



MAYOR:	Philip K. Stoddard, PhD	CITY MANAGER:	Hector Mirabile, PhD
VICE MAYOR:	Valerie Newman	CITY ATTORNEY:	Laurence Feingold
COMMISSIONER:	Velma Palmer, PhD	CITY CLERK:	Maria M. Menendez
COMMISSIONER:	Brian D. Beasley		
COMMISSIONER:	Walter A. Harris		

CITY COMMISSION AGENDA

City Commission Meeting

Regular Meeting date: February 15, 2011 Time: 7:00 PM
Next Regular Meeting date: March 1, 2011 Time: 7:00 PM
6130 Sunset Drive, South Miami, FL; Phone: (305) 663-6340

City of South Miami Ordinance No. 08-06-1876 requires all lobbyists before engaging in any lobbying activities to register with the City Clerk and pay an annual fee of \$500.00 per Ord. No. 44-08-1979. This applies to all persons who are retained (whether paid or not) to represent a business entity or organization to influence “City” action. “City” action is broadly described to include the ranking and selection of professional consultants, and virtually all-legislative, quasi-judicial and administrative action.

CALL TO ORDER:

- A. Please silence or turn off all cell phones. If you must speak please leave the room:
- B. Add-On Item(s):
- C. Roll Call:
- D. Moment of Invocation:
- E. Pledge of Allegiance:
- F. Lobbyists addressing the City Commission tonight must have been registered with the City Clerk as indicated above.
- G. Presentation(s) 7:00 p.m.
 - 1) Sympathy Resolution for Martin Hochman (One of longtime owners of Zipp Sporting Goods in South Miami)
 - 2) Outstanding Officer(s) of the Month
 - 3) Most Courteous Officer(s) of the Month
 - 4) Employee of the Month

ITEM (S) FOR THE COMMISSION'S CONSIDERATION:

1. Approval of Minutes

a) Minutes of February 1, 2011

2. City Manager's Report (25 minutes)

Annual Affordable Housing Report (2011) - Red Road Commons

3. City Attorney's Report (15-minutes)

Proposed SEC Registration of appointed board members as "municipal advisors"

PUBLIC REMARKS

(5 minutes)

4. Commission Reports, Discussion & Remarks (25 minutes)

(BEGINNING OF CONSENT)

5. A Resolution of the Mayor and City Commission of the City of South Miami, Florida concerning an application pursuant to Land Development Code Section 20-4.3(N) to permit the installation of a banner over Sunset Drive to promote the 9th Annual Fairchild Tropical Garden Orchid Festival a fund raising event to be held at the gardens March 11-13, 2011; providing for an effective date. 3/5

(City Manager - Planning and Zoning Dept.)

6. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing the City Manager to purchase emergency equipment and have it installed on the six (6) 2011 Ford Crown Victoria Police Pursuit vehicles. The emergency equipment will be purchased and installed by DANA Safety Supply (DSS), who was awarded the City of Tallahassee bid. As per the City Charter, the City of South Miami will piggyback this bid and have the emergency equipment purchased and installed for a cost of \$27,184.00 as approved in the 2010-2011 Budget to be charged to account number 001-1910-521-6440 (Vehicles), providing for an effective date. 3/5

(City Manager-Police Dept.)

7. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing the City Manager to purchase six (6) Ford Crown Victoria Police Pursuit vehicles from Bartow Ford Inc. as approved in the 2010-2011 Budget for a total amount not to exceed \$158,007.00 to be charged to account number 001-1910-521-6440 (Vehicles), providing for an effective date.
(City Manager-Police Dept.) 3/5
8. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing a transfer of \$6,540.00 from account number 001-1610-524-2210, Pension Plan Contribution, to account 001-1610-524-2220, ICMA Deferred Compensation for \$6,540.00; providing for an effective date. 3/5
(City Manager-Building Dept.)
9. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, pursuant to Chapter 8A of the Code of Ordinances, authorizing the payment of legal fees to Harriet R. Lewis, Esquire for services rendered to Vice Mayor Newman, paid from account No. 001-1500-514-3410; and providing an effective date. 3/5
(City Attorney)
- 9a. A Resolution of the Mayor and City Commission of the City of South Miami, Florida concerning an application pursuant to Land Development Code Section 20-4.3(n) to permit the installation of a banner over Sunset Drive to promote a Farmers Market a city sponsored event to be held on every Saturday beginning on February 16, 2011; providing for an effective date. 3/5
(Commissioner Harris)

(END OF CONSENT)

RESOLUTION(S)

10. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, Co-Designating S.W. 62nd Avenue, from S.W. 64th Street to S.W. 72nd Street (Sunset Drive) as Marshall Williamson Avenue; Directing the City Manager to submit this Resolution to Miami-Dade County and to take all other necessary actions to carry out the purpose of this Resolution; and providing an effective date. (Deferred 02/01/11) 3/5

(Commissioner Beasley)

11. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to the review and acceptance of the Annual Report of the South Miami Corporation (First National Bank of South Miami) on their proposed "Project Sunset" located at 5750 Sunset Drive; said report required by Section 27 of a Development Agreement executed between the City of South Miami and the South Miami Corporation by the adoption of Ordinance No. 05-05-1827; and providing an effective date. 3/5

(City Manager - Planning and Zoning Dept.)

