VILLAGE OF EL PORTAL
VILLAGE COUNCIL
PLANNING & ZONING COMMITTEE MEETING
AGENDA
TUESDAY, MAY 15, 2018
7:00 PM

A. CALL TO ORDER

B. MOMENT OF SILENT MEDITATION & PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF AGENDA

E. APPROVAL OF MINUTES
   E1. Minutes for the March 20th, Meeting Postponed.

F. AGENDA ITEMS:
   F2. Proposed Special Exception & Site Plan Approval of Mixed Use Project- The Sanctuary Located at 205 NE 87th Street, El Portal.
   F3. Code Amendment for Alcoholic Beverages Ordinance Discussion
   F5. Smart Plan Presentation
   F6. Third Extension Stormwater Utility Interlocal Agreement/Miami Dade County
   F7. Miami Dade County office of Film and Entertainment Photo Interlocal Agreement
   F8. Comcast Cable bearing request
   F9. Exterior Pain Permit Fee

“Pursuant to Florida Statutes, Chapter 286.0105: If a person decided to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she 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.”
G. GOOD & WELFARE: (NOTE: This section of the agenda is reserved in the spirit of a representative democracy "of, by, and for the people" and is specifically provided as a mechanism for the input and solutions on matters of concern of Villagers. We request that comments be limited to 3 minutes per person, and that speakers and the audience maintain proper decorum at-large. The speaker may speak on any issue of concern.)

I. ADJOURNMENT
Members:
Mayor Claudia V. Cubillos, Chairperson
Vice-Mayor Omarr C. Nickerson, Vice-Chairperson
Councilperson Harold E. Mathis, Jr., Member
Councilperson Werner Dreher, Member
Councilperson Vimari Roman, Member

“Pursuant to Florida Statutes, Chapter 286.0105: If a person decided to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she 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.”
<table>
<thead>
<tr>
<th>Item#</th>
<th>ACTIVITY • GOAL • PROJECT</th>
<th>INITIATOR</th>
<th>START</th>
<th>END</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>PlusUrbia, LLC</td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>2</td>
<td>Redevelopment of the Trailer Park</td>
<td></td>
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<td></td>
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<tr>
<td>3</td>
<td>Development Agreement Impact Fees</td>
<td></td>
<td></td>
<td>In process</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Parking in swale area/swale area maintenance revised swale material</td>
<td></td>
<td></td>
<td>ongoing</td>
<td>Moved from Code Enforcement on March 13th Code Enforcement Meeting</td>
</tr>
</tbody>
</table>

Claudia V. Cubillos, Chair
Omarr Nickerson, Vice Chair
Harold Mathis, Jr., Member
Werner Dreher, Member
Vimari Roman, Member

5/2018
HOMEOWNER SURVEY AFFIDAVIT

Property Owner: A survey which is submitted to obtain a Building Permit must show all structures, easements, and rights-of-way on your property. If your existing survey is older than one (1) year old, you may submit this affidavit along with the older survey to attest to the fact that there are no existing elements other than those shown on the survey.

I / We, Sherriel Marion Edwards Turner, do hereby attest that the survey included in this building permit application shows an accurate representation of all current structures, easements and rights-of-way that are located on my/our property located at 485 N.W. 88 St., El Portal, Florida. I / we understand that providing incorrect, misleading, or false information on the survey may result in the building permit application or building permit being revoked or denied or initiation of a possible code enforcement action being taken against me/us. In addition, I / We hold the Village of El Portal harmless for any costs or damages incurred by me / us due to the information contained or missing on the attached survey.

__________________________
[signature of affiant]

__________________________
[printed or typed name of affiant]

__________________________
[address of affiant, line 1]

__________________________
[address of affiant, line 2]

{State of Florida}
{County of Miami Dade}
Sworn to (or affirmed) and subscribed before me this _______ day of ____________ year, by __________________________ (name of person making statement).

(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known __________ OR Produced Identification

Type of Identification Produced FL DL #

500 NE 87TH ST
EL PORTAL, FL 33138
305-795-7880 Office
305-795-7884 FAX
VILLAGE OF EL PORTAL
VILLAGE CLERK’S OFFICE
500 N.E. 87TH STREET
EL PORTAL, FLORIDA 33138
(305) 795-7880 (PHONE)
(305) 795-7884 (FAX)

VARIANCE REQUEST CHECKLIST

The following is a checklist of applicant requirements for submitting a variance request to the Planning & Zoning Board/Village Council. Retain the completed copy for your records.

1. LETTER OF INTENT: (One (1) Original & Seven (7) Copies) Fully describes what the applicant is requesting, justification for the request, and steps taken to mitigate any negative impacts to neighbors or the surrounding properties.

2. APPLICATION: (One (1) Original & Seven (7) Copies) Must be fully completed, signed and notarized by the applicant and property owner.

3. SURVEY: (Eight (8) Copies 8.5 X 11 Unless Otherwise Requested) A recent survey of the property showing the location of the improvements that the applicant is requesting.

4. PLANS, SKETCHES, COLOR PHOTOS: (Eight (8) Copies 8.5 X 11 Unless Otherwise Requested) A graphical representation of the requested improvement, clear enough that height, color, size, and construction materials can be determined.

5. COLLATE ITEMS: Collate items 1-4 into eight (8) separate packets as follows: five (5) for the Village Council, two (2) for the Village Clerk, one (1) for the Building Official and the original for the public file.

6. FILING FEE: $25.00

7. VARIANCE FILING FEE: Single Family $200.00; Multifamily $600.00; Commercial $600.00

8. REIMBURSEMENT COSTS: To be determined by the Village Clerk, specifically calculated to reimburse the Village for postage, printing, copying and any other related costs. A listing of reimbursement costs for filing a variance can be found on the Variance Request Fee & Reimbursement page.

The applicant must submit the completed packets to the Village Clerk at least four (4) weeks prior to the next Planning & Zoning Committee Meeting in order to be placed on the agenda. All fees and reimbursement costs must be paid before the hearing date. As per the Village Code, the residents within 600 feet of the property and the public in general must be noticed 15 days prior to the meeting date.
ADMINISTRATIVE VARIANCE
APPLICATION

When approved, this variance must be validated through issuance of a valid Building Permit.

This application and supporting documents are submitted by:

Signer: Terri Turner
(Owner of Property)

Application is made for:

Granny Flat to be placed in a pre-existing garage.

(Type of variance requested)

Property address and legal description

475 NW 88 St, El Portal, Fl 33150

18-3101-037-050

OWNER AFFIDAVIT

I, Sherri Turner, being first duly sworn, depose and say that I am the legal owner of record of the property described and which is the subject of the proposed administrative variance, and that all statements and representations made are true and correct.

I acknowledge that I am subject to penalties of law, including the laws on perjury, and to possible revocation of this variance for any false or misleading statements in this application.

