

City Commission
Susan Gottlieb, Mayor

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

The City of Aventura



City Manager
Eric M. Soroka, ICMA-CM

City Clerk
Teresa M. Soroka, MMC

City Attorney
Weiss Serota Helfman
Pastoriza Cole & Boniske

AGENDA JANUARY 13, 2009 6 PM

Government Center
19200 West Country Club Drive
Aventura, Florida 33180

**Revised
Recap**

1. CALL TO ORDER/ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. AGENDA: Request for Deletions/Emergency Additions
4. SPECIAL PRESENTATIONS: None.
5. CONSENT AGENDA: Matters included under the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and considered separately.
 - A. APPROVAL OF MINUTES:
November 6, 2008 Commission Meeting
November 12, 2008 Workshop Meeting
Action taken: Approved
 - B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, GRANTING LIMITED WAIVER FROM PROHIBITION ON TRANSACTING BUSINESS WITH THE CITY, AS AUTHORIZED BY THE MIAMI-DADE COUNTY ETHICS CODE, IN ORDER TO ENABLE THE CITY TO ARRANGE FOR THE PRODUCTION, PUBLICATION, AND DISTRIBUTION OF MULTIPLE COPIES OF THE CITY GUIDE FROM STERN BLOOM MEDIA INC.; PROVIDING FOR EFFECTIVE DATE.
Action taken: Adopted as Resolution No. 2009-01
 - C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, PROVIDING FOR THE REAPPOINTMENT BY THE COMMISSION OF A MEMBER TO THE BOARD OF TRUSTEES OF THE POLICE OFFICERS' RETIREMENT PLAN; AND PROVIDING AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2009-02

- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY TO EXECUTE A RELEASE OF RESTRICTIVE COVENANTS AND A RELEASE OF UNITY OF TITLE IN THE FORM ATTACHED TO THIS RESOLUTION CONCERNING PROPERTY KNOWN AS "BAGEL COVE PLAZA" AT 18955-19001 BISCAYNE BOULEVARD, CITY OF AVENTURA, MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2009-03

- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA SUPPORTING AMENDMENTS TO THE FLORIDA STATUTES TO INCREASE MORTGAGE HOLDERS' RESPONSIBILITY FOR DELINQUENT CONDOMINIUM, CO-OPERATIVE AND HOMEOWNER ASSOCIATIONS FEES, REGULAR ASSESSMENTS AND SPECIAL ASSESSMENTS ON UNITS IN FORECLOSURE AND ON FORECLOSED UNITS; AND PROVIDING AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2009-04

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

Action taken: Adopted as Resolution No. 2009-05

- G. MOTION TO RATIFY THE CITY MANAGER'S APPOINTMENT OF RAQUEL ROTHMAN, ESQ. AS SPECIAL MASTER FOR THE CITY OF AVENTURA CODE ENFORCEMENT PROCESS.

Action taken: Approved

- H. MOTION AUTHORIZING THE APPROPRIATION OF UP TO \$20,000 TO PURCHASE RIFLES AND RACKS FROM THE

POLICE FORFEITURE FUND IN ACCORDANCE WITH THE CITY MANAGER'S MEMORANDUM.

Action taken: Approved

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

Action taken: Adopted as Resolution No. 2009-06

- J. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AND OTHERWISE ENTER INTO THAT CERTAIN LEASE AGREEMENT BY AND BETWEEN THE SOUTH TOWER AT THE POINT CONDOMINIUM ASSOCIATION AND THE CITY OF AVENTURA TO HOUSE POLICE RADIO EQUIPMENT; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

Action taken: Adopted as Resolution No. 2009-07

- K. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED DEVELOPMENT AGREEMENT TO DESIGN AND BUILD TEN CLASSROOMS ADDITION TO AVENTURA CHARTER SCHOOL BETWEEN THE CITY OF AVENTURA AND KAUFMAN LYNN, INC., GENERAL CONTRACTORS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

Action taken: Adopted as Resolution No. 2009-08

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

None.

7. ORDINANCES: FIRST READING – PUBLIC INPUT:

- A. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING SECTION 6 “EFFECTIVE DATE” FROM JANUARY 1, 2009 TO APRIL 1, 2009 OF ORDINANCE NO. 2008-08 ADOPTED ON APRIL 8, 2008, WHICH ORDINANCE ESTABLISHED A TRANSPORTATION MITIGATION IMPACT FEE AND SCHEDULE FOR MITIGATION OF TRANSPORTATION IMPACTS BY NEW DEVELOPMENT IN THE CITY OF AVENTURA; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Action taken: Approved on first reading

- B. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING A TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN AND AMENDING THE CITY OF AVENTURA COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE ELEMENT, THE INFRASTRUCTURE ELEMENT, THE CAPITAL IMPROVEMENTS ELEMENT, THE INTERGOVERNMENTAL CO-ORDINATION ELEMENT AND THE CONSERVATION & COASTAL MANAGEMENT ELEMENT OF THE CITY OF AVENTURA COMPREHENSIVE PLAN TO IMPLEMENT THE CITY OF AVENTURA TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN REQUIRED PURSUANT TO CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

Action taken: Approved on first reading

8. ORDINANCES: SECOND READING/PUBLIC HEARING:

- A. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE CITY OF AVENTURA COMPREHENSIVE PLAN BY AMENDING POLICY 4.19 OF OBJECTIVE 4 OF THE CAPITAL IMPROVEMENTS ELEMENT TO ADOPT BY REFERENCE THE CITY OF AVENTURA 2008/09-2012/13 CAPITAL IMPROVEMENT PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

Action taken: Enacted as Ordinance No. 2009-01

- B. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING SECTION 31-239 OF THE CITY’S LAND DEVELOPMENT REGULATIONS ENTITLED “COMPLIANCE WITH COMPREHENSIVE PLAN” TO ADD LEVEL OF SERVICE STANDARDS FOR EDUCATION AS SECTION 31-239 (f)(8); PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

Action taken: Enacted as Ordinance No. 2009-02

- C. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2007-13 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2007/2008 FISCAL YEAR BY REVISING THE 2007/2008 FISCAL YEAR OPERATING AND CAPITAL BUDGET AS OUTLINED IN EXHIBIT “A” ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

Action taken: Enacted as Ordinance No. 2009-03

9. RESOLUTIONS – PUBLIC HEARING: None.

10. REPORTS

11. PUBLIC COMMENTS

12. OTHER BUSINESS: None.

13. ADJOURNMENT

SCHEDULE OF FUTURE MEETINGS/EVENTS

COMMISSION WORKSHOP	JANUARY 22, 2009	9 A.M.	EX. CONF. ROOM
COMMISSION MEETING	FEBRUARY 3, 2009	6 P.M.	COMMISSION CHAMBER

This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 305-466-8901, not later than two days prior to such proceeding. One or more members of the City of Aventura Advisory Boards may be in attendance. 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.