUMBER

\_\_\_\_\_  
EMAIL ADDRESS

STATE OF )  
 ) SS  
COUNTY OF )

The foregoing instrument was sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ who is personally known to me or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC, State of \_\_\_\_\_

Print Name: \_\_\_\_\_

Commission No.: \_\_\_\_\_

Commission Expires: \_\_\_\_\_

**SWORN STATEMENT PURSUANT TO SECTION 287.133 (3) (a),  
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE  
PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICAL  
AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to the **CITY OF AVENTURA, FLORIDA**

By: \_\_\_\_\_  
*(print individual's name and title)*

For: \_\_\_\_\_  
*(print name of entity submitting sworn statement)*

whose business address is: \_\_\_\_\_

and (if applicable) its Federal Employer Identification Number (FEIN) is: \_\_\_\_\_  
*(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_.)*

2. I understand that a "public entity crime" as defined in Paragraph 287.133 (1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentations.
3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133 (1) (b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or non contendere.
4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
1. A predecessor or successor of a person convicted of a public entity crime; or
  2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers' directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a “person” as defined in Paragraph 287.133(1) (e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term “person” includes those officers, directors, executives, and partners. Shareholders, employees, members, and agents who are active in management of an entity.
6. Based on information and belief, the statement, which I have marked below, is true in relations to the entity submitting this sworn statement. (Indicate which statement applies).
- Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.
  - The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.
  - The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list (attach a copy of the final order).

**I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.**

\_\_\_\_\_  
**Signature**

Sworn to and subscribed before me this \_\_\_\_\_ day \_\_\_\_\_, 20\_\_.

Personally known \_\_\_\_\_

OR \_\_\_\_\_ Name of Notary  
 Produced identification \_\_\_\_\_ Notary Public – State of \_\_\_\_\_

**BUSINESS ENTITY AFFIDAVIT**  
**(VENDOR/BIDDER DISCLOSURE)**

I, \_\_\_\_\_, being first duly sworn  
State:

The full legal name and business address of the person(s) or entity contracting or transacting business with the City of Aventura ("City") are (Post Office addresses are not acceptable), as follows:

\_\_\_\_\_  
*Federal Employer Identification Number (If none, Social Security Number)*

\_\_\_\_\_  
*Name of Entity, Individual, Partners or Corporation*

\_\_\_\_\_  
Street Address      Suite      City      State      Zip Code

***OWNERSHIP DISCLOSURE AFFIDAVIT***

1. If the contact or business transaction is with a corporation, the full legal name and business address shall be provided for each officer and director and each stockholder who holds directly or indirectly five percent (5%) or more of the corporation's stock. If the contract or business transaction is with a trust, the full legal name and address shall be provided for each trustee and each beneficiary. All such names and addresses are (Post Office addresses are not acceptable), as follows:

<u>Full Legal Name</u>	<u>Address</u>	<u>Ownership</u>
_____	_____	_____ %
_____	_____	_____ %
_____	_____	_____ %

The full legal names and business address of any other individual (other than subcontractors, material men, suppliers, laborers, or lenders) who have, or will have, any interest (legal equitable, beneficial or otherwise) in the contract or business transaction with the City are (Post Office addresses are not acceptable), as follows:

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\_\_\_\_\_  
*Signature of Affiant*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Personally known \_\_\_\_\_

OR \_\_\_\_\_

Produced identification \_\_\_\_\_

\_\_\_\_\_  
*Notary Public*

Notary Public – State of \_\_\_\_\_

\_\_\_\_\_  
*Type of identification*

My Commission expires:

\_\_\_\_\_  
*Printed, typed or stamped  
commissioned*

**CITY OF AVENTURA**  
**“NO BID or PROPOSAL” RESPONSE**

If your firm is unable to submit a bid, please complete and return this form prior to date shown for receipt of proposal, and return to:

CITY OF AVENTURA

We have declined to propose on **RFP # 16-10-05-2**, for the following reasons:

- \_\_\_\_\_ We do not offer this service/product
- \_\_\_\_\_ Our schedule would not permit us to perform
- \_\_\_\_\_ Unable to meet specifications
- \_\_\_\_\_ Unable to meet bond/insurance requirements
- \_\_\_\_\_ Specifications unclear (please explain below)
- \_\_\_\_\_ Other (please specify below)

REMARKS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Business Phone                      Fax Number

## REFERENCES

Proposer shall submit as a part of the proposal package, at least five (5) business references with Project Name/Title, Client Name with Address, Telephone & Fax Numbers, Project Location, Fee Charged, Source of Funds, and Performance Period that have utilized the services being proposed to the City. (\*Indicates required information)

Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

\*Address: \_\_\_\_\_

\_\_\_\_\_

\*Telephone No.: \_\_\_\_\_ \*Fax No.: \_\_\_\_\_

Cell Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Date of Contract: \_\_\_\_\_

.....

Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

\*Address: \_\_\_\_\_

\_\_\_\_\_

\*Telephone No.: \_\_\_\_\_ \*Fax No.: \_\_\_\_\_

Cell Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Date of Contract: \_\_\_\_\_

**REFERENCES continued**

Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

\*Address: \_\_\_\_\_

\_\_\_\_\_

\*Telephone No.: \_\_\_\_\_ \*Fax No.: \_\_\_\_\_

Cell Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Date of Contract: \_\_\_\_\_

\*\*\*\*\*

Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

\*Address: \_\_\_\_\_

\_\_\_\_\_

\*Telephone No.: \_\_\_\_\_ \*Fax No.: \_\_\_\_\_

Cell Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Date of Contract: \_\_\_\_\_

\*\*\*\*\*

Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

\*Address: \_\_\_\_\_

\_\_\_\_\_

\*Telephone No.: \_\_\_\_\_ \*Fax No.: \_\_\_\_\_

Cell Phone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Date of Contract: \_\_\_\_\_

**W-9**



**CITY OF AVENTURA**

**ADDENDUM #1**

**TRAFFIC ENGINEERING SERVICES**

**RFQ # 16-10-05-2**

**DATE OF ADDENDUM: Tuesday, September 8<sup>th</sup>, 2015**

**TO ALL PROSPECTIVE BIDDERS:**

**PLEASE NOTE THE FOLLOWING CHANGE TO THE PROPOSAL:**

1. Request for Proposal, Background: page 8 paragraph 3 has been revised as follows:

“Pursuant to Chapter 287.055, Florida Statutes, the City intends to retain a consultant to provide Traffic Engineering Services as described under the section labeled “**SERVICES SOUGHT**” below. In order to fulfill the needs of quick response and professional expertise, the City intends to retain more than one (1) Traffic Engineering Consultant. Respective sections in the RFP that are in conflict with this Addendum shall be deemed to be revised accordingly.”

**PLEASE NOTE THE FOLLOWING QUESTIONS AND ANSWERS:**

None at this time

**PLEASE NOTE THE FOLLOWING ADDITIONS:**

END OF ADDENDUM #1

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

**MEMORANDUM**

TO: City Commission

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

DATE: October 15, 2015

SUBJECT: **Resolution Authorizing Execution of the Florida Department of Law Enforcement Justice Assistance Grant to Fund School Resource Officer Drug and Crime Prevention Programs**

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November 3, 2015 City Commission Meeting Agenda Item 105

**RECOMMENDATION**

It is recommended that the City Commission authorize the execution of the Florida Department of Law Enforcement Justice Assistance Grant document to fund the School Resource Officer programs at the Charter School.

**BACKGROUND**

The City has applied for and received a grant in the amount of \$4,718 to fund various crime prevention programs designed to educate the students and parents of the school.

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

EMS/act

Attachment

CCO1914-15

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND APPLY FOR THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT JUSTICE ASSISTANCE GRANT; TO APPLY FOR, RECEIVE, AND EXPEND \$4,718 IN FUNDS FOR THE SCHOOL RESOURCE OFFICER PROJECT; 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 Commission of the City of Aventura desires to accomplish the purpose outlined in the contract attached hereto and incorporated herein by reference.

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

**Section 1.** The City Manager is authorized to apply for funds in the approximate amount of \$4,718 and to execute such contracts and agreements as are required between Miami-Dade County and the City of Aventura to provide for services provided by the Florida Department of Law Enforcement Justice Assistance Grant in substantially the form as attached hereto.

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015.

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

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 - County-wide



## 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 - County-wide

## General Project Information

**Project Title:** AVLET5 (AVENTURA LEARN, EVALUATE, TAKE ACTION)  
**Subgrant Recipient:** City of Aventura  
**Implementing Agency:** Aventura Police Department  
**Project Start Date:** 10/1/2015      **End Date:** 9/30/2016

## Problem Identification

Every day 4700 youth under age 18 try marijuana for the first time. Studies have shown that one in five 8th grade students who were surveyed indicated that they had used drugs of some type. Our own studies have shown that the drug problem is increasing in local schools with documented evidence that the use of drugs is starting at a younger age, in 2003 nearly nine out of ten twelfth graders reported marijuana being accessible by the eighth grade. By the time they finish eighth grade approximately 50 percent report having one drink and 20 percent report having been drunk. One thing remains true in spite of these numbers; a parent's influence on the child can have dramatic results regarding the child's decision to use or continue to use drugs. It is essential that we train parents on what to look for.

## Project Summary (Scope of Work)

For the FY 2016 Grant cycle the Aventura Police propose to continue our outreach by continuing to utilize the School Resource Officer along with our Crime Prevention Officer continue to offer AVLET training to parents on drug abuse prevention. In addition to offering the training to parents we will continue to expand our efforts to include more community groups and neighborhood Associations. Offering the training to a more diverse group will enable us to reach a much wider audience without changing the message that parents can make a difference in their children's lives. The AVLET Program information will again be offered to area educators who are in a unique position to identify and report possible drug abuse by our children. The classes will consist of three topics, each one being covered in detail. The three topics are as follows:

**Learn ?** Parents will be learning about the drugs that are out there and their potential for misuse. The parents will be shown various drugs so they can readily identify them. Drug displays and brochures will be used for hands on learning about the types of drugs commonly abused. Methods of obtaining drugs and tactics used to cover up their use will be covered.

**Evaluate ?** Parents will learn how to evaluate if their child is using or experimenting with drugs. The danger signs and the not so obvious signs of potential drug abuse will also be addressed so that parents can make a rational educated evaluation of their child to determine if drugs are being used. This section will cover the appearances of drug abuse and teach parents the physical and evidential signs of drug abuse: such as bloodshot eyes, hyper activity, and obsession with money which are common to abusers of various drugs. This will enable the parent to recognize even the subtle signs of abuse.

**Take Action ?** Will show parents what actions to take in order to prevent drug abuse, how to get the kids talking about potential situations where drugs can be abused and how to evaluate the risks associated with drug abuse; how to talk to your child about your past experiences with drugs and how to explain if you have had a history of drug usage yourself. This is an especially important topic as parents who experimented with drugs are unsure how to explain this to their children in a manner that places the child on the right track. There are talking points and conversation starters that will be shared with parents to assist them in this all important phases of interaction with their child. This

# **Application for Funding Assistance**

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

program will continue to be offered at our local Schools.

The purchase of various drug prevention handouts will enable us to offer a more tailored approach to diverse community groups. The purchase of pens and key chains with promotional advertising enables us to send a strong message to our students about the program. It also reminds them of the mission of the grant and allows us to put contact information out to the groups.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section Questions:

Question: What percentage of the total cost of this project is being funded by sources other than this award?

Answer: 4718

Question: What is the name of the jurisdiction(s) your agency provides service to. (e.g., City of Miami, Orange County, State of Florida)

Answer: City of Aventura, Miami Dade County, Florida

Question: What is the combined population of the jurisdiction(s) your agency provides services to (according to the most recent census)?

Answer: 34000

Question: What is the address of the location being used to provide services for this project?

Answer: 19200 W. Country Clyb Drive Aventura Florida 33180  
Ernie Long is the Crime prevention officer for the Department and Stores all material purchased under this grant at this address and conducts training and education at various venues.

Question: Describe your agency. (e.g., non-profit, community based, government)

Answer: Law Enforcement Agency, Non-Profit, Government

Question: Have you verified that the subgrantee has an active and current registration in SAM.gov?

Answer: Yes

Question: What is the Operating Capital Outlay threshold used by the subgrantee?  
If the implementing agency is a sheriff's office, indicate the sheriff's office's threshold instead.

Answer: \$1000.00

Question: Does the subgrantee receive a single grant in the amount of \$750,000 or more from the U.S. Department of Justice?

Answer: No

Question: Does the implementing agency receive a single grant in the amount of \$750,000 or more from the U.S. Department of Justice?

Answer: No

Question: In your organization's preceding completed fiscal year, did your organization (the subgrantee) receive at least (a) 80 percent or (b) \$25,000,000 of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

Answer: No

Question: If you answered yes above, does the public have access to information about the compensation of the executives in your 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.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

Answer: No

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## General Performance Info:

**Performance Reporting Frequency:** Quarterly

**Federal Purpose Area:** 01 - Law Enforcement (Includes Task Forces)

**State Purpose Area:** 1G - General Questions

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## Objectives and Measures

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**Objective:** General Questions - General Questions for All Recipients

Measure: General 01

Will your organization be using the crimesolutions.gov website during the grant period regardless of JAG funding? Crimesolutions.gov provides information on several crime reduction and prevention programs and practices.

Goal: No

Measure: General 02

Will your organization be using the The National Training and Technical Assistance Center (NTTAC) during the grant period, regardless of JAG funding? The NTTAC serves as BJA's training and technical assistance center. You can find resources, tools, webinars, and TTA support on a variety of criminal justice issues and initiatives.

Goal: No

Measure: General 03

Will your organization be using the NCJP.org website during the grant period, regardless of JAG funding? NCJP.org contains resources to support strategic planning, program development, and implementation of evidence-based policy and practice.

Goal: No

Measure: General 04

Will your organization be using the Evidence-Based Policing Matrix during the grant period regardless of JAG funding? The Evidence-Based Policing Matrix provides information on evidence-based practices for law enforcement.

Goal: No

Measure: General 05

Will your organization be using the What Works in Reentry Clearinghouse during the grant period regardless of JAG funding? The clearinghouse provides research on the effectiveness of reentry programs and practices.

Goal: No

Measure: General 06

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

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Will your organization be using Research to Practice during the grant period regardless of JAG funding? Research to Practice promotes the dissemination of research on drug courts to practitioners and policymakers.

Goal: No

Measure: General 07

Will your organization be using any other resources during the grant period regardless of JAG funding? If yes, please describe them.

Goal: N/A

Measure: General 08

During the grant period, will your agency conduct or sponsor (with or without JAG funds) a survey or focus group of citizens on any of the following topics? Enter all that apply from the following list: Public satisfaction with police services; public satisfaction with prosecution services; public satisfaction with public defender/indigent defense services; public satisfaction with courts; public perceptions of crime/disorder problems; personal crime experiences of citizens; none of the above; unsure/don't know.

Goal: N/A

Measure: General 09

During the grant period, which of the following community activities will your organization be involved in, with or without JAG funds and how often will they each occur (yearly, monthly, etc.)? Choose from the following list: Hosting community meetings; attending community meetings; distributing a newsletter, e-mail, or other bulletin; attending community events; conducting social media activities; conducting outreach to minority populations; other (please describe)

Goal: Conduct Drug Prevention classes for parents of school aged students.  
Provide training to parents/teachers  
Community Outreach Events,  
Educational Events,  
Media Campaign (television, radio, billboards, pamphlets, posters)

Measure: General 10

Law Enforcement Agencies ONLY: In which of the following ways has your agency fostered community involvement in the last year? Enter all that apply from the following list: Citizen Review Board or other review board with citizen representation, Citizen's Police Academy, Internships for university or high school students, Volunteer Program, Auxiliary police officer program, Police Cadet Program, k-12 school programs, Youth Athletic Programs, Other (please Describe), None of the above, Unsure/Don't know.

Goal: Internships for University or high school students, Volunteer Program

Measure: General 11

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

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Identify the goal(s) you hope to achieve with your funding. If you have multiple goals, describe each goal separately.

Goal: Anti-Drug & Drug Prevention Classes to parents of school aged children

Video and Multimedia presentations

Presentations on various drug prevention topics

Measure: General 12

Are the subrecipient and implementing agency aware that they will be required to report on the status of the identified goals during each reporting period?

Goal: Yes

Measure: General 13

Describe any barriers you may encounter which may prevent you from achieving your identified goal(s).

Goal: None

Measure: General 14

Are you aware that the Office of Criminal Justice Grants encourages recipients to report on any noteworthy accomplishments, success stories, or program results that they would like to showcase?

Goal: Yes

**State Purpose Area:** 3E - Equipment, Supplies, and Technology Enhancements

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## Objectives and Measures

---

**Objective:** Equipment - Questions for all recipients purchasing Equipment, Supplies, and Technology Enhancements.

Measure: Equipment 1

Do the Subrecipient and Implementing agencies understand that they will be required to submit an itemized account of all items purchased during each reporting period as part of their performance reporting?

Goal: Yes

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide



## 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	\$4,718.00	\$0.00	\$4,718.00
Operating Capital Outlay	\$0.00	\$0.00	\$0.00
Indirect Costs	\$0.00	\$0.00	\$0.00
<b>-- Totals --</b>	<b>\$4,718.00</b>	<b>\$0.00</b>	<b>\$4,718.00</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 - County-wide



## **Budget Narrative:**

Expense total = \$4718.00

Program Materials include: Printed program materials, drug prevention videos, pens, bookmarks, key chains (with educational messages).

Printed materials (programs, flyers, pamphlets) \$700

Drug Prevention Posters - \$400

Pens, Bookmarks, key chains - \$2600

Marijuana Simulator - \$1018

Total Budget \$4718.00

Costs in excess of the grant award will be paid by the subgrantee.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

## Section Questions:

Question: If the budget contains salaries and benefits, will this project result in a net personnel increase, or continue to fund a prior federally grant funded net personnel increase?

Answer: No

Question: If Expenses or Operating Capital Outlay are included in your budget, what will be the method of procurement for those items? (e.g., competitive bid, sole source, state term contract)

Answer: Small Purchase

Question: If indirect cost is included, explain the indirect cost plan. Provide documentation of approval.

Answer: N/A

Question: If contractual services in the budget are based on unit costs, provide a definition and breakdown of cost for each service. Include the methodology for the unit cost plan and when it was approved.

Answer: N/A

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

## **Section 5: Standard Conditions**

Insert Standard Conditions Page here.

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

\_\_\_\_\_

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.

**State of Florida  
Department of Law Enforcement  
Office of Criminal Justice Grants**

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

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

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

**Subgrant Recipient  
Authorizing Official of Governmental Unit  
(Commission Chairman, Mayor, or Designated Representative)**

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

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

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

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

**Implementing Agency  
Official, Administrator or Designated Representative**

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

Signature: 

Typed Name and Title: **STEVEN STEINBERG, CHIEF OF POLICE**

Date: **10/13/15**

# Application for Funding Assistance

Florida Department of Law Enforcement  
Justice Assistance Grant - County-wide

**Insert Certifications and Authorizations here.**

**AVENTURA POLICE  
DEPARTMENT**

**GENERAL ORDER**

**FISCAL MANAGEMENT AND EQUIPMENT ACCOUNTABILITY**

**General Order  
GO 107**

**Effective Date: 4/15/2011**

**Revision Date:**

**I. POLICY**

It is the policy of the Aventura Police Department to adhere to this directive, and any other applicable City of Aventura policy or procedure when dealing with matters concerning purchases, bids, Request for Proposal, contracts, Purchase Orders, Requisitions, requests for payments or other budgetary matters.

This directive also addresses areas of equipment accountability and responsibility of persons assigned and/or operating the equipment.

**II. RESPONSIBILITY**

- A. Per the City of Aventura Code of Ordinances, Chapter 2, Section 2-251 the City Manager shall supervise and have full authority to approve, or disapprove purchases by all departments. The City Manager shall issue rules governing purchasing procedures. The City Manager shall approve all contracts relating to purchases by the City and subject to the provisions of this division. All expenditures pursuant to this division shall conform to Section 3.09 of the Charter.
- B. Contracts and agreements may be required to be reviewed by the City Attorney prior to being signed per City policy.
- C. As the Department Head of the Police Department, the Chief of Police is vested by the City Manager with the overall fiscal management and responsibility of the Department's Operational and Capital budget. The Chief of Police has the final Departmental authority to approve, or disapprove, a request for purchase and/or expenditure of Department funds. Once documents and/or requests have been completed and signed off by the Chief, they will be forwarded to the Director of Finance who will forward them to the City Manager for final approval. CALEA 17.1.1 CALEA 17.2.1
- D. The Administrative Services Division Commander is appointed as the Chief of Police's designee to oversee the budgetary process and attend to the preparation of any and all documents for expenditures, or any other budget function, as may be needed and/or appropriate during the fiscal year. Once prepared, any document will be submitted to the Chief of Police for review and/or approval.

- E. Both the Chief and Administrative Services Division Commander will work in conjunction with the Director of Finance and the Purchasing Agent in regards to the expenditure of funds and other budgetary-related matters as may be needed.
- F. All requests for purchase, or any other budget-related issues, will comply with any applicable laws or City Ordinances.

### III. BUDGET PROCESS CALFA 17.2.1

- A. The budgetary process that the Department operates under is a Program style budget which is overseen and administered by the Director of Finance and City Manager.
- B. In April of each year, the Chief of Police will assemble the Command Staff for input for the upcoming fiscal year which begins October 1st. Documents will be distributed by the City Manager that explain the time-line for the submission of the Departmental budget and contain any necessary forms required. The Administrative Services Division Commander will distribute any needed forms to the Staff members that are necessary for them to submit for any personnel or equipment needs for their respective units.
- C. Each Staff member shall furnish budget requests for their specific divisions as needed during a fiscal year or for an upcoming fiscal year. The requests shall be specific in their description of personnel, equipment, services or funds needed for their division. Any necessary paperwork, or documentation, to support a request shall be submitted at the time of the request. CALFA 17.2.2
- D. The Director of Finance and City Manager will supply sample budgets and appropriate paperwork and instruction for completing the requests for the upcoming fiscal year.
- E. The Operational and Capital Budget requests for a new fiscal year, and any other related paperwork, will be prepared and submitted by the Chief to the City Manager, as required.

### IV. PURCHASING

- A. The Department shall determine what equipment and supplies are needed for personnel so they can carry out and complete their respective duties and job assignments. Items may vary from low- cost office supplies to expensive equipment for sophisticated operations. Whenever possible, exact requirements, makes, models, accessories, specific equipment or conditions shall be supplied to vendors prior to being purchased. Equipment that is defective, broken, does not meet the criteria or needs of the Department, or incomplete orders, shall not be accepted from a vendor. CALFA 17.3.1 a
- B. All purchases shall conform to any applicable law and/or City requirement or Ordinance. The City Manager has the final authority to approve all purchases and/or contracts.
- C. Purchasing is governed by the City of Aventura Code of Ordinances, Chapter 2, Section 2-252. Below are specific sections that pertain to purchases: CALFA 17.3.1 b
  - 1. Purchases not greater than \$2,500.00-The Chief of Police can submit requests for

purchases or contracts without competitive bids and without City Commission approval.

2. Purchases of more than \$2,500.00 but less than \$50,000.00-The Chief of Police can submit requests for purchases or contracts to the City Manager, without City Commission approval, provided that three (3) quotations are obtained from individual vendors; or a current government awarded bid.
  3. Purchases of \$50,000.00 or more-The Chief of Police can submit requests for purchases or contracts that will be awarded by the City Commission after formal competitive bidding or review and approval for use of a current a government awarded bid.
- D. All purchases shall conform to the requirements as set forth in the City Code of Ordinances, City Policies or any other requirement by the City prior to a purchase.
- E. Any other requirements that may become applicable in the future shall become a part of this General Order, and they shall be complied with upon becoming effective.

#### V. SELECTION OF VENDORS

- A. Vendors for equipment or services costing less than \$2500.00 are selected based on the products they sell and/or services they provide compared to the specific equipment or service needs of the Department.
- B. For vendors that supply equipment or services over \$2,500.00, the Department shall comply with the competitive bid process by obtaining three quotes or a Request for Proposal. CALEA 17.3.1 c

#### VI. EMERGENCY PURCHASING CALEA 17.3.1 d

- A. Emergency purchases can be made per City of Aventura Code of Ordinances, Section 2-253 (5).

#### VII. SUPPLEMENTAL OR EMERGENCY APPROPRIATIONS CALEA 17.3.1 e

- A. These appropriations can be made, or approved, per City of Aventura Charter, Section 5.2.

#### VIII. ACCOUNTING OF FUNDS AND ENCUMBRANCES

- A. The City of Aventura has adopted a central computer software program, the HTE system that is used to keep track of all Operational and Capital Budget accounts. The system supplies initial budgeted amounts, amounts paid out, amounts encumbered and remaining balances. The system is used to track Check Requests or Purchase Orders. The system can also be used to: CALEA 17.4.1

1. Show the initial appropriation for each account. CALEA 17.4.1 a
2. Show monthly balances for each account. CALEA 17.4.1 b
3. Show expenditures or encumbrances made during any period. CALEA 17.4.1 c

4. Show the unencumbered balance of an account. CALEA 17.4.1b
- B. All requests for a Purchase Order (PO) initiated by the Police Department shall be entered into the HTE accounting system for purposes of electronic approval and tracking. The City of Aventura Finance Department is responsible for providing training, assistance and insuring that the entries in the system are correct.
- C. The Administrative Services Division Commander, or a designee, is responsible for entering PO requests into the HTE system for electronic approval.
  1. The order of approval for any expenditure, either by Purchase Order or Check Request is:
    - a. Administrative Services Division Commander - Division
    - b. Chief of Police - Department
    - c. Finance Department - City
    - d. City Manager
- D. Check Requests shall comply with APDP 6.2.1 and must be accompanied by three (3) quotations, if the request exceeds \$2,500.00. Check Requests are generated on paper by computer, signed for approval by the Chief of Police, forwarded to Finance and entered into the HTE system by their personnel, after proper approval.
- E. At a minimum, a quarterly accounting of the Departmental cash funds will be performed and documented by the respective division commander or their designee. CALEA 17.4.2 f
- F. As per the City of Aventura Charter, Section 4.11, the City Commission shall provide for an annual independent audit of all City accounts and may provide more frequent audits as it deems necessary. CALEA 17.4.3

#### IX. CASH FUNDS CALEA 17.4.2

##### A. PETTY CASH FUNDS CALEA 17.4.2

1. The Administrative Commander shall keep a petty cash fund of \$500.00 on hand for minor immediate purchases. Any disbursement of petty cash over \$300 must be approved by the Chief of Police. The fund shall be replenished as needed by Finance upon submission of receipts showing detailed expenditures of the funds. Finance shall issue a check in the amount of receipts supplied showing cash expended. The following persons are authorized to disburse the petty cash: CALEA 17.4.2 a c
  - a. Chief of Police
  - b. Administrative Services Division Commander
  - c. Chief's Executive Assistant

2. The petty cash funds shall be accounted for by the use of a ledger reflecting:
  - a. date of purchase. CALEA 17.4.2 f
  - b. name of person who purchased item(s).
  - c. description of item(s) purchased.
  - d. amount of purchase.
  - e. operational account number purchase is charged to.
  - f. initial cash balance, and
  - g. balance on hand.
3. In order for an employee to be reimbursed for out-of-pocket cash expenditure for the purchase of equipment that will be used and owned by the City of Aventura after payment the employee must receive prior approval from: CALEA 17.4.2 e
  - a. Chief of Police,
  - b. Administrative Services Division Commander, or
  - c. Division Commander who may approve up to a \$25.00 expenditure without approval from the Chief or Police or Administrative Services Division Commander.
4. Submit an original receipt along with an invoice and any other paperwork for the item(s) purchased to the Administrative Commander for reimbursement. CALEA 17.4.2 d
5. The Chief of Police, or designee, may give employee cash out of the petty cash fund for the purchase of an item or equipment. Once purchased, the item or equipment is the property of the City of Aventura and shall only be used for the approved purposes. The employee making the purchase shall:
  - a. turn in any remaining cash to the Administrative Commander or designee
  - b. turn in the original receipt for the item purchased to the Administrative Services Division Commander or designee.

#### B. RECORDS SECTION CASH FUNDS

1. The Records Section of the Aventura Police Department shall be authorized to accept cash only as payment for copies of public records. The cost of obtaining a public document from Records will be set by City policy. The following employees are authorized to disburse cash from the Records Section petty cash: CALEA 17.4.2 e
  - a. Administrative Commander,

- b. Records Supervisor.
- c. Records Clerk.
- 2. The Records Supervisor shall be responsible for the "bank" of cash on hand in the Record's cash drawer. The "bank" of cash on hand shall consist of \$30.00 in currency and coins. The Records Supervisor shall also comply with the General Order, *Records*, and maintain a record of cash funds as required of Petty Cash in this General Order. CALBA 17.4.2 a-d
- 3. Anytime a cash transaction is completed for payment of a public record the employee shall issue a receipt that will contain the following: CALBA 17.4.2 f-g
  - a. date of transaction
  - b. exact amount of transaction
  - c. name of the person the cash is received from
  - d. name of the employee filling out the receipt
  - e. exact number of copies received
- 4. Employees shall make change as needed for transactions from the "bank" furnished to Records. Records personnel shall not use cash from the Records bank for any purpose other than making change for public records purchases.

#### C. INVESTIGATIVE FUNDS

- 1. These funds will be administered as outlined in General Order 408. *Confidential Informants*.

#### X. ASSET AND EQUIPMENT INVENTORY CALBA 17.5.1

- A. The Finance Department is responsible for assigning an asset number to department purchases and equipment and supplying the asset number sticker.
- B. All Departmental equipment that has been assigned an asset number may be inventoried at the request of the Director of Finance.
  - 1. See Finance Department Policies and Procedures 2.7 for further information.
- C. The Administrative Lieutenant is responsible for insuring that an asset number inventory is conducted when requested by the Director of Finance and all asset numbers are accounted for. The Administrative Lieutenant shall conduct an annual inventory of all police department equipment assigned to individuals and units. The purpose of this inventory is to account for all equipment and/or items that have been purchased by, or are assigned to; the police department is accounted for. The Administrative Lieutenant may enlist other members of the Department as needed to assist in the inventory.

#### XI. ISSUING AND RE-ISSUING EQUIPMENT CALBA 17.5.2

- A. The Administrative Division Commander, or designee, is responsible for issuing all Agency-owned items and/or equipment to authorized users.
- B. All Departmental personnel are responsible for the care and maintenance of any item and/or equipment that is assigned to them and/or used by them.
- C. Equipment or items that are new, or used, but in good working order and/or have not passed a manufacturer's expiration date, may be assigned and/or re-assigned to personnel within the Agency or City. Officers or units requiring equipment can obtain the equipment in one of the following manners:
  - 1. Equipment Chit - Issued for uniforms, shoes, boots and/or duty gear. Officers in need of an initial issue and/or replacement shall obtain a chit from the Administrative Services Division Commander or Administrative Lieutenant. Once the officer obtains the equipment, they shall turn in any receipts received to the office of the Administrative Services Division Commander. The Administrative Services Division Commander or designee, shall keep a file on each officer that is issued a chit.
  - 2. Memorandum - For equipment that the Department does not currently issue and/or possess officers or units in need of equipment can submit a memorandum, via Chain of Command, requesting that the Department purchase the equipment. The memo shall contain:
    - a. an explanation and/or justification of the need to purchase.
    - b. name of the unit or person requesting.
    - c. name of the vendor that can supply the equipment.
    - d. cost of the item or items requested.
  - 3. Dependent upon costs, persons requesting equipment may need to get three quotes from vendors or an RFP (Request for Proposal) may have to be put out by the Purchasing Technician.
- D. Equipment purchased is either paid for by a Check Request or applied against an existing Purchase Order. Once the equipment is received, and in acceptable condition, all paperwork is processed and forwarded to City Hall Finance for payment.

## XII. OPERATIONAL READINESS OF STORED EQUIPMENT CALEA 17.5.3

- A. All stored Departmental equipment shall be cared for and maintained in a state of order insuring that the equipment or item is serviceable and in good working condition at all times.
- B. If an item or piece of equipment is assigned to a specific individual that person is solely responsible for the security, care and maintenance of the equipment or item. The assigned person is responsible for insuring that the equipment/item receives any necessary cleaning, scheduled maintenance and/or repair as may be required.

- C. If an item or piece of equipment is assigned to a specific unit, the supervisor in charge of the unit is responsible for the security, care and maintenance of the equipment or item. The supervisor is responsible for insuring that the equipment/item receives any necessary cleaning, scheduled maintenance and/or repairs as may be required.
- D. Any item or equipment that is stored shall be inspected for operational readiness on a regular basis. The responsibility for the inspection shall be with the employee assigned the equipment or the supervisor in charge of the unit the equipment is assigned to. Once inspected, a memo shall be sent by the person performing the inspection to the Commander of the unit that the equipment is assigned to. The memo shall explain the condition of the equipment and if it is ready for use. A copy of the memo shall be forwarded to the Accreditation Manager.
- E. Any equipment found to be defective, non-operational, unsafe, in need of repair or maintenance shall be brought to the attention of the supervisor of the assigned employee, or, if assigned to a unit, the next supervisor in rank. The officer or supervisor is responsible for having the equipment/item serviced or repaired as quickly as possible. If necessary, they shall submit a written request, via the Chain of Command, to have the work completed. The equipment or item shall then be repaired, serviced or replaced as deemed necessary.

Steven Steinberg,

Chief of Police

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

**MEMORANDUM**

TO: City Commission

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

DATE: October 14, 2015

SUBJECT: **Disbursement of Police Forfeiture Funds**



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November 3, 2015 City Commission Meeting Agenda Item 6H

**RECOMMENDATION**

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

“Motion authorizing the appropriation of up to \$7,500 for crime prevention scholarships 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

CCO1913-15

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

**TO:** Eric M. Soroka, City Manager  
**FROM:** ~~Eric M. Soroka, City Manager~~  
Steven Steinberg, Chief of Police  
**DATE:** 14 October 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:

1 <sup>st</sup> Generation Crime Prevention Scholarship	\$7,500
<b>Total Expenditure Request:</b>	<b>\$7,500</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 Scholarship:** A donation in the amount of \$7,500 to the Florida International University - First Generation Scholarship Fund specifically for Aventura residents. This combined with matching funds from the state will provide scholarships to FIU students who are Aventura residents and will be the first generation in a family to attain a college degree. This program will serve to enhance crime prevention by facilitating educational and employment opportunities that would otherwise not exist, by providing tuition assistance to students with limited financial means who come from families with no prior benefit of higher education.

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING THE APPOINTMENT OF MEMBERS TO THE CHARTER REVISION COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 7.06 (Charter Revision) of the Aventura City Charter provides for the appointment of a Charter Revision Commission in November of every fifth year after the adoption of the Charter; and

**WHEREAS**, the last Charter Revision Commission was appointed in November 2010; and

**WHEREAS**, the Charter Revision Commission is to be consisted of five persons, one of whom shall have served as a member of the previous Charter Commission and four of whom shall be electors of the City; and

**WHEREAS**, Stanley Price served as a member of the previous Charter Revision Commission, appointed in November 2010, and has expressed an interest in serving again; and

**WHEREAS**, Stuart Altman, Billy Joel, Rebecca Fishman Lipsey, and Luz Weinberg are residents of the City of Aventura and have all expressed an interest in serving on the Charter Revision Commission; and

**WHEREAS**, in accordance with the provisions of Section 7.06 of the Aventura City Charter, the City Commission wishes to provide for approval of the appointment of members to the Charter Revision Commission.