Sworn to and subscribed to before me this 25th day of January 2018.

The applicant must submit the completed packets to the Village Clerk at least four (4) weeks prior to the next Planning & Zoning Committee Meeting in order to be placed the agenda. All fees and reimbursement costs must be paid before the hearing date. As per the Village Code, the residents within 600 feet of the property and the public in general must be noticed 15 days prior to the meeting date.
Plan for Entire Area With Electrical

Switch

Outlet

Electrical Box

Closet

Sink

Counter

Smell DETECTOR

Increasing Water Heater and Dryer

Close (Barn or pocket door)

French Door with sidelights

8 feet

14 Feet

16 Feet

15 Feet

21 Feet

5'6" GFI

5' GFI

5 x 7W - 12V Light Fixture

Wall: 3/4" Plywood R-4.5

Ceiling: R-30 Batts

Insulation: 1/2" Drywall @ Walls and Ceilings
### Accessories:

- **Door Unit**
  - Condensate Pump (BlueDiamond X87-711/721, 115/230V)
  - Condensate Pump (Sauermann S130-115/230, 115/230V)
  - Anti-Allergy Enzyme Filter (MAC-403BTF-E)
  - Drain Pan Level Sensor (DPLS2)
- **Outdoor Unit**
  - Outdoor Mounting Pad (ULTRILITE1)
  - Drain Pan Heater (MAC-640B-U)
  - 3-1/4" Mounting Base [Pair] (DS4-400P)
  - Drain Pan Socket (MAC-860DS)
  - Air Outlet Guide (MAC-88SG)
  - Wall Mounting Bracket (QSWB2000M-1)
- **Controls**
  - Wireless Controller (MHI1)
  - Wired Remote Controller PAR-32MAA (Requires MAC-333IF-E)
  - Wireless Interface for kumo cloud™ (PAC-USWH502-WF-1)
  - Thermostat Interface (PAC-US444CN-1)

### Specifications:

#### Rated Conditions (Capacity / Input):

<table>
<thead>
<tr>
<th>Condition</th>
<th>BTU/h</th>
<th>Minimum</th>
<th>Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cooling⁴</td>
<td>1,500</td>
<td>13,600</td>
<td></td>
</tr>
<tr>
<td>Heating at 47°F</td>
<td>2,000</td>
<td>18,100</td>
<td></td>
</tr>
<tr>
<td>Heating at 17°F</td>
<td>-</td>
<td>12,000</td>
<td></td>
</tr>
<tr>
<td>Heating at 5°F</td>
<td>-</td>
<td>9,700</td>
<td></td>
</tr>
</tbody>
</table>

#### Operating Conditions (Indoor Intake Air Temp.) (Max. / Min.):

<table>
<thead>
<tr>
<th>Condition</th>
<th>F</th>
<th>DB / F (°C)</th>
<th>DB / F (°C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cooling²</td>
<td>90°</td>
<td>32°C / 67°F</td>
<td>19°C / 67°F</td>
</tr>
<tr>
<td>Heating</td>
<td>80°</td>
<td>27°C / 76°F</td>
<td>21°C / 71°F</td>
</tr>
</tbody>
</table>

#### Operating Conditions (Outdoor Intake Air Temp.) (Max. / Min.):

<table>
<thead>
<tr>
<th>Condition</th>
<th>F</th>
<th>DB / F (°C)</th>
<th>DB / F (°C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cooling³</td>
<td>115</td>
<td>46°C / 14°F</td>
<td>-10°C / 14°F</td>
</tr>
<tr>
<td>Heating</td>
<td>75°</td>
<td>27°C / 4°F</td>
<td>-20°C / 4°F</td>
</tr>
</tbody>
</table>

### Efficiency Ratings:

- SEER / HSPF: 23.1 / 12.5
- COP at 47°F / 17°F: 3.84 / 3.1
- Energy Star: Yes

### Electrical Power Requirements:

- 208 / 230V, 1-Phase, 60 Hz

### Minimum Circuit Ampacity (MCA):

- Indoor / Outdoor: A 1 / 9

### Indoor Unit:

- Blower Motor (ECM): F.L.A. 0.76
- Blower Motor Output: W 30
- SHF / Moisture Removal: 0.740 / 2.5 pt./h
- Field Drainpipe Size O.D.: In (mm) 5/8 (15)

### Outdoor Unit:

- Compressor: DC INVERTER-driven Twin Rota
- Fan Motor (ECM): F.L.A. 0.5

### Airflow Rate (Quiet - Lo - Med - Hi - Super Hi):

<table>
<thead>
<tr>
<th>Condition</th>
<th>CFM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor (Cooling)</td>
<td>DRY</td>
</tr>
<tr>
<td>Indoor (Heating)</td>
<td>DRY</td>
</tr>
<tr>
<td>Outdoor</td>
<td>1,229 / 1,172</td>
</tr>
</tbody>
</table>

### Sound Pressure Level (Quiet - Lo - Med - Hi - Super Hi):

<table>
<thead>
<tr>
<th>Condition</th>
<th>dB(A)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor</td>
<td>19-22-30-37-45</td>
</tr>
<tr>
<td>Outdoor</td>
<td>49</td>
</tr>
</tbody>
</table>

### External Dimensions:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Length (mm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor (H x W x D)</td>
<td>11-5/8 x 31-7/16 x 9-1/8 (295 x 798 x 232)</td>
</tr>
<tr>
<td>Outdoor (H x W x D)</td>
<td>21-5/8 x 31-1/2 x 11-1/4 (550 x 800 x 285)</td>
</tr>
</tbody>
</table>

### Net Weight:

<table>
<thead>
<tr>
<th>Condition</th>
<th>Lbs. (kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indoor</td>
<td>22 (10)</td>
</tr>
<tr>
<td>Outdoor</td>
<td>81 (37)</td>
</tr>
</tbody>
</table>

### Refrigerant Piping (Flared):

- Liquid (High Pressure): In (mm) 1/4 (6.35)
- Gas (Low Pressure): 3/8 (9.52)
- Max. Total Refrigerant Pipe Length (Height Diff.): 40 (12)
- Max. Total Refrigerant Pipe Length (Length.): 65 (20)

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ENERGY STAR products are third-party certified by an EPA-recognized Certification Body. Specifications are subject to change without notice.
February 21, 2018

Christia Alou
Interim Village Manager
Village of El Portal
500 NE 87th Street
El Portal, FL 33138

RE: Application for Special Exception and Site Plan Approval
The Sanctuary in El Portal LP
205 NE 87th Street, El Portal, Florida

LETTER OF INTENT

Dear Ms. Alou:

This firm represents The Sanctuary in El Portal LP, the applicant ("Applicant") for special exception and site plan approval of a mixed-use project (the "Project" or "The Sanctuary") on the property located at 205 NE 87th Street, El Portal, Florida (the "Property"). The Project will serve as an important anchor along NE 2nd Avenue, promoting the community's vision to transform this corridor into a vibrant, pedestrian friendly, mixed-use main street within the Village of El Portal (the "Village"), as explored further below.

