

1. 05/3/11

Documents: [5.3.11 ADD ON.PDF](#), [5.3.11.PDF](#)

“ADD-ON” ITEM
Sponsored by Vice Mayor Newman
City Commission Meeting 5-03-11

RESOLUTION NO. _____

A Resolution of the Mayor and City Commission of the City of South Miami, Florida, appointing _____ as permanent City Attorney; and providing for an effective date.

WHEREAS, Article II, Section 7, paragraph A(2) of the Charter of the City of South Miami establishes the office of City Attorney; and

WHEREAS, the City Attorney is appointed by and serves at the will and pleasure of the City Commission; and

WHEREAS, on April 21, 2011 the following respondents to an RFQ for the selection of a City Attorney provided a presentation to the Commission: Acting City Attorney Thomas F. Pepe, Esquire, Cynthia A. Everett, P.A., and John R. Herin, Jr., Shareholder with Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.

WHEREAS, the City Commission, after the evaluation of the above three respondents, wishes to appoint _____ to serve as permanent City Attorney for the City of South Miami.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA;

Section 1. That _____ be hereby appointed to serve as permanent City Attorney for the City of South Miami.

Section 2. That _____ is hereby directed to present a written contract for its approval at the next Commission meeting.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this _____ 2011.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

READ AND APPROVED AS TO FORM AND SUFFICIENCY:

COMMISSION VOTE:

CITY ATTORNEY

Mayor Stoddard:
Vice Mayor Newman:
Commissioner Palmer:
Commissioner Beasley:
Commissioner Harris:



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

SPECIAL CITY COMMISSION AGENDA

City Commission Meeting

Special Meeting date: May 3, 2011 Time: 7:00 PM
Regular Meeting date: May 3, 2011 Time: 7:30 PM
Next Regular Meeting date: May 17, 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.
(NONE)

ITEM (S) FOR THE COMMISSION'S CONSIDERATION:

RESOLUTION(S)

A Resolution of the Mayor and City Commission of the City of South Miami, Florida, appointing _____ as permanent City Attorney; providing for an effective date. 3/5

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.