

City Commission
Susan Gottlieb, Mayor

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



City Manager
Eric M. Soroka, ICMA-CM

City Clerk
Teresa M. Soroka, MMC

City Attorney
Weiss Serota Helfman
Pastoriza Cole & Boniske

AGENDA

SEPTEMBER 19, 2012 6 PM

Government Center
19200 West Country Club Drive
Aventura, Florida 33180

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC HEARINGS: ORDINANCES: SECOND READING - 2012/2013 BUDGET**
 - A. **AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ESTABLISHING AND ADOPTING THE CITY OF AVENTURA AD VALOREM TAX OPERATING MILLAGE LEVY RATE AT 1.7261 MILS PER THOUSAND DOLLARS OF TAXABLE ASSESSED PROPERTY VALUE, WHICH IS 6.71% ABOVE THE ROLLED BACK RATE COMPUTED PURSUANT TO STATE LAW, FOR THE 2012 TAX YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**
 - B. **AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE ATTACHED TENTATIVE OPERATING AND CAPITAL BUDGET, AS REVIEWED AND APPROVED BY CITY COMMISSION AT THE REVIEW MEETING HELD ON JULY 19, 2012, AS THE CITY OF AVENTURA FINAL BUDGET FOR THE 2012/2013 FISCAL YEAR, PURSUANT TO SECTION 4.05 OF THE CITY CHARTER; AUTHORIZING EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; PROVIDING FOR BUDGETARY CONTROL; PROVIDING FOR PERSONNEL AUTHORIZATION; PROVIDING FOR GIFTS AND GRANTS; PROVIDING FOR AMENDMENTS; PROVIDING FOR PROCEDURES REGARDING ENCUMBRANCES AND THE RE-APPROPRIATION OF UNEXPENDED CAPITAL APPROPRIATIONS; ESTABLISHING THE COMMITTED FUND BALANCE FOR CAPITAL RESERVE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**
4. **ADJOURNMENT**

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. 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 OF AVENTURA
OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: September 4, 2012

SUBJECT: **Ordinance Adopting Ad Valorem Tax Rate for Fiscal Year 2012/13**

1st Reading September 11, 2012 City Commission Meeting Agenda Item 3A
2nd Reading September 19, 2012 City Commission Meeting Agenda Item 3A

Attached for your approval is an Ordinance adopting the ad valorem tax rate for fiscal year 2012/13.

RECOMMENDATION

It is recommended that the City Commission adopt a millage rate of 1.7261 for fiscal year 2012/13. This rate includes no increase. This will generate \$12,300,495 based on an assessed value of \$7,501,239,017. In light of the economic times our residents and businesses are experiencing the decision was made to hold our millage rate to the previous year.

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

EMS/act

Attachment

ORDINANCE NO. 2012-__

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ESTABLISHING AND ADOPTING THE CITY OF AVENTURA AD VALOREM TAX OPERATING MILLAGE LEVY RATE AT 1.7261 MILS PER THOUSAND DOLLARS OF TAXABLE ASSESSED PROPERTY VALUE, WHICH IS 6.71% ABOVE THE ROLLED BACK RATE COMPUTED PURSUANT TO STATE LAW, FOR THE 2012 TAX YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Miami-Dade County Property Appraiser has certified a Tax Assessment Roll for the year 2012 which includes the assessment for the City of Aventura; and

WHEREAS, the City Commission and the City Manager of the City of Aventura have reviewed the 2012/2013 fiscal year budget for the various operating departments of the City and the means of financing said budget; and

WHEREAS, the City Commission has considered an estimate of the necessary expenditures contemplated for the fiscal year ensuing, and has determined that the levy set forth herein below shall provide a portion of the necessary funds for said expenditures.

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

Section 1. The City Commission does hereby establish and adopt the City of Aventura Ad Valorem Tax Operating Millage Levy Rate of 1.7261 mils for the 2012 tax year, or \$1.7261 per thousand dollars of taxable assessed property value. Said rate is greater than the rolled back rate of 1.6175 mills by 6.71%.

Section 2. The Miami-Dade County Tax Collector is hereby directed to proceed with the collection and enforcement of the taxes levied herein as authorized by State and County law.

Section 3. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. 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 Zev Auerbach	_____
Commissioner Bob Diamond	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Luz Urbàez Weinberg	_____
Vice Mayor Teri Holzberg	_____
Mayor Susan Gottlieb	_____

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

PASSED AND ADOPTED on first reading this 11th day of September, 2012.

PASSED AND ADOPTED on second reading this 19th day of September, 2012.

Susan Gottlieb, Mayor

ATTEST:

Teresa M. Soroka, MMC
City Clerk

Approved as to Form and Legal Sufficiency:

City Attorney

CITY OF AVENTURA

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: City Commission

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

DATE: September 4, 2012

SUBJECT: **Ordinance Adopting 2012/2013 Operating and Capital Budget**

1st Reading September 11, 2012 City Commission Meeting Agenda Item 3B
2nd Reading September 19, 2012 City Commission Meeting Agenda Item 3B

Attached for your consideration is the adopting Ordinance and documentation for the 2012/13 Operating and Capital Budget.

The Ordinance format is similar to the one utilized to adopt the 2011/12 fiscal year.