I. THE PROPERTY: LAND USE AND ZONING

The Property is approximately two acres in size (87,792 SF) and contains an existing structure previously used as a religious facility. The Property has a future land use designation of Medium Density Mixed Use under the Village's Comprehensive Plan. This future land use category allows for a broad range of office, commercial, and limited lodging uses in addition to multi-family residential development.

The Property is designated Zone 4 ("Z4") under the Village's recently adopted form-based zoning code (the "Code"). The Z4 designation, or "Main Street Zone", is designed to include small scale mixed-use development with a range of building types to create a walkable, human-scale urban environment.
II. PROPOSED PROJECT

A. Background

The proposed mixed-use Project, known as The Sanctuary, will serve as a vibrant and engaging anchor of El Portal’s main street corridor along NE 2nd Avenue. The Project will include approximately 10,617 square feet of office use, 2,713 square feet of retail space, a 3,524 square-foot restaurant, and approximately 4,776 square feet of multi-purpose event space with a capacity of 308 people for concerts, lectures, and other events within a pre-existing and renovated church structure on the Property.

B. Tenants

As currently proposed, the restaurant to be included within The Sanctuary is “Osteria Italiana”, a creation of the owners of Toscana Divina in Mary Brickell Village and Ironside Pizza. The restaurant will have a maximum of 150 seats and will be open for breakfast, lunch, and dinner. The Sanctuary will also proudly serve as the permanent home of Miami’s Nu Deco Ensemble (“Nu Deco”), a local 21st century orchestra. Nu Deco works in conjunction with guest musicians, composers, dancers, DJs, and media artists to create adventurous and unique classical music performances. As currently proposed, Nu Deco will hold evening programs five times per year, running from Thursday to Saturday. The anticipated attendance for these events is approximately 220 people. The event hall will also be home to up to four lectures per month with an estimated 100 attendees. These lectures will be held on weekdays during working hours. The orchestra, lectures, and dining opportunities are perfect community uses to launch the Village’s main street concept.

The Applicant intends the office spaces to be occupied by customary tenants such as non-profit organizations, attorneys, public relations firms, marketing and graphic design companies. Dry retail uses such as apparel, furniture, and fitness such as yoga are the target tenants for the retail spaces.

C. Operation and Parking

The office spaces will operate during typical business hours while the retail tenants may establish evening and weekend hours as is customary practice to encourage an activated pedestrian realm along the NE 2nd Avenue corridor. The restaurant will operate seven days a week serving breakfast, lunch, and dinner in addition to beer, wine, and liquor service, to be enjoyed with a meal or at one of The Sanctuary’s highly anticipated events. The Applicant intends to pursue a liquor license from the State of Florida.

A total of 58 parking spaces is required under the Code for the proposed Project. With 128 total parking spaces, inclusive of valet spaces, the Applicant is providing more than double the number of required parking spaces to ensure minimal disruption to neighbors and local traffic flow. Furthermore, parking during all events on the Property will be managed by valet service. A proposed valet design and operational plan is included with the application materials.
D. Landscaping and Irrigation

To ensure proper irrigation of the Property, the Applicant intends to contract a professional licensed and insured landscape firm to supplement rainfall and soil moisture under drought conditions. Automatic irrigation will be used to maintain the existing and proposed trees on the Property. The Applicant will ensure that the firm contracted to do the work will distribute water equally where necessary and will provide shop drawings once completed. Automatic irrigation will permit improved water-use efficiency through selective and targeted irrigation.

III. COMPATIBILITY WITH VILLAGE COMPREHENSIVE PLAN, FORM-BASED ZONING CODE, AND 2013 CHARRETTE

As noted above, the Property is designated Medium Density Mixed Use under the Village’s Comprehensive Plan. This designation allows for a "broad range of mixed-use, office, and commercial uses" in addition to multi-family residential dwellings and lodging uses. With a thoughtful mix of commercial, event space, and office uses, the proposed Project is compatible with this future land use designation.

Moreover, Objective 1.2 of the Village’s Comprehensive Plan states that the Village "shall continue to achieve a compatible and well designed mix of land uses in the N.E. 2nd Avenue corridor...," and under the Village's recently adopted form-based Code, the NE 2nd Avenue corridor along which the Property is located is designed to serve as the main street corridor of the Village. The Project directly furthers these objectives by providing a vibrant mixed-use anchor in the middle of the NE 2nd Avenue corridor, enhancing the pedestrian experience for residents and visitors within this area of the Village.

The vision of the NE 2nd Avenue corridor as the Village’s lively main street was established during the 2013 El Portal Community Design Charrette Study. The purpose of this study was to create a long-term vision for future development within the Village as identified by residents, government officials, and other local stakeholders. Participants’ desire to transform the NE 2nd Avenue corridor into a “vibrant, pedestrian friendly, mixed-use corridor” was later codified in the Code and Comprehensive Plan and is embodied by the proposed Project as described above.

IV. SPECIAL EXCEPTION

Pursuant to Article III of the Code, the office, retail, and restaurant uses within The Sanctuary are all permitted by right under the Z4 zoning designation. The multi-purpose event space is permitted under Z4, but requires an additional layer of review by staff and the Village Council through the Special Exception process to ensure this use is compatible with the surrounding area. Under the Code’s current use definitions within Section 24-B.8, this event space may qualify as both a "Place of Assembly" and an "Entertainment Establishment", depending on the type of event held. Both uses require Special Exception review and approval. Additionally, an establishment that receives a valid alcoholic beverage license from the State of
Florida that permits the sale and consumption of alcohol on site, to which the sale of food may be incidental, is defined under the Village's Code as an Alcohol Beverage Service Establishment, which also requires Special Exception approval.

In considering a use for Special Exception approval, the Village Council shall evaluate the following standards pursuant to Section 17-59 of the Village's Code of Ordinances:

1. No odor, dust, fumes, gas, smoke or other atmospheric pollutant shall be disseminated beyond the boundaries of the immediate site of the building in which the use is conducted in B-1 districts.

   The proposed uses are not located in a B-1 district. In any case, by their nature the Entertainment Establishment/Place of Assembly and the alcohol beverage service establishment uses will not produce odor, dust, fumes, gas, smoke or other atmospheric pollutant beyond the boundaries of the Property.

2. There shall be no noise or vibration resulting from or in connection with the use that is perceptible from any part of any district. See also chapter 13 of the Code of Ordinances.