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

**Section 1.** The City Commission hereby approves the appointment of the following individuals to serve as members of the Charter Revision Commission:

**Stuart Altman**

**Billy Joel**

**Rebecca Fishman Lipsey**

**Stanley Price**

**Luz Weinberg**

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: October 15, 2015

SUBJECT: **Proposed Resolution Establishing Procedures for Commission Travel and Expenses**

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**November 3, 2015 City Commission Meeting Agenda Item 6J**

In accordance with the direction of the City Commission at the October Workshop Meeting, attached is a Proposed Resolution Establishing Procedures for Commission Travel and Expenses based on the discussions at that meeting.

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

EMS/act

Attachment

CCO1915-15

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ESTABLISHING PROCEDURES FOR COMMISSION TRAVEL AND EXPENSES; AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTION TO IMPLEMENT THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**Section 1.** The following procedures for City Commission travel expenses associated with the attendance of conferences and seminars is hereby established as follows:

1. The Mayor and City Commission members shall be reimbursed for their attendance at the following conferences or events:

- National League of Cities Conference
- Florida League of Cities Conference
- Annual Dade Days
- Miami-Dade League of Cities Meetings (Mayor and City Commission Designee)
- Annual National Association of Latino Elected and Appointed Officials (NALEO) Conference

All other conferences or seminars require approval of the City Commission. Further, all conferences or seminars where more than three (3) members desire to attend require City Commission approval.

2. At the conclusion of the conference or seminar, each City Commissioner in attendance shall provide a report to the entire City Commission relative to the conference or seminar.

3. Reimbursements will include registration, hotel, travel and meals. Travel expense reimbursements shall comply with the City's Administrative Policy Directives and Procedures Manual Chapter 6.3.1.

**Section 2.** The City Manager is hereby authorized to take all necessary action to implement this Resolution.

**Section 3. Conflict.** All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 4. Severability.** If any clause, section, or other part or application of this Resolution shall be held by any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications of this Resolution, with such effective provisions or applications remaining in full force and effect.

**Section 5. Effective Date.** That this Resolution shall become effective immediately upon its adoption.

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

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

**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: October 9, 2015

SUBJECT: Request of City National Bank for Sign Variance  
Aventura View Office Building  
2999 NE 191 Street, City of Aventura (01-SV-16)

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**November 3, 2015 City Commission Meeting Agenda Item 7A**

**RECOMMENDATION**

It is recommended that the City Commission approve the request for sign variance to permit one wall sign measuring 343.45 square feet, where two wall signs measuring 186 square feet each or 372 square feet in total area are permitted by City Code, to be located on the north building elevation of the Aventura View office building at 2999 NE 191 Street, City of Aventura, with the following conditions:

1. That the sign substantially complies with the plan submitted with this application, prepared by Interstate Sign Crafters Florida dated September 30, 2015, and
2. As proffered by the applicant in the Letter of Intent attached as Exhibit #1 to this staff report, no future variance will be requested to allow more than one (1) wall sign of approximately 344 square feet to be affixed to the building at a height of six to ten stories high, unless the City Code is amended in the future to allow more wall signage than presently permitted by Code, and

3. This resolution shall be recorded in the Public Records of Miami-Dade County, at the expense of the applicant. A recorded copy shall be provided to the City prior to issuance of a sign permit.

**THE REQUEST**

The applicant, Steelbridge Concorde Aventura, LLC, is requesting variance from Section 31-191(j)(2)(c) of the City Code to permit one wall sign measuring 343.45 square feet, where two wall signs measuring 186 square feet each or 372 square feet in total area are permitted by City Code, to be located on the north building elevation of the Aventura View office building at 2999 NE 191 Street, City of Aventura. (See Exhibit #1 for Letter of Intent)

**BACKGROUND**

**OWNER OF PROPERTY** Steelbridge Concorde Aventura LLC

**NAME OF APPLICANT** City National Bank

**LOCATION OF PROPERTY** 2999 NE 191 Street  
(see Exhibit #2 for Location Map)

**LEGAL DESCRIPTION** Portion of Tract II of Fifth Addition Biscayne Yacht and Country Club, as recorded in Plat Book 99, Page 20, Public Records of Miami-Dade County, and a parcel in Section 3, Township 52 South, Range 42 East, City of Aventura (see Exhibit #3 for complete legal description)

**ZONING**

Subject property:	TC1, Town Center District
Property to the North:	B2, Community Business District
Property to the South:	RMF3, Multifamily Medium Density Residential District
Property to the East:	CF, Community Facilities District
Property to the West:	B2, Community Business District

**EXISTING LAND USE**

Subject property:	Office Building
Property to the North:	Regional Mall
Property to the South:	Multifamily Residential
Property to the East:	Aventura Government Center
Property to the West:	Office Building

**FUTURE LAND USE** – According to the City of Aventura Comprehensive Plan, the following properties are currently designated as follows:

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

**The Site** - The subject site lies on the north side of NE 191 Street at its intersection with NE 29 Avenue. Access is by way of NE 191 Street. There is an existing ten story office building, known as Aventura View, with surface parking areas.

**The Project** – The applicant is proposing to install one wall sign on the north elevation of the building facing the William Lehman Causeway to read “City National Bank”. There are no existing wall signs on the building. The proposed size of the wall sign is 343.45 square feet and is located at the top of the building in an area that is more than 50% below the main roofline.

The sign package, including a detail of the wall sign, is attached as Exhibit #4.

**Citizen Comments** - As of the date of writing of this report, the Community Development Department has not received any written or verbal citizen comments. Notice of the time, place and nature of the public hearing will be advertised in a newspaper of general circulation and mailed to all property owners within a 300 foot radius of the site as a courtesy not less than 10 days prior to the hearing. The property will be posted not later than 10 days prior to the hearing by a sign containing information concerning the application and public hearing.

## **ANALYSIS**

Section 31-191(j)(2)(c) of the City Code regulates wall signs for non-residential buildings. This office building is ten stories high. For office and hotel buildings with signs located six to ten stories high, two reverse or channel letter wall signs per building, with one wall sign only per building elevation, measuring a maximum of 1-1/2 square foot for each one lineal foot of building frontage is allowed by Code. No wall sign can be installed on a building elevation that faces an adjacent residentially zoned property located within 300 feet of the elevation.

The Aventura View office building is ten stories high with 124 feet of building frontage. The wall sign is proposed to be located at the tenth story.

Based on the Code criteria above, the office building at 2999 NE 191 Street is allowed two wall signs, on different building elevations, at 124 x 1-1/2 or 186

square feet maximum for each sign and 372 square feet total area for the two wall signs. The applicant is requesting one wall sign at 343.45 square feet, which is an area that is less than the 372 square foot area that would be allowed for the two wall signs permitted by Code. The wall sign is proposed on the north building elevation, which does not face adjacent residentially zoned property. The sign design is channel letter.

The applicant and the building owner have proffered, as a condition of approval of this sign variance, that the exterior wall sign subject of this application will be the only exterior wall sign on the building, that no application for sign variance will be made for additional exterior wall sign or signs and that the resolution, if approved, will be recorded in the Public Records of Miami-Dade County.

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

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

This request does maintain the basic intent and purpose of the City's sign regulation. The size and design of the proposed wall sign preserves or enhances the unique character of the City. It is compatible with the surrounding land uses and will not be detrimental to the community. It will index the environment by providing direction to the office building for traffic from the north. There is an existing monument sign on NE 191 Street that will provide direction at the building entrance. The requested one wall sign at 343.45 square feet is less than the 372 square foot area that would be allowed for the two wall signs permitted by Code and the owner has proffered to erect only one wall sign on the exterior of this building.



Handwritten notes and stamps, including a date stamp: OCT 12 2015

Marissa Amuial

Akerman LLP  
One Southeast Third Avenue  
Suite 2500  
Miami, FL 33131-1714  
Tel: 305.374.5600  
Fax: 305.374.5095

Dir: 305.982.5614  
marissa.amuial@akerman.com

October 5, 2015  
Updated October 6, 2015

VIA HAND DELIVERY

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

RE: Letter of Intent – City National Bank Sign Variance  
2999 NE 191<sup>st</sup> Street, Aventura Florida

Dear Ms. Carr:

Akerman LLP (the "Firm") represents City National Bank of Florida ("Applicant"), tenant of the office building ("Building") located at 2999 NE 191<sup>st</sup> Street (the "Property"), in the City of Aventura, Florida. Applicant has been a long-standing tenant in the neighboring building located at 2875 N.E. 191st Street ("Neighboring Building"), and is relocating to the Property. The Building and the Neighboring Building are virtually identical in form and massing and are located approximately one (1) block from each other.

The Applicant currently owns two (2) existing wall signs, each approximately 656 square feet ("Existing Signs"), which are affixed to the north (Lehman Causeway) and south (NE 191<sup>st</sup> Street) facades at the 10<sup>th</sup> story of the Neighboring Building. The Existing Signs were approved by the City of Aventura ("City") in 2002 via Resolution 2002-51. Applicant proposes to remove the Existing Signs and proposes one (1) new sign of approximately 344 square feet in area ("Proposed Sign"). The Proposed Sign will be placed on the north facade of the Building, visible from the Lehman Causeway, and will be in greater conformance with the City's Land Development Regulations (the "Code") than the Existing Signs.

Request

Applicant is seeking approval of a variance to exceed the maximum sign area permitted for one (1) sign at the Building. Section 31-191(j)(2)(c) of the Code establishes the requirements for

akerman.com

**Exhibit #1**  
**01-SV-16**

wall signs for business identification, as permitted on office buildings with signs located six to ten stories high. The Code permits two (2) wall signs per building, at one and one-half (1.5) square foot for each one (1) lineal foot of building frontage. As the Building is ten stories in height and has lineal frontage of approximately 124 feet, the Code would generally permit two (2) signs of approximately 186 square feet in area per sign, or a total of 372 square feet for two (2) signs.

Instead of two signs at the Building, each approximately 186 square feet in area, Applicant is seeking a variance for the approval of one (1) sign at the Building of approximately 344 square feet in area ("Proposed Sign"). Section 31-191(m)(8) of the Code provides the following criteria for a sign variance:

*Criteria. A variance may be granted upon a showing by the applicant that the sign variance maintains the basic intent and purpose of these regulations, particularly as it affects the stability and appearance of the City and provided that the variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.*

The Proposed Sign meets the sign variance criteria. The Existing Signs at the Neighboring Building, each of which is approximately 656 square feet in area, will be removed. The Proposed Sign will be slightly more than half the size of one (1) of the Existing Signs, or approximately 26% of the existing business identification wall sign area. Not only is this a very significant reduction from the existing wall sign area of approximately 1,312 square feet, the Proposed Sign is much closer to conformance with the Code than the Existing Signs.

### Future Signage

If the requested variance is granted, Applicant will agree to a condition of approval that unless Section 31-191(j)(2)(c) of the Code is amended to allow greater than two (2) business identification signs with approximately 186 square feet in area per sign, or a total of 372 square feet for two (2) signs, Applicant will not request a future variance to allow more than one (1) business identification wall sign of approximately 344 square feet to be affixed to the Building at a height of six (6) stories to ten (10) stories. If the Code is amended to allow greater business identification signage than presently permitted from six (6) to ten (10) stories, the Applicant reserves the right to request approvals for additional wall signage above six (6) and ten (10) stories. The Applicant also reserves the right to request approvals for other signage types for the Building, including but not limited to window, monument, canopy, awning, and ATM signage.

### Conclusion

Granting of the variance for the Proposed Sign will not be detrimental to the community or surrounding vicinity. The Proposed Sign poses less visual impact than the Existing Signs which are located in close proximity. Specifically, the Proposed Sign area comprises approximately 26% of

the Existing Sign area, and the number of signs will be reduced from two (2) to one (1). The Proposed Sign is therefore more compatible with the surrounding vicinity than the existing condition. For these reasons, we respectfully request your favorable review of the variance request for the Proposed Sign.

Sincerely,

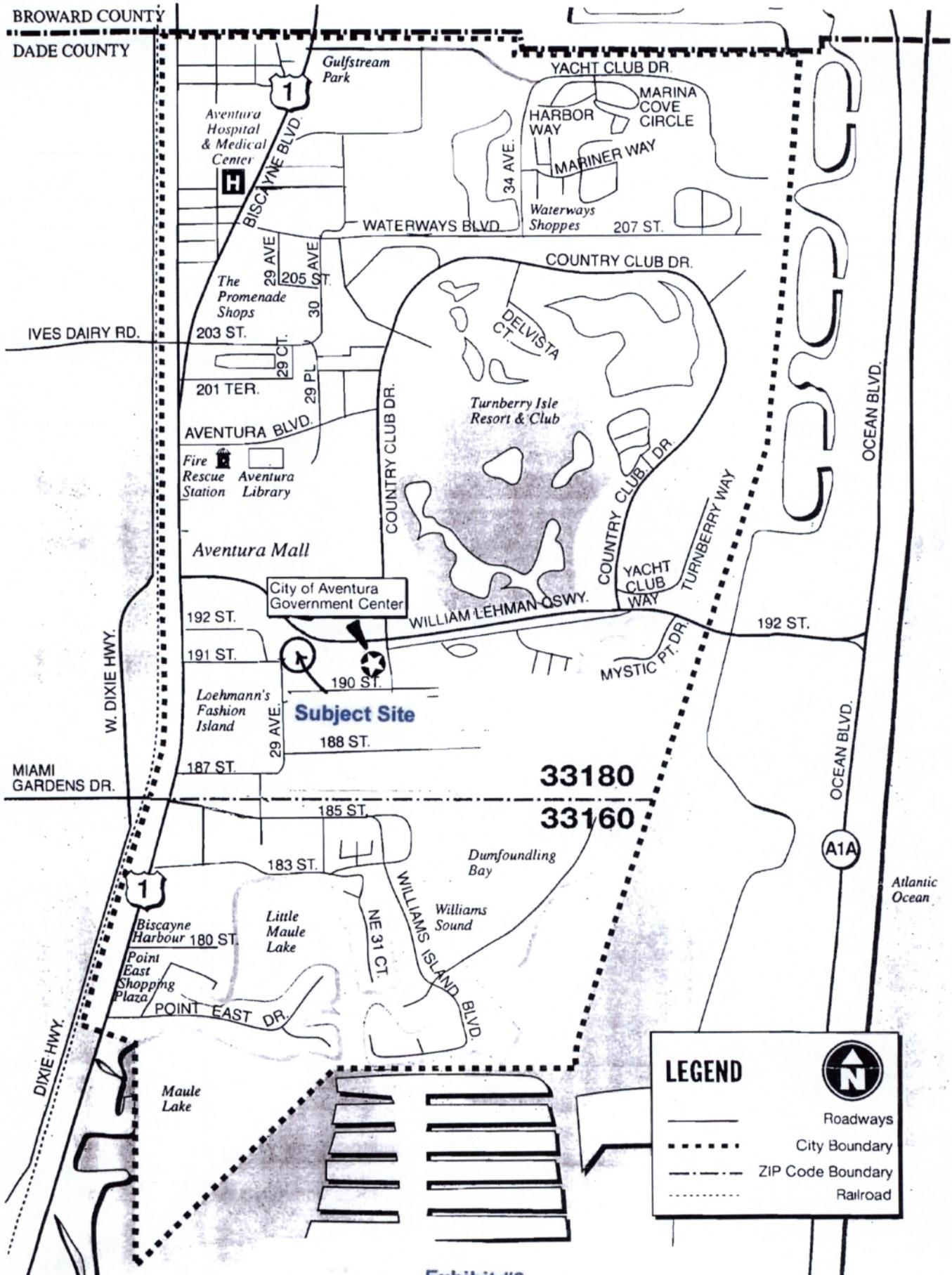
A handwritten signature in black ink, appearing to read "Marissa R. Amual". The signature is written in a cursive style with a large, looping initial "M".

Marissa R. Amual, Esq.

Enclosures

cc: Maeve Desmond, AICP

BROWARD COUNTY  
DADE COUNTY



**REVISED**  
**11/03/2015**

Exhibit #2  
01-SV-16

Exhibit #3  
Legal Description of Property

PARCEL 1:

A portion of Tract II of Fifth Addition Biscayne Yacht and Country Club, according to the plat thereof as recorded in Plat Book 99 at Page 20 of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Beginning at the Northwest corner of said Tract II; thence N 87°32'00" E along the north line of said Tract II for 334.64 feet to a point of curve; thence Northeasterly along the arc of said curve to the left having a radius of 5829.58 feet and an central angle of 0°42'04" for an arc distance of 71.33 feet to a point on the arc of a curve concave to the Northeast, said point bears N 9°50'42" W from the center of said curve; thence Southeasterly along the arc of said curve to the left having a radius of 1290.92 feet and a central angle of 9°08'59" for an arc distance of 206.15 feet; thence N 83°59'09 E for 158.32 feet to a point; thence S 02°27'24" E for 157.27 feet to a point; thence N 87°32'36" E for 125.00 feet to a point; thence S 02°27'24" E for 56.00 feet to a point on the south line of said Tract II, thence S 87°32'36" W along the south line of said Tract II for 220.73 feet; thence S 87°32'36" W along the south line of said Tract II for 670.25 feet to the southwest corner of said Tract II; thence N 2°58'20" W along the west line of said Tract II for 229.93 feet to the point of beginning; Less the south 35 feet of the west 70 feet of said Tract II conveyed to Miami-Dade County for highway right-of-way.

Together with the benefit of the following:

Easement for the installation, operation, maintenance, repair and/or replacement of (a) sub-surface pipes, lines and conduits to provide reasonable quantities of water, electricity, gas, telephone service, storm water, drainage, sewerage and sanitation facilities, and (b) a surface storm drainage to carry away storm drainage created by that certain non-exclusive Mutual Grant of Easement and Sanitary Lift Station Agreement filed December 24, 1984 at Official Records Book 12363, page 1680, as extended and modified by that certain non-exclusive Grant of Easement and Sanitary Lift Station Agreement filed February 28, 1986 in Official Records Book 12805, Page 2214, subject to the terms and provisions thereof.

PARCEL 2:

A parcel of land in Section 3, Township 52 South, Range 42 East, Miami-Dade County, Florida, more particularly described as follows:

Commencing at the southwest corner of the right of way of State Road 852 as recorded in OR Book 7001, Page 721 of the Public Records of Dade County, Florida; thence N 87°32'00" E, 115.00 feet to the point of beginning; thence N 2°28'0" W, 101.51 feet to an intersection with a non-tangential curve, concave to the northeast, having a tangent bearing of S 66°27'16"e and a radius of 1290.92 feet; thence southeasterly for 308.64 feet along said curve through a central angle of 13°41'5" to an intersection with a non-tangential curve, concave to the north, having a tangent bearing of S 86°50'00" W and a radius of 5829.58 feet; thence westerly for 71.21 feet along said curve through a central angle of 0°42'00"; thence S 87°32'00"W, 219.64 feet to the point of beginning.



# City National Bank

**Bci** FINANCIAL GROUP

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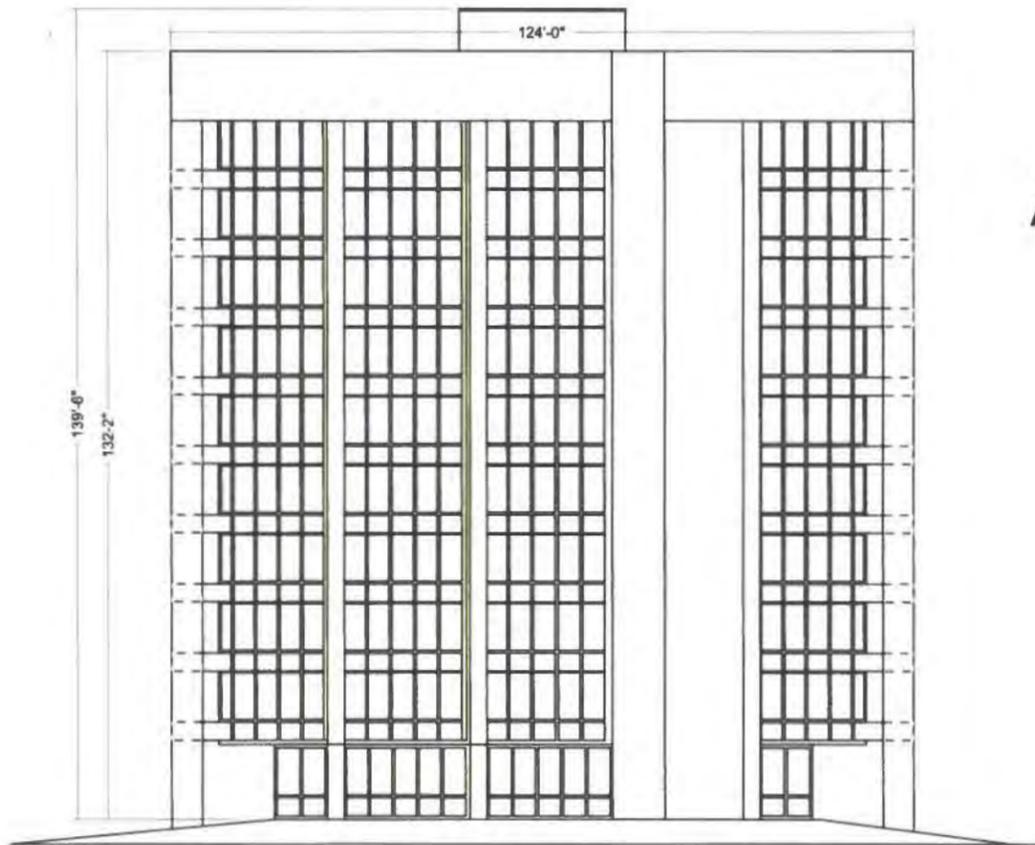
2999 NE 191ST STREET, AVENTURA, FL 33180

SITE 1100

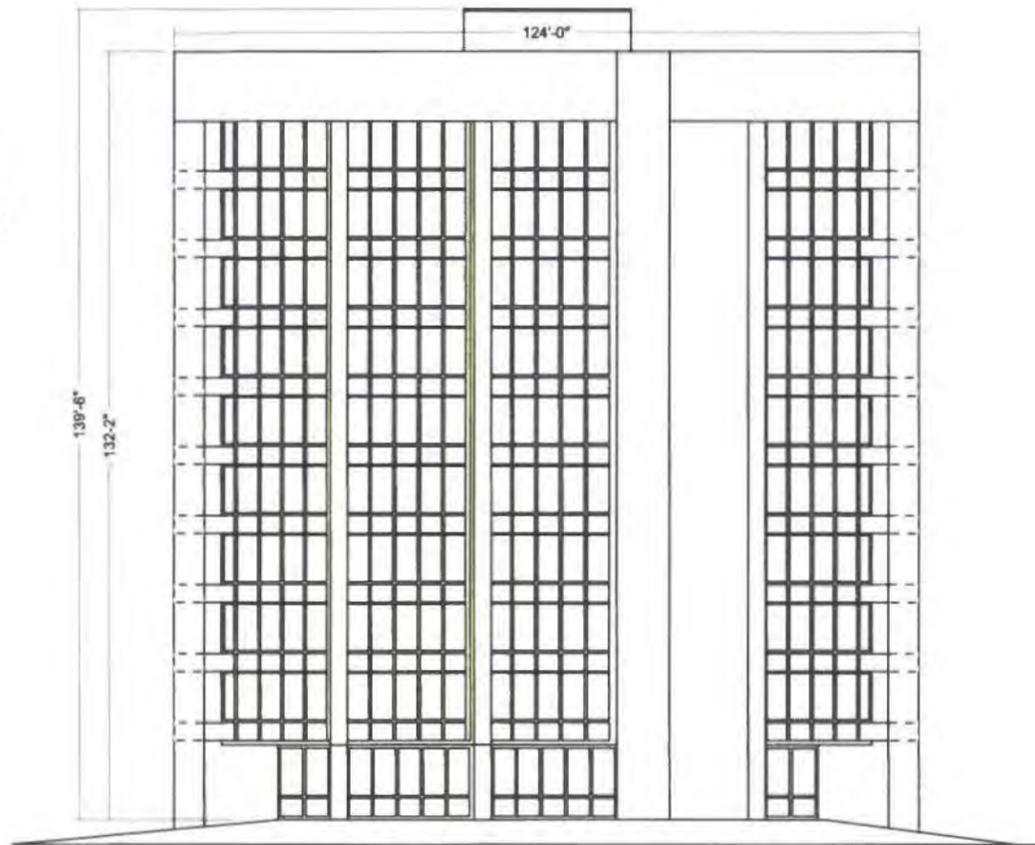
10/05/2015



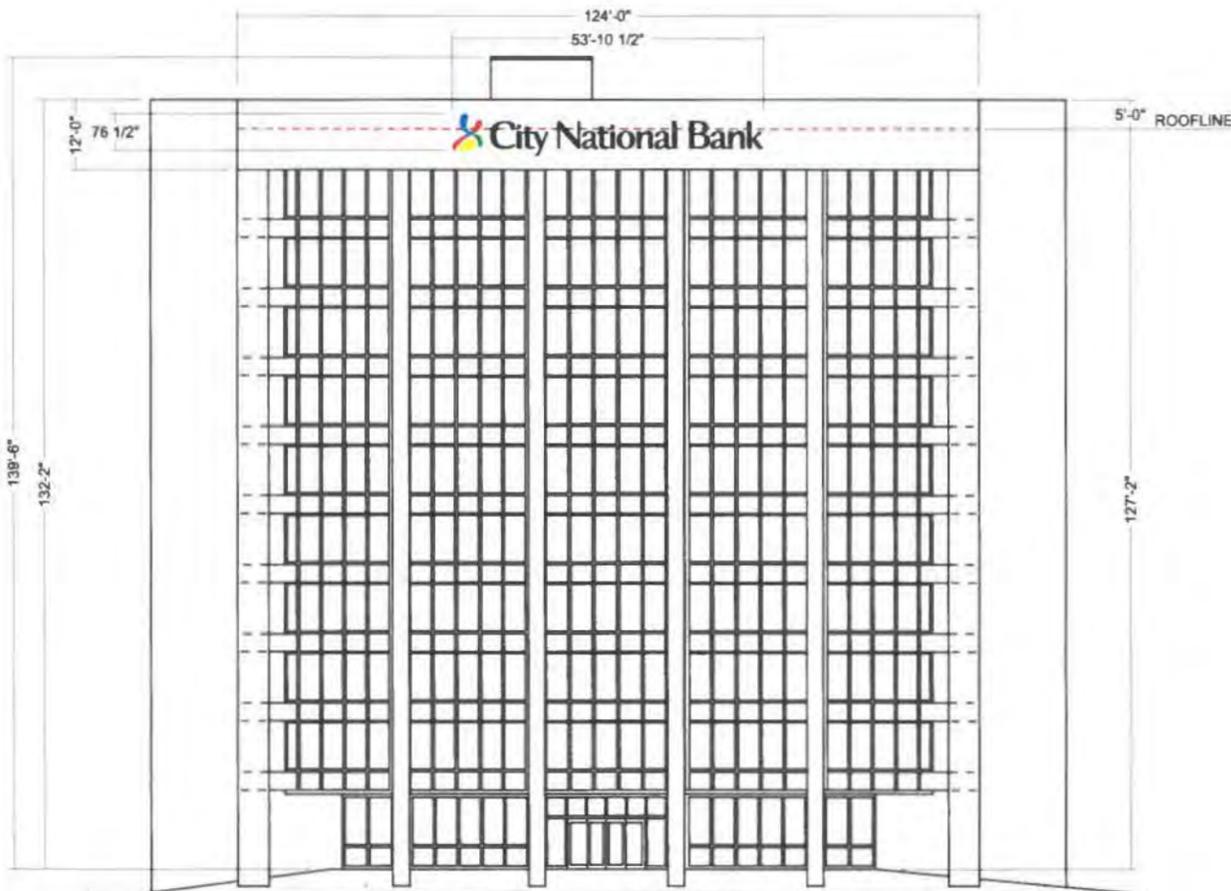
2999 NE 191st St.  
Aventura, FL 33180



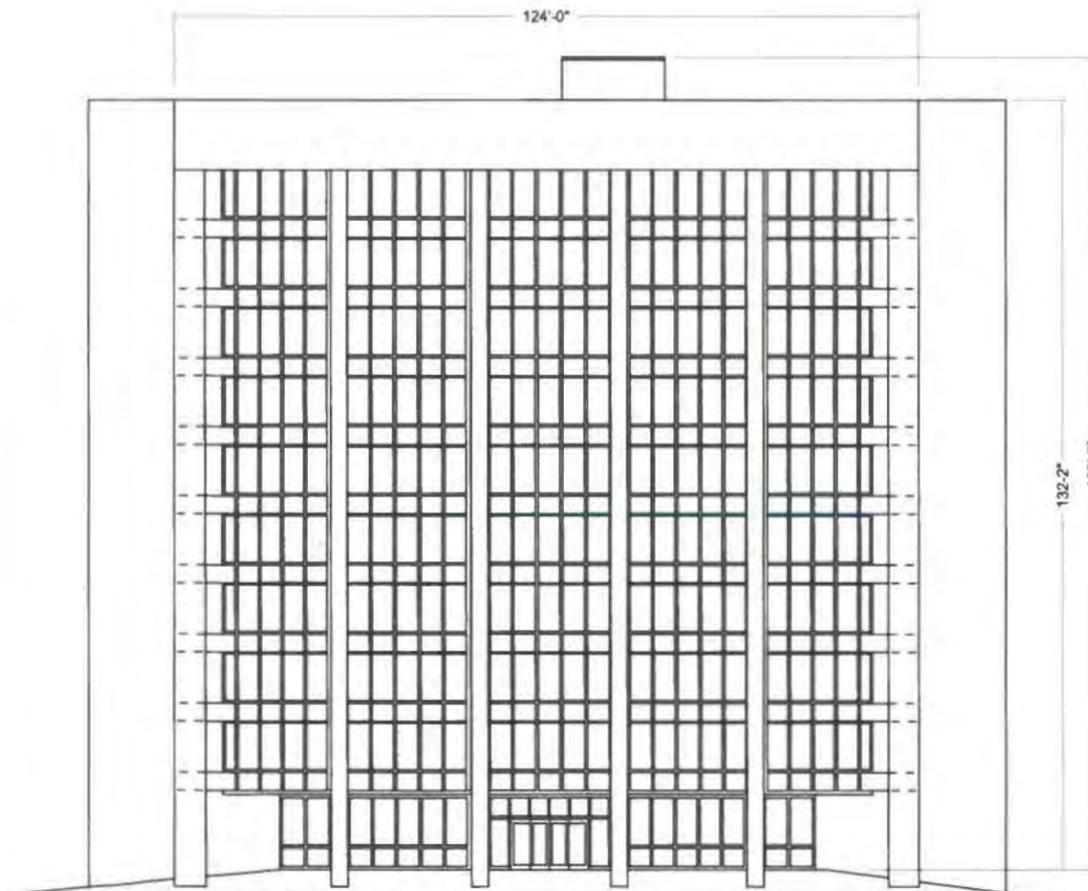
EAST ELEVATION  
NTS



WEST ELEVATION  
NTS



NORTH ELEVATION  
NTS



SOUTH ELEVATION  
NTS

interstate engineering  
CHRISTIAN LANGLEY  
No. 67382  
130 COMMERCE ROAD - BOYNTON BEACH, FL 33426  
Phone: (561) 447-3760 Fax: (561) 647-5842

DRAWING I/E/C  
JOB NUMBER: 53028  
DATE: 09/30/2016  
SCALE: AS NOTED  
SALES REP: SG  
DESIGNER: HY

**UL LISTED**

- ALL ELECTRICAL COMPONENTS ARE TO BE U.L. LISTED AND APPROVED AS PER NEC 2011
- ALL TRANSFORMERS GROUND FAULT PROTECTED & COMPLY WITH NEC 600-23
- ALL SECONDARY WIRING INSIDE LETTER IS TO BE HIGH TENSION GTO AS PER NEC 800-31
- ALL PRIMARY WIRING TO BE #12 THWN AS PER NEC 80-5
- GROUNDING AND BONDING AS PER NEC 250
- INSTALLATION WILL COMPLY WITH ALL OF THE REQUIREMENTS OF NEC 800 & FBC 505.2.4
- SIGNS WILL BE CONTROLLED BY A PHOTOCELL OR ASTRONOMICAL TIME CLOCK.

CUSTOMER

**CITY NATIONAL**  
2999 NE 191ST STREET  
AVENTURA, FL 33180

CUSTOMER APPROVAL

(PLEASE VERIFY COLORS, SPELLING AND LAYOUT PRIOR TO SIGNING)

Date: / /

REVISIONS

DATE: 10/05/2015 - HY  
ADDED ROOFLINE & REMOVED HIGHLIGHTED AREAS WHERE OTHER TENANTS CANNOT HAVE SIGNAGE

General Notes: 1 Design is in accordance with the requirements of the Fla Bldg Code 5th Ed (2014) for use within & outside the High Velocity Hurricane Zone (HVHZ). 2 This engineering certifies only the structural integrity of those systems, components, and/or other construction explicitly specified herein. 3 Electrical notes, details, & specifications are provided by and are the sole responsibility of the electrical contractor. No electrical review has been performed and no certification of such is intended. 4 Aluminum extrusions shall be 6063-T6 or stronger, unless noted otherwise.

