

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

**MAY 5, 2009**

**following 6 pm LPA**

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:** 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:**  
April 14, 2009 Commission Meeting  
April 23, 2009 Commission Meeting  
April 23, 2009 Workshop Meeting
  - 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.**
  - C. **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED CONTRACT RENEWAL FOR LANDSCAPE MAINTENANCE WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY ON BISCAYNE BOULEVARD FROM THE OLETA RIVER BRIDGE NORTH TO THE MIAMI-DADE/BROWARD COUNTY LINE BY AND BETWEEN THE CITY OF AVENTURA AND THE FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE CITY MANAGER TO TAKE NECESSARY**

**AND EXPEDIENT ACTION TO CARRY OUT THE AIMS OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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 THE COMPREHENSIVE MASTER PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR TWO PARCELS LOCATED ON WEST COUNTRY CLUB DRIVE, CONTAINING A TOTAL OF 2.69 ACRES MORE OR LESS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", FROM BUSINESS AND OFFICE TO PARKS AND RECREATION; AMENDING THE COMPREHENSIVE MASTER PLAN BY AMENDING THE FUTURE LAND USE DESIGNATION FOR TWO PARCELS OF LAND LOCATED ON WEST COUNTRY CLUB DRIVE CONTAINING A TOTAL OF 2.69 ACRES MORE OR LESS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" FROM PARKS AND RECREATION TO BUSINESS AND OFFICE; PROVIDING FOR TRANSMITTAL TO THE AGENCIES AS REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.**

- B. **AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AVENTURA BY AMENDING THE ZONING DESIGNATION FOR TWO PARCELS OF LAND LOCATED ON WEST COUNTRY CLUB DRIVE CONTAINING A TOTAL OF 2.69 ACRES MORE OR LESS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", FROM B2, COMMUNITY BUSINESS DISTRICT TO ROS, RECREATION OPEN SPACE AND BY AMENDING THE ZONING DESIGNATION FOR TWO PARCELS OF LAND LOCATED ON WEST COUNTRY CLUB DRIVE CONTAINING A TOTAL OF 2.69 ACRES MORE OR LESS AND MORE PARTICULARLY DESCRIBED IN EXHIBIT**

**“B”, FROM ROS, RECREATION OPEN SPACE TO B2, COMMUNITY BUSINESS DISTRICT; APPROVING THE THIRD AMENDMENT TO RESTRICTIONS RELATING TO THE GOLF COURSE AND COUNTRY CLUB PARCELS; ACCEPTING THE DECLARATION OF RESTRICTIONS CONTAINING THE APPLICANT’S PROFFER OF SITE IMPROVEMENTS AND OTHER RESTRICTIONS ON THE PARCEL DESCRIBED IN EXHIBIT “B”; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**8. ORDINANCES: SECOND READING/PUBLIC HEARING:**

**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.**

**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.**

- 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.
  
- D. CITY COMMISSION IN ITS CAPACITY AS THE AVENTURA CITY OF EXCELLENCE SCHOOL BOARD OF DIRECTORS: ORDINANCE – SECOND READING – PUBLIC INPUT: –

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 2009/10 (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.

9. RESOLUTIONS – PUBLIC HEARING: None.

10. REPORTS

11. PUBLIC COMMENTS

12. OTHER BUSINESS: None.

13. ADJOURNMENT

**SCHEDULE OF FUTURE MEETINGS/EVENTS**

COMMISSION WORKSHOP MAY 14, 2009 9 AM 5<sup>th</sup> FLR EX. CONF. ROOM  
COMMISSION MEETING JUNE 2, 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.