   The Applicant will ensure events and activities on the Property are in compliance with the Village's noise ordinance as codified in Chapter 13. The uses will not create vibration perceptible from neighboring properties beyond what is typical of the types of uses promoted for the 2nd Avenue corridor under the Code.

3. There shall be no glare resulting from lights in connection with the use that is observable from outside the boundaries of the district within which the use is conducted.

   To ensure minimal disruption to neighbors, the Applicant is installing a high-quality fence along the eastern Property boundary to block glare from headlights and other lighting on the Property. Additionally, through the permitting process, Building Department staff will review issues of lighting on the property to ensure compliance with the Code.

4. The volume and type of vehicular traffic associated with such use, particularly its impact on residential streets, must be appropriate to the location and to the surrounding road network, as demonstrated by a professional traffic study to be prepared by the applicant or the applicant's representative and accepted by the Village planning director as complete and adequate. The Village Council may condition the approval of a special exception on improvements to the surrounding road network, or other multi-modal transportation improvements, if it determines them to be necessary based on the special exception hearing.

   A professional traffic study for the proposed Project was completed and submitted as part of the Special Exception application package. As noted above, the Project is providing more than double the number of parking spaces than is required and will provide valet services during all events. The traffic generated by the proposed uses is
appropriate to the location of the Property within the Village's bustling main street corridor.

5. Compliance with the goals, objectives and policies of the Village's adopted comprehensive plan.

The Project not only complies with the goals of Comprehensive Plan, but specifically furthers the objectives, policies, and spirit of the Plan under Objective 1.2, as described above.

6. Compliance with all applicable provisions of the Village's code.

The Project is located within a pre-existing structure on the Property. All aspects of the Project design that are within the control of the Applicant are in compliance with the Village's Code, as reviewed and vetted by the Village's professional staff.

7. The design of the proposed special exception prevents adverse visual impacts and the impact of intensity of the proposed use on adjacent lands. When considering design, the Village Council shall review the application to ensure that the dimensions, height, floor area ratio, setbacks, buffers, location and extent of parking, access drives, open space, appropriate connections to the community, service areas and landscaping are provided in a manner compatible with the area.

The proposed Project is located within a church structure that has existed on the Property for many years. The proposed renovations to the building will modernize and beautify the Property, providing a vibrant reuse of the structure that has long been a part of the Village's urban fabric.

For the foregoing reasons, the Applicant respectfully requests site plan approval of the proposed Project and Special Exception approval for a Place of Assembly/Entertainment Establishment and an Alcohol Beverage Service Establishment. Please do not hesitate to contact me should you have any questions or need additional information.

Sincerely,

Carly Grimm

CSG
Enclosures
cc: Brian S. Adler, Esq.
VILLAGE OF EL PORTAL
PLANNING AND ZONING DEPARTMENT
500 NE 67th St, Miami, FL 33138
Telephone No. 305.795.7880

SPECIAL EXCEPTION APPLICATION
AND PROCEDURE

OWNER AFFIDAVIT

I, Samuel Soriero, being first duly sworn, depose and say that I am the Manager of The Sanctuary at El Portal GP LLC, the general partner of The Sanctuary in El Portal LP, the legal owner of record of the property described and which is the subject of the proposed Special Exception, and that all statements and representations made are true and correct.

I acknowledge that I am subject to penalties of law, including the laws on perjury, and to possible revocation of this variance for any false or misleading statements in this application.

The Sanctuary in El Portal LP
A Florida limited partnership

By: The Sanctuary at El Portal GP LLC
A Florida limited liability company

By: 
Samuel Soriero
Manager

Sworn to and subscribed before me this 12th day of January, 2017. The foregoing instrument was acknowledged before me by Samuel Soriero, the Manager of The Sanctuary at El Portal GP LLC, the general partner of The Sanctuary in El Portal LP, who has produced Drivers License as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 7/30/2019

NOTARY PUBLIC

Niher Patel

MIAMI 5285734.1 82743/49691
Exhibit "A"

Legal Description

PARCEL 1:
LOTS 1 THROUGH 10, INCLUSIVE, BLOCK 2 OF "EL PORTAL HOMES", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 42, PAGE 7 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.

PARCEL 2:
LOT 6, BLOCK 2 OF "SHERWOOD FOREST UNIT 2", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE 80 OF THE PUBLIC RECORDS OF MIAMI/DADE COUNTY, FLORIDA.
Street View

Existing Monument Sign
Proposal to remain

Aerial View
Proposal to keep existing monument sign

The Sanctuary at El Portal

Note: This photo is only for illustration purposes when it relates to The Village of El Portal’s seal and aesthetic of monument sign.
January 11, 2018

Mr. Seth Gadinsky
Gadinsky Real Estate, LLC
1680 Michigan Avenue, Suite 1001
Miami Beach, Florida 33139

Re: Traffic Impact Statement - The Sanctuary at El Portal

Dear Mr. Gadinsky:

Pursuant to your request, Danielsen Consulting Engineers, Inc. (DC Engineers, Inc.) has prepared this traffic impact statement specific to The Sanctuary at El Portal. More specifically, the conversion of 6,048 square feet of the existing facility (currently vacant) into an event space capable of hosting lectures and orchestra-driven concerts is addressed. Additional development will include 4,690 square feet of retail space, 8,639 square feet of offices and a 5,223 square foot restaurant. The project site is located along the east side of NE 2nd Avenue between NE 87th Street and NE 88th Street within municipal limits of the Village of El Portal, Florida (Reference Figure 1). This traffic impact statement documents expected trip generation of the proposed event space and those proposed uses expected to be operational during a planned event and provides an estimate of project traffic assignment and distribution at adjacent intersections. The following is a summary of our findings.

Trip Generation

Trip generation estimates were determined using rates and formulae published in the most recent edition of the Institute of Transportation Engineers (ITE) report *Trip Generation*. Based upon this information, the weekday, AM peak hour, and PM peak hour trip generation rates for existing and proposed land uses are as follows

**Community Center - ITE Land Use #495**

- Weekday: $T = 33.82 (X)$
  - where $T$ = number of trips, $X$ = 1,000 sf gross floor area
- AM Peak Hour of Adjacent Street: $T = 2.05 (X)$ (66% entering/34% exiting)
- PM Peak Hour of Adjacent Street: $T = 2.74 (X)$ (49% entering/51% exiting)

Incorporating rates detailed above, the 6,048 square foot event space is expected to produce 205 vehicle trips per day with 13 vehicle trips occurring during the AM peak hour of the adjacent street (8 entering and 5 exiting) and 17 vehicle trips occurring during the PM peak hour of the adjacent street (8 entering and 9 exiting). As ITE rates do not reflect significant events occurring outside typical peak hours of the adjacent roadway network, a peak hour rate was developed to reflect an orchestral performance and 308 available seats. The following Peak Hour of the Generator rate assumes 95% occupancy, 2.5 persons per vehicle and one event per day.

