

City Commission
Susan Gottlieb, Mayor

Zev Auerbach
Bob Diamond
Teri Holzberg
Billy Joel
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

APRIL 14, 2009
following 6 pm LPA

Government Center
19200 West Country Club Drive
Aventura, Florida 33180

Recap

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **AGENDA:** Request for Deletions/Emergency Additions
4. **ELECTION OF VICE MAYOR**
Action taken: Commissioner Holzberg elected Vice Mayor for next 6-month period.
5. **SPECIAL PRESENTATIONS:**
Certificates of Appointment to Arts & Cultural Center Advisory Board
Employee Service Awards
6. **CONSENT AGENDA:** Matters included under the Consent Agenda are self-explanatory and are not expected to require discussion or review. Items will be enacted by one motion. If discussion is desired by any member of the Commission, that item must be removed from the Consent Agenda and considered separately.
 - A. **APPROVAL OF MINUTES:**
March 3, 2009 Commission Meeting
March 19, 2009 Workshop Meeting
Action taken: Approved
 - B. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA DECLARING CERTAIN PROPERTY LISTED UNDER THE ASSETS OF THE CITY AS SURPLUS TO THE NEEDS OF THE CITY; DESCRIBING THE MANNER OF DISPOSAL; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**
Action taken: Adopted as Resolution No. 2009-20
 - C. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA URGING THE FLORIDA DEPARTMENT OF EDUCATION TO MAINTAIN CURRENT**

TRAINING STANDARDS FOR READING TEACHERS OF ENGLISH LANGUAGE LEARNERS (“ELL”) IN FLORIDA’S PUBLIC SCHOOLS; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA DEPARTMENT OF EDUCATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2009-21

D. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, REQUESTING GOVERNOR CHARLIE CRIST, THE STATE LEGISLATURE AND THE PUBLIC SERVICE COMMISSION TO ADOPT POLICIES, PROGRAMS AND INCENTIVES THAT WOULD MAKE THE IMPLEMENTATION AND INSTALLATION OF SOLAR ENERGY MORE ECONOMICALLY FEASIBLE FOR FLORIDA MUNICIPALITIES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2009-22

E. MOTION TO ACCEPT FOR FILING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (“CAFR”) FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008 AND THE LETTER DATED MARCH 26, 2009 ATTACHED HERETO AS ATTACHMENT A.”

Action taken: Approved

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, APPROVING SIGN VARIANCE TO PERMIT A 39 SQUARE FOOT EXTERIOR WALL SIGN ON THE TOWER FEATURE AT THE COURTYARD AT THE AVENTURA MALL, 19501 BISCAYNE BOULEVARD, AVENTURA, FOR AN INTERIOR MALL TENANT OCCUPYING LESS THAN 100,000 SQUARE FEET OF TENANT SPACE WITHOUT DIRECT EXTERIOR ACCESS; WHERE SECTION 31-191(g)(8)b. OF THE CITY CODE PERMITS WALL SIGNS ONLY FOR 100,000 SQUARE FOOT OR MORE

TENANTS AND FOR TENANTS WITH DIRECT EXTERIOR ACCESS; PROVIDING AN EFFECTIVE DATE.

Action taken: Adopted as Resolution No. 2009-23

8. ORDINANCES: FIRST READING – PUBLIC INPUT:

- A. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING SECTION 6 “EFFECTIVE DATE” FROM APRIL 1, 2009 TO SEPTEMBER 30, 2009 OF ORDINANCE NO. 2008-08 ADOPTED ON APRIL 8, 2008, AS AMENDED BY ORDINANCE NO. 2009-04 ADOPTED ON FEBRUARY 3, 2009, 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, AMENDING ARTICLE II “CITY COMMISSION AND MAYOR” OF CHAPTER 26 “ELECTIONS” OF THE CITY CODE OF THE CITY OF AVENTURA BY AMENDING SECTION 26-31 “TIME AND MANNER OF QUALIFICATION OF CANDIDATES”, BY AMENDING SECTION 26-32 “COMMENCEMENT OF TERM OF ELECTED OFFICIALS”, BY AMENDING SECTION 26-34 “EARLY VOTING”; AND AMENDING ARTICLE I “IN GENERAL” OF CHAPTER 2 “ADMINISTRATION” BY AMENDING SECTION 2-2 “APPOINTMENT OF VICE MAYOR” IN ORDER TO ENSURE CONSISTENCY WITH RECENTLY AMENDED CITY CHARTER SECTION 2.03 “ELECTION AND TERM OF OFFICE” AND CITY CHARTER SECTION 5.03 “ELECTIONS” WHICH REVISED THE DATE OF GENERAL MAYORAL AND COMMISSION ELECTIONS; PROVIDING FOR INCLUSION IN THE CODE, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.**

Action taken: Approved on first reading

- C. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2008-15 WHICH ORDINANCE ADOPTED A BUDGET FOR THE 2008/2009 FISCAL YEAR BY REVISING THE 2008/2009 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: Approved on first reading

9. ORDINANCES: SECOND READING/PUBLIC HEARING:

- A. AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING ARTICLE II, "USE OF RIGHT-OF-WAY, PARKING, OTHER REGULATIONS" OF CHAPTER 48 "VEHICLES, USE OF RIGHT-OF-WAY, PARKING AND OTHER REGULATIONS" OF THE CITY CODE OF THE CITY OF AVENTURA BY AMENDING SECTION 48-20, "PROHIBITION OF RIGHT-OF-WAY VENDORS AND SOLICITORS ON CERTAIN ROADS", EXPANDING THE PROHIBITION TO INCLUDE CERTAIN ADDITIONAL ROADS IN ORDER TO FURTHER PROTECT THE SAFETY OF MOTORISTS, PEDESTRIANS, AND ROADSIDE VENDORS AND SOLICITORS; PROVIDING FOR INCLUSION IN THE CODE, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.**

Action taken: Enacted as Ordinance No. 2009-06

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

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AMENDING ORDINANCE NO. 2008-10, WHICH ORDINANCE ADOPTED A CHARTER SCHOOL OPERATING AND CAPITAL BUDGET FOR THE AVENTURA CITY OF EXCELLENCE SCHOOL FOR FISCAL YEAR 2008/09 (JULY 1 – JUNE 30) BY REVISING THE 2008/2009 FISCAL YEAR BUDGET DOCUMENT AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE AIMS OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

Action taken: Enacted as Ordinance No. 2009-07

10. RESOLUTIONS – PUBLIC HEARING: None.

11. REPORTS – As submitted.

Mayor Gottlieb presented the State of the City address

12. PUBLIC COMMENTS Mel Taks, Point East Corp. IV

13. OTHER BUSINESS: None.

14. ADJOURNMENT

SCHEDULE OF FUTURE MEETINGS/EVENTS

COMMISSION WORKSHOP APRIL 23, 2009 9 AM EX. CONF. ROOM

COMMISSION MEETING MAY 5, 2009 6 PM 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.