



MAYOR:	Philip K. Stoddard	ACTING CITY MANAGER:	Roger M. Carlton
VICE MAYOR:	Valerie Newman	CITY ATTORNEY:	Laurence Feingold
COMMISSIONER:	Velma Palmer	CITY CLERK:	Maria M. Menendez
COMMISSIONER:	Brian D. Beasley		
COMMISSIONER:	Walter A. Harris		

## **CITY COMMISSION AGENDA**

### **City Commission Meeting**

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Regular Meeting date:	May 4, 2010	Time:	7:30 PM
Committee of the Whole:	May 11, 2010	Time:	6:30 PM
Special Meeting Date:	May 11, 2010	Time:	8:30 PM
Special Workshop date:	May 13, 2010	Time:	7:00 PM
Next Regular Meeting date:	May 18, 2010	Time:	7:30 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 Silence:
- 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:

### 1. Approval of Minutes

- a) Minutes of April 19, 2010

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

- a) Municipal Charter County Sales (People's Transportation Plan) Surtax Update: This is a report regarding a new proposal from Miami Dade County Manager George Burgess to absorb the cost of providing the PTP revenue to cities which have formed since the PTP Surtax was adopted by the voters.
- b) Report relative the to Old Inspection Station site: This is a report informing the City Commission regarding the clean up of the site by the Public Works Department and suggesting a strategy to make a determination relative to using the site for a Farmers' Market/ Community Garden.
- c) Report relative to an Easement Agreement between the City of South Miami and Larkin Community Hospital: This is a status report stating that required traffic/ road improvements have not been completed and a TCO or CO will not be issued until all requirements are met.
- d) Report regarding a meeting with Miami Dade County Housing and Community Development Director Shally Jones Horn Re: Murray Park Swimming Pool / 66<sup>th</sup> St Improvements and Street Lighting in the CRA area: This meeting was attended by Commissioner Walter Harris. The report will present Ms. Jones Horn initial responses to City requests regarding the three projects listed above. **(Verbal)**
- e) Report on the installation of ATT U-Verse: This report has been requested by the City Commission regarding the completion of installation of City of South Miami technology to allow meetings to be shown on ATT's U-Verse. **(Verbal)**
- f) Report on appointment of Alfredo Riverol as Finance Director: Mr. Riverol has been appointed to this position after an open competitive process. This report will include Mr. Riverol's Charge Memorandum which defines his major assignments for the first year.
- g) Draft Report on Traffic Study from Kimley-Horn for Neighborhood Traffic Calming Study for Pinecrest Villas: The draft report is in the agenda package. The Acting City Manager will recommend that a community workshop be

scheduled to provide input to the proposed improvements so the firm can complete the study.

- h) Status Report on FY 08/09 Independent Audit (CAFR) and Management Letter: A meeting was held with the audit partner from Rodriguez Trueba on April 22, 2010 to determine the schedule to complete the audit. The Acting City Manager will report regarding how the pension audit for FY 08/09 will be completed and provide an estimate of when the entire CAFR report and Management Letter will be completed. **(Memo to be delivered separately)**
- i) Report regarding red light cameras: The Legislature has passed enabling legislation which awaits Governor Crist's signature. The City Commission has previously adopted an enabling ordinance which must now be amended. The Acting City Manager seeks direction from the City Commission on this matter.
- j) Report regarding property tax exemption and tax exempt financing concerns for the Municipal Garage: The Acting City Manager and City Attorney will update the City Commission on these two issues and seek direction. **(Memo to be delivered separately)**
- k) Report regarding federal legislative program grant request for South Miami Park: Pursuant to advice from Cardenas and Partners, the legislative strategy has been revised for this element of the program. **(Verbal)**

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

## **PUBLIC REMARKS**

(5 minutes)

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

- a) Letter from Richard Kuper, Esq., Executive Director of Miami-Dade County League of Cities.  
**(Mayor Stoddard)**
- b) Report on a *International Council for Local Environmental Initiatives* (ICLEI) Conference and related action items.  
**(Verbal)**  
**(Mayor Stoddard)**
- c) Boards and Committees Revised Form.

(Commissioner Palmer)

- d) Joint meeting with the Community Action Agency (CAA), Monday, May 17, 2010 at 7:00 p.m. at the Senior Center. (Verbal)

(Commissioner Harris)

- e) Report from the Mayor, Vice Mayor and Commissioners who attended Dade Days in Tallahassee. (Verbal)

- f) Report regarding FPL Underground Transmission Lines. (Verbal)

(Mayor Stoddard)

## UNFINISHED BUSINESS

### RESOLUTION (S)

5. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to the Pension Ad Hoc Committee; providing for the extension of membership. 3/5

*(A resolution relating to the Pension Ad Hoc Committee; providing for the extension of membership)*

(Vice Mayor Newman)