Christian Langley  
Professional Engineer  
Florida PE #67382  
Cert of Auth #3113

1200 N Federal Hwy, #200  
Boca Raton, FL 33432  
1-888-371-3113

Wall components & cladding:  
• Zone 4: ± 48.1 psf • Zone 5: ± 96.3 psf

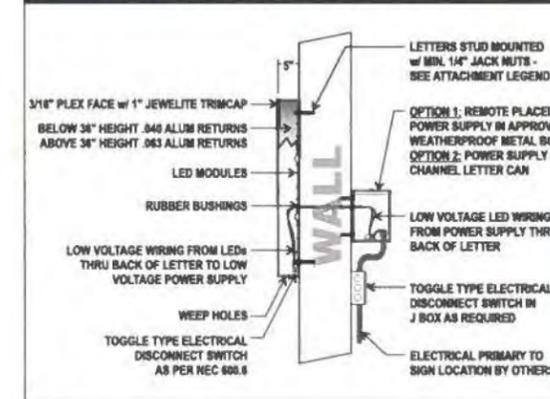
ASCE 7-10 • V=175 mph • Risk Category 2 Struct. • Sign Height = 130 ft max  
WIND LOADS: • Exposure 'C' • ASD Load Coeff = 0.6 • Kzt=1.0, Kd=0.85, G=0.85



ANCHOR SCHEDULE

WALL MATERIAL	ANCHOR TYPE	QTY or SPACING
CONCRETE (3ksi) or HOLLOW MASONRY	3/8" THREADED RODS WITH MIN 2" EMBED IN ADHESIVE	MIN (6) PER LETTER
	3/8" TAPCONS (OR EQUIV) WITH 2.5" EMBED	MIN (6) PER LETTER
	3/8" EXPANSION ANCHORS WITH 3.5" EMBED	MIN (6) PER LETTER
1/2" PLYWOOD (NO ACCESS BEHIND)	3/8" TOGGLE BOLTS	MIN (8) PER LETTER
	1/4" WOOD SCREWS OR TAPCONS, FULL EMBED	MIN (10) PER LETTER
METAL STUDS OR METAL PANELS	#14 METAL SCREWS TO MIN 18ga STEEL OR 0.090" ALUM	MIN (8) PER LETTER
HOLLOW WALL (BLOCKING BEHIND)	3/8" THRUBOLTS OR LAGS TO SOLID BLOCKING BEHIND	MIN (6) PER LETTER

FRONT-LIT CHANNEL LETTER FLUSH MOUNT DETAIL



**DRAWING INFO**  
 JOB NUMBER: 53028  
 DATE: 09/30/2015  
 SCALE: AS NOTED  
 SALES REP: SG  
 DESIGNER: HY

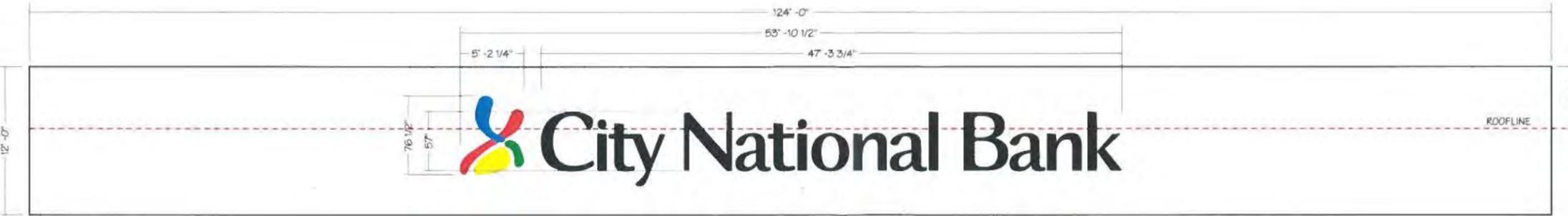


- ALL ELECTRICAL COMPONENTS ARE TO BE U.L. LISTED AND APPROVED AS PER NEC 5 2011
- ALL TRANSFORMERS GROUND FAULT PROTECTED & COMPLY WITH NEC-800-23
- ALL SECONDARY WIRING INSIDE LETTER IS TO BE HIGH TENSION GTO AS PER NEC-800-31
- ALL PRIMARY WIRING TO BE #12 THWN AS PER NEC-80-5
- GROUNDING AND BONDING AS PER NEC 250
- INSTALLATION WILL COMPLY WITH ALL OF THE REQUIREMENTS OF NEC 800 & FBC 505.2.4 SIGNS WILL BE CONTROLLED BY A PHOTOCELL OR ASTRONOMICAL TIME CLOCK

CUSTOMER  
**CITY NATIONAL**  
 2999 NE 191ST STREET  
 AVENTURA, FL 33180

CUSTOMER APPROVAL  
 (PLEASE VERIFY COLORS, SPELLING AND LAYOUT PRIOR TO SIGNING)  
 Date: / /

REVISIONS  
 DATE: 10/05/2015 - HY  
 ADDED ROOFLINE & ALLOWED SQ FT



FRONT-LIT CHANNEL LETTERS  
 SCALE: 3/32" = 1'-0"

- CENTER SIGN VERTICALLY & HORIZONTALLY ON ALLOWABLE SIGN BAND.
- SURVEY NEEDED PRIOR TO PRODUCTION.

**NOTE: RETURNS & TRIMCAP ARE PRE-PAINTED PRODUCTS. THEY ARE NOT PAINTED TO MATCH 3M 3630-22 BLACK BECAUSE THIS PRODUCT HAS A MATTE FINISH & WOULD NOT GIVE LETTERS A CRISP, NEW APPEARANCE.**



FRONT-LIT CHANNEL LETTERS

ELEVATION

N  W  S  E

ALLOWABLE SQ FT

QTY (2) SIGNS AT 124 x 1.5 OR 188 SQ FT EA OR 372 SQ FT TOTAL FOR QTY (2) SIGNS

PROPOSED SQ FT

QTY (1) SIGN - 343.45 SQ FT

ELECTRICAL

- EXISTING
- BY OTHERS PRIOR TO INSTALL
- BY OTHERS AFTER INSTALL ADDITIONAL COST POSSIBLE
- N/A

ELECTRICAL REQ

QTY. TRANS. AMPS

\_\_\_\_\_

\_\_\_\_\_

TOTAL AMPS

\_\_\_\_\_

CIRCUITS REQ'D \_\_\_\_\_

VOLTS \_\_\_\_\_

RETURNS

5" GLOSS BLACK

COPY FACES

3/16" 7328 WHITE ACRYLIC

VINYL OVERLAY:  
 3M 3630-22 BLACK DAY/NIGHT VINYL

LOGO FACES

3/16" 7328 WHITE ACRYLIC

VINYL OVERLAY:  
 3M 3630-015 YELLOW VINYL

VINYL OVERLAY:  
 3M 3630-167 BRIGHT BLUE VINYL

VINYL OVERLAY:  
 3M 3630-156 VIVID GREEN VINYL

VINYL OVERLAY:  
 3M 3630-33 RED VINYL

TRIMCAP

COPY  3/4"  1"  2"

BLACK

BLACK

LOGO  3/4"  1"  2"

BLACK

BLACK

ASCE 7-10 • V=175 mph • Risk Category 2 Struct. • Sign Height = 130 ft max  
 WIND LOADS: • Exposure 'C' • ASD Load Coeff = 0.6 • Kzt=1.0, Kd=0.85, G=0.85  
 • Zone 4: ± 48.1 psf • Zone 5: ± 96.3 psf  
 Wall components & cladding:



### APPLICANT REPRESENTATIVE AFFIDAVIT

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

<u>Name</u>	<u>Relationship</u> (i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)
<u>Emily Lopez</u>	<u>Permit Expediter, Interstate Sign Crafters</u>
<u>Marissa Amual</u>	<u>Attorney, Akerman LLP</u>
<u>Neisen Kasdin</u>	<u>Attorney, Akerman LLP</u>
<u>Maeve Desmond</u>	<u>Planner, Akerman LLP</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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_.

AUTHORIZED REPRESENTATIVE OF APPLICANT:

By: Edward Barber  
 (Signature)  
 Name: Edward Barber  
 (Print)  
 Title: J.P.  
 Address: 25 West Flagler St.  
Miami, FL 33130

OWNER

By: \_\_\_\_\_  
 (Signature)  
 Name: \_\_\_\_\_  
 (Print)  
 Title: \_\_\_\_\_  
 Address: \_\_\_\_\_

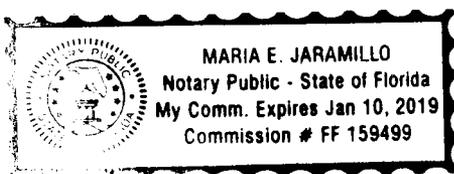
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Edward Barber 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 5 day of October, 2005

Edward Barber  
AFFIANT

Maria E. Jaramillo  
 Notary Public State of Florida At Large  
 Printed Name of Notary MARIA E. JARAMILLO  
 My commission expires: 1-10-19





# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

1. Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented

2. Affiant hereby discloses that it does have a Business Relationship with a member of the City Commission or a City Advisory Board to which the application will be presented, as follows

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

The nature of the Business Relationship is as follows

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

WITNESS MY HAND THIS 4<sup>th</sup> DAY OF April, 2000

APPLICANT:

By Edward Barber (Signature)  
Name Edward Barber (Print)  
Title V.P. (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000

PROPERTY OWNER

By \_\_\_\_\_ (Signature)  
Name \_\_\_\_\_ (Print)  
Title \_\_\_\_\_ (Print)

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

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

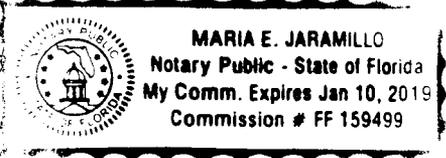
Before me, the undersigned authority, personally appeared Edward Barber the Affiant, who being first by me duly sworn, did swear or affirm that he/she executed this Affidavit for the purposes stated therein and that it is true and correct.

SWORN TO AND SUBSCRIBED before me this 5<sup>th</sup> day of October, 2005

Edward Barber  
AFFIANT

Maria E. Jaramillo  
Notary Public State of Florida At Large

Printed Name of Notary  
My commission expires Jan 10, 2019



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 \_\_\_\_\_



# BUSINESS RELATIONSHIP AFFIDAVIT\*

This Affidavit is made pursuant to Section 31-77(b)(2)(b) 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 exchanges) or joint venturer with the Applicant or Representative in any business venture.
- iii The Applicant or Representative is a Client of a member of the City Commission or Board or a Client of another professional working from the same office or for the same employer as the member of the City Commission or Board.
- iv A City Commissioner or Board member is a Client of the Applicant or Representative.
- v The Applicant or Representative is a Customer of the member of the City Commission or Board or of his or her employer and transacts more than \$10,000.00 of the business of the member of the City Commission or Board (or his or her employer) in a given calendar year.
- vi The member of the City Commission or Board is a Customer of the Applicant or Representative and transacts more than \$25,000.00 of the business of the Applicant or Representative in a given calendar year.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

### APPLICANT

By \_\_\_\_\_ (Signature)  
Name \_\_\_\_\_ (Print)  
Title \_\_\_\_\_ (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

### PROPERTY OWNER

By \_\_\_\_\_ (Signature)  
Name \_\_\_\_\_ (Print)  
Title \_\_\_\_\_ (Print)

\*The terms "Business Relationship," "Client," "Customer," "Applicant," "Representative" and "Interested Person" are defined in Section 2.395 of the Aventura City Code.

WITNESS MY HAND THIS 2 DAY OF October, 2015

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Emily Lopez (Print)

Title: Permit Expediter (Print)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

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

*Emily Lopez*

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

*[Signature]*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 2 day of Oct, 2008

*[Signature]*  
Notary Public State of Florida At Large



Printed Name of Notary  
My commission expires

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

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

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

AFFIANT

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

Notary Public State of Florida At Large

Printed Name of Notary  
My commission expires

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

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

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

AFFIANT

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

Notary Public State of Florida At Large

Printed Name of Notary  
My commission expires

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

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AFFIANT

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

Notary Public State of Florida At Large

Printed Name of Notary  
My commission expires



## BUSINESS RELATIONSHIP AFFIDAVIT\*

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

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

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

The nature of the Business Relationship is as follows:

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

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_.

APPLICANT:

By \_\_\_\_\_ (Signature)  
 Name \_\_\_\_\_ (Print)  
 Title \_\_\_\_\_ (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_.

PROPERTY OWNER

By \_\_\_\_\_ (Signature)  
 Name \_\_\_\_\_ (Print)  
 Title \_\_\_\_\_ (Print)

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

WITNESS MY HAND THIS 5 DAY OF OCTOBER, 2015

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

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

Name: Maissa Amic (Print)

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

Title: Attorney (Print)

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

By: [Signature] (Signature)

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

Name: Maeve Desmond (Print)

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

Title: Planner (Print)

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

By: [Signature] (Signature)

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

Name: Neisen Kasdin (Print)

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

Title: Attorney (Print)

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

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

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

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

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

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

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

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

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

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

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

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

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

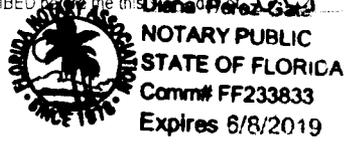
**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared MAEVE DESMOND 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 5 day of OCT, 20015



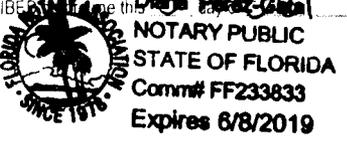
[Signature]  
Notary Public State of Florida At Large  
Printed Name of Notary: Diana Perez-Gata  
My commission expires \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared MARISSA AMUAL 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 5 day of OCT, 20015



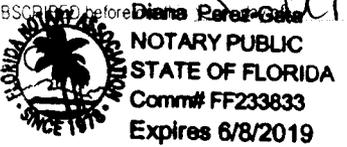
[Signature]  
Notary Public State of Florida At Large  
Printed Name of Notary: Diana Perez-Gata  
My commission expires \_\_\_\_\_

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared NEISEN KASIN 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 5 day of OCT, 20015



[Signature]  
Notary Public State of Florida At Large  
Printed Name of Notary: Diana Perez-Gata  
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 \_\_\_\_\_

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING SIGN VARIANCE FOR CITY NATIONAL BANK ON PROPERTY LOCATED AT 2999 NE 191 STREET, CITY OF AVENTURA; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property described herein is zoned TC1, Town Center District; and

**WHEREAS**, the Applicant, City National Bank, through Application No. 01-SV-16, has requested a variance from Section 31-191(j)(2)(c) of the City Code to permit one wall sign measuring 343.45 square feet, where two wall signs measuring 186 square feet each or 372 square feet in total area are permitted by Code, to be located on the north building elevation of the Aventura View office building at 2999 NE 191 Street, City of Aventura; and

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

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

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

**Section 1.** Application No. 01-SV-16 for Sign Variance to permit one wall sign measuring 343.45 square feet in area on the north elevation of the Aventura View office building parcel at 2999 NE 191 Street, City of Aventura, legally described in Exhibit "A" to this Resolution, is hereby granted to City National Bank, subject to the following conditions:

1. That the sign substantially complies with the plan submitted with this application, prepared by Interstate Sign Crafters Florida dated September 30, 2015; and

2. As proffered by the applicant in the Letter of Intent attached as Exhibit #1 to the staff report, no future variance will be requested to allow more than one (1) wall sign of approximately 344 square feet to be affixed to the building at a height of six to ten stories high, unless the City Code is amended in the future to allow more wall signage than presently permitted by Code; and

3. This resolution shall be recorded in the Public Records of Miami-Dade County, at the expense of the applicant. A recorded copy shall be provided to the City prior to issuance of a sign permit.

**Section 2.** Issuance of this development order by the City of Aventura does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Aventura for issuance of the development order if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

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

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

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

**PASSED AND ADOPTED** this 3rd day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

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

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

**Exhibit "A"**  
Legal Description of Property

**PARCEL 1:**

A portion of Tract II of Fifth Addition Biscayne Yacht and Country Club, according to the plat thereof as recorded in Plat Book 99 at Page 20 of the Public Records of Miami-Dade County, Florida, more particularly described as follows:

Beginning at the Northwest corner of said Tract II; thence N 87°32'00" E along the north line of said Tract II for 334.64 feet to a point of curve; thence Northeasterly along the arc of said curve to the left having a radius of 5829.58 feet and an central angle of 0°42'04" for an arc distance of 71.33 feet to a point on the arc of a curve concave to the Northeast, said point bears N 9°50'42" W from the center of said curve; thence Southeasterly along the arc of said curve to the left having a radius of 1290.92 feet and a central angle of 9°08'59" for an arc distance of 206.15 feet; thence N 83°59'09 E for 158.32 feet to a point; thence S 02°27'24" E for 157.27 feet to a point; thence N 87°32'36" E for 125.00 feet to a point; thence S 02°27'24" E for 56.00 feet to a point on the south line of said Tract II, thence S 87°32'36" W along the south line of said Tract II for 220.73 feet; thence S 87°32'36" W along the south line of said Tract II for 670.25 feet to the southwest corner of said Tract II; thence N 2°58'20" W along the west line of said Tract II for 229.93 feet to the point of beginning; Less the south 35 feet of the west 70 feet of said Tract II conveyed to Miami-Dade County for highway right-of-way.

Together with the benefit of the following:

Easement for the installation, operation, maintenance, repair and/or replacement of (a) sub-surface pipes, lines and conduits to provide reasonable quantities of water, electricity, gas, telephone service, storm water, drainage, sewerage and sanitation facilities, and (b) a surface storm drainage to carry away storm drainage created by that certain non-exclusive Mutual Grant of Easement and Sanitary Lift Station Agreement filed December 24, 1984 at Official Records Book 12363, page 1680, as extended and modified by that certain non-exclusive Grant of Easement and Sanitary Lift Station Agreement filed February 28, 1986 in Official Records Book 12805, Page 2214, subject to the terms and provisions thereof.

**PARCEL 2:**

A parcel of land in Section 3, Township 52 South, Range 42 East, Miami-Dade County, Florida, more particularly described as follows:

Commencing at the southwest corner of the right of way of State Road 852 as recorded in OR Book 7001, Page 721 of the Public Records of Dade County, Florida; thence N 87°32'00" E, 115.00 feet to the point of beginning; thence N 2°28'0" W, 101.51 feet to an intersection with a non-tangential curve, concave to the northeast, having a tangent bearing of S 66°27'16"e and a radius of 1290.92 feet; thence southeasterly for 308.64 feet along said curve through a central angle of 13°41'5" to an intersection with a non-tangential curve, concave to the north, having a tangent bearing of S 86°50'00" W and a radius of 5829.58 feet; thence westerly for 71.21 feet along said curve through a central angle of 0°42'00"; thence S 87°32'00"W, 219.64 feet to the point of beginning.

**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: October 14, 2015

SUBJECT: Request of Optima International LLC for Sign Variance  
Optima Office Building  
21500 Biscayne Boulevard, City of Aventura (02-SV-16)

---

**November 3, 2015 City Commission Meeting Agenda Item 7B**

**RECOMMENDATION**

It is recommended that the City Commission approve the request for sign variance to permit one directory sign measuring 208 square feet affixed to a column on the exterior east ground floor elevation of the 9 story Optima office building at 21500 Biscayne Boulevard, where one directory sign measuring 32 square feet is permitted by City Code, with the following conditions:

1. That the sign substantially complies with the plan submitted with this application, prepared by Behar Font dated October 14, 2015, and
2. As proffered by the applicant in the Letter of Intent attached as Exhibit #1 to this staff report, the proposed 208 square foot directory sign is in lieu of the monument sign and wall signs that are permitted by City Code for the 9 story office building and no wall signs and/or monument sign will be permitted for this building in the future.
3. This resolution shall be recorded in the Public Records of Miami-Dade County, at the expense of the applicant. A recorded copy shall be provided to the City prior to issuance of a sign permit.

**THE REQUEST**

The applicant, Optima International LLC, is requesting variance from Section 31-191(j)(5) of the City Code to permit one directory sign measuring 208 square feet, where one directory sign measuring 32 square feet is permitted by City Code, to be located on a column on the exterior east ground floor elevation of the 9 story Optima office building at 21500 Biscayne Boulevard, City of Aventura. (See Exhibit #1 for Letter of Intent)

**BACKGROUND**

**OWNER OF PROPERTY**

Optima International LLC

**NAME OF APPLICANT**

Optima International LLC

**LOCATION OF PROPERTY**

21500 Biscayne Boulevard  
(see Exhibit #2 for Location Map)

**LEGAL DESCRIPTION**

Parcel 1: A portion of Lot 1 in Block 3 and the right of way adjacent thereto in Section 34, Township 51 South, Range 42 East "Map of Hallandale, Dade County Florida according to the Plat thereof recorded in Plat Book B, Page 13; and

Parcel 2: Lots 9 and 10, Block 24, Hallandale Park , according to the plat thereof recorded in Plat Book 12, Page 37 of the Public Records of Miami-Dade County, Florida; and

Parcel 3: A portion of a reserved strip of land shown on the plat of Hallandale Park, as recorded in Plat book 12,Page 37 of the Public Records of Miami-Dade County, Florida; and

Parcel 4: Lots 6, 7 and 8, Block 24, on the plat of Hallandale Park as recorded in Plat Book 12, Page 37 of the Public Records of Miami-Dade County, Florida; and

Parcel 5: Lots 6 through 10 inclusive, Block 23 on the plat of Hallandale Park

as recorded in Plat book 12, Page 37 of the Public Records of Miami-Dade County (see Exhibit #3 for complete legal description)

**Zoning –**

Subject Property:	B2 Community Business District, and MO Medical Office District
Properties to the North:	City of Hallandale, Broward County Business Limited (BL) District
Properties to the South:	B2 Community Business District; and MO Medical Office District
Properties to the East:	B2 Community Business District
Properties to the West:	MO Medical Office District

**Existing Use –**

Subject property:	9 story office building at east limit with attached parking structure and 4 story office building at west limit
Property to the North:	Day Care Center (City of Hallandale)
Property to the South:	Vacant Land
Property to the East:	Vacant Land
Property to the West:	Vacant Land

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

Subject property:	Business and Office
Property to the North:	Business and Office (City of Hallandale)
Property to the South:	Business and Office
Property to the East:	Business and Office
Property to the West:	Business and Office

**The Site** - The subject site lies on the west side of Biscayne Boulevard at the north City limit. There is an existing office development on site, consisting of a 9 story office building at the east limit, an attached parking structure, and a 4 story office building at the west limit. This application relates to the 9 story office building at the east property limit.

**The Project** – The applicant is proposing to install one directory sign, to index the building name and the name of the major tenants, on a column on the exterior east ground floor elevation of the 9 story office building on the east limit of the site, as shown in the photographs attached as Exhibits #4 and #5. The proposed directory sign design is shown in Exhibit #6.

**Citizen Comments** - As of the date of writing of this report, the Community Development Department has not received any written or verbal citizen comments. Notice of the time, place and nature of the public hearing will be advertised in a newspaper of general circulation and mailed to all property owners within a 300 foot radius of the site as a courtesy not less than 10 days prior to the hearing. The property will be posted not later than 10 days prior to the hearing by a sign containing information concerning the application and public hearing.

## **ANALYSIS**

Section 31-191(j) of the City Code allows the following main identification signage for the 9 story office building at the easterly limit of the site:

- Two wall signs, on separate elevations, measuring a maximum of 80 square feet each, or 160 square feet total area, and
- One monument sign measuring a maximum of 48 square feet, and
- One directory sign, freestanding or mounted on a building wall, measuring a maximum of 32 square feet

The maximum permitted area for the two wall signs, the monument sign and the directory sign listed above is 240 square feet. The applicant is requesting one directory sign measuring 208 square feet and has proffered that this directory sign will be in lieu of any wall signs or monument sign or any other directory sign for the east building. The requested directory sign, at 208 square feet, is 32 square feet less the total 240 square foot area that would be allowed by City Code on the building for the permitted wall, monument and directory signs. If the sign variance is approved, no wall signs or monument sign or any additional directory sign would be erected on the east building. This condition has been proffered by the applicant and is included in the staff recommendation for approval.

The applicant's Letter of Intent has requested that it be permitted to utilize the remaining 32 square feet of sign area for directional signage if needed in the future. Directional signs measuring 4 square feet with a maximum height of 3 feet are permitted by City Code and may be allowed by way of sign permit application. Staff has no concerns with the request for future directional signage, since directional sign is permitted by Code in addition to the main identification signage.

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

*"The Sign variance maintains the basic intent and purpose of these regulations; particularly as it affects the stability and appearance of the City and provided that the variance will be otherwise compatible with the surrounding land uses and*

*would not be detrimental to the community. No showing of unnecessary hardship to the land is required.”*

This request does maintain the basic intent and purpose of the City's sign regulation. The size and design of the proposed directory sign preserves or enhances the unique character of the City. It is conducive to promoting traffic safety by preventing visual distraction. The column upon which the directory sign is proposed to be installed is approximately 55 feet from the right of way of Biscayne Boulevard. It is compatible with the unique design of the office building, compatible with surrounding land uses and will not be detrimental to the community. It will index the environment by providing the name of the building and the name of major tenants to those visiting the building.



ROSENTHAL • ROSENTHAL  
RASCO • KAPLAN, LLC

October 1, 2015

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

**Exhibit 1**  
**02-SV-16**

Re: Optima International, LLC  
Aventura Optima Plaza Sign Variance/City of Aventura  
21500 Biscayne Boulevard, Aventura, FL 33180

Dear Mrs. Carr:

Optima International, LLC (the "Applicant") is the builder, owner and operator of Aventura Optima Plaza, one of two Platinum LEED Certified buildings in South Florida, and the only Platinum LEED Certified building in the City of Aventura. The Applicant seeks a Sign Variance to Section 31-191(j)(5) to permit a directory sign that is larger than permitted by City Code. This variance request is in keeping with Applicant's desire to provide the best and most unique qualities that may be offered in its building. The Variance Request is to allow the use of a concrete aluminum clad column 9.33' wide, 22.29' high located approximately 55 feet west of the east property line. The signage on this column would be for the name of the building, include the names of the major tenants in the building, and is in lieu of a monument sign that would be 7 feet west of the east property line, or wall signs, or any other directory signs that are authorized by Code. The Applicant's proposed signage is aesthetically more in keeping with the elegance and ambiance of the building, and is obviously less obtrusive being approximately 55 feet west of the east property line (the sidewalk on Federal Highway).

The Applicant is authorized by Code to have a total of 240 square feet of signage (including 32 feet of directional signage) at its building and the column would utilize 208 square feet. Applicant would respectfully request that the remaining 32 square feet of signage be utilized by the Applicant for additional directional signage, subject to the approval of the Planning and Zoning Department and the City Manager.

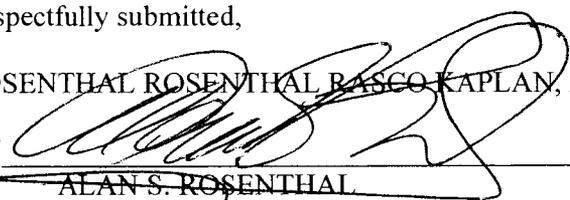
Those members of the City Council who have visited this award winning building know that the Applicant has exceeded the greatest of anyone's expectations in its construction and appearance, and the Applicant's desire to make its signage unique and elegant is in keeping with having spent thirty per cent more for its development than it would otherwise cost to construct in order to make Aventura Optima Plaza a project of unparalleled excellence.

Based on the foregoing Applicant would respectfully request the Council's unanimous approval of this Sign variance.

Respectfully submitted,

ROSENTHAL ROSENTHAL RASCO KAPLAN, LLC

BY

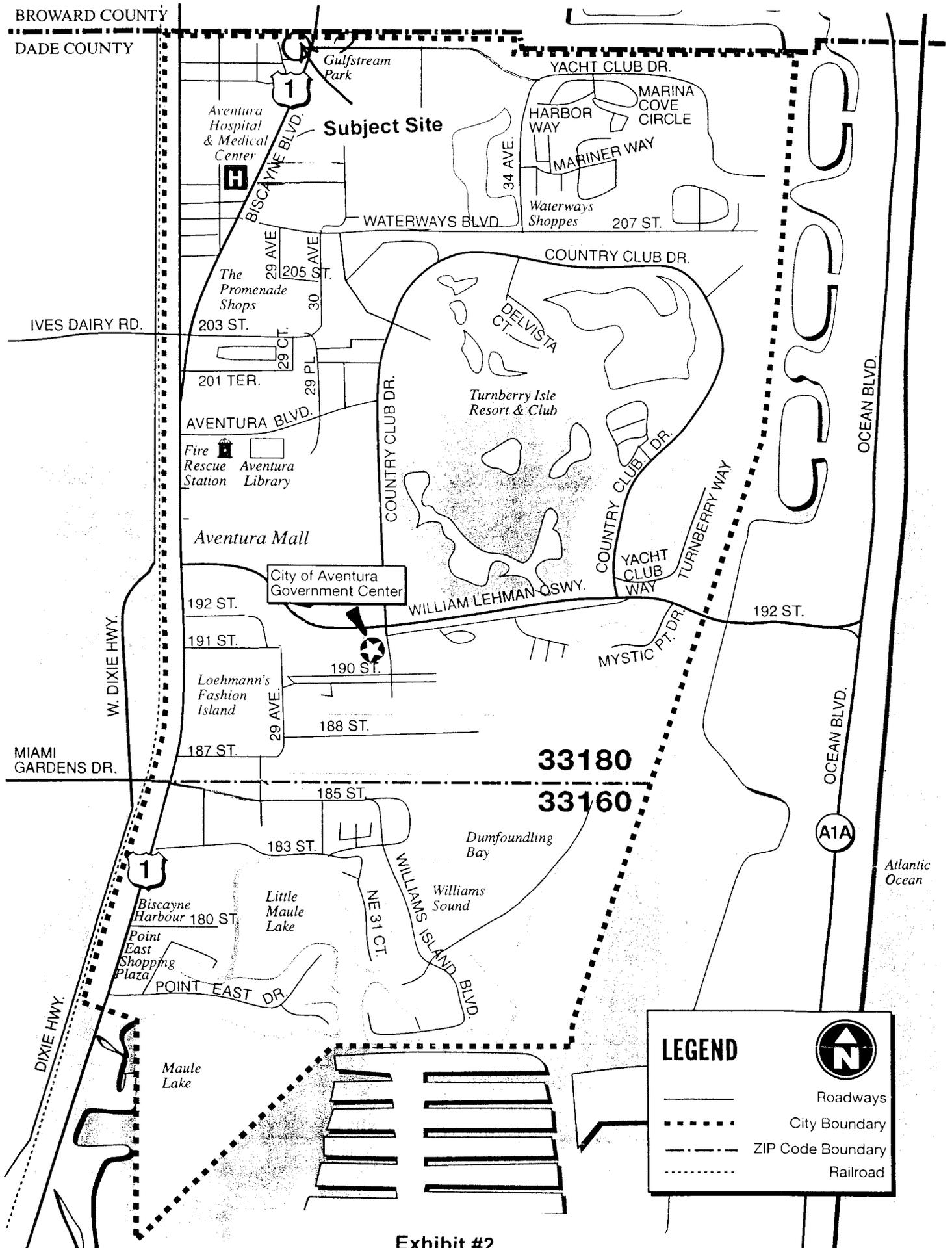
  
ALAN S. ROSENTHAL

ASR:cw

(W0342249 1)

BROWARD COUNTY

DADE COUNTY



**LEGEND**

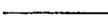
-  Roadways
-  City Boundary
-  ZIP Code Boundary
-  Railroad



Exhibit #2  
02-SV-16

EXHIBIT #3  
LEGAL DESCRIPTION

A PORTION OF LOT 1 IN BLOCK 3 AND THE RIGHT-OF-WAY ADJACENT THERETO, IN SECTION 34, TOWNSHIP 51 SOUTH, RANGE 42 EAST, "MAP OF THE TOWN OF HALLANDALE, MIAMI/DADE COUNTY, FLORIDA", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "B", PAGE 13, PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

BEGIN AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF FEDERAL HIGHWAY (U.S. NO. 1) WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 34 AS SHOWN ON THE "RIGHT-OF-WAY PLANS FOR ROAD NO. 4" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, AT PAGE 54, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA AND RUN WEST ALONG THE AFORESAID NORTH LINE OF THE NORTHWEST 1/4 FOR 320.8'; THENCE SOUTH 1°19'20" EAST ALONG A LINE PARALLEL WITH AND 222' EAST OF THE WEST LINE OF THE AFORESAID LOT 1, BLOCK 3, FOR 100.03'; THENCE EAST ALONG A LINE PARALLEL WITH AND 100' SOUTH OF THE SAID NORTH LINE OF THE NORTHWEST 1/4 FOR 294.61' TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FEDERAL HIGHWAY; SAID POINT BEARS SOUTH 75°47'33" EAST FROM THE RADIUS POINT OF THE NEXT DESCRIBED CURVE; THENCE NORTHEASTERLY ALONG A CIRCULAR CURVE TO THE LEFT BEING COINCIDENT WITH THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF U.S. NO. 1 HAVING A RADIUS OF 3784.83' AND A CENTRAL ANGLE OF 01°33'24" FOR AN ARC DISTANCE OF 102.83' TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI/DADE COUNTY, FLORIDA.

AND

LOTS 9 AND 10, BLOCK 24, "HALLANDALE PARK", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE(S) 37, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

A PORTION OF A RESERVED STRIP OF LAND AS SHOWN ON THE PLAT OF "HALLANDALE PARK", AS RECORDED IN PLAT BOOK 12, AT PAGE 37 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 10, BLOCK 24 OF SAID PLAT OF "HALLANDALE PARK"; THENCE NORTH 89°54'01" EAST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 51 SOUTH, RANGE

42 EAST FOR 52.38 FEET; THENCE SOUTH 01°19'15" EAST ALONG THE EAST LINE OF THE WEST 222 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34 FOR 100.02 FEET; THENCE SOUTH 89°54'01" WEST ALONG A LINE PARALLEL WITH AND 100 FEET SOUTH OF THE SAID NORTH LINE OF THE NORTHWEST 1/4 FOR 54.50 FEET TO A POINT ON THE EAST LINE OF SAID LOT 10; THENCE NORTH 00°06'28" WEST ALONG THE EAST LINE OF SAID LOT 10 FOR 100 FEET TO THE POINT OF BEGINNING

AND

LOTS 6, 7 AND 8, BLOCK 24, OF HALLANDALE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, AT PAGE 37, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

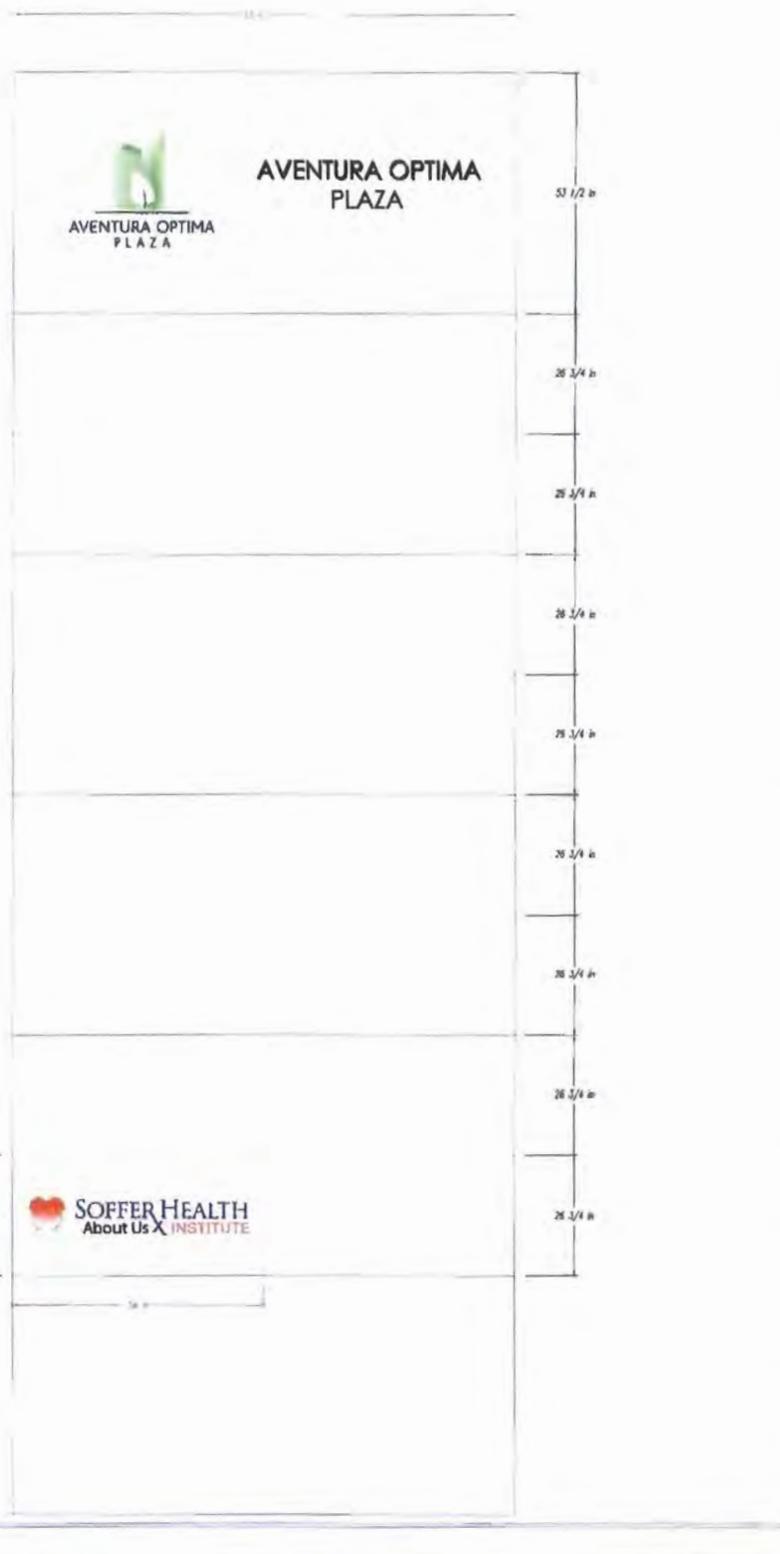
LOTS 6, 7, 8, 9 AND 10, BLOCK 23 OF "HALLANDALE PARK", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, AT PAGE 37, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.



