

City Commission
Susan Gottlieb, Mayor

Zev Auerbach
Bob Diamond
Billy Joel
Teri Holzberg
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 MAY 6, 2008 6 PM *Recap*

Government Center
19200 West Country Club Drive
Aventura, Florida 33180

1. CALL TO ORDER\ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. AGENDA: Request for Deletions/Emergency Additions
4. SPECIAL PRESENTATIONS:
 - Employee Service Awards
 - Certificates of Appreciation to Business Tax Equity Study Advisory Board
 - Distinguished Citizen Award
 - Florida Department of Transportation – 95Express/I-95 Express Lanes
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:
 - April 8, 2008 Commission Meeting
 - April 17, 2008 Special Meeting
 - April 17, 2008 Workshop Meeting

Action taken: Approved

- B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT BETWEEN THE CITY OF AVENTURA AND MIAMI-DADE COUNTY FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICES WITHIN THE CITY OF AVENTURA; 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. 2008-20

- C. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, REQUESTING MIAMI- DADE COUNTY TO CONSIDER ADOPTING CONSUMER PROTECTION MEASURES TO PROVIDE THAT RESTAURANTS MUST DISCLOSE THE PRICE OF FOOD AND BEVERAGE SPECIALS BEFORE ACCEPTING ORDERS FROM RESTAURANT PATRONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2008-23

- D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA ACCEPTING AND ADOPTING THE ELECTION RESULTS OF THE APRIL 22, 2008 MUNICIPAL SPECIAL MAIL-IN BALLOT ELECTION, AS CERTIFIED BY THE CANVASSING BOARD AND ATTACHED HERETO; PROVIDING AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2008-21

- E. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, SELECTING THE FIRM OF SUFFOLK CONSTRUCTION COMPANY, INC. TO PERFORM CONSTRUCTION MANAGEMENT SERVICES WITH GUARANTEED MAXIMUM PRICE AT RISK IN ACCORDANCE WITH ISQ NO. 08-04-18-2, ARTS AND CULTURAL CENTER; AUTHORIZING THE CITY MANAGER TO NEGOTIATE THE TERMS AND FEES FOR SAID SERVICES; AUTHORIZING NEGOTIATIONS WITH ALTERNATE FIRM TO PERFORM THE REQUIRED SERVICES SHOULD NEGOTIATIONS WITH SELECTED FIRM BE UNSUCCESSFUL; 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. 2008-22

- 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.

- A. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA GRANTING CONDITIONAL USE APPROVAL TO PERMIT THE SALES AND SERVICE OF WINE

AND CHAMPAGNE AT THE CAVIAR & MORE! KIOSK IN THE AVENTURA MALL AT 19501 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Adopted, with amendments, as Resolution No. 2008-24

- B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING SIGN VARIANCE FOR FOREVER 21 RETAIL INC. ON PROPERTY LOCATED AT 19501 BISCAYNE BOULEVARD, CITY OF AVENTURA; PROVIDING AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2008-25

7. ORDINANCES: FIRST READING – PUBLIC INPUT:

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA AMENDING THE CITY CODE BY AMENDING ARTICLE II “LOCAL BUSINESS TAXES” OF CHAPTER 18 "BUSINESS REGULATIONS, TAXES AND PERMITS" BY AMENDING SECTION 18-32 “TERM OF RECEIPT; HALF YEAR RECEIPT; TRANSFER OF RECEIPT”; AMENDING SECTION 18-41 “HOME OCCUPATION RECEIPTS”; AND AMENDING SECTION 18-42 “TAX SCHEDULE” TO CONFORM WITH RECENT REVISIONS TO FLORIDA STATUTE CHAPTER 205 TO ESTABLISH NEW RATE STRUCTURES FOR LOCAL BUSINESS TAX RECEIPTS BY PROVIDING AN INCREASE OF UP TO TEN (10%) PERCENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Approved on first reading

8. ORDINANCES: SECOND READING/PUBLIC HEARING:

- A. 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. 2008-09

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

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, ADOPTING THE ATTACHED CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2008/2009 (JULY 1 – JUNE 30), 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 ENCUMBRANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Enacted as Ordinance No. 2008-10

9. RESOLUTIONS – PUBLIC HEARING:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA FLORIDA NAMING THE 1.5 ACRE PARK LOCATED ON 213TH STREET AS THE GEORGE J. BERLIN MEMORIAL PARK IN HONOR OF GEORGE J. BERLIN; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Tabled for further discussion

10. REPORTS

11. PUBLIC COMMENTS

12. OTHER BUSINESS: None.

13. ADJOURNMENT

SCHEDULE OF FUTURE MEETINGS/EVENTS

COMMISSION WORKSHOP	MAY 15, 2008	9 A.M.
COMMISSION MEETING	JUNE 3, 2008	6 P.M.

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.