ORDINANCE (S) SECOND READING PUBLIC HEARING (S)
(NONE)

RESOLUTION (S) PUBLIC HEARING (S)
(NONE)

ORDINANCE (S) FIRST READING

12. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, authorizing the City Manager to finance up to six (6) new police vehicles for an amount not to exceed \$165,000 and accepting the interest rate of 2.44% through SunTrust Bank, charging Debt Service-Principal Account No. 001.1910.521.7110 and Debt Service-Interest Account No. 001.1910.521.7210; providing for severability, ordinances in conflict and an effective date. 4/5

(City Manager- Finance Dept.)

13. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending the Land Development Code in order to clarify parking space requirements in the Hometown District Overlay Regulations by amending Section 20-7.6(B) entitled "Required Parking" and Section 20-7.6(C) entitled "Procedure"; providing for severability; providing for ordinances in conflict; and providing an effective date. 3/5

(City Manager-Planning Dept.)

14. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending the Land Development Code in order to set forth that the Planning and Zoning Director is the responsible City Administrator to make final interpretations of regulations contained in the Land Development Code and establishing an appeal procedure, by amending Section 20-1.9 entitled "Interpretation" providing for severability; providing for ordinances in conflict; and providing an effective date. 3/5

(City Manager-Planning Dept.)

15. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida amending the Land Development Code Section 20-8.9(B)(1) entitled "Special exceptions" in order to reduce the time limit for commencing and completing a development project which has been granted a special exception in a Transit Oriented Development District (TODD); providing for severability; providing for ordinances in conflict; and providing an effective date. 3/5

(City Manager-Planning Dept.)

16. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending the Land Development Code to place in one article all current regulations pertaining to historic preservation by amending Section 20-6.1 (D)(1)(a) entitled "Historic Preservation Board Establishment and Membership" in order to require that one member be a licensed attorney; and by creating new Article XI, "Historic Preservation Regulations" including Section 20-11.1 to be entitled "Historic Preservation Standards"; Section 20-11.2 to be entitled "Designation of Historic Sites"; Section 20-11.3 to be entitled "Historic Designation Reports"; Section 20-11.4 to be entitled "Demolition of designated sites; demolition by neglect and

certificates of appropriateness"; Section 20-11.5 to be entitled "Special Provisions Applicable to Designated Historic Sites" and making revisions to update current wording and to modify certain provisions related to the demolition delay period; and deleting from the Land Development Code regulations pertaining to historic preservation including Sections 20-4.9, 20-4.11, 20-5.17, 20-5.18. 20-5.19,; providing for severability; providing for ordinances in conflict; and providing an effective date. 3/5

(City Manager-Planning Dept.)

CITY HAS A SIGNIFICANT GOVERNMENTAL INTEREST IN CONDUCTING EFFICIENT AND ORDERLY COMMISSION MEETINGS. SPEAKERS PLEASE TAKE NOTICE THAT SECTION 2-2.1(K)(2) OF THE CODE OF ORDINANCES PROVIDES THAT "ANY PERSON MAKING PERSONAL IMPERTINENT, OR SLANDEROUS REMARKS OR WHO SHALL BECOME BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE FORTHWITH BARRED FROM FURTHER AUDIENCE BEFORE THE COUNCIL BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE BE GRANTED BY A MAJORITY VOTE OF THE COMMISSION."

PURSUANT TO RESOLUTION No. 246-10-13280, "ANY INVOCATION THAT MAY BE OFFERED BEFORE THE START OF REGULAR COMMISSION BUSINESS SHALL BE THE VOLUNTARY OFFERING OF A PRIVATE CITIZEN, FOR THE BENEFIT OF THE COMMISSION AND THE CITIZENS PRESENT. THE VIEWS OR BELIEFS EXPRESSED BY THE INVOCATION SPEAKER HAVE NOT BEEN PREVIOUSLY REVIEWED OR APPROVED BY THE COMMISSION, AND THE COMMISSION DOES NOT ENDORSE THE RELIGIOUS BELIEFS OR VIEWS OF THIS, OR ANY OTHER SPEAKER."

PURSUANT TO FLA STATUTES 286.0105, THE CITY HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS BOARD, AGENCY OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, AFFECTED PERSON 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. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OR OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.