**Exhibit #4**  
**02-SV-16**



**Exhibit #5**  
**02-SV-16**



**AVENTURA OPTIMA  
PLAZA**



**SOFFER HEALTH**  
About Us X INSTITUTE

PLANNING  
INTERIORS  
Certification No. AA0002451  
4033 Florio de Leon Blvd  
Coral Gables, Florida 33146  
TEL: (305) 740-5442  
FAX: (305) 740-5443  
E-MAIL: info@beharfont.com

I, **JAVIER FONT & PARTNERS P.A.**  
THE DESIGN AND DRAWINGS FOR  
THIS PROJECT ARE THE PROPERTY  
OF THIS ARCHITECT AND ARE  
PROTECTED UNDER THE COPYRIGHT  
PROVISIONS OF THE  
SEAL



Javier Font AR 12547

**BEHAR • FONT & PARTNERS • P. A.**

A PROPOSED LEED GOLD CERTIFIED OFFICE DEVELOPMENT

**AVENTURA OPTIMA PLAZA**  
21500 BISCAYNE BOULEVARD  
AVENTURA, FLORIDA 33180

DATE  
10-14-15

REVISIONS

PROJECT No.  
09-001

DRAWN BY

CHECKED BY  
JF

SCALE  
AS SHOWN

SHEET No.

SK-1

OF

**Exhibit #6**  
**02-SV-16**



# 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:

<i>Name</i>	<i>Relationship (i.e. Attorneys, Architects, Landscape Architects, Engineers, Lobbyists, Etc.)</i>
<u>Alan S. Rosenthal</u>	<u>Attorney</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 1 DAY OF October 2015

AUTHORIZED REPRESENTATIVE OF APPLICANT:

By: [Signature]  
 (Signature)  
 Name: Alan S. Rosenthal  
 (Print)  
 Title: Attorney  
 Address: 20900 NE 30 Avenue  
Suite 600  
Aventura, FL 33180

OWNER: Optima International, LLC  
 By: [Signature]  
 (Signature)  
 Name: Ariel Bromberg  
 (Print)  
 Title: Managing Member  
 Address: 21500 Biscayne Boulevard  
Aventura, FL 33180

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Ariel Bromberg 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 1 day of October 2015

[Signature]  
 AFFIANT Ariel Bromberg  
[Signature]  
 Notary Public State of Florida At Large  
 Printed Name of Notary \_\_\_\_\_  
 My commission expires \_\_\_\_\_



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



# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

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

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

The nature of the Business Relationship is as follows:

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

WITNESS MY HAND THIS 1 DAY OF October, 2015

APPLICANT: Optima International, LLC

By [Signature] (Signature)  
 Name: Ariel Bromberg (Print)  
 Title: Managing Member (Print)

WITNESS MY HAND THIS 1 DAY OF October, 2015

PROPERTY OWNER: Optima International, LLC

By [Signature] (Signature)  
 Name: Ariel Bromberg (Print)  
 Title: Managing Member (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 1 DAY OF October, 2015

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Alan S. Rosenthal (Print)

Title: Attorney (Print)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTARIZATION PROVISION

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

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

SWORN TO AND SUBSCRIBED before me this 1 day of October, 2015

*[Handwritten Signature]*  
Notary Public State of Florida At Large

Printed Name of Notary  
My commission expires:



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

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

*[Handwritten Signature]*  
AFFIANT Ariel Bromberg, Managing Member  
Optima International, LLC

SWORN TO AND SUBSCRIBED before me this 1 day of Oct., 2015

*[Handwritten Signature]*  
Notary Public State of Florida At Large

Printed Name of Notary  
My commission expires:



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

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

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

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING SIGN VARIANCE FOR A DIRECTORY SIGN MEASURING 208 SQUARE FEET, WHERE A DIRECTORY SIGN MEASURING A MAXIMUM OF 32 SQUARE FEET IS PERMITTED BY CITY CODE, FOR THE 9 STORY OPTIMA OFFICE BUILDING AT 21500 BISCAYNE BOULEVARD, CITY OF AVENTURA; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property described herein is zoned B2, Community Business District and MO, Medical Office District; and

**WHEREAS**, the Applicant, Optima International LLC, through Application No. 02-SV-16, has requested a variance from Section 31-191(j)(5) of the City Code to permit one directory sign measuring 208 square feet, where one directory sign measuring a maximum of 32 square feet is permitted by Code, to be located on the east elevation of the 9 story Optima office building at 21500 Biscayne Boulevard, City of Aventura; and

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

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

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

**Section 1.** Application No. 02-SV-16 for Sign Variance to permit one directory sign measuring 208 square feet in area on the east elevation of the 9 story Optima office building at 21500 Biscayne Boulevard, legally described in Exhibit "A" to this Resolution, is hereby granted to Optima International LLC, subject to the following conditions:

1. That the sign substantially complies with the plan submitted with this application, prepared by Behar Font dated October 14, 2015; and

2. As proffered by the applicant in the Letter of Intent attached as Exhibit #1 to the staff report, the proposed 208 square foot directory sign is in lieu of the monument sign and wall signs that are permitted by City Code for the 9 story office

building and no wall signs and/or monument sign will be permitted for this building in the future.

3. This resolution shall be recorded in the Public Records of Miami-Dade County, at the expense of the applicant. A recorded copy shall be provided to the City prior to issuance of a sign permit.

**Section 2.** Issuance of this development order by the City of Aventura does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Aventura for issuance of the development order if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

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

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

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

**PASSED AND ADOPTED** this 3rd day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

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

\_\_\_\_\_  
CITY CLERK

**Exhibit "A"**  
**Legal Description of Property**

A PORTION OF LOT 1 IN BLOCK 3 AND THE RIGHT-OF-WAY ADJACENT THERETO, IN SECTION 34, TOWNSHIP 51 SOUTH, RANGE 42 EAST, "MAP OF THE TOWN OF HALLANDALE, MIAMI/DADE COUNTY, FLORIDA", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "B", PAGE 13, PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS:

BEGIN AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF FEDERAL HIGHWAY (U.S. NO. 1) WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 34 AS SHOWN ON THE "RIGHT-OF-WAY PLANS FOR ROAD NO. 4" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, AT PAGE 54, OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA AND RUN WEST ALONG THE AFORESAID NORTH LINE OF THE NORTHWEST 1/4 FOR 320.8'; THENCE SOUTH 1°19'20" EAST ALONG A LINE PARALLEL WITH AND 222' EAST OF THE WEST LINE OF THE AFORESAID LOT 1, BLOCK 3, FOR 100.03'; THENCE EAST ALONG A LINE PARALLEL WITH AND 100' SOUTH OF THE SAID NORTH LINE OF THE NORTHWEST 1/4 FOR 294.61' TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF FEDERAL HIGHWAY; SAID POINT BEARS SOUTH 75°47'33" EAST FROM THE RADIUS POINT OF THE NEXT DESCRIBED CURVE; THENCE NORTHEASTERLY ALONG A CIRCULAR CURVE TO THE LEFT BEING COINCIDENT WITH THE AFORESAID WESTERLY RIGHT-OF-WAY LINE OF U.S. NO. 1 HAVING A RADIUS OF 3784.83' AND A CENTRAL ANGLE OF 01°33'24" FOR AN ARC DISTANCE OF 102.83' TO THE POINT OF BEGINNING, LYING AND BEING IN MIAMI/DADE COUNTY, FLORIDA.

AND

LOTS 9 AND 10, BLOCK 24, "HALLANDALE PARK", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE(S) 37, PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

A PORTION OF A RESERVED STRIP OF LAND AS SHOWN ON THE PLAT OF "HALLANDALE PARK", AS RECORDED IN PLAT BOOK 12, AT PAGE 37 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF LOT 10, BLOCK 24 OF SAID PLAT OF "HALLANDALE PARK"; THENCE NORTH 89°54'01" EAST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 51 SOUTH, RANGE 42 EAST FOR 52.38 FEET; THENCE SOUTH 01°19'15" EAST ALONG THE EAST LINE OF THE WEST 222 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 34 FOR 100.02 FEET; THENCE SOUTH 89°54'01" WEST ALONG A LINE PARALLEL WITH AND 100 FEET SOUTH OF THE SAID NORTH LINE OF THE NORTHWEST 1/4 FOR 54.50 FEET TO A POINT ON THE EAST LINE OF SAID LOT 10; THENCE NORTH 00°06'28" WEST ALONG THE EAST LINE OF SAID LOT 10 FOR 100 FEET TO THE POINT OF BEGINNING.

AND

LOTS 6, 7 AND 8, BLOCK 24, OF HALLANDALE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, AT PAGE 37, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

AND

LOTS 6, 7, 8, 9 AND 10, BLOCK 23 OF "HALLANDALE PARK", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, AT PAGE 37, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

# 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: October 5, 2015

SUBJECT: Request by Aventura Medical Center, LLC for Conditional Use approval pursuant to Chapter 14, Article VI. Green Building Program and pursuant to Section 31-144(f) (2) k. and l. of the City's Land Development Regulations to permit increased lot coverage and increased floor area ratio for a LEED® Gold office development at 21291 NE 28 Avenue, City of Aventura (06-CU-15)

---

November 3, 2015 City Commission Meeting Agenda Item 7C

### RECOMMENDATION

It is recommended that the City Commission approve the request by Aventura Medical Center, LLC for Conditional Use Approval to permit increased lot coverage and increased floor area ratio for a LEED® Gold medical office building development located at 21291 Biscayne Boulevard, City of Aventura, subject to the following conditions:

1. Plans shall substantially comply with those submitted as follows:
  - "Aventura Medical Center", Cover Sheet, prepared by Rodriguez Peterson & Porras Architects, Sheet No. 0.00, dated 9/6/15, signed and sealed 9/14/15.
  - "Aventura Medical Center", Boundary & Topographic Survey, prepared by Fortin, Leavy, Skiles, Inc., Sheet No. 1 of 1, dated 4/8/15, signed and sealed.
  - "Aventura Medical Center", Right-of-Way Widths Exhibit,, prepared by Fortin, Leavy, Skiles, Inc., Sheet No. 1 of 1, dated 3/31/15, signed and sealed.
  - "Aventura Medical Center", Site Plan & Project Development Plan, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A1.00, dated 9/6/15, signed and sealed 9/14/15.

- “Aventura Medical Center”, Floor Area Tabulation, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A1.01, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Context Maps, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A1.02, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Context Photos, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A1.03, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Offsite Sketch, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A1.04, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Renderings, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A1.05, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 1, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A3.00, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 2, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A3.01, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 3-6, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A3.02, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 7, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A3.03, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 8, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A3.04, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 9-11, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A3.05, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Roof Plan, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A3.06, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Bldg Elevations Material Board, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A4.00, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Building Elevations, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A4.01, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Building Elevations, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A4.02, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Building Sections, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A5.00, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Service Center”, Hardscape Plan Ground Floor, prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-1, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Planting Plan Ground Floor, prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-2, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Planting Plans – Roof Gardens prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-3, dated 9/4/15, signed and sealed 9/15/15.

- “Aventura Medical Service Center”, Planting Details, prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-4, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Planting Notes & Details, prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-4, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Cover Sheet, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-1, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Notes, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-2, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Paving & Marking Plan, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-3, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Grading & Drainage Plan, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-4, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Water & Sewer Plan, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-5, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Stormwater Pollution Prevention Plan & Details, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-6, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Paving, Drainage, Water & Sewer Details, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-7, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Site Plan – Photometric - Electrical, prepared by Louis J. Aguirre & Assoc., P.A., Sheet No. C-5, dated 9/4/15, signed and sealed 9/14/15.

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

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

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

- (i) enter into and record in the Public Records of Miami-Dade County, at its expense, and in form satisfactory to the City Manager and City Attorney, the Agreement and Covenant in fulfillment of all requirements of the City’s Green Building Ordinance No. 2009-18; and
- (ii) provide to the City a performance bond or other security approved by the City Manager and City Attorney in the amount of 5% of building construction

costs as approved by the City's Building Official to guarantee attainment of LEED® Gold or Platinum certification by the US Green Building Council; and

- (iii) Record in the Public Records of Miami-Dade County, at its expense, in form satisfactory to the City Manager and City Attorney, a right of way deed to the City for the road widenings on NE 28 Avenue and on NE 213 Street.

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

- (i) complete all roadway improvements on NE 28 Avenue and NE 213 Street as shown on the approved plan, to the satisfaction of the City Manager.

**THE REQUEST**

The applicant, Aventura Medical Center, LLC, is requesting conditional use approval pursuant to Chapter 14, Article VI., Green Building Program and pursuant to Section 31-144(f)(2)k. and l. of the City's Land Development Regulations to allow lot coverage of 55.24% where a maximum of 40% is permitted by Code and a floor area ratio of 2.0 where 1.50 is permitted by Code, for a proposed office development at 21291 NE 28 Avenue, City of Aventura. (See Exhibit #1 for Letter of Intent)

**BACKGROUND**

<b>OWNER OF PROPERTY</b>	Aventura Medical Center LLC
<b>APPLICANT</b>	Aventura Medical Center LLC
<b>ADDRESS OF PROPERTY</b>	21291 NE 28 Avenue (See Exhibit #2 for Location Map)
<b>SIZE OF PROPERTY:</b>	Approximately 1.631 acres
<b>LEGAL DESCRIPTION</b>	Part Lot 3, Block 3, Map of Hallandale according to the plat thereof recorded in Plat Book B, Page 13 (complete legal description provided in Exhibit #3)

**Zoning –**

Subject Property:	MO	Medical Office District
	MO	Medical Office District
Properties to the North:	MO	Medical Office District
Properties to the South:	MO	Medical Office District
Properties to the East:	MO	Medical Office District
Properties to the West:	MO	Medical Office District

**Existing Land Use –**

Subject property: Vacant Land  
Properties to the North: Vacant Land  
Properties to the South: Public Storage  
Properties to the East: Public Storage  
Properties to the West: Nursing Home

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

Subject property: Business and Office  
Property to the North: Business and Office  
Property to the South: Business and Office  
Property to the East: Business and Office  
Property to the West: Business and Office

**The Site** - The site is a 1.631 acre parcel of vacant land at the southeast corner of NE 28 Avenue and NE 213 Street in the Medical Office District.

**The Project** - The applicant proposes to construct a LEED® Gold certified office development consisting of an 11-story, 120 foot tall, 142,112 square foot office building fronting on NE 28 Avenue with office space and parking spaces on the ground and second floors, five levels of parking and 4 levels of office space. The building will have a green rooftop amenity consisting of a 5,000 square foot green garden and will also have an 8,148 square foot open landscaped plaza on the eighth floor. Florida friendly canopy trees and Florida friendly plantings are proposed on site. The parcel has frontage on NE 28 Avenue and on NE 213 Street. The applicant will be dedicating a 25 foot wide road widening to the City on NE 28 Avenue and a 17.24 foot wide road widening on NE 213 Street. Road improvements will be constructed by the applicant on both roadways.

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

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

The incentives provided in the City's Green Building Program are based on the level of certification attained by the building. Certified and silver level buildings are awarded

expedited site plan and building permit review, marketing incentives and administrative variances by the City. Gold and Platinum level buildings are awarded all of the above incentives and may be awarded increased floor area ratio and increased lot coverage using the conditional use approval criteria in Section 31-73 of the City Code.

This development is proposed to attain at least LEED® Gold certification. The applicant is requesting increased floor area ratio and lot coverage through conditional use approval application.

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

The Green Building Program requires that, prior to award of incentives for Gold and Platinum buildings, the applicant must register the development with the US Green Building Council for LEED® certification, provide the City with the project's checklist of certification details and confirm by written agreement and covenant that those checklist items will be incorporated into the development, shown or noted on the application for City building permit and maintained in perpetuity. The applicant must also provide the City with a performance bond to guarantee the proposed certification level, in an amount equal to 1% to 5% of construction costs as approved by the City. The range in percentage levels of the bond is based on the increased percentage of lot coverage or floor area ratio requested by the applicant.

## **ANALYSIS**

**Consistency with Comprehensive Master Plan** – The development proposal is consistent with the City of Aventura's Comprehensive Plan. The future land use designation for the parcel is Business and Office.

**Citizen Comments** – As of the date of writing of this report, the Community Development Department has received no written citizen comments. Notice of the time, place and nature of the public hearing will be advertised in a newspaper of general circulation and mailed to all property owners within a 300 foot radius of the site as a courtesy not less than 10 days prior to the hearing. The property will be posted not later than 10 days prior to the hearing by a sign containing information concerning the application and public hearing.

**Community Development Department Analysis** – The development parcel is located in the Medical Office (MO) zoning district. The medical office building is a permitted use in the MO zone. The 12 story, 120 foot tall height of the building meets the height criteria of the zoning district. Required setbacks, lot size, landscaped open space and landscaped buffers are met. Lot coverage permitted is 40% of lot area. The applicant is requesting conditional use approval for lot coverage of 55.24%, or 15.24% additional lot coverage, with mitigation of 18.51% of the lot area in the green rooftop amenity and

open landscaped plaza. This meets the criteria for increased lot coverage under the Green Building Program.

The applicant is requesting floor area ratio of 2.0, or 142,112 square feet of floor area, where 1.50, or 106,585 square feet of floor area, is permitted by Code. Floor area ratio is calculated based on number of stories of the building. The City Code provides that a maximum height of 12 stories or 120 feet may be built in the MO zoning districts. Based on the proposed height of 11 stories, maximum permitted floor area would be .40 of the site for the first story and an additional .11 of the site for each additional story, or 1.50. The applicant requests that the increase in floor area ratio be approved through the conditional use process.

The applicant has proffered the maximum amount of bond or security at 5% of construction costs of \$28,771,891, or \$1,438,594.50.

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

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

The proposed checklist results in a pre-certification estimate of 68 possible points, which is LEED® Gold level. The applicant will be required to enter into and record on title to the parcel, prior to issuance of a building permit by the City, the form of Agreement and Covenant attached as Exhibit #5 to confirm the building's registration with the LEED® program, the proposed certification level, maintenance of the green design elements and amount of performance bond.

### **Criteria**

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

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

The proposed use is consistent with the City of Aventura Comprehensive Plan. The future land use designation for this parcel is Business and Office.

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

The establishment, maintenance and operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare. The green building design elements will enhance the public health, safety and general welfare.

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

The immediate neighborhood of the proposed use is comprised of office, medical, commercial and low density residential uses. The proposed medical office development is consistent with the community character of the immediate neighborhood.

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

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

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

Adequate measures have been taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets. Ingress and egress to the medical office building is by way of NE 28 Avenue and NE 213 Street. The entry/exit to the building lobby is on NE 28 Avenue. The entry/exit to the garage is on NE 213 Street.

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

The establishment of this use will not impede the development of surrounding properties for uses permitted in the zoning district. The applicant's construction of the roadways on NE 28 Avenue and NE 213 Street will be a benefit to the community and for development of other vacant lands in this area of the City.

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

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

compatible with existing buildings in the area. The eighth level open plaza and the rooftop garden amenity will provide a green view from the on-site building and adjacent buildings. The site is landscaped with Florida friendly canopy trees and plantings. The green building design elements will minimize adverse affects on the environment.



**BERCOW RADELL & FERNANDEZ**  
ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: 305-377-6238  
E-MAIL: [mmarrero@brzoninglaw.com](mailto:mmarrero@brzoninglaw.com)

**VIA FEDERAL EXPRESS**

October 9, 2015

OCT 12 2015

Ms. Joanne Carr  
Community Development Director  
City of Aventura  
19200 West Country Club Drive, 4<sup>th</sup> Floor  
Aventura, Florida 33180

Re: Conditional Use and Site Plan Approval for Aventura Medical Center

Dear Joanne:

This law firm represents Aventura Medical Center, LLC (the "Applicant"), with regard to an application to approve certain conditional uses and a site plan for the Aventura Medical Center project (the "Project"). The Applicant seeks to redevelop the property located at the southeast corner of the intersection of NE 213 Street and NE 28 Avenue (the "Property") for the Project.

Property. The Property is identified by Miami-Dade County Folio Number 28-1234-001-0220; the Property is currently vacant and accordingly does not have a street address. Further, the Property is approximately 71,057 square feet in size, 59,396 square feet after required dedications, and located within the City of Aventura (the "City") Medical Office (MO) zoning district.

Proposed Development. The Applicant seeks to develop an eleven story medical office building with 142,112 gross square feet of floor area as well as a parking structure with 539 parking spaces. Further, the Applicant seeks to avail itself of the City's "green" building incentives by obtain the LEED Gold standard certification. According to Article VI of Chapter 14 of the City Code, buildings which attain LEED Gold certification are permitted expedited site plan review; expedited building permit review; marketing incentives; and administrative variances to allow orientation of the buildings to take full advantage of available natural resources, including setbacks, landscape buffers, driveways and/or architectural design standards needed to support

**Exhibit #1**  
**06-CU-15**

the proposed design in the opinion of the City Manager or his designee, plus FAR and lot coverage bonuses through the City's conditional use process. Specifically, FAR bonuses are permitted for properties in the Business and Office Future Land Use category, like the Property, up to a maximum FAR of 2.0. Additional lot coverage is permitted if a green roof and/or green rooftop amenities are provided and maintained, and increased Florida-Friendly tree canopy and Florida-Friendly plantings designed to calm the heat island effect are located on site in an amount equal to the requested increased lot coverage.

Conditional Use Requests. Based on the City's green building regulations, the Applicant respectfully makes the following Conditional Use requests:

1. *FAR.* The permitted FAR is 0.40 for the first story and 0.11 for each additional story. However, additional FAR, up to a maximum of 2.0 for all buildings, may be approved in conformance with the Comprehensive Plan. With LEED Gold certification, the Applicant respectfully requests approval of an FAR of 2.0 for the Project, where an FAR of ~~1.50~~ is permitted as of right.
2. *Lot Coverage.* The total lot coverage permitted for all buildings on the site may not exceed forty percent (40%) of the total lot area, as of right. With LEED Gold certification, the Applicant respectfully requests lot coverage of 39,250 square feet (55.24%) where 28,423 square feet (40%) is permitted.

Conditional Use Criteria. Pursuant to the City's Land Development Regulations, the following standards should be considered when reviewing a request for conditional use approval:

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

The application is consistent with the goals and objectives of the Comprehensive Plan, specifically the City's objectives of environmental stewardship and responsible development.

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

The proposed medical office development will not be detrimental to or endanger public health, safety or general welfare. To the contrary, the development of the Project will bring activity to a vacant parcel with a use contemplated by the City's Zoning Code. Further, the proposed medical office use is compatible with

the existing context and conforms to the City's vision for this area pursuant to the Comprehensive Plan.

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

The Property is consistent with community character of the immediate neighborhood. In fact, the Property is nearly surrounded by other medical office uses, consistent with the area's zoning.

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

The Project is not expected to result in a failure of the City's adopted levels of service. The Project complies with the City's zoning regulations, which implies that the City has envisioned and anticipated this type of development on this particular parcel.

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

The Applicant has engaged KBP Consulting, Inc., traffic engineers, to work with the City to ensure that the Project is developed in a manner that minimizes traffic congestion and considers the optimal ingress and egress locations for the Project and the surrounding neighborhood. It should be noted that the proposed building is a medical and surgical outpatient facility, which should reduce the amount of traffic generated.

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

There is nothing to suggest that the approval of the Project and its conditional uses will have any detrimental effect in the ability of surrounding properties to develop for uses permitted in their zoning districts.

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

Ms. Joanne Carr

October 9, 2015

Page 4

The Applicant and its architects have worked diligently to ensure that setback regulations have been complied with and appropriate landscaping and buffering will minimize and adverse effects that might arise from the development. In fact, the Applicant has availed itself of the incentives adopted by the City to promote "green" and LEED certified development within the City.

For all the foregoing reasons, the applicant respectfully requests your department's favorable review and recommendation of this application. Should you have any questions, comments, or require additional information, please do not hesitate to phone my direct line at (305) 377-6238.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'MJM' with a long horizontal stroke extending to the right.

Michael J. Marrero

BROWARD COUNTY  
DADE COUNTY

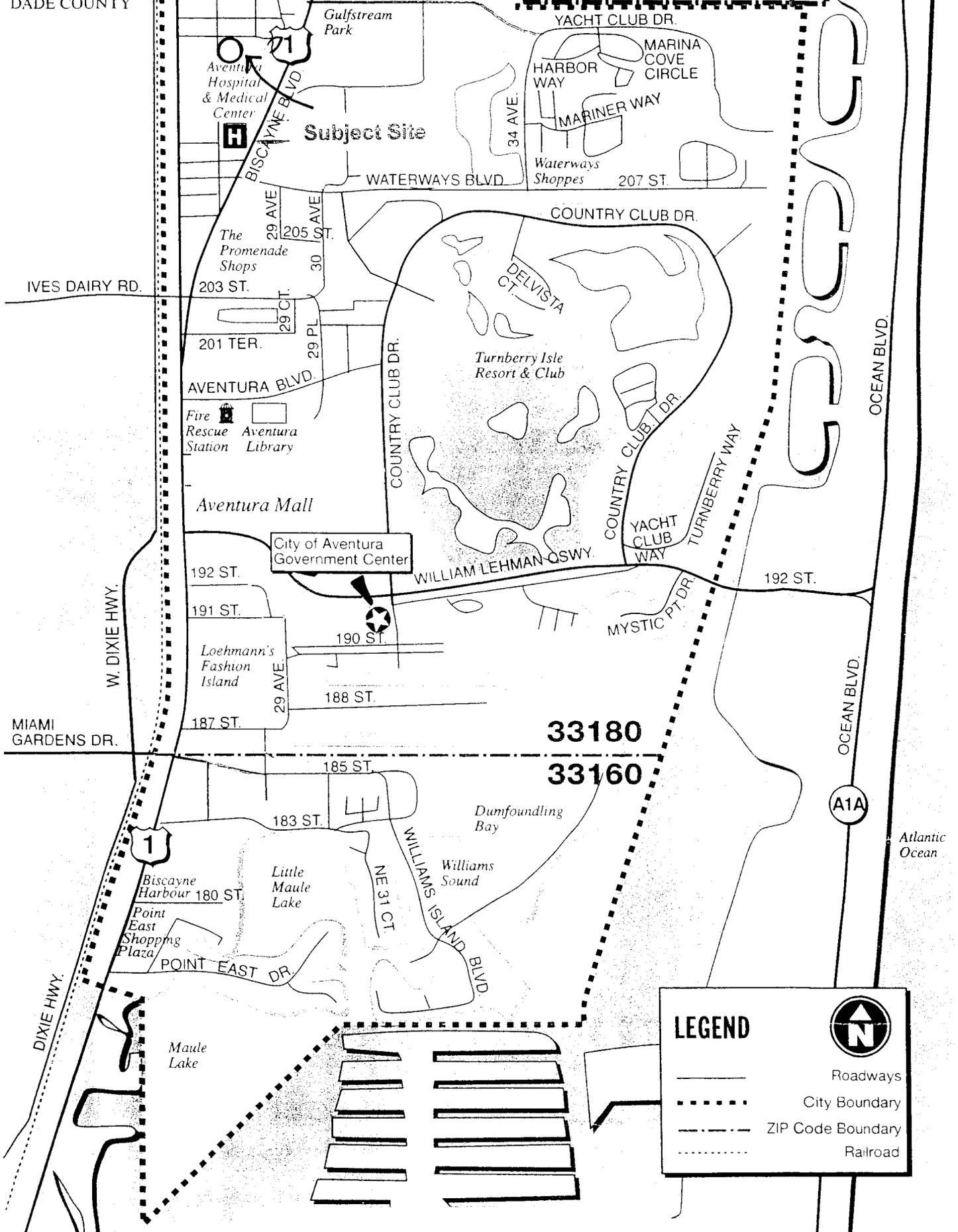


Exhibit #2  
06-CU-15

Exhibit #3

Legal Description of Property  
21291 Biscayne Boulevard, City of Aventura

A northwesterly portion of Lot 3, Block 3, MAP OF HALLANDALE, being in Section 34, Township 51 S, Range 42 East, as recorded in Plat Book B t Page 13 of the Public Records of Miami-Dade County, Florida. Said northwesterly portion of Lot 3 being more particularly described as follows:

Beginning at the northwesterly corner of the aforesaid Lot 3, run S 01 degrees 15 minutes 22 seconds E along the westerly line of said Lot 3, a distance of 150.05 feet; thence run N 89 degrees 57 minutes 41 seconds E, a distance of 475.00 feet to a point; thence run N 01 degrees 15 minutes 22 seconds W a distance of 149.73 feet to a point on the northerly line of the aforesaid Lot 3; thence run westerly along the northerly line of aforesaid Lot 3 a distance of 475.00 feet to the point of beginning.



This instrument was prepared by:  
City of Aventura  
19200 West Country Club Drive  
Aventura, FL 3318

(Reserved for Clerk)

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

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

**RECITALS**

WHEREAS, Aventura Medical Center, LLC, a Florida corporation ("Owner"), holds fee simple title to the land in the City of Aventura, Miami-Dade County, Florida, more specifically described in Exhibit "A," attached hereto, and hereinafter called the "Property;" and

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

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

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

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

WHEREAS, the Owner has proposed the manner of compliance with LEED® Gold or Platinum certification pursuant to the checklist attached as Exhibit "B" and wishes to assure the City that these checklist items will be incorporated into the development.

shown or noted on the building permit plans and maintained in perpetuity.

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

1. **Recitals.** The above recitals are true and correct and are adopted by the Owner and are incorporated as part of this Agreement.
2. **Covenant Running With The Land.** This Restrictive Covenant and Agreement (hereinafter referred to as the "Covenant") on the part of the Owner shall constitute a covenant running with the land and will be recorded, at Owner's expense, in the public records of Miami-Dade County, Florida, and shall remain in full force and effect and be binding upon the heirs, successors and assigns of the respective parties hereto.
3. **Site Plan.** The Property will be developed in accordance with the site plan entitled "Aventura Medical Center Medical Office Building," as prepared by Rodriguez, Peterson & Porras Architects, approved by the City on the \_\_\_ day of \_\_\_\_\_, 2015 under Case File No. \_\_\_\_\_ ("Site Plan").
4. **Green Building Design Elements.** The owner proposes to construct the building with green building design elements shown on Exhibit "B" so as to attain LEED® for Core and Shell Gold or Platinum certification by the Green Building Certification Institute.
5. **Building Permit.** The owner shall cause all LEED® checklist items listed in Exhibit "B" to this Covenant to be shown or noted on the construction plans submitted to the City for Building Permit application.
6. **Maintenance of the Green Building Design Elements.** The green building design elements as listed on the LEED® check list and constructed pursuant to the Building Permit shall be maintained by the owner or subsequent owner(s) in perpetuity.
7. **Performance Bond.** Prior to issuance of a building permit for this development, the Owner shall provide to the City a performance bond or other security in form approved by the City Manager and City Attorney in the amount of 5% of the value of the proposed costs of construction as approved by the City's Building Official to guarantee LEED® Gold or Platinum certification of the building by the US Green Building Certification Institute. The bond or security shall be subject to call by the City one hundred and eighty (180) days from the issuance of the certificate of occupancy, or certificate of completion, whichever first occurs, if LEED® certification has not been achieved by that time. Reasonable extensions of time, up to a maximum of one (1) year from the issuance of the certificate of occupancy or certificate of completion, whichever first occurs, may be granted by the City Manager or his designee for good cause. If the Owner fails to complete LEED® certification as committed within one (1) year from the issuance of the certificate of occupancy or certificate of completion, then the City Manager or his designee shall deem such

bond or security forfeited to the City for any lawful governmental purpose identified by the City Commission. If the development receives LEED® certification at the level committed by the Owner prior to the expiration of the one hundred and eighty (180) day period provided for above, or extensions of time as granted by the City Manager or his designee, and the bond or security has not been forfeited as provided above, then the bond or security may be released following submittal to the City of written proof of level of LEED® certification awarded by the Green Building Certification Institute.

8. **Term.** The provisions of this Covenant shall become effective upon their recordation in the public records of Miami-Dade County, Florida, and shall continue in effect for a period of thirty (30) years after the date of such recordation, after which time they shall be extended automatically for successive periods of ten (10) years each, unless released in writing by the then Owners of the Property or portion of the Property for which the release is sought, and by the City Manager upon the demonstration that the same is no longer necessary to preserve and protect the Property for the purpose herein intended.
9. **Multiple Ownership.** In the event multiple ownerships are created subsequent to site plan approval, each of the subsequent owners, mortgagees, heirs, assigns and other parties in interest shall be bound by the terms, provisions and conditions of this Declaration.
10. **Modification or Release.** The individual Parcels within the Property may be modified or released from this Declaration should the approved building be demolished or destroyed and a new building erected in its place that does not apply for incentives under the City of Aventura Green Building Program set out in Ordinance No. 2009-18; provided, however, that any release or modification shall be approved by the City Manager as described in Section 8 hereof.
11. **Enforcement.** Enforcement shall be by action against any parties or persons violating or attempting to violate any of these covenants. The prevailing party in any action or suit arising out of or pertaining to this Covenant shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may determine to be reasonable for the services of his attorney. This enforcement provision is in addition to any other remedy at law, in equity or both.
12. **Severability.** Invalidation of any one of these Declarations, by judgment of Court, shall not affect any of the other provisions, which shall remain in full force and effect.
13. **Election of Remedies.** All rights, remedies and privileges granted herein shall be deemed to be cumulative and the exercise of any one or more shall neither be deemed to constitute an election of remedies, nor shall it preclude the party exercising the same from exercising such other additional rights, remedies or privileges.
14. **Authorization of City to Withhold Permits and Inspections.** In the event of a violation of this Covenant, in addition to any other remedies available, the City is hereby

authorized to withhold any permits, and refuse to make any inspections or grant any approval, until such time as this Declaration is complied with.

15. **Recording.** This Covenant shall be recorded in the Public Records of Miami-Dade County at the Owner's expense.