12743 NW 13th Court, Coral Springs, Florida 33071
Tel: (954) 798-0926
DC Engineers, Inc.

- Peak Hour of the Generator: \[ T = 38.70(X) \] (50% entering\50% exiting)

The event-specific rate yields 234 vehicle trips (117 entering and 117 exiting)

**Quality Restaurant - ITE Land Use #931**

Daily Trips: \[ T = 83.84(X) \] (50% inbound and 50% outbound)  
where \( T = \) number of trips and \( X = 1,000 \) square feet GFA

AM Peak Hour Trips \( T = 4.47(X) \) (80% inbound and 20% outbound)  
PM Peak Hour Trips \( T = 8.28(X) \) (61% inbound and 39% outbound)  
*peak hour of the generator.*

**Shopping Center - ITE Land Use #820**

Daily Trips: \[ T = 37.75(X) \] (50% inbound and 50% outbound)  
where \( T = \) number of trips and \( X = 1,000 \) square feet GLA

AM Peak Hour Trips \( T = 3.00(X) \) (54% inbound and 46% outbound)  
PM Peak Hour Trips \( T = 4.21(X) \) (50% inbound and 50% outbound)  
*peak hour of the generator.*

Using the above trip generation rates and formulae from the ITE document, a trip generation analysis was undertaken for the proposed development. The results of this effort are documented in report Table 1. As shown in Table 1, the proposed event space, retail use and restaurant space are expected to produce 849 gross daily trips, approximately 37 gross AM peak hour trips (26 entering and 11 exiting), and approximately 297 gross PM peak hour trips (153 entering and 144 exiting). Vehicle trips attributable to the office space were not considered as the time period analyzed is during a typical event which is expected to occur outside normal business hours.

Figures 2 and 3 illustrate how these trips may be distributed to the area roadway network. Distribution and assignment of vehicle trips has been completed in accordance with cardinal distributions published by Miami Dade County for Traffic Analysis Zone (TAZ) 409 within which the project site is located. Vehicles will enter the valet queue/parking area via NE 88 Street and exit along NE 87 Street according to the current site plan prepared by Barretta & Brewer Associates, Inc.

For comparison purposes trips were generated for the 45,000 square foot Miami Shores Presbyterian church located at 602 NE 96 Street in Miami Shores, Florida. Trip generation estimates include the church itself as well as a 23-student pre-school and a 185-student elementary school (grades 1-5). As shown in Table 2, this church likely produces 1,147 gross daily trips (weekday), approximately 215 gross AM peak hour trips (118 entering and 97 exiting), and approximately 96 gross PM peak hour trips (49 entering and 47 exiting). On a typical Sunday the church likely produces 432 vehicles during the peak hour with 207 entering and 225 exiting.

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DC Engineers, Inc.

I trust this will assist in your efforts with the Village. Of course, please do not hesitate to call or email with any questions you may have.

DANIELSEN CONSULTING ENGINEERS, INC.

[Signature]

J. Suzanne Danielsen, P.E.
Senior Transportation Engineer

[License Stamp]

J. Suzanne Danielsen, P.E.
Florida Registration Number 42533
Danielsen Consulting Engineers, Inc.
12743 NW 13th Court
Coral Springs, FL 33071
CA # 3202

12743 NW 13th Court, Coral Springs, Florida 33071
Tel: (954) 798-0926
### Table 1: Trip Generation Summary Proposed Uses

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Scale</th>
<th>Units</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Daily</th>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Total Trips</td>
<td>Total Trips</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Inbound</td>
<td>Inbound</td>
<td>Outbound</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Qually Restaurant (LUC 931)</td>
<td>5.223</td>
<td>ksf</td>
<td>23</td>
<td>43</td>
<td>438</td>
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<tr>
<td>Shopping Center (LUC 820)</td>
<td>4.680</td>
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<td>20</td>
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<tr>
<td>Event Space</td>
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<td>0</td>
<td>234</td>
<td>234</td>
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<tr>
<td><strong>External Trips</strong></td>
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<td></td>
<td>37</td>
<td>297</td>
<td>849</td>
</tr>
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</table>

Source: ITE report Trip Generation (10th Edition)

### Table 2: Comparable Site

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
<th>Daily</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total Trips</td>
<td>Total Trips</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Inbound</td>
<td>Inbound</td>
<td>Outbound</td>
</tr>
<tr>
<td>Church (LUC 565)</td>
<td>45,000</td>
<td>ksf</td>
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<td>30</td>
</tr>
<tr>
<td>Day Care Center (LUC 565)</td>
<td>23</td>
<td>stds</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>Elementary School (Private) (LUC 534)</td>
<td>185</td>
<td>stds</td>
<td>168</td>
<td>48</td>
</tr>
<tr>
<td><strong>External Trips</strong></td>
<td></td>
<td></td>
<td>215</td>
<td>96</td>
</tr>
</tbody>
</table>


DC Engineers, Inc.
DISCUSSION ITEM: Amend Alcoholic Beverages Hours of Sale

PUBLIC HEARING(s):
1. Planning and Zoning Committee (PZC)
2. Village Council Meeting

DATE AND TIME: May 15, 2018; 7:00 pm

1. DISCUSSION ITEM:

There are future developments requesting to open an Alcohol and Beverage Establishment in the Village of El Portal, but the Code currently prohibits the consumption of alcohol on premises during the whole week.

2. BACKGROUND:

Chapter 3: Alcoholic Beverages, Sec. 3-1.-Hours of sale, of the Village of El Portal Code of Ordinances, currently prohibits the sale, services or offer to sell or serve any beer, wine or alcoholic beverage for the consumption on premises of businesses holding a valid alcoholic beverage license from the state, which permits the sale for consumption on the premises of alcoholic beverages as a Use, on Mondays through Saturdays between the hours of 7:00 a.m. and 2:00 a.m., and on Sundays from 12:00 noon to 2:00 a.m.

3. REQUEST:

Amend Chapter 3: Alcoholic Beverages, Sec. 3-1.-Hours of sale, of the Village of El Portal Code of Ordinances in order to allow all businesses holding a state and beverage license to sell or serve alcoholic beverages on ______ through ______ between the hours of ______ and ______, and on ______ from ______ to ______. [Hours of operation to be discussed.]

