



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: March 1, 2011 Time: 8:00 PM  
Next Regular Meeting date: March 15, 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) 6:30 p.m.
  - 1) Sympathy Resolution for Martin Hochman (One of longtime owners of Zipp Sporting Goods in South Miami)
  - 2) South Miami Grey Ghost Soccer Program
  - 3) Outstanding Officer(s) of the Month
  - 4) Most Courteous Officer(s) of the Month
  - 5) Employee of the Month

**ITEM (S) FOR THE COMMISSION'S CONSIDERATION:**

**1. Approval of Minutes**

(NONE)

**2. City Manager's Report (25 minutes)**

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

**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, relating to budget; authorizing a transfer of \$698.49 from account No. 001-1410-513-7110, Debt Service-Principal, settlements to account No. 001-1410-513-7210, Debt Service-Interest; providing an effective date. 3/5

(City Manager-Finance Dept.)

6. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to the Boards and Committees; appointing LaTasha Nickle, an active employee of the City designated by the City Manager to serve on the Pension Board for a two-year term ending March 1, 2013; and providing an effective date. 3/5

(City Manager)

7. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; re-appointing Jorge Cruz to serve on the Planning Board for a two-year term ending March 1, 2013; and providing an effective date. 3/5

(Mayor Stoddard)

8. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; appointing Lorie Yanoshik to serve on the Planning Board for a two-year term ending March 1, 2013; and providing an effective date. 3/5  
(Commissioner Harris)

(END OF CONSENT)

### RESOLUTION(S)

9. 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 64 Development Corporation on their proposed mixed use development project located at 5966-70 S. Dixie Highway; 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 Resolution No. 41-08-12638; and providing an effective date. 3/5

(City Manager-Planning Dept.)

10. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, selecting the firm of \_\_\_\_\_ from the three (3) proposal submittals considered for the Lobbying Services Request for Proposals (RFP) No. SM-FN 2011-01 and authorizing the City Manager to execute an agreement with the same for the duration of a one (1) year term, and providing for an effective date. 3/5

(City Commission)

### ORDINANCE (S) SECOND READING PUBLIC HEARING (S)

11. 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.)

12. 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.)

13. 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.)

14. 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.)

## RESOLUTION (S) PUBLIC HEARING (S)

15. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing the City Manager to execute an agreement with the company Ocaquatics 2, Inc., a company wholly owned and managed by Ocaquatics, Inc. the top ranked respondent for the Murray Park Community Pool Operator Request for Proposals (RFP) No. SM-FN 2010-15, for advising and consulting services concerning the design/build of the Murray Park Community Pool and for its operation and management thereafter completion of all construction, inclusive of all costs, and requiring no annual fee from the City for the duration of the agreement's initial three (3) year term and its two (2) one (1) year options to renew for a total term of five (5) years, and providing for an effective date. 3/5  
(City Manager-Finance Dept.)
16. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing the City Manager to an agreement with NRA Group, LLC d/b/a National Recovery Agency (NRA) a collection firm providing debt collection services for a percentage of the principal amount owed to the City and collecting said fee as a percentage of the outstanding principal. This agreement shall have an initial three (3) year period with two (2) one (1) year option to renew periods for a possible total term of five years (5), and providing an effective date. 3/5  
(City Manager-Finance Dept.)
17. A Resolution of the Mayor and City Commission of the City of South Miami, Florida authorizing the City Manager to enter into a contract with LaRue Planning and Management Services, Inc. for the purposes of providing consultant services to the Planning and Zoning Department to assist in the preparation of the 2012 Comprehensive Plan Evaluation and Appraisal Report (EAR) in the amount of \$30,000 total for FY 2010-2011 and FY 2011-2012; the selection of the firm is a result of a competitively sealed Request for Proposal, RFP No. SM-FN 2011-02; funding for the contract shall come from the Planning and Zoning Department Account No. 001-1620-524-3450 (Contractual Services); and providing an effective date. 3/5  
(City Manager-Planning Dept.)

## ORDINANCE (S) FIRST READING

(NONE)

**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.