WITNESSES:

**Aventura Medical Center, LLC**  
a Florida limited liability company

Print Name: \_\_\_\_\_ By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Print Name: \_\_\_\_\_

STATE OF FLORIDA            )  
COUNTY OF MIAMI-DADE    )

THE FOREGOING INSTRUMENT was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by \_\_\_\_\_, as \_\_\_\_\_ of Aventura Medical Center, LLC, a Florida limited liability company, who is (check one) [ ] personally known to me [ ] of has produced \_\_\_\_\_, as identification.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

ACCEPTED BY THE CITY OF AVENTURA

By: \_\_\_\_\_ Date: \_\_\_\_\_  
City Manager

Attest:  
\_\_\_\_\_  
City Clerk

Approved as to form and legal sufficiency this \_\_\_\_ day of \_\_\_\_\_, 2015.

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

Exhibit "A"

Legal Description of Property  
21291 Biscayne Boulevard, City of Aventura

A northwesterly portion of Lot 3, Block 3, MAP OF HALLANDALE, being in Section 34, Township 51 S, Range 42 East, as recorded in Plat Book B t Page 13 of the Public Records of Miami-Dade County, Florida. Said northwesterly portion of Lot 3 being more particularly described as follows:

Beginning at the northwesterly corner of the aforesaid Lot 3, run S 01 degrees 15 minutes 22 seconds E along the westerly line of said Lot 3, a distance of 150.05 feet; thence run N 89 degrees 57 minutes 41 seconds E, a distance of 475.00 feet to a point; thence run N 01 degrees 15 minutes 22 seconds W a distance of 149.73 feet to a point on the northerly line of the aforesaid Lot 3; thence run westerly along the northerly line of aforesaid Lot 3 a distance of 475.00 feet to the point of beginning.

# AVENTURA MEDICAL CENTER

## 21291 NE 28th AVENUE

### CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA

## SITE PLAN APPROVAL APPLICATION REVISED SEPTEMBER 4, 2015

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SV-2015-043	RIGHT-OF-WAY WIDTHS EXHIBIT
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A1-01	FLOOR AREA TABULATION
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A1-05	RENDERINGS
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A2-02	FLOOR PLAN - LEVELS 3-6
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A3-06	ROOF PLAN
A4-00	BLOCK ELEVATION MATERIAL BOARD
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A4-03	BUILDING SECTIONS
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L-3	PLANTING PLANS - ROOF GARDENS
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L-5	PLANTING NOTES & DETAILS
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C-7	PAVING, DRAINAGE, WATER, SEWER & UTILITIES
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**DEVELOPER**  
**AVENTURA MEDICAL CENTER, LLC**  
 2199 NE 163rd STREET  
 NORTH MIAMI BEACH, FLORIDA 33162  
 T: 305.704.3443

- ARCHITECT**  
**RODRIGUEZ PETERSON AND PORRAS ARCHITECTS, INC.**  
 5801 NW 151st STREET, SUITE 202  
 MIAMI LAKES, FLORIDA 33014  
 T: 305.822.1020
- LANDSCAPE ARCHITECT**  
**CURTIS & ROGERS DESIGN STUDIOS, INC.**  
 7520 S. RED ROAD, SUITE M  
 SOUTH MIAMI, FLORIDA 33143  
 T: 305.442.1774
- SUPERVISING & CIVIL ENGINEERING**  
**FORTIN, LEAVY, SKILES, INC.**  
 180 NE 168th STREET  
 NORTH MIAMI BEACH, FLORIDA 33162  
 T: 305.655.4493
- TRAFFIC ENGINEERING**  
**TRAF ENGINEERING, INC.**  
 8400 N. UNIVERSITY DRIVE, SUITE 309  
 TAMARAC, FLORIDA 33321  
 T: 954.582.0988
- STRUCTURAL ENGINEERING**  
**ARBAB ENGINEERING, INC.**  
 3363 NE 163 STREET, SUITE 701  
 NORTH MIAMI BEACH, FLORIDA 33160  
 T: 305.940.3098
- M.E.P. ENGINEERING**  
**LOUIS J. AGUIRRE AND ASSOCIATES PA**  
 9150 SOUTH DADELAND BLVD., SUITE 900  
 MIAMI, FLORIDA 33156  
 T: 305.670.0141

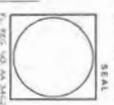
**RODRIGUEZ PETERSON & PORRAS ARCHITECTS**  
 P L L C  
 5801 NW 151st Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305-822-1020 Fax: 305-822-2030  
 Cynthia K. Rodriguez - F.L.A. REG. NO: AR-0015469  
 www.RPAPRCHTCT'S.COM

Project name:  
**AVENTURA MEDICAL CENTER MEDICAL OFFICE BUILDING**  
 21291 NE 28TH AVENUE  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner:  
**AVENTURA MEDICAL CENTER LLC**  
 2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:  
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 \_\_\_\_\_  
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DATE PLOTTED: \_\_\_\_\_  
 PLOT NUMBER: \_\_\_\_\_  
 PROJECT NO: \_\_\_\_\_  
 FILE NO: \_\_\_\_\_  
 REVISIONS:  
 \_\_\_\_\_  
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 \_\_\_\_\_

DRAWING NO:  
**000**







1 NORTH WEST VIEW



2 SOUTH WEST VIEW



3 ROOF VIEW

RENDERINGS NTS

DRAWING NO.  
**A1.05**

**RODRIGUEZ PETERSON & PORRAS**  
ARCHITECTS  
3201 N.W. 15th Street, Suite 207, Miami Lakes, Florida 33014  
Phone: 305-622-1020 Fax: 305-622-2030  
Orlando R. Rodriguez - P.L.A. REG. NO. AK-0015469  
www.RPPAARCHITECTS.COM

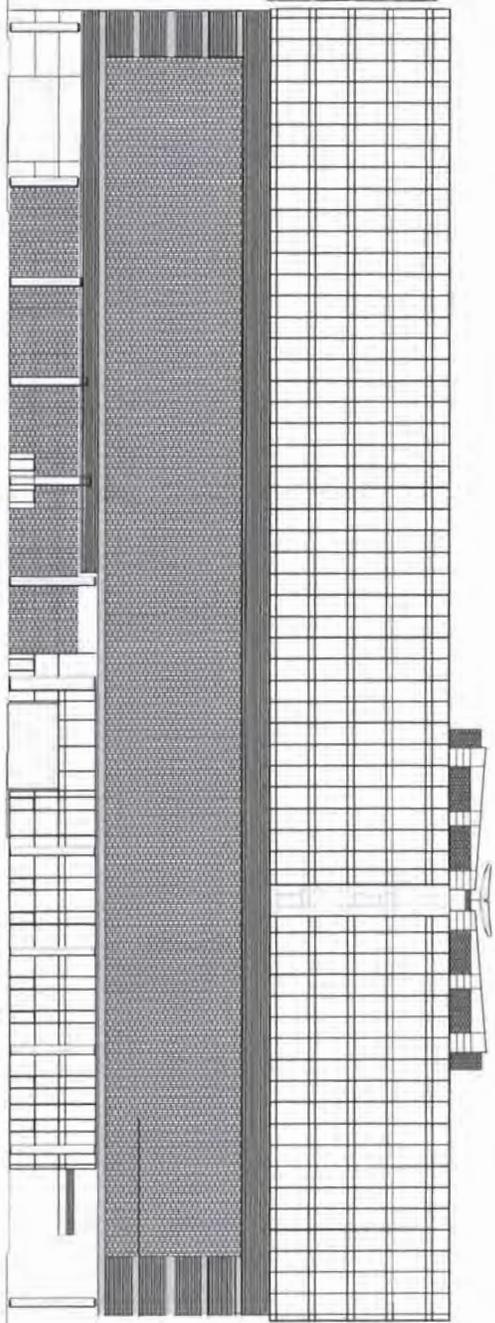


Project name:  
**AVENTURA MEDICAL CENTER  
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2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:

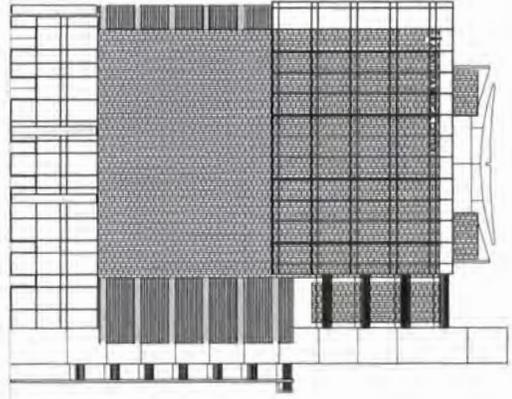
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2 ELEVATION - NORTH  
SCALE: 1/8" = 1'-0"

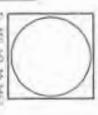
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1 ELEVATION - WEST  
SCALE: 1/8" = 1'-0"

DRAWING NO.  
**A4.01**

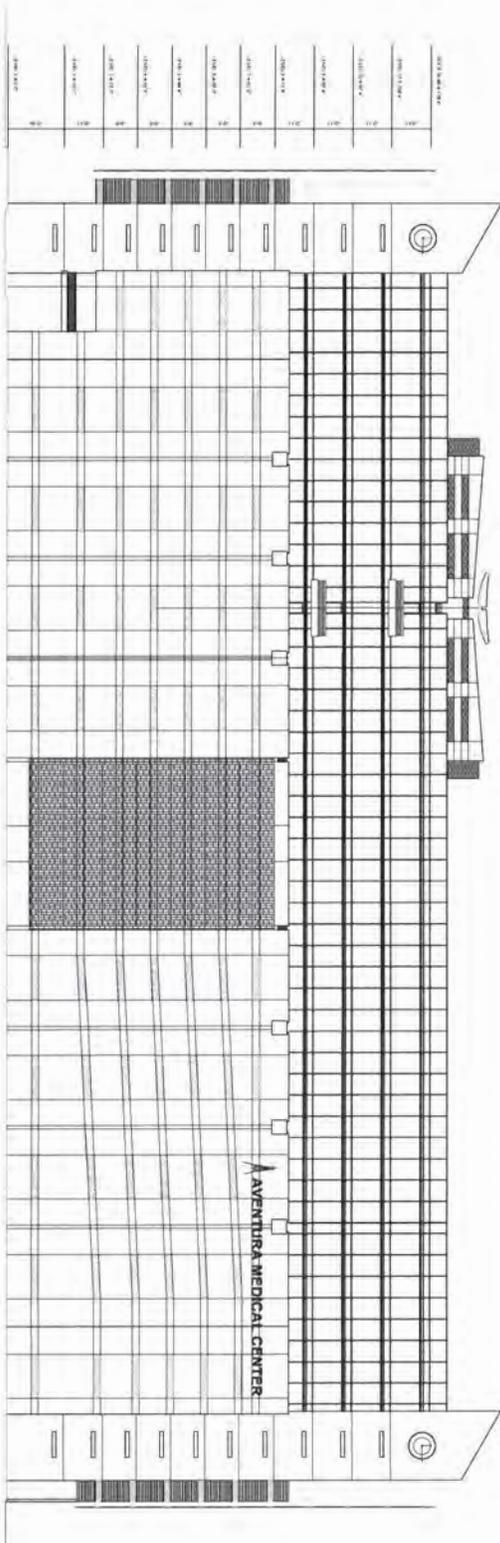
**RODRIGUEZ PETERSON & PORRAS**  
ARCHITECTS, LLC  
305 NE 13th Street, Suite 200, Miami Lakes, Florida 33014  
Phone: 305-672-1020 Fax: 305-672-2030  
Christine E. Rodriguez - P.L.A. R25 50 AM-0015469  
www.rpparc.com



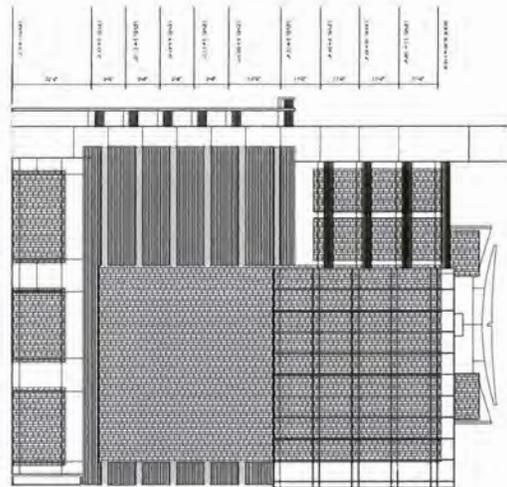
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2198 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:

DATE	11/11/2010
BY	RP
CHECKED	RP
PROJECT NO.	
FILE NO.	



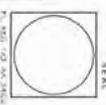
2 ELEVATION - SOUTH  
SCALE: 1/8" = 1'-0"



1 ELEVATION - EAST  
SCALE: 1/8" = 1'-0"

DRAWING NO.  
**A4.02**

**RODRIGUEZ PETERSON & PORRAS**  
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1000 B. B. 15th Street, Suite 200, North Miami, Florida 33164  
Phone: 305-622-1020 • Fax: 305-622-0500  
Christine R. Rodriguez - F.L.A. REG. NO. AR-00113463  
www.rpparchitects.com

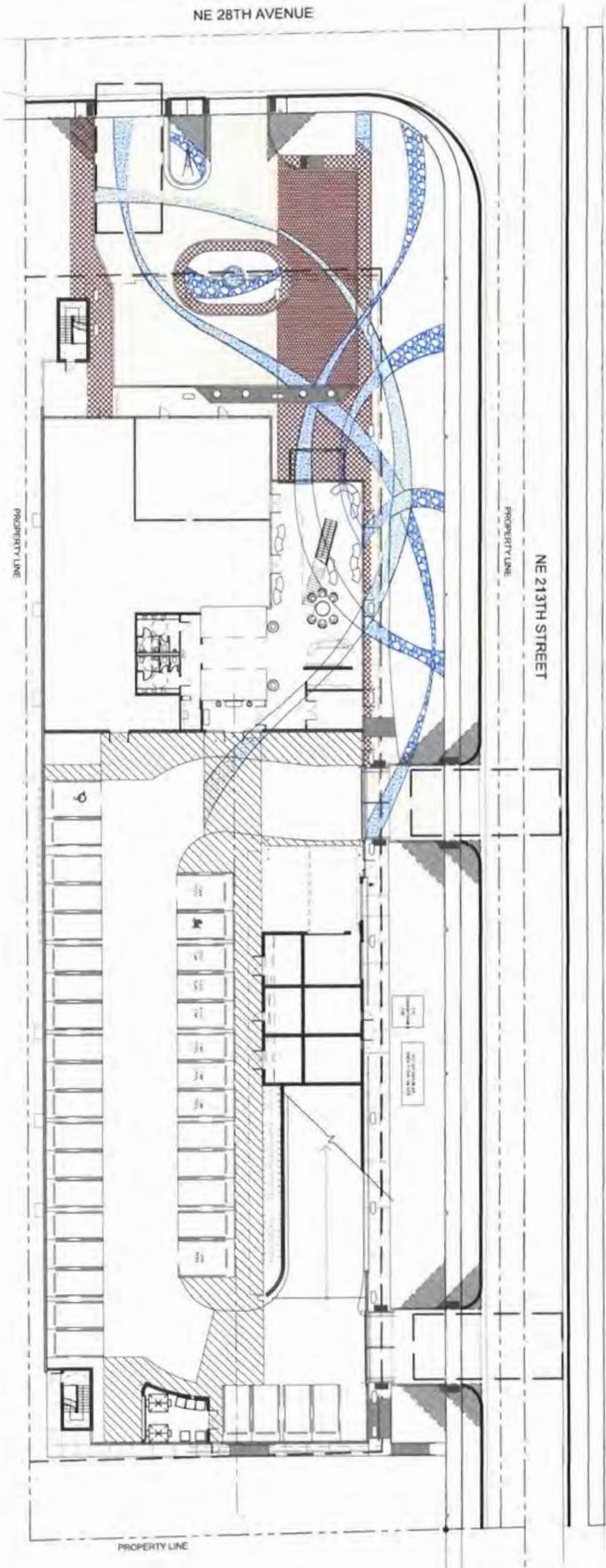


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2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:

DATE PLOTTED	
DATE DESIGNED	
PROJECT NO.	
FILE NO.	
REVISIONS	

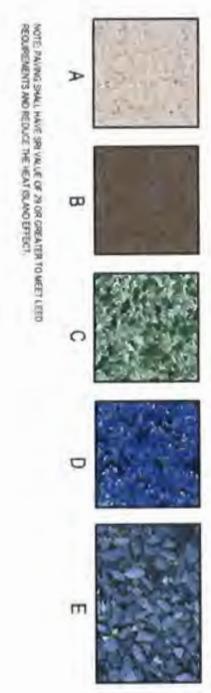
NE 28TH AVENUE



1 HARDSCAPE PLAN

**LEGEND**

	1/4" x 6" CONCRETE UNIT PAVERS - COLOR LIGHT SAND
	1/2" x 6" CONCRETE UNIT PAVERS - COLOR LIGHT BROWN
	1/2" x 12" CONCRETE UNIT PAVERS - COLOR LIGHT SAND
	1/2" x 12" CONCRETE UNIT PAVERS - COLOR LIGHT BROWN
	(C) POLISHED IN PLACE CONCRETE WITH GREEN RECYCLED GLASS AGGREGATE
	(D) POLISHED IN PLACE CONCRETE WITH BLUE RECYCLED GLASS AGGREGATE
	(E) BLUE SLATE GRANITE



**HARDSCAPE PLAN - GROUND FLOOR**

DRAWING NO. L-1

**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 3501 N.W. 15th Street, 3rd Floor, Miami, Florida 33150  
 Phone: 305-822-1020 Fax: 305-822-2030  
 Cristian R. Rodriguez, P.L.A. REG. NO. AR 0015469  
 www.rpandp.com

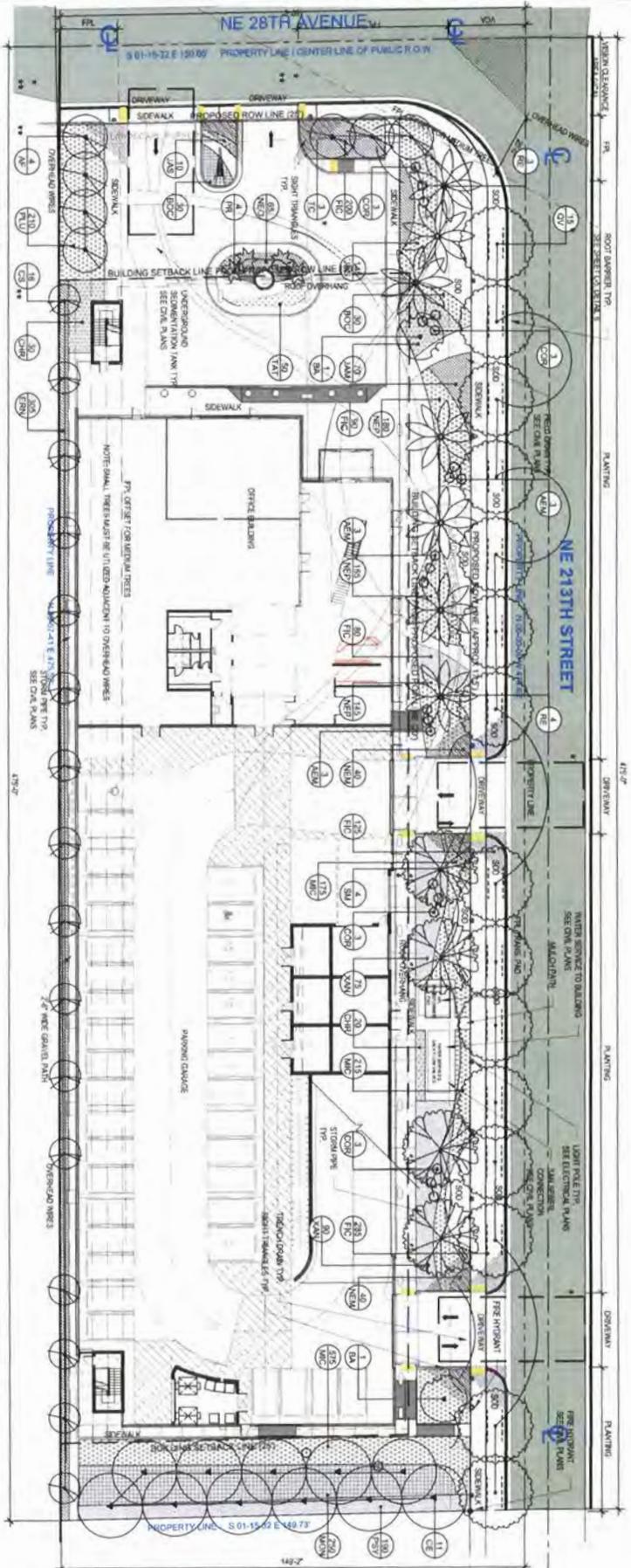


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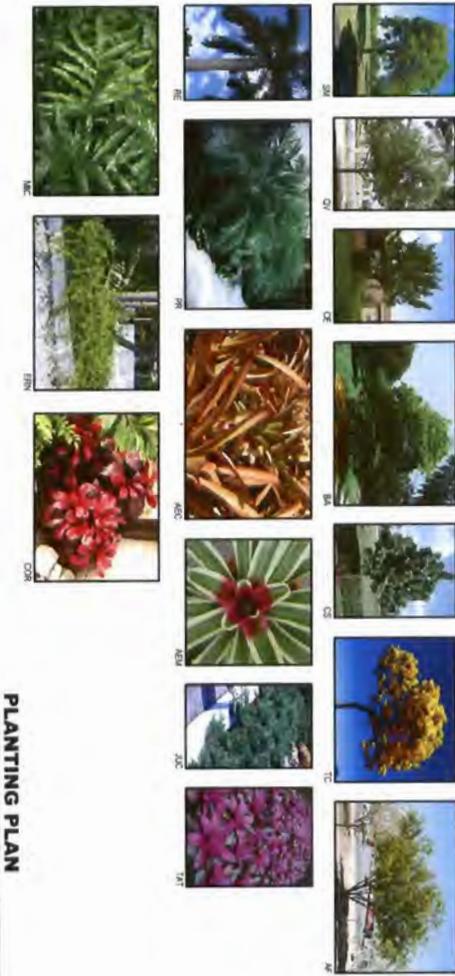
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**1 PLANTING PLAN**

- 1. SEE LIST FOR HARDSCAPE PLAN. SEE DIM. PLANS FOR DETAILED UTILITY INFORMATION.
- 2. STREET TREES
- 3. CONCRETE SIGN RESTRICTION

CITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	NATIVE
1	11	Acacia longhorn	Longhorn Acacia	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
2	12	Albizia julibrissin	Star Magnolia	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
3	13	Albizia leonensis	White Silk Tree	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
4	14	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
5	15	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
6	16	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
7	17	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
8	18	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
9	19	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
10	20	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
11	21	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
12	22	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
13	23	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
14	24	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
15	25	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
16	26	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
17	27	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
18	28	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
19	29	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
20	30	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
21	31	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
22	32	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
23	33	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
24	34	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
25	35	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
26	36	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
27	37	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
28	38	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
29	39	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
30	40	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
31	41	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
32	42	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
33	43	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
34	44	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
35	45	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
36	46	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
37	47	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
38	48	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
39	49	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
40	50	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
41	51	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
42	52	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
43	53	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
44	54	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
45	55	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
46	56	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
47	57	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
48	58	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
49	59	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
50	60	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
51	61	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
52	62	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
53	63	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
54	64	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
55	65	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
56	66	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
57	67	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
58	68	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
59	69	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
60	70	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
61	71	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
62	72	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
63	73	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
64	74	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
65	75	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
66	76	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
67	77	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
68	78	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
69	79	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
70	80	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
71	81	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
72	82	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
73	83	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
74	84	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
75	85	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
76	86	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
77	87	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
78	88	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
79	89	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
80	90	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
81	91	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
82	92	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
83	93	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
84	94	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
85	95	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
86	96	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
87	97	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
88	98	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
89	99	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes
90	100	Albizia saman	Samanea Saman	12' Ht. min. x 8" dbh. min. 1-1/2" cal. min. 3" ft. min.	Yes



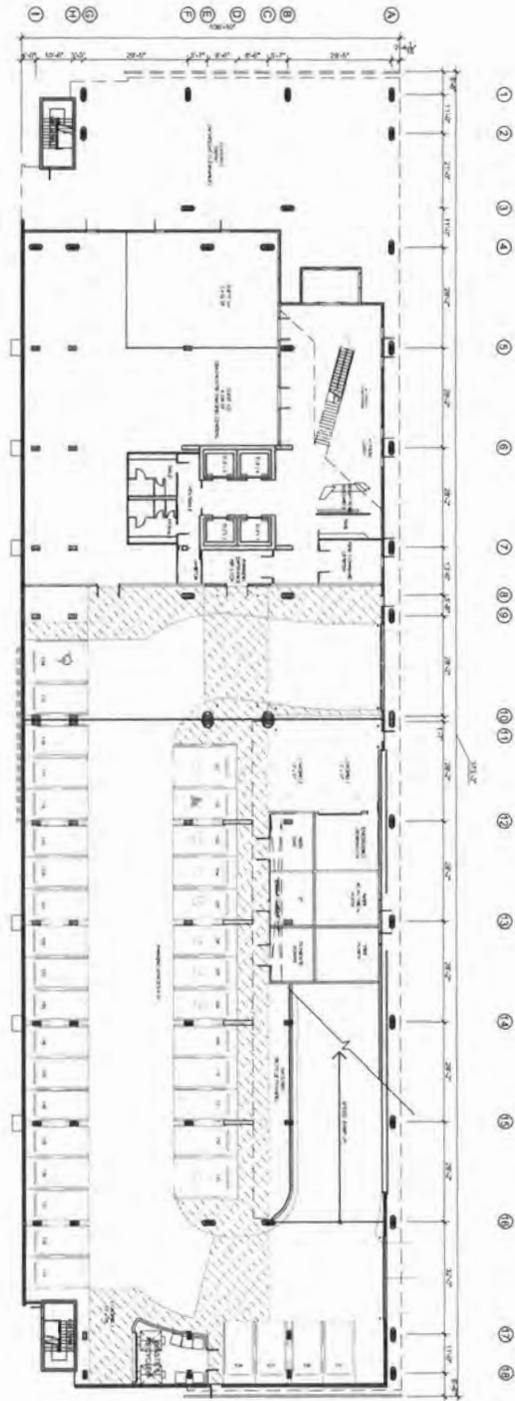
**PLANTING PLAN**

**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 5021 NW 31st Street, Suite 205, Miami Lakes, Florida 33074  
 Phone: 305-622-1020 Fax: 305-622-2030  
 Directors: R. Rodriguez, P.A. R.P. Porras  
 www.rparchitect.com

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 Owner:  
**AVENTURA MEDICAL CENTER LLC**  
 2189 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33182

Engineering / Specialty Consultant:  
**CURTIS + ROGERS  
 DESIGN STUDIO INC.**  
 1580 S. RED ROAD, SUITE 14  
 SOUTH BEACH, FLORIDA 33584  
 305-441-1111  
 www.curtisrogers.com

DRAWING NO.  
**L-2**



FLOOR PLAN - LEVEL 1  
SCALE: 1/8" = 1'-0"



DRAWING NO.  
**A3.00**

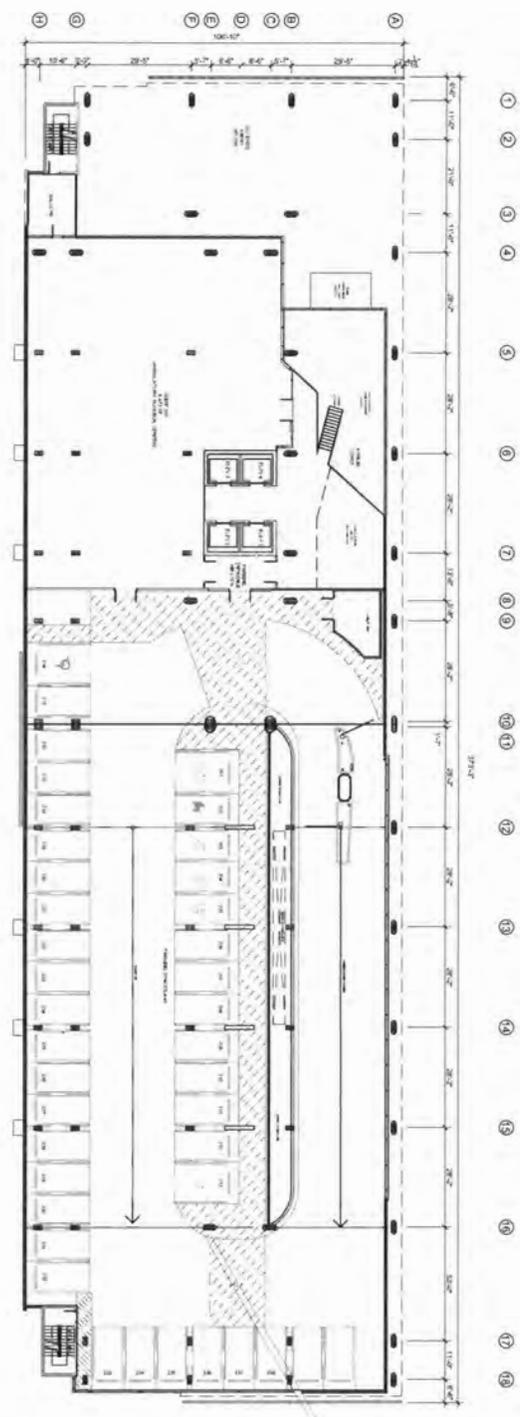
**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 5801 N.W. 151st Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305-822-1020 Fax: 305-822-2030  
 Cristina K. Rodriguez - P.A. REG. NO. AR-0015469  
 www.rpparcitects.com



Project name:  
**AVENTURA MEDICAL CENTER  
 MEDICAL OFFICE BUILDING**  
 2191 NE 28TH AVENUE  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner:  
**AVENTURAL MEDICAL CENTER LLC**  
 2199 NE 183RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:

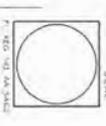
DATE PLOTTED:	DATE REVISION:
PROJECT NO.:	PROJECT NO.:
FILE NO.:	FILE NO.:
REVISION:	REVISION:



FLOOR PLAN - LEVEL 2  
SCALE: 1/8" = 1'-0"



**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 5801 N.W. 15th Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305.822.1020 Fax: 305.822.2030  
 Gustavo R. Rodriguez - P.E., R.E.S., N.C. AR-00154669  
 www.rpprac.com



Project name:  
**AVENTURA MEDICAL CENTER  
 MEDICAL OFFICE BUILDING**  
 21291 NE 28TH AVENUE  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner:  
**AVENTURA MEDICAL CENTER LLC**  
 2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:

DATE	BY	DESCRIPTION





FLOOR PLAN - LEVEL 7  
SCALE: 1/8" = 1'-0"



**RODRIGUEZ PETERSON & PORRAS**  
 ARCHITECTS  
 5801 N.W. 15th Street, Suite 202, Miami Lakes, Florida 33014  
 Phone: 305.622.1020 Fax: 305.622.2030  
 Christine P. Rodriguez - F.L.A. REG. NO. AM-0015469  
 www.rpparchitects.com

Project name:  
**AVENTURA MEDICAL CENTER  
 MEDICAL OFFICE BUILDING**  
 21261 NE 28TH AVENUE  
 CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
 Owner:  
**AVENTURA MEDICAL CENTER LLC**  
 2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:

DATE	REVISION

DATE PLOTTED: 11/11/11  
 PLOTTED BY: J. PORRAS  
 FILE NO: 11-0015469



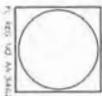
FLOOR PLAN - LEVEL 8

SCALE: 1/8" = 1'-0"



DRAWING NO.  
**A3.04**

**RODRIGUEZ PETERSON & PORRAS**  
A R C H I T E C T S  
5601 S.W. 134th Street, Suite 202, Miami Lakes, Florida 33014  
Phone: 305-622-1020 Fax: 305-622-2030  
Director: R. Rodriguez - F.A. REG. NO. AR-0015469  
www.rpparchitects.com



Project name:  
**AVENTURA MEDICAL CENTER  
MEDICAL OFFICE BUILDING**  
21291 NE 28TH AVENUE  
CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
Owner:  
**AVENTURAL MEDICAL CENTER LLC**  
2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:

DATE PLOTTED:	
DATE REVISION:	
PROJECT NO.:	
FILE NO.:	
REVISIONS:	



FLOOR PLAN - LEVEL 9-11

SCALE: 1/8" = 1'-0"



DRAWING NO.  
**A3.05**

**RODRIGUEZ PETERSON & PORRAS**  
ARCHITECTS  
5001 N.W. 151st Street, Suite 202, Miami Lakes, Florida 33014  
Phone: 305-622-1020 Fax: 305-622-2030  
Christine R. Rodriguez - F.L. REG. NO. AR-0015469  
www.rpparchitects.com

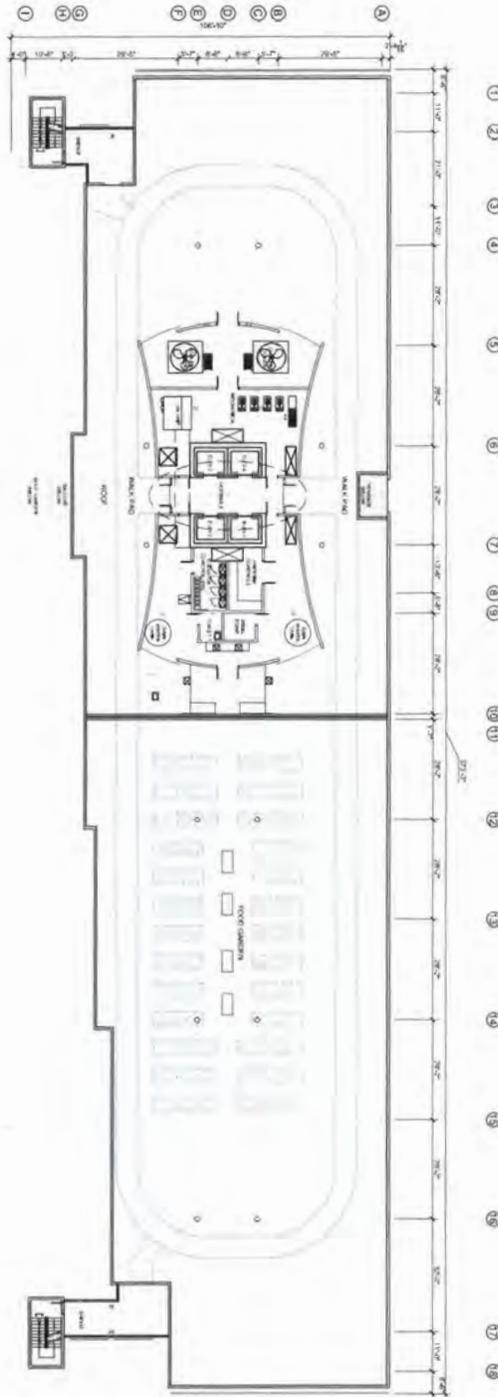


Project name:  
**AVENTURA MEDICAL CENTER  
MEDICAL OFFICE BUILDING**  
21291 NE 28TH AVENUE  
CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
Owner:  
**AVENTURAL MEDICAL CENTER LLC**  
2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

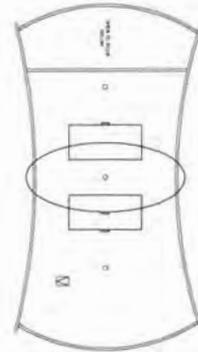
Engineering / Specialty Consultant:

DATE PLOTTED	DATE REVISION
PROJECT NO.	REVISION NO.
FILE NO.	
REVISIONS	

LEVEL 12 - MAIN ROOF



LEVEL 13 - MECHANICAL PENTHOUSE ROOF



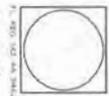
- RADIO BI-AMPLIFICATION SYSTEM INFRASTRUCTURE:**  
Based upon the location, height and construction characteristics of this building, it is anticipated that a radio Bi-Amplification System will be needed.
1. Provide a one inch conduit that is accessible on each level of the building from the ground level to Antenna Control Room located at Level 12 - Main Roof.
  2. Provide a one inch conduit from Antenna Control Room to Radio Antenna to be mounted on Mechanical Penthouse Roof above.
  3. Provide 110 volt AC power receptacles at Antenna Control Room and at Antenna location at Mechanical Penthouse Roof above. Provide 20A dedicated electrical power circuit.
- Coordinate installation and performance of Radio Bi-Amplification System Infrastructure described herein with City of Aventura Police Department and their approved vendors.