3. STAFF RECOMMENDATION: AMEND THE HOURS OF SALE OF ALCOHOLIC BEVERAGES IN THE CODE.

Staff recommends amending the hours of sale, thereby permitting the selling and consumption of alcoholic beverages during the week, similar to neighboring municipalities, to encourage the growth and success of businesses within the Village.
VILLAGE OF EL PORTAL, FLORIDA

ORDINANCE NO. 2018-04

CODE AMENDMENT FOR ALCOHOLIC BEVERAGES

AN ORDINANCE OF THE VILLAGE OF EL PORTAL, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 3: ALCOHOLIC BEVERAGES, SEC. 3-1.-HOURS OF SALE, PROVIDING FOR UPDATED HOURS OF SALE; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS, REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 3: Alcoholic Beverages, Sec. 3-1.-Hours of sale, of the Village of El Portal Code of Ordinances, currently prohibits the sale, services or offer to sell or serve any beer, wine or alcoholic beverage for the consumption on premises of businesses holding a valid alcoholic beverage license from the state which permits the sale for consumption on the premises of alcoholic beverages as a Use on Mondays through Saturdays between the hours of 7:00 a.m. and 2:00 a.m., and on Sundays from 12:00 noon to 2:00 a.m.; and

WHEREAS, the Village desires to aid and encourage the Village’s economic vitality and the growth and success of businesses within the Village; and

WHEREAS, the Village of El Portal desires to amend Chapter 3: Alcoholic Beverages, Sec. 3-1.-Hours of sale, of the Village of El Portal Code of Ordinances in order to allow all businesses holding a state and beverage license to sell or serve alcoholic beverages on _______ through _______ between the hours of _______ and _______, and on _______ from _______ to _______ with the opportunity to do so; and
NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The provisions and language currently contained in Chapter 3 – Alcoholic Beverages, Sec. 3-1. – Hours of Sale, of the Village of El Portal Code of Ordinance is hereby amended to read as set forth below:

CHAPTER 3 – Alcoholic Beverages

Sec. 3-1. – Hours of Sale

It shall be unlawful for the holder of a license to sell intoxicating liquors and beverages containing alcohol, wines and beers, at retail, for consumption on the premises, on Mondays through Saturdays between the hours of 7:00 a.m. and 2:00 a.m., and on Sundays from 12:00 noon to 2:00 a.m. on ________ through ________ between the hours of ________ and ________, and on ________ from ________ to ________. An area of consumption would include a cocktail lounge, nightclub or bar.

SECTION 3. All ordinances or parts of ordinances in conflict herewith or inconsistent herewith, are hereby repealed, but only insofar as such ordinances may be inconsistent or in conflict with this Ordinance.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the Village Council that the provisions of this Ordinance shall become and be made a part of Ordinance No. _____ as amended and known as the "Code of Ordinances" of the Village of El Portal, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. If the Official Code of Ordinances of the Village of El Portal Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This ordinance shall become effective _______, 2018.
PASSED AND ADOPTED THIS _____ DAY OF __________, A.D. 2018.

APPROVED:

CLAUDIA V. CUBLLOS
MAYOR

ATTEST:

YENISE JACOBI
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

NORMAN POWELL
VILLAGE ATTORNEY
VILLAGE OF EL PORTAL

PROPOSED SCOPE OF SERVICES AND PROPOSED FEE

FOR

PROFESSIONAL ENGINEERING SERVICES

FOR

INSPECTION OF DRAINAGE STRUCTURES, OUTFALLS, AND SWALES

&

SUBMITTAL OF PAST DUE NDPES ANNUAL REPORTS

Dated: November 9, 2017
Revised: May 1, 2018

CRAIG A. SMITH & ASSOCIATES
Consulting Engineers • Surveyors • Utility Locators
7777 Glades Road,
Boca Raton, FL 33434
Palm Beach (561) 314-4445, Dade (305) 940-4661, Broward (954) 782-8222
FAX (561) 314-4457
PROPOSED SCOPE OF SERVICES AND PROPOSED FEE
FOR
PROFESSIONAL ENGINEERING SERVICES
FOR
Inspection of drainage structures, outfalls, and swales &
submittal of past due NPDES annual reports

PROJECT NAME: VILLAGE OF EL PORTAL  PROPOSAL NO: P3635

PROJECT DESCRIPTION: The revised proposal includes the preparation and submittal of the past due National Pollution Discharge Elimination System (NPDES) Annual Reports (3). The reports that are past due places the Village in non-compliance with the Florida Environmental Protection NPDES program which could lead to potential enforcement action and penalty fines.

This proposal includes providing professional engineering and inspection services of past stormwater improvements to assist the Village with the reporting requirements of the NPDES permit as it pertains to Part III.A.1 “Structural Controls and Stormwater Collection System Operation” of the permit. These services will be billed at the attached hourly rates for a not to exceed amount. CAS field representative will perform an observation of each drainage structure and report its findings. Maintenance on structures and on engineered swales may be required and CAS will make its recommendations known to the Village.

OWNER: Village of El Portal

Attention: Christia Alou, Manager
villagemanager@villageofelporal.org

Address: 500 NE 87th Street
Village of El Portal, FL 33138-3517

Phone: (305) 795 - 7880
FAX: (305) 795 - 7884

BACKGROUND: The NPDES Stormwater Program regulates point source discharges from three potential sources: Municipal Separate Storm Sewer Systems (MS4s), construction activities and industrial activities. The NPDES Stormwater Program in Tallahassee is responsible for the development, administration and compliance of rules and policy to minimize and prevent pollutants in stormwater discharges. Operators of these sources may be required to obtain an NPDES permit before they can discharge stormwater.
Stormwater runoff is generated from rain events that flow over land or impervious surfaces, such as paved streets, parking lots and building rooftops, and does not soak into the ground. The runoff picks up pollutants like trash, chemicals, oils, and dirt/sediment that can harm our rivers, streams and lakes. To protect these resources, municipalities, construction and industrial activities, and others use stormwater controls, known as Best Management Practices (BMPs), to manage runoff. The implementation of these practices, which include BMP design, performance and adaptive management requirements, prevent or minimize pollution by controlling it at its source.

The Village, like other participating municipalities, is a co-permittee with Miami-Dade County's NPDES permit. Each municipality is responsible for administering their respective NPDES program including the submittal of the annual report as required by FDEP.

CAS proposes to accomplish the professional services as follows:

ITEM No.

E57A DRAINAGE STRUCTURE OBSERVATIONS

A CAS field representative will perform an observation of each drainage structure and report its findings. Maintenance on structures and on engineered swales may be required and CAS will make its recommendations known to Village. There are at least 83 structures to be inspected and these consist of accessible catch basins, control structures, manholes, water quality (hydrodynamic separators) structures and two major stormwater outfalls to the C-7 Canal. Drainage facilities that have not been replaced since the adoption of the 2002 Stormwater Master will be assessed in the field as well. CAS will gather available drainage structure as-built drawings and surveys to assist with field assessments and observations. Services will be billed at the approved hourly rates for a not to exceed agreed upon amount shown below (Max. hours: 64).