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

EMS/act

Attachment

ORDINANCE NO. 2012-__

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE ATTACHED TENTATIVE OPERATING AND CAPITAL BUDGET, AS REVIEWED AND APPROVED BY CITY COMMISSION AT THE REVIEW MEETING HELD ON JULY 19, 2012, AS THE CITY OF AVENTURA FINAL BUDGET FOR THE 2012/2013 FISCAL YEAR, PURSUANT TO SECTION 4.05 OF THE CITY CHARTER; AUTHORIZING EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET; PROVIDING FOR BUDGETARY CONTROL; PROVIDING FOR PERSONNEL AUTHORIZATION; PROVIDING FOR GIFTS AND GRANTS; PROVIDING FOR AMENDMENTS; PROVIDING FOR PROCEDURES REGARDING ENCUMBRANCES AND THE RE-APPROPRIATION OF UNEXPENDED CAPITAL APPROPRIATIONS; ESTABLISHING THE COMMITTED FUND BALANCE FOR CAPITAL RESERVE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. The tentative 2012/2013 Operating and Capital Improvement Program Budget, reviewed and approved by the City Commission on July 19, 2012, a copy of said budget being attached hereto and made a part hereof as specifically as if set forth at length herein, be and the same is hereby established and adopted as the City of Aventura's final budget for the 2012/2013 fiscal year. The tentative budget adopted hereby may be amended or adjusted by a motion approved by a majority vote of the City Commission at the public hearings in accordance with State Statutes.

Section 2. Expenditure of Funds Appropriated in the Budget Authorized. Funds appropriated in the Budget may be expended by and with the approval of the City Manager in accordance with the provisions of the City Charter and applicable law. Funds of the City shall be expended in accordance with the appropriations provided in the

Budget adopted by this Ordinance and shall constitute an appropriation of the amounts specified therein. Supplemental appropriations or the reduction of appropriations, if any, shall be made in accordance with Section 4.07 of the City Charter.

Section 3. **Budgetary Control.** The 2012/2013 Operating and Capital Outlay Budget establishes a limitation on expenditures by department total. Said limitation requires that the total sum allocated to each department for operating and capital expenses may not be increased or decreased without specific authorization by a duly-enacted Resolution affecting such amendment or transfer. Therefore, the City Manager may authorize transfers from one individual line item account to another, so long as the line item accounts are within the same department and fund.

Section 4. **Personnel Authorization.** The "Personnel Allocation Summary" included within each department budget enumerates all authorized budgeted positions for appointment by the City Manager. All personnel filling said authorized positions shall be paid pursuant to the City's Budget, Personnel Policies and/or collective bargaining agreements.

Section 5. **Grants and Gifts.** When the City of Aventura receives monies from any source, be it private or governmental, by Grant, Gift, or otherwise, to which there is attached as a condition of acceptance any limitation regarding the use or expenditures of the monies received, the funds so received need not be shown in the Operating Budget nor shall said budget be subject to amendment of expenditures as a result of the receipt of said monies, but said monies shall only be disbursed and applied toward the purposes

for which the said funds were received. To ensure the integrity of the Operating Budget, and the integrity of the monies received by the City under Grants or Gifts, all monies received as contemplated above must, upon receipt, be segregated and accounted for based upon generally accepted accounting principles and where appropriate, placed into separate and individual trust and/or escrow accounts from which any money drawn may only be disbursed and applied within the limitations placed upon the Gift or Grant as aforesaid.

Section 6. Amendments. Upon the passage and adoption of the 2012/2013 fiscal year Budget for the City of Aventura, if the City Manager determines that an Operating Department Total or a Capital Outlay Line Item will exceed its original appropriation, the City Manager is hereby authorized and directed to prepare such Resolutions as may be necessary and proper to modify any line item from the Budget hereby.

Section 7. Encumbrances.

1. All outstanding encumbrances for operating expenditures at September 30, 2012 shall lapse at that time; and,
2. All outstanding encumbrances for Capital Expenditures as of September 30, 2012 shall lapse at that time; and, that all unexpended Capital appropriations, including outstanding encumbrances, may be added, at the City Manager's discretion, to the corresponding 2011/2012 available balances and be simultaneously re-appropriated for capital expenditures, as previously approved in the 2011/2012 fiscal year; and,
3. It is contemplated and acknowledged that the possible addition of available Capital balances in the General Fund and other Funds and their simultaneous re-appropriation, at the City Manager's discretion, under this Section shall not be interpreted or construed as an increase in revenues available for appropriation under Section 4.07 of the City Charter or as a variation of the total budget under Section 6 of the City's Original Budget Ordinance.

Section 8. Committed Fund Balance. The Committed Fund Balance to be utilized for the Capital Reserve, as established in the 2012/2013 Budget, is \$14,773,488 (effective September 30, 2012).

Section 9. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 10. 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 Zev Auerbach	_____
Commissioner Bob Diamond	_____
Commissioner Billy Joel	_____
Commissioner Michael Stern	_____
Commissioner Luz Urbàez Weinberg	_____
Vice Mayor Teri Holzberg	_____
Mayor Susan Gottlieb	_____

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 Zev Auerbach	_____
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Vice Mayor Teri Holzberg	_____
Mayor Susan Gottlieb	_____

PASSED AND ADOPTED on first reading this 11th day of September, 2012.

PASSED AND ADOPTED on second reading this 19th day of September, 2012.

Susan Gottlieb, Mayor

ATTEST:

Teresa M. Soroka, MMC
City Clerk

Approved as to Form and Legal Sufficiency:

City Attorney