ROOF PLAN  
SCALE: 1/8" = 1'-0"



DRAWING NO.  
**A3.06**

**RODRIGUEZ PETERSON & PORRAS**  
ARCHITECTS  
3501 N.W. 15th Street, Suite 202, Miami Lakes, Florida 33014  
Phone: 305-622-1000 Fax: 305-622-7030  
Christina K. Rodriguez, F.L.A., R.Z.G., N.D. AR-00113463  
www.rpparchitects.com



Project name:  
**AVENTURA MEDICAL CENTER  
MEDICAL OFFICE BUILDING**  
2191 NE 28TH AVENUE  
CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA  
Owner:  
AVENTURA MEDICAL CENTER LLC  
2199 NE 163RD STREET, NORTH MIAMI BEACH, FLORIDA 33162

Engineering / Specialty Consultant:

DATE ISSUED:	DATE RECEIVED:
PROJECT NO.:	PROJECT NO.:
FILE NO.:	FILE NO.:
REVISIONS:	



APPLICANT REPRESENTATIVE AFFIDAVIT

ONE OF THIS AFFIDAVIT SIGNED BY APPLICANT LISTING ALL REPRESENTATIVES

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

Table with 2 columns: Name, Relationship. Lists names like Bernardo Rieber, Orestes Rodriguez, Michael Vazquez, Daniel Fortin, Jean C Lee, Ali Aghab, Lois J. Aguirre, Carl B. Peterson and their relationships such as Lobbyists, Architect, Civil Engineer, Surveyor, etc.

(Attach Additional Sheets If Necessary)

NOTICE: ANY STATEMENT OR REPRESENTATION MADE BY ANY PERSON LISTED ON THE APPLICANT REPRESENTATIVE AFFIDAVIT SHALL BE BINDING UPON THE INDIVIDUAL OR ENTITY APPLYING FOR THE DEVELOPMENT PERMIT AND THE OWNER OF THE SUBJECT PROPERTY.

WITNESS MY HAND THIS 11 DAY OF May 2015

AUTHORIZED REPRESENTATIVE OF APPLICANT: By: [Signature] Name: Bernardo Rieber Title: Lobbyist Address: 2199 NE 163rd St 33162

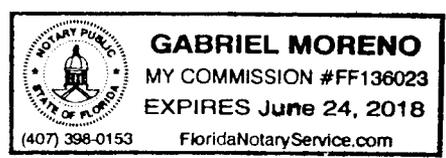
OWNER: By: [Signature] Name: Marion Kutchnik Trustee Title: Marion Kutchnik Revocable Trust Address: 720 So. Fed. Hwy Hall, Fla 33009

STATE OF FLORIDA ) COUNTY OF MIAMI-DADE )

Before me the undersigned authority personally appeared MARION KUTCHNIK 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 5th day of May 2015

AFFIANT 2015 [Signature]



Notary Public State of Florida At Large Printed Name of Notary Gabriel Moreno My commission expires: 6/24/18



# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

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

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

The nature of the Business Relationship is as follows:

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

WITNESS MY HAND THIS 19 DAY OF June, 2015

APPLICANT:

By: [Signature] (Signature)  
 Name: Bernardo Reber (Print)  
 Title: Applicant (Print)

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_

PROPERTY OWNER:

By: \_\_\_\_\_ (Signature)  
 Name: \_\_\_\_\_ (Print)  
 Title: \_\_\_\_\_ (Print)

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

WITNESS MY HAND THIS 31<sup>st</sup> DAY OF June, 2005

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Michael A. Vazquez (Print)

Title: Civil Engineer (Print)

By: [Signature] (Signature)

Name: DANIEL FORTIN JR (Print)

Title: Surveyor (Print)

By: [Signature] (Signature)

Name: Orestes Rodriguez (Print)

Title: Architect (Print)

By: [Signature] (Signature)

Title: Landscape Architect (Print)

Title: Jean C. Lee (Print)

By: [Signature] (Signature)

Title: ALI ARBAB, P.E. (Print)

Title: ARBAB ENG., INC. (Print)  
STRUCTURAL ENGINEER

By: [Signature] (Signature)

Title: LOUIS J. AGUIRRE, P.E. PRESIDENT (Print)

Title: LOUIS J. AGUIRRE & ASSOC. PA (Print)  
MEP ENGINEERS

By: [Signature] (Signature)

Name: Karl B. Peterson (Print)

Title: President (Print)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOTARIZATION PROVISION**

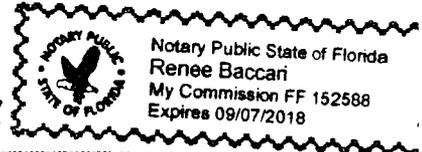
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Michael A. Vazquez 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.

*Michael A. Vazquez*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 3<sup>rd</sup> day of JUNE 2015

*Renee Baccari*  
Notary Public State of Florida At Large  
Printed Name of Notary Renee Baccari  
My commission expires 09/07/2018



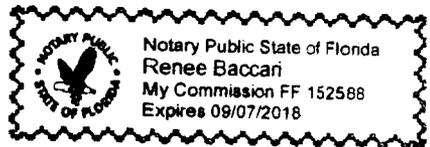
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared DANIEL FORAN JR 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.

*Daniel Foran Jr*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 3<sup>rd</sup> day of JUNE 2015

*Renee Baccari*  
Notary Public State of Florida At Large  
Printed Name of Notary Renee Baccari  
My commission expires 09/07/2018



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared LOUIS J AGUIRRE 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.

*Louis J Aguirre*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 3 day of June 2015

*JA*  
Notary Public State of Florida At Large  
Printed Name of Notary Jessica Estopinan  
My commission expires 03/09/17



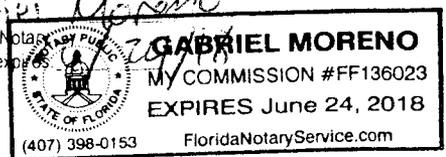
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Karl Peterson 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.

*Karl Peterson*  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7 day of June 2015

*Gabriela Moreno*  
Notary Public State of Florida At Large  
Printed Name of Notary GABRIEL MORENO  
My commission expires MY COMMISSION #FF136023 EXPIRES June 24, 2018  
(407) 398-0153 FloridaNotaryService.com



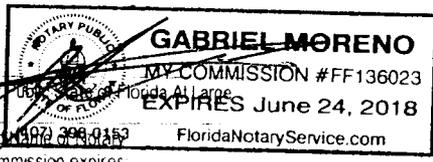
**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Orestes Rodriguez 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 17<sup>th</sup> day of June, 2015

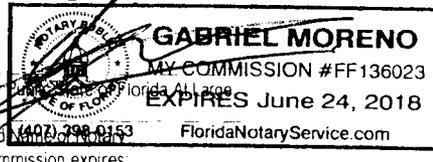


STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Juan Carlos 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 17<sup>th</sup> day of June, 2015



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared AL ARBAB DE 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 17<sup>th</sup> day of June, 2015



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 \_\_\_\_\_, 2015

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

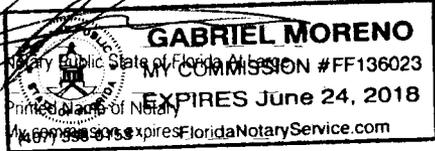
**NOTARIZATION PROVISION**

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Bernardo Reyes 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 14<sup>th</sup> day of June, 2015

AFFIANT



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 \_\_\_\_\_

RESOLUTION NO. 2015-\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO ALLOW LOT COVERAGE OF 55.24% FOR A MEDICAL OFFICE DEVELOPMENT LOCATED IN THE MEDICAL OFFICE (MO) DISTRICT WHERE MAXIMUM LOT COVERAGE OF 40% IS PERMITTED BY CODE AND TO ALLOW FLOOR AREA RATIO OF 2.0 WHERE MAXIMUM FLOOR AREA RATIO OF 1.50 IS PERMITTED BY CODE; FOR AN OFFICE BUILDING DEVELOPMENT TO BE CONSTRUCTED PURSUANT TO THE CITY'S GREEN BUILDING PROGRAM, LOCATED AT 21291 NE 28 AVENUE, CITY OF AVENTURA; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the property described herein in Exhibit "A" is zoned Medical Office (MO) District; and

**WHEREAS**, the applicant, Aventura Medical Center LLC, through Application No. 06-CU-15 is requesting conditional use approval pursuant to Section 31-144(f)(2)k. and l. of the City Code to allow increased lot coverage and increased floor area for a development to be constructed under the City's Green Building Program; and

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

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

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

**Section 1.** Application for Conditional Use to allow increased lot coverage of 55.24% where a maximum 40% lot coverage is permitted by Code and to allow increased floor area ratio of 2.0 where a maximum of 1.50 floor area ratio is permitted by Code, is hereby granted, subject to the conditions set out in this Resolution, on property legally described in Exhibit "A" to this Resolution and known as municipal address 21291 NE 28 Avenue, City of Aventura.

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

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

- “Aventura Medical Center”, Cover Sheet, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. 0.00, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Boundary & Topographic Survey, prepared by Fortin, Leavy, Skiles, Inc., Sheet No. 1 of 1, dated 4/8/15, signed and sealed.
- “Aventura Medical Center”, Right-of-Way Widths Exhibit,, prepared by Fortin, Leavy, Skiles, Inc., Sheet No. 1 of 1, dated 3/31/15, signed and sealed.
- “Aventura Medical Center”, Site Plan & Project Development Plan, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A1.00, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Area Tabulation, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A1.01, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Context Maps, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A1.02, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Context Photos, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A1.03, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Offsite Sketch, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A1.04, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Renderings, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A1.05, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 1, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A3.00, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 2, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A3.01, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 3-6, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A3.02, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 7, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A3.03, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 8, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A3.04, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Floor Plan Level 9-11, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A3.05, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Roof Plan, prepared by Rodriguez Peterson & Porrás Architects, Sheet No. A3.06, dated 9/6/15, signed and sealed 9/14/15.

- “Aventura Medical Center”, Bldg Elevations Material Board, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A4.00, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Building Elevations, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A4.01, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Building Elevations, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A4.02, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Center”, Building Sections, prepared by Rodriguez Peterson & Porras Architects, Sheet No. A5.00, dated 9/6/15, signed and sealed 9/14/15.
- “Aventura Medical Service Center”, Hardscape Plan Ground Floor, prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-1, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Planting Plan Ground Floor, prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-2, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Planting Plans – Roof Gardens prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-3, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Planting Details, prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-4, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Planting Notes & Details, prepared by Curtis + Rogers Design Studio, Inc., Sheet No. L-4, dated 9/4/15, signed and sealed 9/15/15.
- “Aventura Medical Service Center”, Cover Sheet, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-1, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Notes, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-2, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Paving & Marking Plan, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-3, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Grading & Drainage Plan, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-4, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Water & Sewer Plan, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-5, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Stormwater Pollution Prevention Plan & Details, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-6, dated 9/4/15, signed and sealed 9/11/15.

- “Aventura Medical Service Center”, Paving, Drainage, Water & Sewer Details, prepared by Fortin, Leavy, Skiles, Inc. Sheet No. C-7, dated 9/4/15, signed and sealed 9/11/15.
- “Aventura Medical Service Center”, Site Plan – Photometric - Electrical, prepared by Louis J. Aguirre & Assoc., P.A., Sheet No. C-5, dated 9/4/15, signed and sealed 9/14/15.

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

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

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

- (i) enter into and record in the Public Records of Miami-Dade County, at its expense, and in form satisfactory to the City Manager and City Attorney, the Agreement and Covenant in fulfillment of all requirements of the City’s Green Building Ordinance No. 2009-18; and
- (ii) provide to the City a performance bond or other security approved by the City Manager and City Attorney in the amount of 5% of building construction costs as approved by the City’s Building Official to guarantee attainment of LEED® Gold or Platinum certification by the US Green Building Council; and
- (iii) Record in the Public Records of Miami-Dade County, at its expense, in form satisfactory to the City Manager and City Attorney, a right of way deed to the City for the road widenings on NE 28 Avenue and on NE 213 Street.

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

- (i) complete all roadway improvements on NE 28 Avenue and NE 213 Street as shown on the approved plan, to the satisfaction of the City Manager.

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

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

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

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

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

**PASSED AND ADOPTED** this 3rd day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

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

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

**Exhibit "A"**

Legal Description of Property  
21291 Biscayne Boulevard, City of Aventura

A northwesterly portion of Lot 3, Block 3, MAP OF HALLANDALE, being in Section 34, Township 51 S, Range 42 East, as recorded in Plat Book B at Page 13 of the Public Records of Miami-Dade County, Florida. Said northwesterly portion of Lot 3 being more particularly described as follows:

Beginning at the northwesterly corner of the aforesaid Lot 3, run S 01 degrees 15 minutes 22 seconds E along the westerly line of said Lot 3, a distance of 150.05 feet; thence run N 89 degrees 57 minutes 41 seconds E, a distance of 475.00 feet to a point; thence run N 01 degrees 15 minutes 22 seconds W a distance of 149.73 feet to a point on the northerly line of the aforesaid Lot 3; thence run westerly along the northerly line of aforesaid Lot 3 a distance of 475.00 feet to the point of beginning.

**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: October 9, 2015

SUBJECT: Request of KVVS Investors, LLC, for Conditional Use Approval pursuant to Section 31-144(f)(2)c. to permit a height of 12 stories and 129 feet 8 inches, where a maximum height of 12 stories and 120 feet is permitted by City Code in the MO, Medical Office District, for a medical office building development at property located at 2801 NE 213 Street, City of Aventura (07-CU-15)

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**November 3, 2015 City Commission Meeting Agenda Item 7D**

**RECOMMENDATION**

It is recommended that the City Commission approve the request for conditional use approval to permit a height of 12 stories and 129 feet 8 inches, where a maximum height of 12 stories and 120 feet is permitted by City Code in the MO, Medical Office District, for a medical office building development at 2801 NE 213 Street, City of Aventura, with the following conditions:

1. The applicant shall obtain a building permit for the medical office building within 12 months of the date of the approving resolution, failing which this approval shall be void. The applicant may request, in writing and prior to expiry of the initial 12 month time period, one six month extension of time to obtain building permits and the City Commission may, by resolution or motion, grant such extension of time upon a showing of good cause by the applicant, and
2. Plans submitted for building permits shall substantially comply with those submitted with this application for conditional use approval as follows:

- “2801 Aventura Medical”, Cover Sheet, Sheet T-001, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “KVVS Investors LLC”, ALTA/ACSM Land Title Survey, prepared by John Ibarra and Associates Inc., Land Surveyors, dated 8/27/15, signed and sealed.
- “2801 Aventura Medical”, Site Plan, Ground Level Floor Plan, Sheet AS-101, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Photometric Plan, Sheet PH-101, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Parking Levels 1/1A Floor Plan, Sheet A-101, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Parking Levels 2/2A Floor Plan, Sheet A-102, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Parking Levels 3/3A, 4/4A, 5/5A, 6/6A Floor Plan, Sheet A-103, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Parking Level 7 Floor Plan, Sheet A-104, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Level 8, Sheet A-105, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Levels 9-12, Sheet A-106, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15.
- “2801 Aventura Medical”, Elevations, Sheet A-201, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/15/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Elevations, Sheet A-202, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Sections, Sheet A-601, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Landscape Plan, Sheet L-1, prepared by Witkins Hults Design Group dated 05/26/15, revised, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Level 8 Plaza, Sheet L-2, prepared by Witkins Hults Design Group dated 05/26/15, revised, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Landscape Details, Sheet L-3, prepared by Witkins Hults Design Group dated 05/26/15, revised, signed and sealed 10/5/15.
- “2801 Aventura Medical”, General Notes and Specifications, Sheet C100, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 10/5/15.

- “2801 Aventura Medical”, Drainage Plan, Sheet C200, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 8/27/15.
- “2801 Aventura Medical”, Water and Sewer Plan, Sheet C300, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Drainage Details, Sheet C400, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Signage and Striping Plan, Sheet C500, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 10/5/15.

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

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

(i) provide to the City a recorded copy of a Unity of Title or Covenant in Lieu of Unity of Title, in form satisfactory to the City Manager and City Attorney, to combine all parcels comprising this development into a single building site, and

(ii) provide to the City, in form satisfactory to the City Manager and City Attorney, a recorded copy of the dedication to the City of a 10 foot wide road widening along the NE 214 Street frontage of the parcel, and

(iii) provide a recorded release of the 30 foot wide utility easement reserved through Miami-Dade County Resolution No. R-1085-87 recorded in ORB 13419, Page 2772, and

(iv) provide to the City, in form satisfactory to the City Manager and City Attorney, a recorded copy of a Restrictive Covenants for use and operation of the mechanical parking lifts as required by Section 31-171(a) (6) i. of the City Code, and

(v) obtain a Public Works Permit from the City’s Community Services Department for all planned improvements in the public rights of way of NE 213 Street and NE 214 Street.

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

(i) complete all roadway improvements on NE 213 Street and NE 214 Street as shown on the approved plan, to the satisfaction of the City Manager.

**THE REQUEST**

The applicant, KVVS Investors LLC, is requesting conditional use approval pursuant to Section 31-144(f)(2)c. to permit a medical office building development in the MO, Medical Office District, with a height of 12 stories and 129 feet 8 inches, where a maximum height of 12 stories and 120 feet is allowed by Code. (See Exhibit #1 for Letter of Intent)

**BACKGROUND**

<b>OWNER OF PROPERTY</b>	KVVS Investors LLC
<b>APPLICANT</b>	KVVS Investors LLC
<b>ADDRESS OF PROPERTY</b>	2801 NE 213 Street, City of Aventura See Exhibit #2 for Location Plan
<b>LEGAL DESCRIPTION</b>	See Exhibit #3 for Legal Description
<b>EXISTING ZONING</b>	MO, Medical Office District
<b>FUTURE LAND USE DESIGNATION</b>	Business and Office

**Zoning –**

Subject property:	MO	Medical Office District
Property to the North:	MO	Medical Office District
Property to the South:	MO	Medical Office District
Property to the West:	MO	Medical Office District
Property to the East:	MO	Medical Office District

**Existing Use –**

Subject property:	Vacant Land
Property to the North:	Vacant Land
Property to the South:	Vacant Land
Property to the West:	One story office condominium
Property to the East:	Vacant Land

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

Subject property:	Business and Office
Property to the North:	Business and Office
Property to the South:	Business and Office
Property to the East:	Business and Office
Property to the West:	Business and Office

**The Site** - The subject site is a 1.62 acre vacant property with frontages on both NE 213 Street and NE 214 Street, with municipal address 2801 NE 213 Street, City of Aventura. The site is comprised of eight parcels which will be joined by Unity of Title prior to development.

**The Project** – The applicant has submitted an application for Administrative Site Plan Approval to construct a 12 story, 129 foot 8 inch tall, 114,164 square foot medical office building with a pharmacy and surface parking on the ground level, 4 levels of office space and 7 levels of structured parking. The City Code requires 353 parking spaces for the uses proposed, where 472 parking spaces are provided. The applicant will be required to complete road improvements on both NE 213 Street and NE 214 Street, as part of this approval and the Administrative Site Plan Approval. Road improvements consist of a 10 foot road widening on NE 214 Street and installation of sidewalks, asphalt drive lanes, curb and gutter and landscaping on both NE 213 Street and NE 214 Street. There are two accesses on NE 213 Street and on NE 214 Street.

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

## **ANALYSIS**

**Citizen Comments** – As of the date of writing of this report, the Community Development Department has received no written citizen comments about this application. Notice of the time, place and nature of the public hearing will be advertised in a newspaper of general circulation and mailed to all property owners within a 300 foot radius of the site as a courtesy not less than 10 days prior to the hearing. The property will be posted not later than 10 days prior to the hearing by a sign containing information concerning the application and public hearing.

**Community Development Department Analysis** – The property is located in the MO, Medical Office District. The proposed uses are permitted in the zoning district. The development proposal meets the Medical Office District zoning site development criteria for lot coverage, open space, setbacks and floor area ratio. The architecture of the building is compatible with surrounding development. A landscaped plaza is proposed on the eighth level for use by building occupants. Based on the uses and square footage of the building, 353 parking spaces are required by City Code, where 472 parking spaces are proposed.

The applicant is requesting approval to allow a building height of 12 stories and 129 feet, 8 inches, where a maximum building height of 12 stories and 120 feet is permitted in the MO, Medical Office District. The MO zoning district provides that uses that exceed the height limitation may be approved by the City Commission through the conditional use approval process. The additional height is requested to construct an additional parking level for the building.

## Criteria -

The guidelines for approval of conditional uses as required by Section 31-73(c) of the City's Land Development Regulation states:

*"General Standards of review. In addition to the standards set forth in these LDRs for the particular use, all proposed conditional uses shall meet each of the following standards:"*

*(a) The proposed use shall be consistent with the comprehensive plan.*

The proposed use is consistent with the goals and objectives of the Comprehensive Plan. The future land use designation of this property is Business and Office. A medical office building is a use contemplated by this category.

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

The establishment, maintenance or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare. The proposed uses will provide a public health benefit by providing medical offices for doctors practicing in the City.

*(c) The proposed use shall be consistent with the community character of the immediate neighborhood of the proposed use.*

The immediate neighborhood of the proposed use is comprised of office, medical, commercial and low density residential uses. The proposed medical office development is consistent with the community character of the immediate neighborhood.

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

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

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

Adequate measures have been taken to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets. Ingress and egress to the medical office building is by way of accesses from NE 213 Street and from NE 214 Street.

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

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

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

The design of the proposed use minimizes adverse effects, including visual impacts of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria. The architectural design is compatible with existing buildings in the area. The eighth level open plaza amenity will provide a green view for the on-site building and for adjacent buildings.

**Gary Ian Nesbitt, Esq.**

Attorney at Law  
4000 Hollywood Boulevard  
Suite 500-North  
Hollywood, Florida 33021  
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Gary Ian Nesbitt, Esq.  
[gincsbit@outlook.com](mailto:gincsbit@outlook.com)

Telephone: (954) 966-1820

October 13, 2015

To: City of Aventura

Re: Letter of Intent, Application for Conditional Use Approval Regarding Height Restrictions for property located at 2801 Northeast 213<sup>th</sup> Street, Aventura, Florida (hereinafter referred to as the "Property") to be known as Aventura Medical Building (hereinafter referred to as the "Project")

To Whom It May Concern:

Please accept this Letter of Intent ("Letter") as an expression of interest on behalf of KVVS Investors, LLC (the "Applicant") to develop a building structure on the Property that minimally exceeds the height restrictions currently set forth in the Building Code of and for Aventura, Florida (hereinafter referred to as the "Code"). The purpose for the requested Conditional Use is to facilitate additional parking for visitors of the Project, above and beyond the number of parking spaces required by the Code. In accordance therewith, the Applicant is seeking conditional use approval pursuant to Section 31-144(f)(2)(c) to allow for an increase in the maximum height from 120 feet to 129 feet, 8 inches.

The Property and the Project are located in close proximity to Aventura Hospital, and further, per Code, currently zoned Medical Office (MO). As previously stated, Section 31-144(f)(4)(b) of the Code allows for structures to be built at a height no greater than 120 feet, including that parking structure. The Applicant wishes to be permitted to build the structure, including the parking structure, at a height nine (9) feet, eight (8) inches greater than the stated limitation in order to provide more parking space availability for the visitors to the Project, most of whom have traveled to the Project in order to seek medical attention from doctors located at offices within the Project.

Currently, Section 31-171(b)(8) requires that the Project contain one (1) parking space per 300 square feet gross floor area. The Project shall consist of approximately 104,632 square feet of gross floor area, thus creating a requirement to provide approximately 348 parking spaces for the Project. Due to the nature of the offices to be located within the structure, and the extremely likely needs of the projected clientele of the Project, it is the desire of the Applicant to assist the visitors with sufficient parking, above and beyond what is required by Code, in order to address their particular needs. Consequently, the Applicant seeks to build a structure that provides approximately 472 parking spaces, all within the Project, and all centrally located and designed to assist the needs of the particular clientele of the offices contained in the Project.

**Exhibit #1**  
**07-CU-15**

Based upon the Applicant's desire to make parking at the Project more convenient for its visitors, the Applicant has gone to great lengths to provide the extra parking spaces at as close to Code requirements as possible. In sum, the Applicant and its designers have provided a site plan (which has already been submitted to the City), which would provide patrons with an extra 124 parking spaces (approximately 33% increase) with the need for only an additional nine (9) feet, eight (8) inches in building height. It is abundantly clear that the proposed trade-off strongly favors the needs of the residents of the City. The simple and minimal alteration of requirements would be far outweighed by the benefit provided in allowing for the Project and allowing the Project to be utilized in a manner which serves all.

The proposed Project intentionally incorporates a design that compliments the local environment and the surrounding structures and office spaces contained therein. In connection with the characteristics to be considered by the City in determining this Conditional Use request, it is respectfully submitted that the Project consists specifically of medical offices to be utilized by patients who are traveling to the medical offices for health reasons, in need of any type of service, convenience or courtesy that would make their ability to obtain treatment easier. It is our belief that the impact of this Project on the surrounding area will be extremely favorable. In cooperation with all of the City of Aventura's applicable land use, development and building departments, we have sought to successfully meet and achieve each and every requirement proposed pursuant to the City's code and believe that we have fully and eagerly responded to every suggestion, requirement or imposition of individualized conditions established in order to ensure that the use requested is compatible with the surrounding neighborhoods and appropriate for the Project's locale.

Aventura Hospital and the medical professionals associated with it is a celebrated healthcare institution attracting patients from within the City of Aventura as well as regionally, nationally, and internationally. The growing demand and need for quality healthcare requires the growth of medical office space that is conducive for the patients seeking top level medical professionals. Assisting these top level medical professionals in providing quality and convenient services to their patients is obviously helpful in keeping and bringing to Aventura such medical professionals and pushing the City to the forefront as a comfortable haven for visitors and future residents who have medical needs.

In connection therewith, it is respectfully submitted that:

- i. The proposed use is consistent with the Comprehensive Plan for the City of Aventura. In fact, the Applicant respectfully submits that the creation of additional parking via the minimal addition to the height of the Project should be considered in line with the reasoning behind the City's Comprehensive Plan. In fact, it is the goal of the Applicant to cause the Project to become more useful and consistent with the Land Development Regulations and respectfully suggests that the completion of the Project will result in a Project more closely in line with the intentions of the City of Aventura and the Land Development Regulations than currently exists.

- ii. The establishment, maintenance, and/or operation of the proposed use shall not be detrimental to or endanger the public health, safety, or general welfare. In fact, it is respectfully submitted that completion of the Project will bring about an extreme benefit to the public welfare in alleviating the ongoing demand for parking area. As can be verified by the applicable City departments, the Applicant shall carefully follow all criteria set forth by each department in connection with this consideration. Further, as is also well known by members of the community, parking in the area of the hospital and medical offices is one of the greatest adversities encountered by the residents of Aventura. The Project is strictly internal and the only external effect would be the creation of a less burdensome parking facility, smoother traffic flow, and greater convenience for the residents of Aventura who are in need of such convenience and ease.
- iii. The proposed use is consistent with the community character of the immediate neighborhood of the Project. As previously stated herein, and as is well known by members of the community, the location of the Project is nearly adjacent to Aventura Hospital. Moreover, this street is almost solely utilized as medical and related professional offices of similar businesses and operations.
- iv. Utilities, roadway capacity, drainage, and other necessary public facilities, including police, fire and emergency services, shall exist at the City's adopted levels of service, or will be available concurrent with the demand as provided for in the requirements of these Land Development Regulations. As can be verified by the applicable City departments, the Applicant shall carefully follow all criteria set forth by each department in connection with this consideration. As stated herein, the Project is strictly internal and the only external effect would be the creation of a less burdensome parking facility and greater convenience for the residents of Aventura who are in need of such convenience and ease. The proposed use will not substantially increase the congestion in the public streets, and, in actuality, will substantially decrease the congestion through ease of parking creating a smoother traffic flow.
- v. Adequate measures exist or shall be taken to provide ingress and egress to the proposed Use in a manner that minimizes traffic congestion in the public streets. Again, as can be verified by the applicable City departments, the Applicant shall carefully follow all criteria set forth by each department in connection with this consideration. Further, as is also well known by members of the community, parking in the area of the hospital and medical offices is one of the greatest adversities encountered by the residents of Aventura. The very goal of this application is to create additional parking spaces and, thus, promote easier ingress and egress to the proposed Use and minimize traffic congestion.

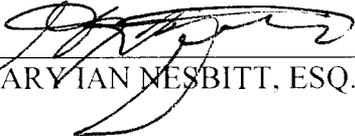
- vi. The establishment of the use shall not impede the development of surrounding properties for uses permitted in the zoning district. In fact, it is clear that the ability to alleviate the shortage of parking in the medical offices area and further provide ease of parking can only cause a positive impact on such development. The proposed application and the Project are not intended to and will not change the use of the Project in any other way or have any negative impact on the surrounding areas or the public in general.
  
- vii. The design of the proposed use shall minimize adverse effects, including visual impacts, of the proposed adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria. The change in the building height will not require any adjustments to any services, locations, walkways, neighboring areas, or unrelated parties in any way whatsoever. The plans that have been simultaneously with this application, and required related approvals shall assure that adverse effects, if any, shall be extremely minimized.

It is our intention with this application to work towards achieving a Project that is mutually beneficial to all. We look forward to working with the City of Aventura over the coming years while developing this Project.

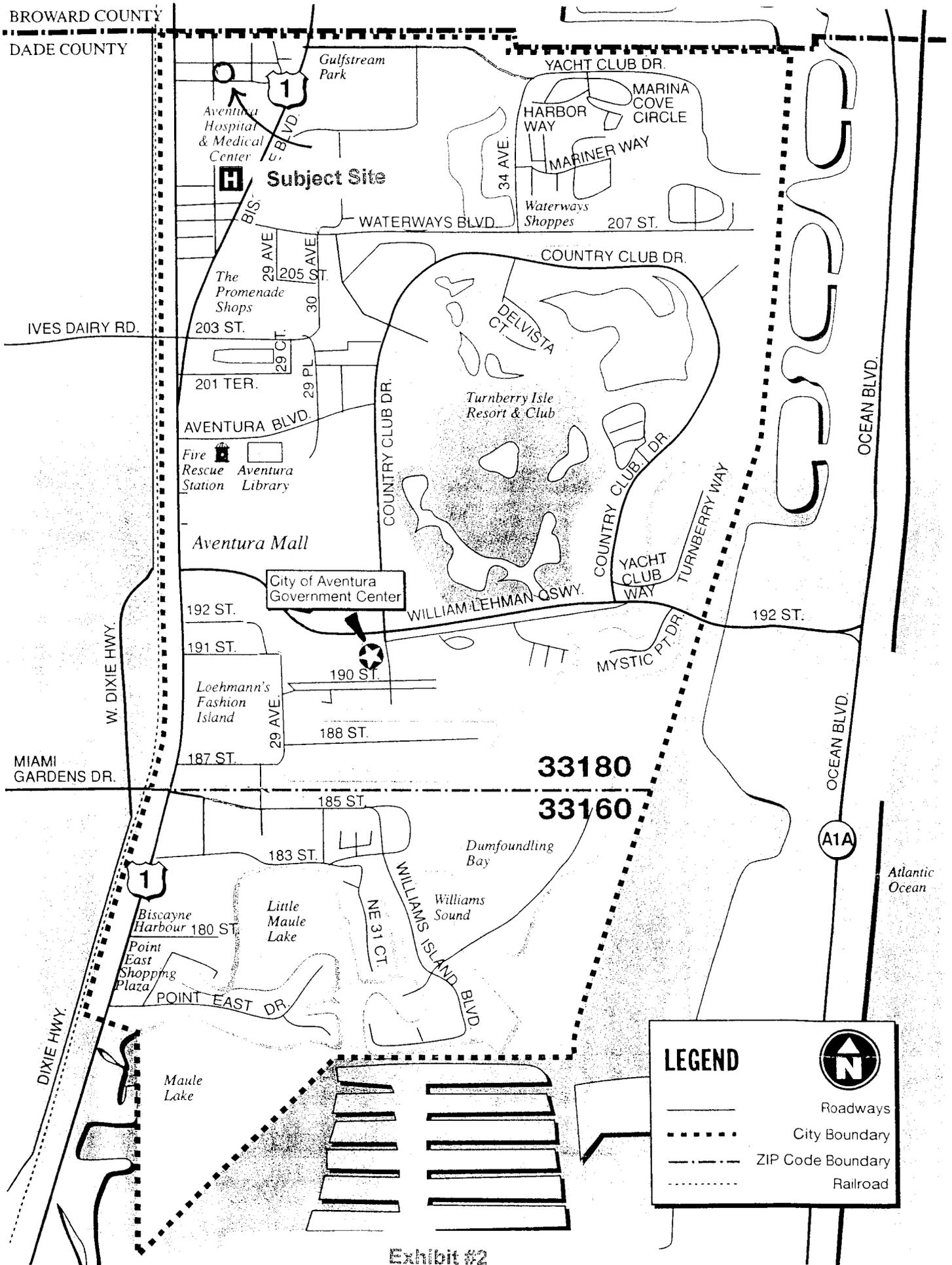
Thank you very much for your consideration.

Sincerely,

By:

  
\_\_\_\_\_  
GARY IAN NESBITT, ESQ.

BROWARD COUNTY  
DADE COUNTY



**H** Subject Site

City of Aventura  
Government Center

33180

33160

**LEGEND**

- Roadways
- City Boundary
- ZIP Code Boundary
- Railroad

**EXHIBIT #3**  
**Legal Description of Property**

Parcel 1

Lots 1, 2 and 3 inclusive, in Block 36 of Hallandale Park Subdivision, according to the plat thereof as recorded in Plat Book 12, Page 37 of the Public Records of Miami-Dade County, Florida, together with the easterly 15 feet of NE 28 Avenue lying westerly of and adjacent to said Lot 1, which was closed by Resolution No. R-1085-87 recorded in Official Records Book 13419, Page 2772.

Parcel 2

Lots 4 and 5, Block 36, Hallandale Park Subdivision, according to the plat thereof as recorded in Plat Book 12, Page 37, of the Public Records of Miami-Dade County, Florida

Parcel 3

Lots 6 through 10 inclusive of Block 36, of Hallandale Park Subdivision, according to the Plat thereof recorded in Plat Book 12, Page 37, of the Public Records of Miami-Dade County, Florida, together with 15 feet of NE 28 Avenue lying west and adjacent to said Lot 6, closed per Resolution No. R-1085-87.