Hourly Not to Exceed Fee: $7,040.00

E53A REPORTING AND MAINTENANCE RECOMMENDATIONS

Maintenance of drainage systems may be recommended and maintenance is not part of this proposal. CAS can assist the Village with the solicitation for these services from qualified vendors upon request. Field findings will be reviewed by in house Engineering staff and findings will be reported to the Village in tabular format to assist the Manager with NPDES reporting requirements with supporting as-built plans.

The revised proposal includes the preparation and submittal of the NDPES Annual Reports (3) which are past due and include Cycle 3 - Year 5 Annual Report (6/2015 - 6/2016), Year 6 (6/2016 - 6/2017), Year 7 (6/2017 - 12/2017). CAS will provide assistance to the Village with the development an Illicit Discharge Inspection Standard Operating Procedure (SOP) and Construction site inspection SOP. CAS will make all reasonable efforts to bring the Village into compliance with its NDPES reporting requirements. CAS Services will be billed at the approved hourly rates for a not to exceed agreed upon amount shown below (Max. hours: 60).

Hourly Not to Exceed Fee: $10,080.00

E53B FUTURE ANNUAL REPORTING

Prepare and submit for future Cycle 4 Permit requirements as follows:
CAS Services will be billed at the approved hourly rates for a not to exceed agreed upon amount shown below (Max. hours: TBD). Upon determining level of effort needed for Parts VII & V.B., CAS will advise on the cost and come back to the Village for approval.

**Hourly Not to Exceed Fee: TBD**

**SUMMARY OF COSTS**

CAS proposes to accomplish the professional engineering services listed at the hourly rates for the not to exceed amounts shown below.

| DRAINAGE STRUCTURE OBSERVATIONS (Hourly) | $7,040.00 |
| REPORTING AND RECOMMENDATIONS (Hourly) | $10,080.00 |
| FUTURE REPORTING                           | TBD       |
| **TOTAL**                                  | **$17,120.00** |

Thank you for your time and effort in supporting this project and we look forward to working together with the Village on reaching compliance with the NPDES Permit. Any service not specifically included in the final Agreement will be considered as an Additional Service. CAS will accomplish Additional Services upon proper written authorization of the CLIENT. The fees for Additional Services are at the attached hourly rates or at a mutually agreed upon Lump Sum Fee. If this proposal is acceptable, please execute as indicated and return one executed copy to our office for our files.

Yours Sincerely,

CRAIG A. SMITH & ASSOCIATES

Orlando A. Rubio, PE
Sr. Supervising Engineer

**ACCEPTED BY:**

**VILLAGE OF EL PORTAL**

Signature ___________________________________________ Date __________________________

Name of Authorized Representative ___________________________ Title of Authorized Representative ___________________________
<table>
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<th>Position</th>
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<td>Principals</td>
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<tr>
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<tr>
<td>Survey Crew - pile staking</td>
<td>$180.00</td>
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</tbody>
</table>

*These rates are in effect for services rendered commencing March 1, 2016 and are subject to change.*
CRAIG A. SMITH & ASSOCIATES, INC.

2016
REIMBURSABLE EXPENSES

- 3D Scanner Usage $3,000.00/day
- Computer Usage (CADD) $2.50/hour
- Reproductions
  - Engineering (24 x 36) $2.50/sht
  - Engineering Color $3.50/sht
  - Standard Copies $0.30/sht
  - Standard Color $0.40/sht
  - Ledger (11 x 17) $0.40/sht
  - Ledger Color $0.55/sht
- Recording & Permit Fees Cost + 10%
- Services of Outside Consultants Cost + 10%
- Federal Express or Courier Services Cost + 10%
- Commercial Air Travel Cost + 10%
- Long Distance Phone Cost + 10%
- Auto Travel Expense $ 0.56 / mile
- Meals – Per Diem $35.00
- Lodging Cost + 10%

These rates are in effect for services rendered commencing March 1, 2016 and are subject to change.
THIRD EXTENSION
TO THE
STORMWATER UTILITY INTERLOCAL AGREEMENT
BETWEEN THE VILLAGE OF EL PORTAL
AND THE
MIAMI-DADE COUNTY STORMWATER UTILITY

WHEREAS, the BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA (BOARD) approved Resolution No. R-375-03 on April 22, 2003, authorizing execution of the Stormwater Utility Interlocal Agreement (AGREEMENT) between The Village of El Portal (VILLAGE) and the Miami-Dade County Stormwater Utility (UTILITY); and

WHEREAS, on May 5, 2003, the UTILITY and the VILLAGE executed the AGREEMENT to continue relationships and responsibilities to carry out the functions of the Miami-Dade County Stormwater Utility within the geographic boundary of the Village of El Portal, as set forth in Article V of Chapter 24 of the Code of Miami-Dade County; and

WHEREAS, pursuant to Resolution No. R-375-03, the BOARD authorized the County Manager to exercise the extension and termination provisions contained within the AGREEMENT; and

WHEREAS, the initial five (5) year term of the AGREEMENT ended on May 4, 2008; and

WHEREAS, the AGREEMENT may be extended for five (5) additional terms of five (5) years each; and

WHEREAS, the first five (5) year extension of the AGREEMENT expired May 4, 2013; and

WHEREAS, the second five (5) year extension of the AGREEMENT will expire May 4, 2018;
NOW, therefore, the parties hereto agree as follows:

The STORMWATER UTILITY INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF EL PORTAL AND THE MIAMI-DADE COUNTY STORMWATER UTILITY, executed by both the VILLAGE and the UTILITY on May 5, 2003, is hereby extended for a term of five (5) years through and including May 4, 2023. This Third Extension to the AGREEMENT shall become effective on May 5, 2018. All other terms and conditions of the AGREEMENT shall remain in full force and effect and be unchanged.
THIRD EXTENSION TO THE STORMWATER UTILITY INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF EL PORTAL AND THE MIAMI-DADE COUNTY STORMWATER UTILITY FOR A FIVE (5) YEAR TIME-ONLY EXTENSION

IN WITNESS WHEREOF, this Stormwater Utility Interlocal Agreement Extension No. 3 is executed by the respective and duly authorized officers.

