



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 15, 2011 Time: 7:00 PM
Next Regular Meeting date: April 5, 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) Pension Board Presentation
 - 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

Minutes of February 1, 2011 (*Deferred/Amended*)
Minutes of February 15, 2011

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 UNFINISHED BUSINESS)

RESOLUTION (S) PUBLIC HEARING (S)

5. 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 _____ 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 _____ 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.)

RESOLUTION (S)

6. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to the City Attorney; appointing _____, Esq. to act as City Attorney; and providing an effective date. 3/5

(Vice Mayor Newman)

7. 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 to be held on every Saturday and requesting to pay a reduced cost of \$150.00 of the required \$300.00 application fee; providing for an effective date. 3/5
(Commissioner Harris)

(END OF UNFINISHED BUSINESS)

(BEGINNING OF CONSENT)

8. 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 RRC 57th Avenue LLC on their mixed use development project known as Red Road Commons located at 6600-6640 SW 57th Avenue; said report required by Section 12 of a Development Agreement executed between the City of South Miami and RRC 57th Avenue LLC by the adoption of Ordinance No. 12-05-1834; and providing an effective date. 3/5
(City Manager-Planning Dept.)
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 Affordable Housing Report of the RRC 57th Avenue LLC on their mixed use development project known as Red Road Commons located at 6600-6640 SW 57th Avenue; said report required in compliance with Section 2(f) of the Development Agreement executed between the City of South Miami and RRC 57th Avenue LLC by the adoption of Ordinance No. 12-05-1834; 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, relating to City Commission meetings; rescheduling the Tuesday, April 5, 2011 City Commission meeting to Monday, April 4, 2011; providing an effective date. 3/5
(Mayor Stoddard)
11. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing the City Manager to issue a work order to Sunbelt Waste

Equipment, for the repair of automated waste collection truck No. 2141 in the amount of \$6,117.87 to be charged to Maintenance and Repair - Outside Service Account Number 001-1760-519-4680; providing for an effective date. 3/5

(City Manager-Public Works Dept.)

(END OF CONSENT)

RESOLUTION(S)

(CONT'D)

12. 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 64 Development Corporation by the adoption of Resolution No. 41-08-12638; and providing an effective date. (Deferred 3/01/11) 3/5

(City Manager-Planning Dept.)

12a.A Resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; appointing _____ to serve on the Planning Board for a two-year term ending March 14, 2013; and providing an effective date. 3/5

(City Commission)

ORDINANCE (S) SECOND READING PUBLIC HEARING (S)

13. 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. (Deferred 3/01/11) 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 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. (Deferred 3/01/11) 3/5
(City Manager-Planning Dept.)

RESOLUTION (S) PUBLIC HEARING (S)
(CONT'D)

15. A Resolution of the Mayor and City Commission of the City of South Miami, relating to a request pursuant to Section 20-4.4(J) of the Land Development Code for Special Use Approval to locate an Interim Parking lot at 7150-7160 SW 62 Avenue within the "TODD (MU-5)" Transit Oriented Development District (Mixed Use 5) Zoning District; and providing an effective date. 4/5
(City Manager-Planning Dept.)

ORDINANCE (S) FIRST READING

16. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending Chapter 7 of the Code of Ordinances of the City of South Miami to remove the wording South Florida Building Code and adopting the Florida Building Code and all other codes adopted by the Florida Building Code as the city codes together

with all amendments thereafter made, and all subsequent editions, to said codes; providing for severability; providing for ordinances in conflict; providing an effective date. 3/5

(City Manager-Building Dept.)

17. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending the Land Development Code by deleting Section 20-3.1(E) entitled "Business Outside a Building", inserting new Section 20-3.6 (V) to be entitled "Commercial Activity Conducted Outside of a Building" in order to provide regulations for allowing for outside merchandise display on private property and public sidewalks; establishing limitations on type, location and extent of outside merchandise display; providing a process for obtaining permits; and providing for exceptions for certain permitted uses; providing for severability; providing for ordinances in conflict; and providing an effective date. 5/5

(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.