Parcel 4

Lot 6, Block 37 of Hallandale Park Subdivision, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida.

Parcel 5

Lot 7, Block 37 Hallandale Park Subdivision, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida

Parcel 6

Lot 5, less the west 15 feet of NE 28 Avenue lying east of and adjacent to Lot 5 and the east ½ of Lot 4, Block 35 of Hallandale Park, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida

Parcel 7

Lot 5, together with the west 15 feet of NE 28 Avenue lying east of and adjacent to Lot 5 and the east ½ of Lot 4, Block 35 of Hallandale Park, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida

Parcel 8

Lots 9 and 10, Block 35, of Hallandale Park, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida, together with 15 feet of NE 28 Avenue lying east and adjacent to Lot 10.











SYMALOWSKI ROMANSKI SITE  
Landscape Architecture  
1800 Elm Street, Suite 200  
Fort Lauderdale, FL 33316  
Phone: 754.361.2000  
Fax: 754.361.2002  
www.spssfirm.com

ARCHITECT: JAA  
ADDRESS: 2801 N. E. 21st Street  
APT 101, FT. LAUDERDALE, FL 33304  
SCALE: AS SHOWN

CLIENT: KYYS INVESTORS, LLC  
ADDRESS: 2801 N. E. 21st Street  
APT 101, FT. LAUDERDALE, FL 33304

DESIGN: SITE PLAN  
DEVELOPER: APPLICATION  
DATE: 05/27/15  
PROJECT NUMBER: 1348-150123  
DRAWN BY: JC  
CHECKED BY: JS  
DATE: 05/27/15  
SCALE: AS SHOWN

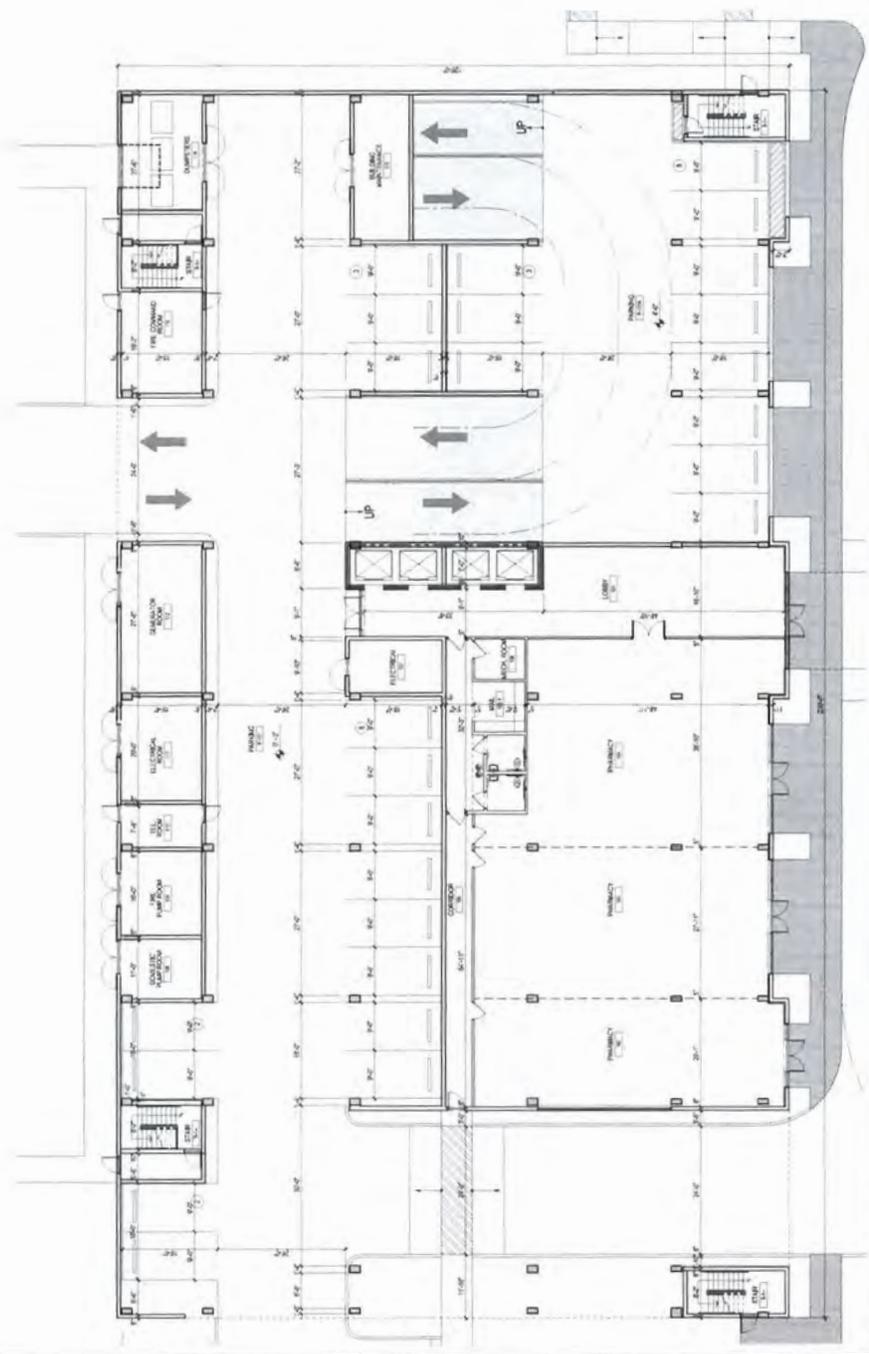
2801 AVENTURA MEDICAL  
2801 N. E. 21st Street  
APT 101, FT. LAUDERDALE, FL 33304

PROJECT NUMBER: 1348-150123  
DRAWN BY: JC  
CHECKED BY: JS  
DATE: 05/27/15  
SCALE: AS SHOWN

DESIGN: SITE PLAN  
DEVELOPER: APPLICATION  
DATE: 05/27/15  
PROJECT NUMBER: 1348-150123  
DRAWN BY: JC  
CHECKED BY: JS  
DATE: 05/27/15  
SCALE: AS SHOWN

1 PARKING LEVELS  
1/1A FLOOR PLAN

A-101



1 PARKING LEVELS 1/1A  
SCALE: 3/32" = 1'-0"



**SPS**  
 SYMINGTON ROSSMAN & SONS  
 ARCHITECTS / PLANNERS / INTERIORS  
 1500 Blue Skyway, Suite 200  
 Fort Lauderdale, FL 33304  
 1 (954) 991-6000  
 1 (954) 991-6001  
 www.spr.com

ARRIVAL SYSTEMS, AIA  
 201 W. 10th St.  
 MIAMI, FL 33130

LEVEL NO. A-102

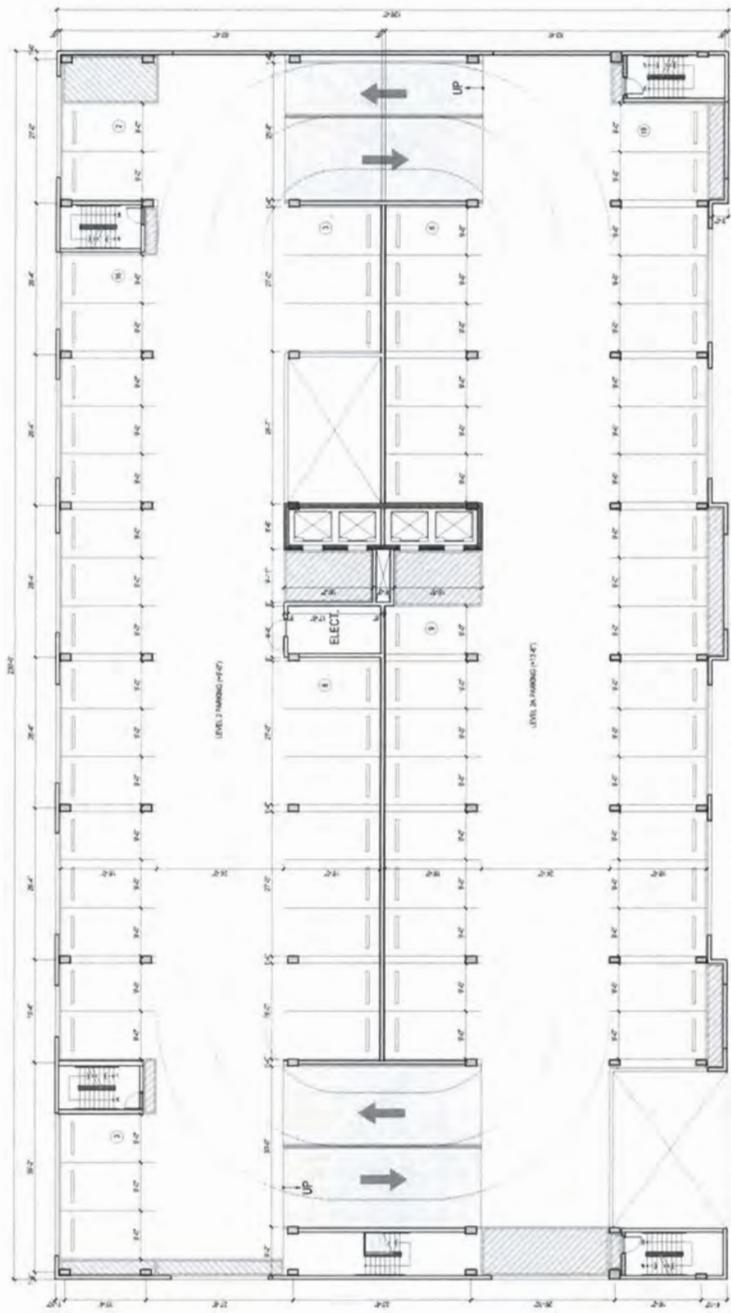
**2801 AVENTURA MEDICAL**  
 2801 N. E. 21st STREET  
 AVANTURA, FLORIDA  
 CLIENT: KYYS INVESTORS, LLC.

DATE: 08/11/11  
 DESIGN: 08/11/11  
 CHECKED: 08/11/11  
 PROJECT NUMBER: 13M-10228  
 DRAWN BY: JC  
 CHECKED BY: JS  
 PROJECT: 2801 N. E. 21st Street  
 33120

DATE: 08/11/11  
 DESIGN: 08/11/11  
 CHECKED: 08/11/11  
 PROJECT NUMBER: 13M-10228  
 DRAWN BY: JC  
 CHECKED BY: JS  
 PROJECT: 2801 N. E. 21st Street  
 33120

**PARKING LEVELS  
 2 / 2A  
 FLOOR PLAN**

**A-102**



**1** PARKING LEVELS 2 / 2A  
 SCALE: 3/32" = 1'-0"



**SPS**  
SYNAGOSKE ROMANTISAVE  
Sustainable Building Systems Group

1800 ONE DRIVE, SUITE 300  
DALLAS, TEXAS 75215  
714.461.1000  
www.spsbuild.com

INTEGRAL SYSTEMS, P.A.  
AR 0017088  
SIA

ISSUE NO. A-103/01

**2801 AVENTURA MEDICAL**

2801 N. E. 119th STREET  
AVENTURA, FL 33154

CLIENT: KYYS INVESTORS, LLC

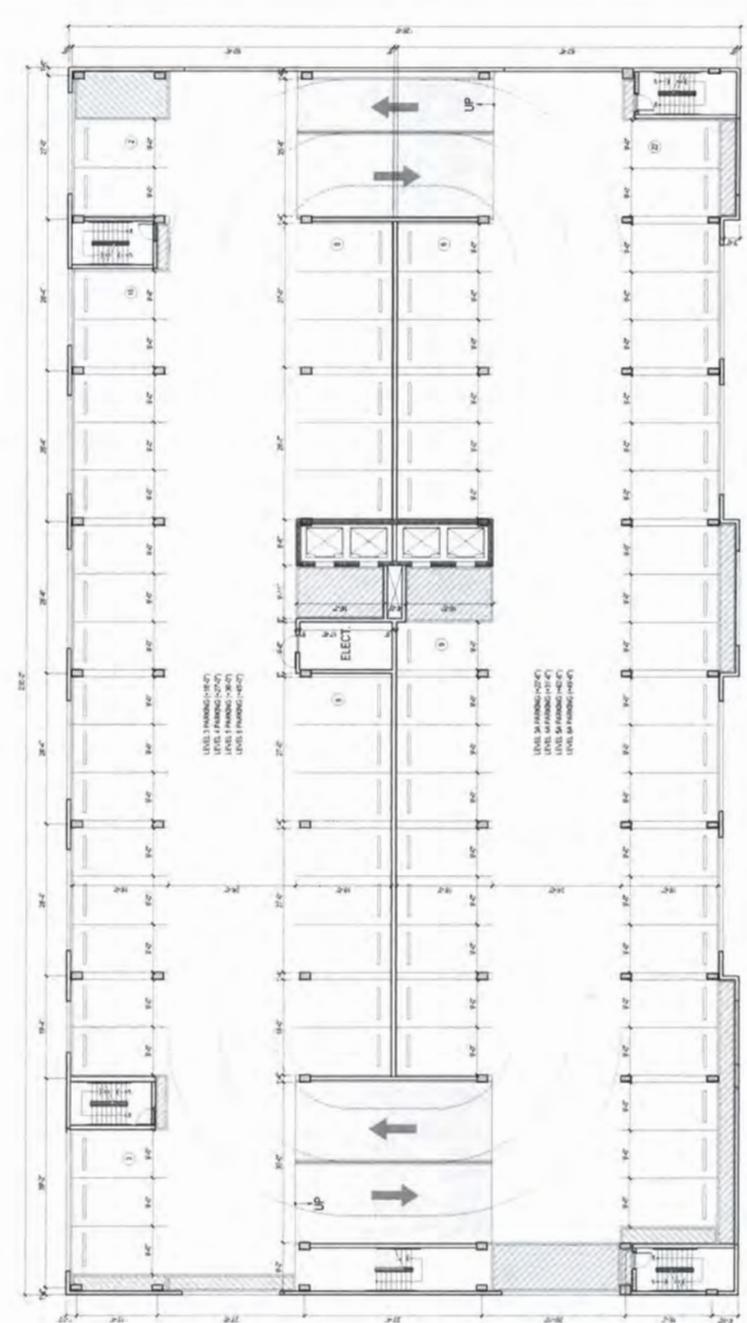
**3000A** SITE PLAN  
DISPENSABLE APPLICATION  
ISSUE DATE: 05/21/15

PROJECT NUMBER: 1384-01023

DESIGNED BY: ICA  
CHECKED BY: J.A.  
DATE: 05/21/15

**PARKING LEVELS**  
3 / 3A, 4 / 4A, 5 / 5A,  
6 / 6A  
FLOOR PLAN

**A-103**



**1** PARKING LEVELS 3 / 3A, 4 / 4A, 5 / 5A, 6 / 6A  
SCALE: 1/8" = 1'-0"





**SPS**  
 SYMINGTON BROWNS & SONS  
 ARCHITECTS  
 1000 E. Main Street, Suite 200  
 Fort Lauderdale, FL 33304  
 1 954 561 4800  
 1 954 561 4801  
 www.spsarchitect.com

ARRIVAL SYSTEMS, P.A.  
 A3071028  
 P.A.

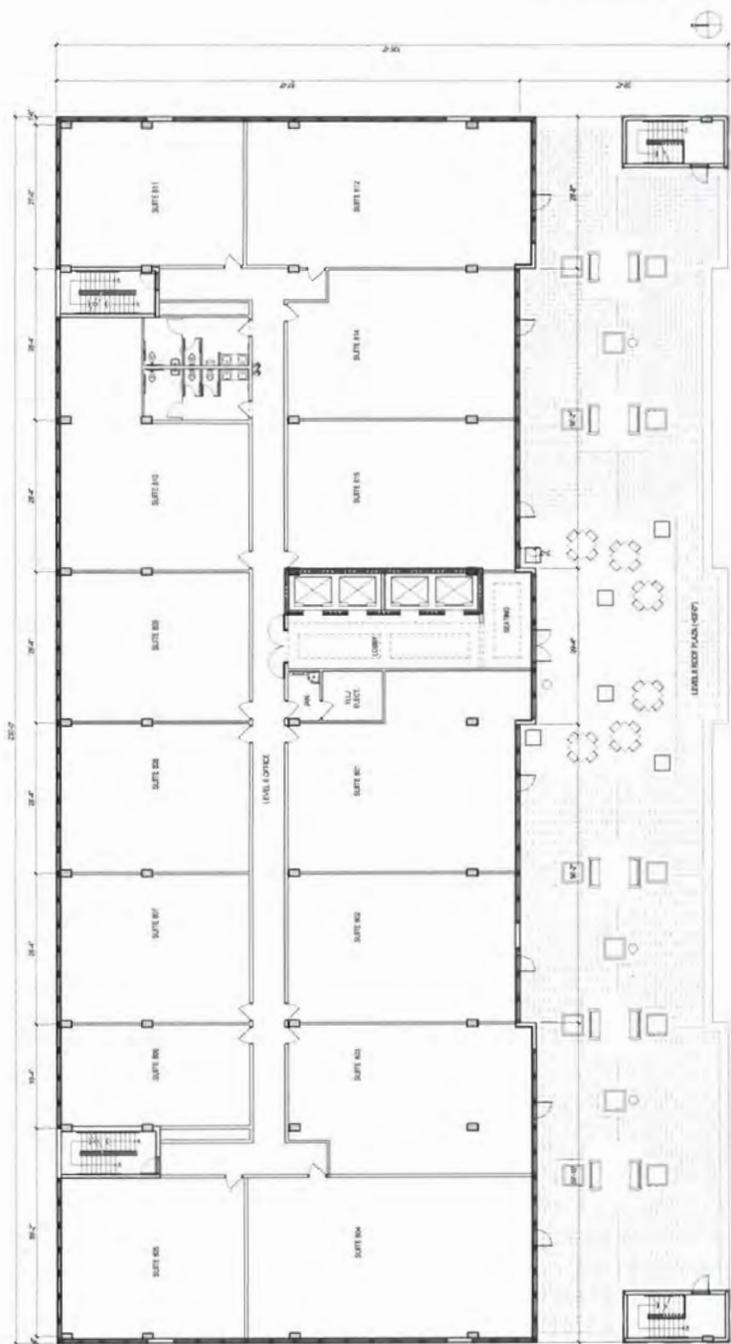
LETTERING NOT ADOPTED

**2801 AVENTURA MEDICAL**  
 2801 N. E. 213th STREET  
 AVENTURA, FL 33154  
 CLIENT: KWYS INVESTORS, LLC.

DATE: 08/27/11  
 PROJECT NUMBER: 1084-19128  
 DRAWN BY: JC  
 CHECKED BY: JR  
 PROJECT: 2801 N. E. 213th STREET AVENTURA, FL 33154

**LEVEL 8  
 FLOOR PLAN**

**A-105**



**1** LEVEL 8 FLOOR PLAN  
 SCALE: 3/8" = 1'-0"



**SYNALOOGIC ROMANUSO**  
 Architecture | Planning | Interior Design  
 1801 West Orange, Suite 300  
 Fort Lauderdale, FL 33316  
 Tel: 954.341.4800  
 Fax: 954.341.4800  
 www.spsfirm.com

ARCHITECT: SPS  
 PROJECT NO: 1384-10028  
 SCALE

LICENSE NO. A220017043

**2801 AVENTURA MEDICAL**  
 2801 N. E. 213th STREET  
 AVENTURA, FLORIDA  
 CLIENT: KYVS INVESTORS, LLC

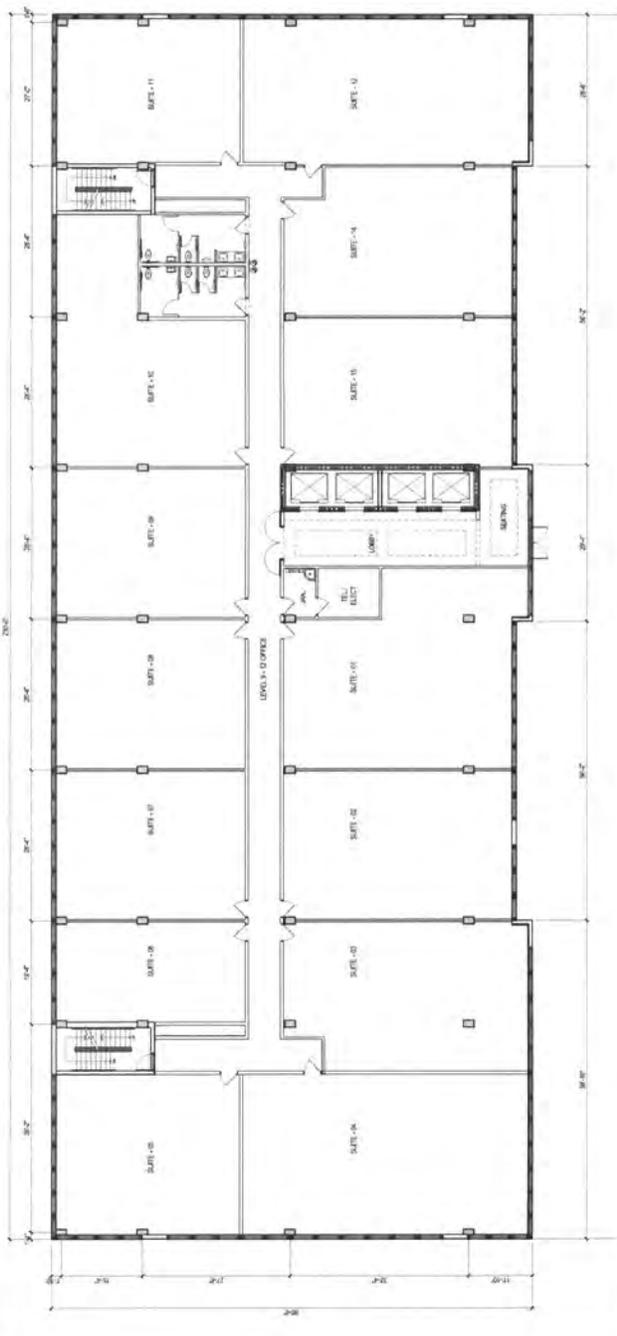
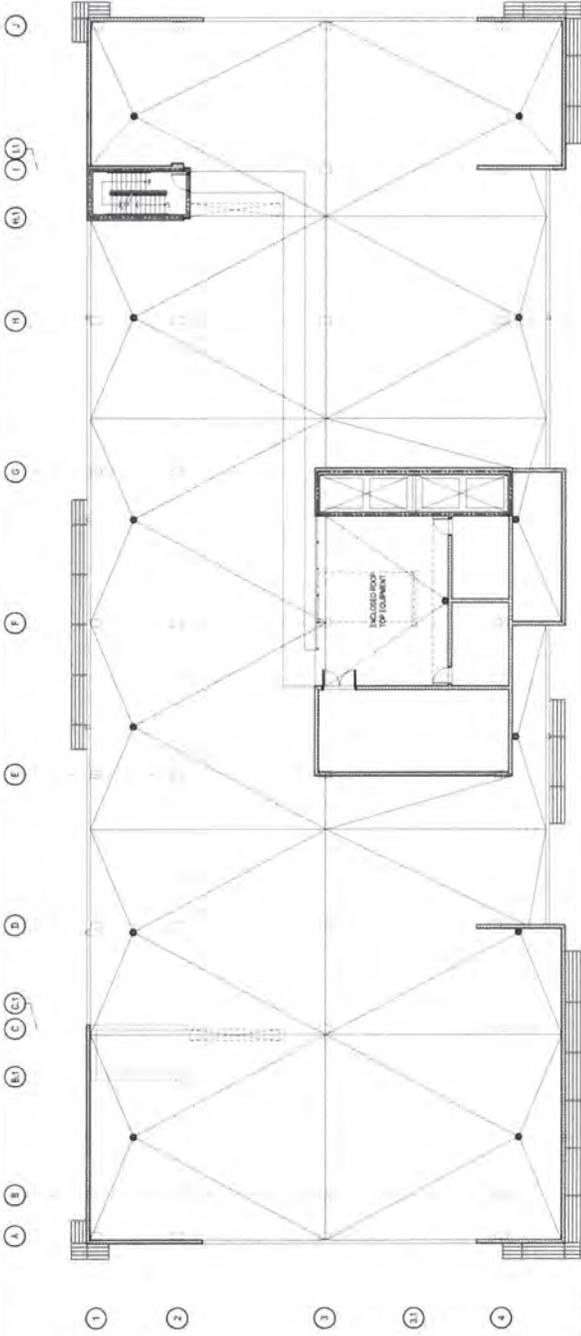
DATE: 08/27/15  
 DRAWN BY: J. J.  
 CHECKED BY: J. J.  
 PROJECT NUMBER: 1384-10028

DISCA: SITE PLAN  
 DELIVERABLE: APPLICATION  
 REVISION DATE: 08/27/15

PROJECT NUMBER: 1384-10028  
 DRAWN BY: J. J.  
 CHECKED BY: J. J.  
 PROJECT: 2801 AVENTURA MEDICAL

**LEVELS 9-12  
 FLOOR PLAN  
 AND ROOF PLAN**

**A-106**







SPYALONIC ROMANIKS VSE  
 Architecture / Planning / Interior Design  
 1800 Star Drive, Suite 300  
 Fort Lauderdale, FL 33314  
 Tel: 954.461.4800  
 Fax: 954.461.4801  
 www.spyalonic.com

Architect: SPYALONIC ROMANIKS VSE  
 Project: 2801 AVENTURA MEDICAL  
 Date: 05/21/15

License No. AA2003843

# 2801 AVENTURA MEDICAL

CLIENT: KYVA INVESTORS, LLC  
 2801 N. E. 213th STREET  
 AVENTURA, FLORIDA

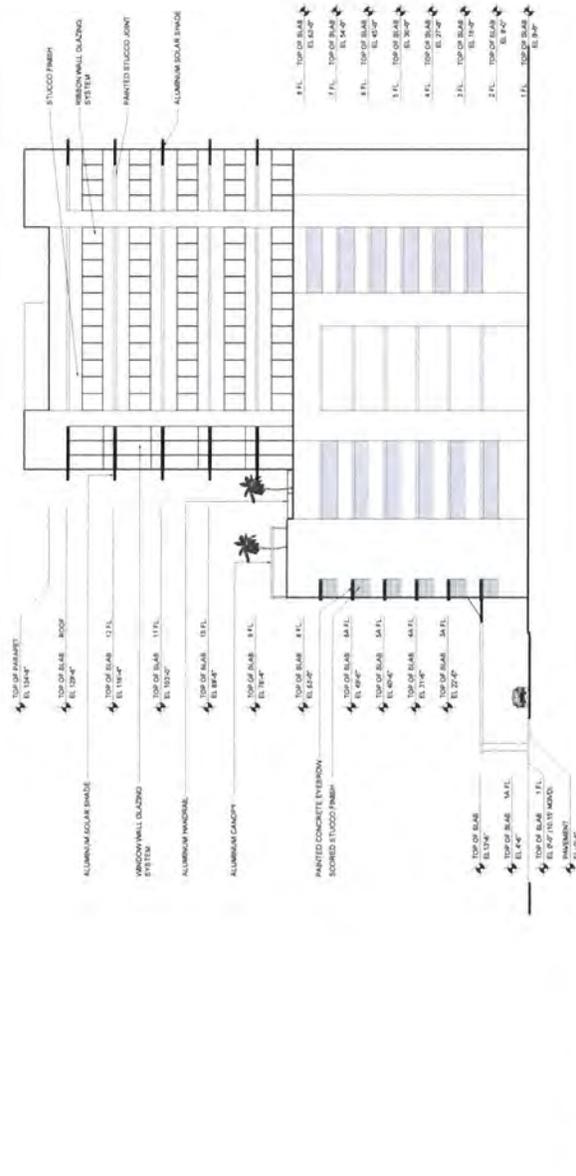
DATE: 05/21/15  
 CITY: MIAMI  
 PROJECT NUMBER: 1380-15123  
 DRAWN BY: J.S.  
 CHECKED BY: J.S.  
 SCALE: 1/8" = 1'-0"

## ELEVATIONS

A-202



**2** NORTH ELEVATION  
 SCALE: 1/8" = 1'-0"



**1** EAST ELEVATION  
 SCALE: 1/8" = 1'-0"









# 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>CARLY IAN NESSITT, Esq.</u>	<u>ATTORNEY</u>
<u>ROLAND FAITH</u>	<u>AUTHORIZED REPRESENTATIVE OF OWNER</u>
<u>KEVIN FAITH</u>	<u>AUTHORIZED MEMBER OF OWNER</u>
<u>MANNY SYNALOVSKI</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 31 DAY OF AUGUST, 2005

AUTHORIZED REPRESENTATIVE OF APPLICANT:

By: [Signature]  
 Name: ROLAND FAITH  
 Title: AUTHORIZED REPRESENTATIVE  
 Address: 2627 NE 203 ST #102  
Aventura, FL 33180

OWNER

By: [Signature]  
 Name: ROLAND FAITH  
 Title: AUTHORIZED REPRESENTATIVE  
 Address: 2627 NE 203 ST #102  
Aventura, FL 33180

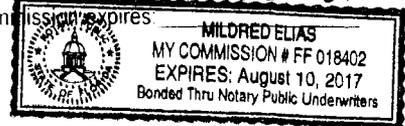
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me the undersigned authority personally appeared Roland Faith 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 31 day of August, 2005

AFFIANT  
2005

[Signature]  
 Notary Public State of Florida At Large  
 Printed Name of Notary Mildred Elias





# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

1. Affiant does not have a Business Relationship with any member of the City Commission or any City Advisory Board to which the application will be presented.

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 31 DAY OF August 2005

### APPLICANT:

By: \_\_\_\_\_ (Signature)  
Name: ROBERT FEATH (Print)  
Title: REAL ESTATE REPRESENTATIVE (Print)

WITNESS MY HAND THIS 31 DAY OF August 2005

### PROPERTY OWNER:

By: \_\_\_\_\_ (Signature)  
Name: ROBERT FEATH (Print)  
Title: REAL ESTATE REPRESENTATIVE (Print)

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



# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

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

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

The nature of the Business Relationship is as follows.

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

WITNESS MY HAND THIS 31 DAY OF August 2005

### APPLICANT

By: [Signature] (Signature)  
 Name: Orly Nesbitt (Print)  
 Title: Attorney (Print)

WITNESS MY HAND THIS 31 DAY OF August 2005

### PROPERTY OWNER

By: [Signature] (Signature)  
 Name: Richard Firth (Print)  
 Title: Authorized Representative (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 31 DAY OF August, 2005

REPRESENTATIVE: (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)  
Name: CAROL NESSITT (Print)  
Title: Attorney (Print)

By: \_\_\_\_\_ (Signature)  
Name: \_\_\_\_\_ (Print)  
Title: \_\_\_\_\_ (Print)

By: [Signature] (Signature)  
Name: Roland Kuit (Print)  
Title: Rolling Reps (Print)

By: \_\_\_\_\_ (Signature)  
Name: \_\_\_\_\_ (Print)  
Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)  
Name: \_\_\_\_\_ (Print)  
Title: \_\_\_\_\_ (Print)

By: \_\_\_\_\_ (Signature)  
Name: \_\_\_\_\_ (Print)  
Title: \_\_\_\_\_ (Print)

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

By: \_\_\_\_\_ (Signature)  
Title: \_\_\_\_\_ (Print)  
Title: \_\_\_\_\_ (Print)

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

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

**NOTARIZATION PROVISION**

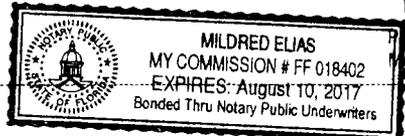
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared GARY MUSTI 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 31 day of August, 2008

Mildred Elias  
Notary Public State of Florida At Large  
Mildred ELIAS



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Roland Fath 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 31 day of August, 2008

Mildred Elias  
Notary Public State of Florida At Large  
Mildred ELIAS



STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

\_\_\_\_\_  
AFFIANT

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

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

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

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

\_\_\_\_\_  
AFFIANT

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

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



# BUSINESS RELATIONSHIP AFFIDAVIT\*

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

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

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

The nature of the Business Relationship is as follows:

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

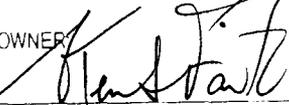
WITNESS MY HAND THIS 6 DAY OF October, 20015

APPLICANT:

  
 By: \_\_\_\_\_ (Signature)  
 Name: Manuel Synalovski (Print)  
 Title: Architect (Print)

WITNESS MY HAND THIS 6 DAY OF October, 20015

PROPERTY OWNER:

  
 By: \_\_\_\_\_ (Signature)  
 Name: Kevin Faith (Print)  
 Title: Manager (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 6 DAY OF October, 2015

REPRESENTATIVE (Listed on Business Relationship Affidavit)

By: [Signature] (Signature)

Name: Manuel Synalovski (Print)

Title: Architect (Print)

By: [Signature] (Signature)

Name: Kevin Faith (Print)

Title: Manager (Print)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOTARIZATION PROVISION**

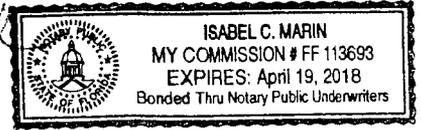
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Manuel Synalowski 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 6 day of October, 2015

[Signature]  
Notary Public State of Florida At Large  
Isabel C. Marin  
Printed Name of Notary  
My commission expires \_\_\_\_\_



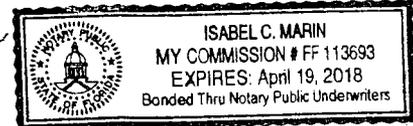
STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, personally appeared Kevin Faith 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 6 day of October, 2015

[Signature]  
Notary Public State of Florida At Large  
Isabel C. Marin  
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 \_\_\_\_\_

RESOLUTION NO. 2015-\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO ALLOW A BUILDING HEIGHT OF 12 STORIES AND 129'8"; WHERE A MAXIMUM HEIGHT OF 12 STORIES AND 120' IS PERMITTED BY CODE, FOR A MEDICAL OFFICE BUILDING AT 2801 NE 213 STREET, CITY OF AVENTURA IN THE MO, MEDICAL OFFICE DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the property described herein is zoned MO, Medical Office District;  
and

**WHEREAS**, the applicant, KVVVS Investors, LLC, through Application No. 07-CU-15, is requesting Conditional Use approval to permit a height of 12 stories and 129'8" for a medical office building to be constructed at 2801 NE 213 Street, City of Aventura;  
and

**WHEREAS**, the City Commission held a quasi-judicial public hearing as provided by law to review the application; and

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

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

**Section 1.** Application 07-CU-15 for Conditional Use to allow a height of 12 stories and 129'8", where a maximum height of 12 stories and 120' is permitted by Code, for construction of a medical office building in the MO, Medical Office District, is hereby granted, subject to the conditions set out in this Resolution, on property legally described in Exhibit "A" to this Resolution.