ATTEST: VILLAGE OF EL PORTAL, FLORIDA (AFFIX VILLAGE SEAL)

Title: VILLAGE MANAGER

Print Name: ______________________________

Signature: ______________________________

Date: _______________________________ By: ______________________________

Village Clerk

Approved as to form and legal sufficiency:

By: _______________________________

Village Attorney

FOR MIAMI-DADE COUNTY, FLORIDA:

By: _______________________________ By: _______________________________ Date: ________

Clerk of the Board County Mayor or Designee

ATTEST: MIAMI-DADE COUNTY, FLORIDA (SEAL)

HARVEY RUVIN, CLERK

Approved by County Attorney as to form and legal sufficiency. _______
INTERLOCAL AGREEMENT
FILM PERMITTING

MIAMI-DADE COUNTY – VILLAGE OF EL PORTAL

WHEREAS, the Board of County Commissioners passed Ordinance 91-50, in order to effect a one stop permitting process within the Miami-Dade Office of Film and Entertainment ("Film Office"); and

WHEREAS, the Ordinance allows for the County to enter into interlocal agreements with the various municipalities within Miami-Dade County in order for the Miami-Dade Film Office to permit for use of municipal property and services; and

WHEREAS, the various municipalities have expressed willingness to enter into agreement with Miami-Dade County to perform this function on their behalf:

NOW THEREFORE, for and in consideration of the terms, conditions and covenants contained herein, Miami-Dade County and the Village of El Portal hereto agree as follows:

1. Purpose: The Village of El Portal hereby authorizes the County, through its Film Office, to issue permits to film and still photography production companies allowing them to utilize City facilities and services as authorized by the City.

2. Term: The Village grants authorization to the County, through its Film Office, to issue permits for the period of five years, commencing ten (10) days from the date of approval of this agreement by both parties.

3. Cancellation: This agreement may be canceled by either party by providing written notice of intention to terminate, with 30 days prior notice, with or without cause. Any permits which may have been issued prior to termination, but covering dates after the termination date will be honored.

4. Liaison: The Village of El Portal will appoint a representative to act as liaison to the Film Office, and who will coordinate Village facilities and services, and who shall have the authority to authorize the issuance of permits by the County on behalf of the Village.

5. Advance Notice: The County agrees to provide written notice to the Village of El Portal, via email and U.S. mail, of requests for Village facilities or services within one working day of receipt of the request from a production company for such service. The Village retains the right to deny issuance of a permit based on insufficient advance notice.

6. Insurance: The County, through its Film Office agrees to obtain from any production company issued a permit for the Village, an insurance certificate, naming the Village as additionally insured, in the amount of one million dollars ($1,000,000.00) for film production and for still photography, providing for comprehensive general liability coverage. In the event that the County fails to verify required insurance, and the Village has not waived said requirement, the County shall assume liability under state tort law, within
limitations described by 768.28 of Florida Statutes. Verifying insurance means that the County obtains a copy of the production company's liability insurance policy naming the Village as an additional insured in the amounts described above.

7. Refusal: The Village Manager in his/her discretion maintains the right to reject any permit application if the Village determines that it would not be in the best interest of the Village to approve the permit application and the granting of the permit would not serve to promote the general welfare of the community.

8. Non Exclusive Rights: The Village of El Portal retains the right to issue authorization to any production company directly and without notice to the Film Office.

9. Priority Service Consideration: The County agrees that Village services will be given first right to provide support service to production companies which are utilizing Village property.

10. Guidelines: The Village of El Portal agrees to provide in writing, Guidelines to govern the issuance of permits issued on the Village's behalf. These Guidelines are subject to revision at any time, subject to ten (10) days written notice to the Film Office. All Guidelines must conform to law.

11. Facilities: The Village of El Portal agrees to provide in writing, a schedule of facilities, services and associated fees and required deposits, which it wishes to make available for use. Further, the County agrees to forward any requests for special facilities which the Village may own or control and may be requested by a production company.

12. Collections: The Village of El Portal agrees that they will be responsible for the billing and collection of any fees or charges assessed to a production company for use of facilities and/or services and the County will in no way be liable for such charges, if unpaid. The County shall not issue permits to film and still photography production companies that have unpaid fees or charges assessed by the Village under this section, provided the Village has notified the County of such unpaid fees or charges.

13. Hold Harmless: The Village of El Portal agrees that they will hold the County harmless and that the County will be in no way be liable for any damages caused by a production company permitted to film in the Village, where the permit was issued with the appropriate authorization of the Village's Liaison.

14. Cooperative Marketing: The County agrees to include the Village in any cooperative marketing material which may be issued from the Film Office, and the terms and costs will be determined at the time of production. Further, the County agrees to list the Village by name in any reference to "one stop Permitting and its participating municipalities." However, the cost to the Village shall not exceed $5,000 without prior approval of the Village Commission by written resolution.
15. Facility Photo File: The Village agrees to provide the County with photographs of available areas or facilities which the Village wishes to promote for the use of film production and the County agrees to make this material available to production companies, in an effort to market the Village, County and South Florida to the film industry.

16. Notice: All legal notices regarding this agreement must be sent to the following address:

Miami - Dade County
Deputy Mayor Jack Osterholt
Attn: Office of Film & Entertainment
111 NW 1st Street, 12th Floor
Miami, FL 33128

Village of El Portal
Village Manager, Christia Alou
500 NE 87th Street
El Portal, Florida 33138

17. This agreement may be amended only by the mutual written consent of both parties.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by their appropriate officials, as of the date first above written.

ATTEST:

Harvey Ruvin, Clerk
MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS

BY ________________________________                        BY ________________________________

Clerk                                           Mayor Carlos A. Gimenez

Approved as to form ________________________________
County Attorney

______________________________

ATTEST:                                 Village of el portal
Village Clerk
Pursuant to Resolution ________________________________

BY ________________________________                        BY ________________________________

Village Clerk                                           Village Manager

Approved as to form ________________________________
Village Attorney
VILLAGE OF EL PORTAL

PERMIT APPLICATION

Date:

Job Address: 5471 NE 4TH AVE

Legal Description/Description

Owner/Lessee Name: VILLAGE OF EL PORTAL

CONTRACTOR INFORMATION

Name: CCU

Address: 3905 NW 107 Ave # 306

Qualifier's Name: TERESA GRUDZIECK

Work Description: BETTERMENTS- SPAN REPLACEMENT

Area:

Permit Type: BLDG 0

MC PF: 0

Job Value: 0

WARNING TO OWNER: Your failure to record a notice of commencement may result in your paying twice for improvements to your property. If you intend to obtain financing, consult with your lender or an attorney before recording your notice of commencement.

Application is hereby made to obtain a permit to do work and installations as indicated above, and on the attached schedule (if applicable). I certify that all work will be performed in conformance with the standards of the laws regulating construction in this jurisdiction. I understand that separate permits are required for Windows/Doors, Shop Drawings Electrical, Plumbing, Signs, Pools, Roofing & Mechanical Works.

OWNER'S AFFIDAVIT: By signing this application, I certify that I am the legal owner of the above-mentioned property and that all the information provided herein is true and correct. Furthermore, I authorize the above-named contractor to do the work stated under this application.

Signature of Owner

Notary Seal and Verification

Signature of Contractor

[Notary Seal and Signature]

[Name of Notary Public]
1. START PROJECT 0+00
   EXISTING TERMINAL
   BORE PIT 5'X5'
   0+00 TO 0+05

2. END PROJECT 1+20
   EXISTING TERMINAL
   BORE PIT 5'X5'
   1+15 TO 1+20