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

1. A building permit for the medical office building shall be obtained within 12 months of the date of the approving resolution, failing which this approval shall be void. The applicant may request, in writing and prior to expiry of the initial 12 month time period, one six month extension of time to obtain building permits and the City Commission may, by resolution or motion, grant such extension of time upon a showing of good cause by the applicant; and

2. Plans submitted for building permits shall substantially comply with those submitted with this application for conditional use approval as follows:

- “2801 Aventura Medical”, Cover Sheet, Sheet T-001, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “KVVS Investors LLC”, ALTA/ACSM Land Title Survey, prepared by John Ibarra and Associates Inc., Land Surveyors, dated 8/27/15, signed and sealed.
- “2801 Aventura Medical”, Site Plan, Ground Level Floor Plan, Sheet AS-101, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Photometric Plan, Sheet PH-101, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Parking Levels 1/1A Floor Plan, Sheet A-101, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Parking Levels 2/2A Floor Plan, Sheet A-102, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Parking Levels 3/3A, 4/4A, 5/5A, 6/6A Floor Plan, Sheet A-103, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Parking Level 7 Floor Plan, Sheet A-104, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Level 8, Sheet A-105, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Levels 9-12, Sheet A-106, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 8/28/15.
- “2801 Aventura Medical”, Elevations, Sheet A-201, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/15/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Elevations, Sheet A-202, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Sections, Sheet A-601, prepared by Synalovski Romanik Saye, dated 05/21/15, revised 10/1/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Landscape Plan, Sheet L-1, prepared by Witkins Hults Design Group dated 05/26/15, revised, signed and sealed 10/5/15.

- “2801 Aventura Medical”, Level 8 Plaza, Sheet L-2, prepared by Witkins Hults Design Group dated 05/26/15, revised, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Landscape Details, Sheet L-3, prepared by Witkins Hults Design Group dated 05/26/15, revised, signed and sealed 10/5/15.
- “2801 Aventura Medical”, General Notes and Specifications, Sheet C100, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Drainage Plan, Sheet C200, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 8/27/15.
- “2801 Aventura Medical”, Water and Sewer Plan, Sheet C300, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Drainage Details, Sheet C400, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 10/5/15.
- “2801 Aventura Medical”, Signage and Striping Plan, Sheet C500, prepared by Ocean Engineering Inc., dated 5/21/15, signed and sealed 10/5/15.

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

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

- (i) provide to the City a recorded copy of a Unity of Title or Covenant in Lieu of Unity of Title, in form satisfactory to the City Manager and City Attorney, to combine all parcels comprising this development into a single building site; and
- (ii) provide to the City, in form satisfactory to the City Manager and City Attorney, a recorded copy of the dedication to the City of a 10 foot wide road widening along the NE 214 Street frontage of the parcel; and
- (iii) provide a recorded release of the 30 foot wide utility easement reserved through Miami-Dade County Resolution No. R-1085-87 recorded in ORB 13419, Page 2772; and
- (iv) provide to the City, in form satisfactory to the City Manager and City Attorney, a recorded copy of a Restrictive Covenants for use and operation of the mechanical parking lifts as required by Section 31-171(a) (6) i. of the City Code; and
- (v) obtain a Public Works Permit from the City's Community Services Department for all planned improvements in the public rights of way of NE 213 Street and NE 214 Street.

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

- (i) complete all roadway improvements on NE 213 Street and NE 214 Street as shown on the approved plan, to the satisfaction of the City Manager.

**Section 3.** Issuance of this development order by the City of Aventura does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the City of Aventura for issuance of the development order if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All applicable state and federal permits must be obtained before commencement of the development. This condition is included pursuant to Section 166.033, Florida Statutes, as amended.

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

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

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

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

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

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

**EXHIBIT "A"**  
Legal Description of Property

Parcel 1

Lots 1, 2 and 3 inclusive, in Block 36 of Hallandale Park Subdivision, according to the plat thereof as recorded in Plat Book 12, Page 37 of the Public Records of Miami-Dade County, Florida, together with the easterly 15 feet of NE 28 Avenue lying westerly of and adjacent to said Lot 1, which was closed by Resolution No. R-1085-87 recorded in Official Records Book 13419, Page 2772.

Parcel 2

Lots 4 and 5, Block 36, Hallandale Park Subdivision, according to the plat thereof as recorded in Plat Book 12, Page 37, of the Public Records of Miami-Dade County, Florida

Parcel 3

Lots 6 through 10 inclusive of Block 36, of Hallandale Park Subdivision, according to the Plat thereof recorded in Plat Book 12, Page 37, of the Public Records of Miami-Dade County, Florida, together with 15 feet of NE 28 Avenue lying west and adjacent to said Lot 6, closed per Resolution No. R-1085-87.

Parcel 4

Lot 6, Block 37 of Hallandale Park Subdivision, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida.

Parcel 5

Lot 7, Block 37 Hallandale Park Subdivision, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida

Parcel 6

Lot 5, less the west 15 feet of NE 28 Avenue lying east of and adjacent to Lot 5 and the east ½ of Lot 4, Block 35 of Hallandale Park, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida

Parcel 7

Lot 5, together with the west 15 feet of NE 28 Avenue lying east of and adjacent to Lot 5 and the east ½ of Lot 4, Block 35 of Hallandale Park, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida

Parcel 8

Lots 9 and 10, Block 35, of Hallandale Park, according to the Plat thereof as recorded in Plat Book 12, Page 37, of Public Records of Miami Dade County, Florida, together with 15 feet of NE 28 Avenue lying east and adjacent to Lot 10.

**CITY OF AVENTURA**  
**FINANCE DEPARTMENT**

**MEMORANDUM**

TO: City Commission

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

BY:  Brian K. Raducci, Finance Director

DATE: October 28, 2015

SUBJECT: **End of Year Budget Amending Ordinance – FY 2014/15**

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**1<sup>st</sup> Reading November 3, 2015 City Commission Meeting Agenda Item BA**  
**2<sup>nd</sup> Reading January 5, 2016 City Commission Meeting Agenda Item \_\_\_\_\_**

**RECOMMENDATION**

It is recommended that the City Commission approve the attached ordinance amending the FY 2014/15 budget.

**BACKGROUND**

At this time of year, the Finance Department is preparing the City's financial records for the FY 2014/15 year-end audit. Now that most of our year-end adjustments have been made, we have the necessary information to formally amend the FY 2014/15 budget. This "clean up" amendment is a normal part of our year-end fiscal operations and is prepared to ensure that the "final" adopted budget contains sufficient appropriations to satisfy all of our actual expenditures.

In order to comply with Section 166.241 (4) of the Florida Statutes, the related ordinance will appear on the November 2015 and January 2016 agendas. Although this Section requires all budget amendments be made "within 60 days following the end of the fiscal year," the second reading of the ordinance (as is consistent with past practice) will not occur until January 2016 as there is no December meeting. The ordinance will however appear on first reading prior to the November 29, 2015 deadline.

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

**General Fund – (001) – (\$560,000 net increase)**

Legal (0601) – (\$105,000 increase)

3120 – Prof. Services - Legal

Requires a \$105,000 budget amendment due to Legal fees primarily related to ongoing matters associated with both the Prive Development and Intersection Safety Camera Program litigation. These overages will be offset by \$35,000 in additional Half Cent Sales Tax revenue (3351800) and \$70,000 in additional Intersection Safety Camera Program revenue (3542000), respectively.

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Community Development (4001) – (\$360,000 increase)

3101 – Building Inspection Services

Requires a \$260,000 budget amendment due to higher than anticipated building activity experienced during the year which will be offset by \$260,000 in additional Building Permit revenue (3221000).

3190 – Prof. Services

Requires a budget amendment of \$100,000 due to higher than anticipated planning review and landscape consultant services experienced during the year which will be offset by \$100,000 in additional Development Review Fees (3425000) paid by development applicants.

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Community Services (5001) – (\$95,000 increase)

3450 – Lands/Tree Maint. Svcs - Streets

Requires a \$12,000 budget amendment primarily due to the unanticipated whitefly application for the Biscayne Blvd. Ficus hedge.

3451 – Beautification/Signage

Requires a \$10,000 budget amendment primarily due to unanticipated improvements/repairs (i.e., painting of bus shelters and the refurbishment of benches and trash cans).

4645 – R&M - Equipment

Requires a \$26,000 budget amendment primarily due to unanticipated repairs and replacements of HVAC units at the Community Recreation Center.

4691 – R&M - Streets

Requires a \$21,000 budget amendment primarily due to unanticipated repairs, including the painting of the handrail at NE 183<sup>rd</sup> Street.

The four (4) overages above will be offset by \$69,000 in additional State Revenue Sharing (3351200).

4851 – Culture/Recreation Programs

Requires a \$26,000 budget amendment primarily due to the higher than anticipated registration for Culture/Recreation Programs this year which will be offset by \$26,000 in additional Parks & Recreation Fees (3472000).

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**Police Offduty Services Fund – (620) – (\$300,000 net increase)**

1420 – Extra Duty Detail

Requires a \$300,000 budget amendment due to higher than anticipated Extra Duty Details that will be offset by \$300,000 in additional Police Detail Billing (3421100).

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The budget amendments outlined above, are expected to have little to no impact on the FY 2014/15 overall budget or carryover amount that was utilized in the preparation of the FY 2015/16 budget. Based on this analysis, I recommend approval of the attached Ordinance.

**ORDINANCE NO. 2016-\_\_**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2014-10 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2014/2015 FISCAL YEAR BY REVISING THE 2014/2015 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, upon the periodic review and analysis of current budgetary commitments and obligations, and based upon the projected needs and requirements of the City and upon the recommendations of the City Manager (and the concurrence of the Finance Director as to Accounting Principles), it is deemed necessary to adjust, amend and implement the 2014/2015 Operating and Capital Budget as set forth in Exhibit "A" attached hereto and made a part hereof.

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

**Section 1.** The recitals contained in the preamble to this Ordinance are incorporated by reference herein.

**Section 2.** The City Commission hereby authorizes the amendment of Ordinance No. 2014-10, which Ordinance adopted a budget for the 2014/2015 fiscal year, by revising the 2014/2015 budget as set forth on the attached Exhibit "A" which exhibits are deemed incorporated by reference as though set forth in full herein.

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

**Section 4. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading and shall be applicable retroactively from and after October 1, 2014.

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

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

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

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

**PASSED** on first reading this 3<sup>rd</sup> day of November, 2015.

**PASSED AND ADOPTED** on second reading this 5<sup>th</sup> day of January, 2016.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

# EXHIBIT "A"

CITY OF AVENTURA  
GENERAL FUND 001  
FY 2014/15 BUDGET AMENDMENT

## REVENUES

OBJECT CODE NO.	CATEGORY	2014/15 ADOPTED AMOUNT	2014/15 AMENDED AMOUNT	2014/15 REVISED BUDGET
3221000	Building Permits	\$ 1,600,000	\$ 260,000	\$ 1,860,000
3351200	State Revenue Sharing	500,000	69,000	569,000
3351800	Half Cent Sales Tax	2,630,000	35,000	2,665,000
3425000	Development Review Fees	90,000	100,000	190,000
3472000	Parks & Recreation Fees	130,000	26,000	156,000
3542000	Intersection Safety Camera Program	1,200,000	70,000	1,270,000
	Total Revenue	<u>\$ 6,150,000</u>	<u>\$ 560,000</u>	<u>\$ 6,710,000</u>
	TOTAL AMENDMENTS - REVENUE		<u>\$ 560,000</u>	

## EXPENDITURES

OBJECT CODE NO.	CATEGORY	2014/15 ADOPTED AMOUNT	2014/15 AMENDED AMOUNT	2014/15 REVISED BUDGET
	<u>LEGAL (0601)</u>			
	<u>CONTRACTUAL SERVICES</u>			
3120	Prof. Services - Legal	\$ 265,000	\$ 105,000	\$ 370,000
	Total Legal	<u>\$ 265,000</u>	<u>\$ 105,000</u>	<u>\$ 370,000</u>
	<u>COMMUNITY DEVELOPMENT (4001)</u>			
	<u>CONTRACTUAL SERVICES</u>			
3101	Building Inspection Services	\$ 1,175,000	\$ 260,000	\$ 1,435,000
3190	Prof. Services	40,000	100,000	140,000
	Total Community Development	<u>\$ 1,215,000</u>	<u>\$ 360,000</u>	<u>\$ 1,575,000</u>
	<u>COMMUNITY SERVICES (5001)</u>			
	<u>OTHER CHARGES &amp; SERVICES</u>			
3450	Lands/Tree Maint. Svcs - Streets	\$ 825,000	\$ 12,000	\$ 837,000
3451	Beautification/Signage	72,000	10,000	82,000
4645	R&M - Equipment	17,000	26,000	43,000
4691	R&M - Streets	12,500	21,000	33,500
4851	Culture/Recreation Programs	110,000	26,000	136,000
	Total Community Services	<u>\$ 1,036,500</u>	<u>\$ 95,000</u>	<u>\$ 1,131,500</u>
	TOTAL AMENDMENTS - EXPENDITURES		<u>\$ 560,000</u>	

# EXHIBIT "A"

CITY OF AVENTURA  
**POLICE OFFDUTY SERVICES FUND 620**  
 FY 2014/15 BUDGET AMENDMENT

### REVENUES

OBJECT CODE NO.	CATEGORY	2014/15 ADOPTED AMOUNT	2014/15 AMENDED AMOUNT	2014/15 REVISED BUDGET
<u>Charges for Services</u>				
3421100	Police Detail Billing	\$ 225,000	\$ 300,000	\$ 525,000
	Total Revenue	<u>\$ 225,000</u>	<u>\$ 300,000</u>	<u>\$ 525,000</u>
	TOTAL AMENDMENTS - REVENUE		<u>\$ 300,000</u>	

### EXPENDITURES

OBJECT CODE NO.	CATEGORY	2014/15 ADOPTED AMOUNT	2014/15 AMENDED AMOUNT	2014/15 REVISED BUDGET
<u>PERSONAL SERVICES</u>				
<u>Public Safety</u>				
1420	Extra Duty Detail	\$ 225,000	\$ 300,000	\$ 525,000
	Total Expenditures	<u>\$ 225,000</u>	<u>\$ 300,000</u>	<u>\$ 525,000</u>
	TOTAL AMENDMENTS - EXPENDITURES		<u>\$ 300,000</u>	

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

**MEMORANDUM**

TO: City Commission

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

DATE: October 21, 2015

SUBJECT: **Ordinance Amending 2015/16 Charter School Fund Budget**

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**1<sup>st</sup> Reading November 3, 2015 City Commission Meeting Agenda Item 85**  
**2<sup>nd</sup> Reading November 19, 2015 City Commission Meeting Agenda Item \_\_\_\_\_**

**RECOMMENDATION**

It is recommended that the City Commission approve the attached Ordinance amending the 2015/16 Charter School Fund Budget. The total amount of the amendment is \$157,350.

**BACKGROUND**

At the end of Fiscal Year 2014/15, \$202,651 remained from higher than anticipated revenues and lower than estimated expenditures in the Charter School Fund Budget. The attached budget amendment was prepared to utilize a portion of the surplus to fund capital projects at the school and increase the Contingency Fund. The following is a summary of the amendments.

**REVENUES**

1. Recognizes \$157,350 in surplus revenues.

**EXPENDITURES**

1. Increases the Contingency Fund line item by \$40,000.
2. Increases laptop replacements by \$32,250 to expedite replacement schedule by 30 laptops.
3. Increases interactive whiteboard (Smartboards) replacements by six in the amount of \$35,100.

4. Provides \$50,000 to upgrade the school security camera as follows:
  - Move all analog cameras to new IP based system.
  - Storage and network equipment will be added.
  - Replace / add 20 cameras.
  - Additional network equipment and cabling as required.

The items contained in the attached amendment were prepared based on recommendations from the Principal and Information Technology Director.

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

EMS/act

Attachment

CCO1917-15

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

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

**WHEREAS**, upon the periodic review and analysis of current budgetary commitments and obligations, and based upon the projected needs and requirements of the Aventura City of Excellence School and upon the recommendations of the City Manager (and the concurrence of the Finance Director as to Accounting Principles), it is deemed necessary to adjust, amend and implement the 2015/2016 Operating and Capital Budget of the Aventura City of Excellence School as set forth in Exhibit “A” attached hereto and made a part hereof.

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

**Section 1.** The recitals contained in the preamble to this Ordinance are incorporated by reference herein.

**Section 2.** The City Commission hereby authorizes the amendment of Ordinance No. 2015-04, which Ordinance adopted a budget for the 2015/2016 fiscal year for the Aventura City of Excellence School by revising the 2015/2016 budget as set forth on the attached Exhibit “A”, which exhibit is deemed incorporated by reference as though set forth in full herein.

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

**Section 4. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading.

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

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

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

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

**PASSED** on first reading this 3<sup>rd</sup> day of November, 2015.

**PASSED AND ADOPTED** on second reading this 19<sup>th</sup> day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

EXHIBIT A

**Budget Amendments  
CHARTER SCHOOL FUND 190**

<b>OBJECT CODE</b>	<b>CATEGORY</b>	<b>2015/16 ADOPTED BUDGET</b>	<b>2015/16 AMENDED AMOUNT</b>	<b>2015/16 REVISED BUDGET</b>
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Revenues

Other Non-Revenues

3999000	Beginning Surplus	\$ -	\$ 157,350	\$ 157,350
	<b>SUBTOTAL</b>	\$ -	\$ 157,350	\$ 157,350

**Total Amendments-Revenues**

**\$ 157,350**

Expenditures

Other Uses

5901	Contingency	\$ 85,000	\$ 40,000	\$ 125,000
	<b>SUBTOTAL</b>	\$ 85,000	\$ 40,000	\$ 125,000

Capital Outlay

6401	Computer Equipment >5000	\$ 45,000	\$ 35,100	\$ 80,100
6402	Computer Equipment <5000	111,500	32,250	143,750
6410	Furniture, Fixture & Equipment	-	50,000	50,000
	<b>SUBTOTAL</b>	\$ 156,500	\$ 117,350	\$ 273,850

**Total Amendments-Expenditures**

**\$ 157,350**

Capital Outlay Summary

Upgrade Network Switches and Routers	\$ 15,000
Replace AV Equipment and/or Smartboards	65,100
Subtotal	<b>\$ 80,100</b>

Replace 120 Laptops/Computers	\$ 142,750
Replace Desktop Scanner	1,000
Subtotal	<b>\$ 143,750</b>

Upgrade Security Camera System	<b>\$ 50,000</b>
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**CITY OF AVENTURA**  
**OFFICE OF THE CITY COMMISSION**  
**MEMORANDUM**

TO: City Commission

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

BY: Ellisa L. Horvath, MMC, City Clerk 

DATE: September 24, 2015

SUBJECT: **Ordinance Amending Section 2-371 "Lobbyists" of the City Code**

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**First Reading - October 6, 2015 City Commission Meeting Agenda Item 7A**

**Second Reading - November 3, 2015 City Commission Meeting Agenda Item 9A**

**Recommendation**

It is recommended that the City Commission adopt the attached Ordinance amending the City's Lobbying Ordinance, in compliance with certain amended sections of the Miami-Dade County Lobbying Ordinance, specifically pertaining to the following:

- Eliminate the requirement for a lobbyist to submit a statement of lobbying expenditures, if there are none in excess of \$25 during the reporting period
- Eliminate the requirement for a principal to pay registration fees, while still requiring them to register with the City

**Background**

In February 2004, the City enacted a Lobbying Ordinance (No. 2004-03), which incorporated portions of the Miami-Dade County Lobbying Ordinance. The County has since amended its Lobbying Ordinance to eliminate the Expenditure Report filing requirements for lobbyists that do not have expenditures to report and to eliminate the requirement that a principal pay a lobbyist registration fee.

The City's current Ordinance requires all lobbyists to submit an Expenditure Report, regardless of whether or not any expenditures were made. Historically, the Expenditure Reports the City has received from the registered lobbyists indicate that no expenditures were made. As such, extensive staff time and resources are used for administrative efforts to receive reporting forms from all of the registered lobbyists. The new requirement would only require the reporting form, if expenditures over \$25 were made during the reporting period; thereby eliminating the burden on staff to collect reports from all registered lobbyists.

The City's current Ordinance requires a principal of a corporation or a firm to register and pay the annual registration fee. The amount of fees collected from principals that register are nominal; therefore, staff time utilized to process those fees is unwarranted. The new requirement would still require principals to register, but would not require a fee.

Please contact me should you have any questions or need additional information.

/elh

Attachment

ORDINANCE NO. 2015-\_\_

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION" OF THE CITY OF AVENTURA CODE OF ORDINANCES BY AMENDING SECTION 2-371 "LOBBYISTS" OF ARTICLE VI. "LOBBYING ACTIVITIES" TO BE CONSISTENT WITH THE MIAMI-DADE COUNTY ETHICS CODE BY ELIMINATING THE LOBBYIST EXPENDITURE STATEMENT FILING REQUIREMENT FOR LOBBYISTS THAT HAVE MADE NO LOBBYING EXPENDITURE DURING A GIVEN REPORTING PERIOD AND ELIMINATING THE PAYMENT OF LOBBYIST REGISTRATION FEES BY PRINCIPALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, in February 2004, the City enacted Ordinance No. 2004-03, establishing Section 2-371 "Lobbyists" of the City Code (the "City Lobbying Ordinance"); and

**WHEREAS**, the City Lobbying Ordinance incorporated by reference portions of Section 2-11.1(s) of the Miami-Dade County Code of Ordinances (the "County Lobbying Ordinance"), as then existing, regulating lobbyists within the City; and

**WHEREAS**, among the requirements included in the County Lobbying Ordinance at the time that Ordinance No. 2004-03 was enacted by the City was a requirement that all lobbyists submit a signed statement listing all lobbying expenditures in excess of \$25.00 during the previous year (the "Expenditure Report") and a principal of a corporation or firm was included in the definition of a lobbyist; and

**WHEREAS**, the County Lobbying Ordinance required that lobbyists file an Expenditure Report regardless of whether any expenditures were actually made and required a principal register and pay the Annual Registration Fee; and

**WHEREAS**, the County has subsequently amended the County Lobbying Ordinance to eliminate the Expenditure Report filing requirements for lobbyists that do not make any expenditures during a given reporting period and eliminating the payment of the Lobbyist Registration Fee by principals; and

**WHEREAS**, the City desires to amend the City Lobbying Ordinance to eliminate the Expenditure Report filing requirement for lobbyists that have not made any expenditures during a given filing period and eliminate the requirement that a principal pays a lobbyist registration fee:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS:<sup>1</sup>**

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

**Section 2. City Code Amended.** That Section 2-371 "Lobbyists" of Article VI "Lobbying Activities" of Chapter 2 "Administration" of the City of Aventura Code of Ordinances is hereby amended to read as follows:

Sec. 2-371. Lobbyists.

The provisions of Section 2-11.1(s) "Lobbying," of the Miami-Dade County Code (the "County Lobbying Ordinance") as it currently exists, as set forth in Exhibit "X," set forth below and incorporated herein, is hereby adopted and shall apply within the City, except that in lieu of the fee for annual lobbyist registration which is specified by Section 2-11.1(s)(2)(b) of the County Lobbying Ordinance, the fee payable to the City for registration of each lobbyist for the representation of each principal of the lobbyist

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<sup>1</sup> Additions to existing text in the City Code shall be indicated by underline.

shall be \$100.00 (per principal represented), and the fee payable to the City for annual lobbyist registration for each lobbyist shall be \$200.00. In addition, a lobbyist shall not be required to submit a statement of lobbying expenditures, as specified in Section 2-11.1(s)(6)(a) of the County Lobbying Ordinance, for any reporting period during which the lobbyist made no lobbying expenditures. Moreover, a principal of any corporation, partnership or other entity who appears as a lobbyist on behalf of that entity to express support or opposition to any item shall register with the Clerk, as required by this subsection, but shall not be required to pay any registration fees. References in the County Lobbying Ordinance to County personnel shall be deemed to be references to City personnel who serve in comparable capacities to the County personnel referred to. References in the County Lobbying Ordinance to the County Commission or to a "County Board or Committee" shall be deemed to be references to the City Commission or to the City's Boards as applicable. This Section 2-371 shall prevail over any conflicting provision of the City Code.

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

**Section 4. Effective Date.** That this Ordinance shall become effective immediately upon adoption on second reading.

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

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

**PASSED** on first reading this 6<sup>th</sup> day of October, 2015.

**PASSED AND ADOPTED** on second reading this 3<sup>rd</sup> day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

**CITY OF AVENTURA**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: City Commission

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

DATE: September 18, 2015

SUBJECT: **Ordinance Amending the Legislative Expense Amount for the City Commission**

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**1<sup>st</sup> Reading October 6, 2015 City Commission Meeting Agenda Item 7B**  
**2<sup>nd</sup> Reading November 3, 2015 City Commission Meeting Agenda Item 9B**

Attached hereto, in accordance with the direction of the City Commission at the September Workshop, is an Ordinance that amends the Legislative Expense Amount for the Mayor and individual Commissioners by \$2,000.

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

EMS/act

Attachment

CCO1907-15

ORDINANCE NO. 2015-\_\_\_

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE LEGISLATIVE EXPENSE AMOUNT FOR THE MAYOR AND INDIVIDUAL COMMISSIONERS AS PROVIDED FOR IN SECTION 2.06 OF THE CITY OF AVENTURA CHARTER, FROM \$6,059 TO \$8,059 PER YEAR; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission determines that an increase in Legislative Expenses is necessary in order for them to meet the obligations and requirements of their duties as Mayor or Commissioner.

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

**Section 1.** The recitals contained in the preamble to this Ordinance are incorporated by reference herein.

**Section 2.** The Legislative Expense amount contained in the City's 2015-2016 fiscal year budget for the Mayor and individual City Commissioners, as provided for in Section 2.06 of the City of Aventura Charter, is hereby increased from \$6,059 to \$8,059 per year, and may be further adjusted in subsequent annual City budgets.

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

**Section 4. Effective Date.** This Ordinance shall be effective immediately upon adoption on second reading, and shall be applied from and after October 1, 2015.

The foregoing Ordinance was offered by Vice Mayor Cohen, 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>No</u>
Commissioner Robert Shelley	<u>Yes</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 Enbar Cohen	___
Commissioner Teri Holzberg	___
Commissioner Denise Landman	___
Commissioner Marc Narotsky	___
Commissioner Robert Shelley	___
Commissioner Howard Weinberg	___
Mayor Enid Weisman	___

**PASSED** on first reading this 6<sup>th</sup> day of October, 2015.

**PASSED AND ADOPTED** on second reading this 3<sup>rd</sup> day of November, 2015.

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

ATTEST:

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

APPROVED AS TO LEGAL SUFFICIENCY:

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

# CITY OF AVENTURA

## OFFICE OF THE CITY MANAGER

### MEMORANDUM

TO: City Commission

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

DATE: October 1, 2015

SUBJECT: **Ordinance Amending Section 18-80 of the City Code – Police Cost Recovery**



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1<sup>st</sup> Reading October 6, 2015 City Commission Meeting Agenda Item 7C  
2<sup>nd</sup> Reading November 3, 2015 City Commission Meeting Agenda Item 9C

### RECOMMENDATION

It is recommended that the City Commission amend Section 18-80 of the City Code entitled Police Cost Recovery to provide for the collection of a minimum service fee as an alternative to the existing program which permits the City to recover all costs incurred by the City's Police Department in those circumstances in which criminal prosecutions are abandoned, dismissed or fail as a direct result of the failure of the responsible person / business to appear as required by law.

### BACKGROUND

In July 2008, the City Commission adopted an Ordinance, based on the recommendation of the Police Department, to create a mechanism that would permit the City to recover the costs incurred by the Police Department, including costs incurred in responding to a suspected crime scene, investigating and reporting suspected crime, apprehending and/or transporting persons accused of committing crimes, and assisting the prosecuting authorities in connection with the prosecution of crime, in those circumstances in which criminal prosecutions are abandoned, dismissed or fail as a direct result of the failure of the responsible person of a business establishment to appear as required by law.

The creation of the cost recovery mechanism served to mitigate the financial harm caused to City law enforcement resources by the failure of responsible persons to appear as required by law.

Memo to City Commission  
Page 2

The requested amendment allows the Police Chief the discretion to charge the minimum fee of \$200 or the actual cost depending upon each circumstance, amount of time involved in the case and other mitigating conduct.

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

EMS/act

Attachment

CCO1912-15

ORDINANCE NO. 2015-\_\_

**AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA; AMENDING THE CITY CODE BY AMENDING CHAPTER 18 “BUSINESS REGULATIONS, TAXES AND PERMITS”, BY AMENDING ARTICLE IV “POLICE COST RECOVERY”; AT SECTION 18-80 “RECOVERY OF COSTS FOR FAILURE OF RESPONSIBLE PERSON TO APPEAR ON BEHALF OF BUSINESS”; TO AUTHORIZE IMPOSITION OF A MINIMUM SERVICE FEE IN LIEU OF THE RECOVERY OF ALL COSTS INCURRED BY THE CITY POLICE DEPARTMENT UNDER CIRCUMSTANCES IN WHICH A CRIMINAL PROSECUTION IS ABANDONED, DISMISSED OR FAILS AS A DIRECT RESULT OF THE FAILURE OF A RESPONSIBLE PERSON TO APPEAR IN LAW ENFORCEMENT OR COURT PROCEEDINGS ON BEHALF OF THE OWNER OR OPERATOR OF A BUSINESS ESTABLISHMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR PENALTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, based upon information provided by the police department of the City of Aventura (“City”), the City Commission finds that it is necessary to amend the cost recovery program, as provided herein, to enable the imposition and collection of a minimum service fee as an alternative to the existing program which permits the City to recover all costs incurred by the City’s police department, including costs incurred in responding to a suspected crime scene, investigating and reporting suspected crime, apprehending and/or transporting persons accused of committing crimes, and assisting the prosecuting authorities in connection with the prosecution of crime, in those circumstances in which criminal prosecutions are abandoned, dismissed or fail as a direct result of the failure of the responsible person of a business establishment to appear as required by law; and

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

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

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS<sup>1</sup>:**

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

**Section 2. City Code Amended.** That Chapter 18 “Business Regulations, Taxes, and Permits” of the City Code, is hereby amended by amending Article IV “Police Cost Recovery”, at Section 18-80 “Recovery of Costs for Failure of Responsible Person to Appear on behalf of Business,” by amending paragraphs (b) – (f) thereof, to read as follows:

**ARTICLE IV. POLICE COST RECOVERY**

**Section 18-80. Recovery of Costs for Failure of Responsible Person to Appear on behalf of Business.**

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- (b) *Service charge imposed.* Pursuant to the City's authority under its constitutional home rule powers, as codified in Section 166.021, Florida Statutes, and as also authorized by Section 166.201, Florida Statutes, a service charge in the full amount of the City's costs incurred is hereby imposed upon the business owner or operator, in the event that a criminal charge is abandoned, dismissed or fails as a direct result of a responsible person's failure to appear in court proceedings. The identity of each responsible person may be noted in the applicable offense report or in a supplemental report. A written certification by the State Attorney, Court Administrator or the City's Police Chief that a criminal charge is abandoned, dismissed or fails as a direct result of the failure to appear ~~or~~ of a responsible person shall be prima facie evidence that the costs incurred are the obligation of the business owner or operator pursuant to this section. In lieu of imposing a service charge for the full amount of the City's costs, the Police Chief may, at his or her discretion, determine that a service charge of only two hundred (\$200) dollars shall be imposed based on the amount of time involved in the case or other mitigating conduct of the responsible person or business owner or operator.
- (c) *Computation of costs.* If the service charge is based upon the full amount of the City's costs (the “Full Cost Formula”), ~~The~~ the City's Finance Director shall calculate the costs incurred by the City's Police Department, based upon pertinent information provided in writing by the Police Chief or his designee.

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

- (d) *Appeal of Finance Director's determination:* Any person aggrieved by a decision of the Finance Director concerning the calculation of costs incurred under the Full Cost Formula or aggrieved by a determination of the Police Chief to impose the above described \$200 service charge as required respectively provided by this section, may appeal the matter to the City Manager. The aggrieved person shall have ten days from receiving the respective written decision of the City's Finance Director or Police Chief to file a written appeal to the City Manager. The written appeal shall specify as to whether review is sought as to the liability of the business owner or operator and/or as to the calculation of the costs incurred. The City Manager may accept, reject, or modify the decision of the City's Finance Director or Police Chief, based upon the scope of review requested and upon a review of the information provided to the City Manager and his or her findings as to whether or not the business owner or operator is, pursuant to the intent, purposes and requirements of this section, liable for the costs incurred and as to whether the amount of the costs incurred has been correctly calculated. The City Manager shall find that the business owner or operator is not liable for the costs incurred in the event that the business owner or operator demonstrates that: (1) the responsible person no longer served as an employee, agent or servant of the business owner or operator at the time of the failure to appear; or (2) the responsible person's failure to appear occurred solely because the responsible person did not receive a notice or subpoena to appear at court proceedings, if such notice or subpoena was required by law; or (3) the responsible person's failure to appear was not caused by the negligent, reckless or intentionally wrongful conduct of the responsible person and was unavoidable. Any person aggrieved by a decision of the City Manager may timely seek judicial review of the matter in a court of competent jurisdiction to the extent and manner authorized by applicable law.
- (e) *Liability; collections.* Each business owner and operator on whose behalf a responsible person has failed to appear as required by this section, shall be jointly and severally liable to the City for the costs incurred as outlined herein as a result of such failure to appear. Costs incurred pursuant to this section may be collected by the City pursuant to the following procedure:
- (1) The service charge imposed by the City for the costs incurred shall be due and payable not later than 30 days after the date of the mailing or hand delivery of the City's invoice to the business owner or operator for cost recovery, and said due date shall be indicated upon the invoice of the City.
  - (2) If such service charges are not fully paid by the business owner or operator on or before the past due date, a late fee of five percent shall be imposed by City and shall be added to the outstanding invoice. Unpaid balances of business owners or operators for such service charges and late fees shall be subject to an interest charge at the rate of one percent per month in accordance with the provisions of paragraph (3) below. Imposition of said interest charge shall commence for any delinquency existing 30 days after the past due date of the invoice and shall continue to accrue until all service charges, late fees and interest charges are paid.
  - (3) Service charges and late fees, together with any interest charges, shall be debts due and owing to the City and such debts shall be recoverable by the City or its assignee, in any court of competent jurisdiction.
- (f) *Implementation.* The City Manager and Police Chief, with any necessary assistance from the City Attorney, are authorized to develop and implement forms for the efficient administration and implementation of this section, including forms for the determination of the applicable service charges.

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

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

**Section 5. Penalty.** That any person who violates any provisions of this Ordinance shall, upon conviction, be punished by a fine not to exceed \$500.00 or imprisonment in the County jail not to exceed sixty (60) days or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate violation. This Ordinance shall also be subject to enforcement under the Local Government Code Enforcement Act, Chapter 162, F.S., as amended, and City Code Section 2-331, et. seq., as amended. Enforcement may also be by suit for declaratory, injunctive or other appropriate relief in a court of competent jurisdiction or as authorized by Section 162.22, F.S.

**Section 6. Effective Date.** That 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>Yes</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 Enbar Cohen	___
Commissioner Teri Holzberg	___
Commissioner Denise Landman	___
Commissioner Marc Narotsky	___
Commissioner Robert Shelley	___
Commissioner Howard Weinberg	___
Mayor Enid Weisman	___

**PASSED** on first reading this 6<sup>th</sup> day of October, 2015.

**PASSED AND ADOPTED** on second reading this 3<sup>rd</sup> day of November, 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.