6. A resolution of the Mayor and City Commission of the City of South Miami, Florida directing the Planning and Zoning Department and the Planning Board to consider an ordinance revising Land Development Code Section 20-3.1(E) entitled "Business Outside a Building" in order to clarify the current regulation by establishing specific limitations on type and extent of conducting business outside of a building and a process for obtaining both permanent and temporary permits; and providing for an effective date. 3/5

*(A resolution directing the P/Z Dept and the PB to consider an ordinance revising LDC Sec. 20-3.1(E) entitled "Business Outside a Building" in order to clarify the current regulation by establishing specific limitations on type and extent of conducting business outside of a building and a process for obtaining both permanent and temporary permits)*

(Acting City Manager)

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

7. An ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending Article VI, Purchasing, of Chapter 2 of the City Code, to provide for and regulate Design-Build Contracts; providing for conflicts, severability and an effective date. 3/5  
(Mayor Stoddard)
8. An ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending the South Miami Code of Ordinances in order to remove existing Section 15-100 entitled "Malicious defacement, marking of real property" and creating a new Section 15-100 entitled "Graffiti and graffiti removal" which contains the following sections; definitions; prohibited activity; possession of spray paint and markers; anti-graffiti trust fund; declaration of nuisance; responsibility of property owners, graffiti removal and notice; appeals; failure to comply, cost of removal, liens, foreclosures; disputing assessed costs; providing for severability; providing for ordinances in conflict; and providing for an effective date. 3/5  
(Acting City Manager)

## ORDINANCE (S) FIRST READING

9. An ordinance of the Mayor and City Commission of the City of South Miami, Florida, related to the Code of Ordinances, amending Section 2.26.12 (a) and (c) entitled "Green Task Force," in order to amend the membership composition of the Task Force; providing for severability, ordinances in conflict; and providing an effective date. 3/5  
(Mayor Stoddard)

## END OF UNFINISHED BUSINESS

### (BEGINNING OF CONSENT)

10. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; re-appointing Officer Paul Rodriguez to serve on the Board of Trustees/Police Officers Retirement Trust Fund for a two-year term ending May 3, 2012; and providing an effective date. 3/5

*(A resolution re-appointing Officer Paul Rodriguez to serve on the Board of Trustees/Police Officers for a 2-yr term ending 5/03/12)*

**(City Commission)**

11. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; re-appointing Doug Baker, to serve on the Pension Board for a two-year term ending May 3, 2012; and providing an effective date. 3/5

*(A resolution re-appointing Doug Baker to serve on the Pension Board for a 2-yr term ending 5/03/12)*

**(City Commission)**

12. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; re-appointing Rita Torres to serve on the Pension Board for a two-year term ending May 3, 2012; and providing an effective date. 3/5

*(A resolution re-appointing Rita Torres to serve on the Pension Board for a 2-yr term ending 5/03/12)*

**(City Commission)**

13. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; appointing Suzanne Koptur to serve on the Citizens Advisory Group (Urban Landscape) for a two-year term ending May 3, 2012; and providing an effective date. 3/5

*(A resolution appointing Suzanne Koptur to serve on the Citizens Advisory Group (Urban Landscape) for a 2-yr term ending 5/03/12)*

**(City Commission)**

14. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; appointing Scott Zona to serve on the Citizens Advisory Group (Urban Landscape) for a two-year term ending May 3, 2012; and providing an effective date. 3/5

*(A resolution appointing Scott Zona to serve on the Citizens Advisory Group (Urban Landscape) for a 2-yr term ending 5/03/12)*

**(Mayor Stoddard)**

15. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; appointing Luis J. Gil to serve on the Green Task Force for a two-year term ending May 3, 2012; and providing an effective date. 3/5

*(A resolution appointing Luis J. Gil to serve on the Green Task Force for a 2-yr term ending 5/03/12)*

**(Commissioner Harris)**

16. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; re-appointing Manuel A. Figueroa to serve on the Board of Trustees/Police Officers Retirement Trust Fund for a two-year term ending May 3, 2012; and providing an effective date. 3/5

*(A resolution re-appointing Manuel A. Figueroa to serve on the Board of Trustees/Police Officers Retirement Trust Fund for a 2-yr term ending 5/03/12)*

(City Commission)

17. A resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing the Acting City Manager to issue a work order to Fireworks Displays Unlimited, LLC. for the annual 4<sup>th</sup> of July fireworks display. The display will not exceed the amount of \$8,900.00 which will be charged to account number 001-2000-572-4820 (4<sup>th</sup> of July Parks and Recreation); providing for an effective date. 3/5

*(A resolution authorizing the Acting City Manager to issue a work order to Fireworks Displays Unlimited for the annual 4<sup>th</sup> of July fireworks display, in an amt not to exceed \$8,900 to be paid from the 4<sup>th</sup> of July Parks & Rec acct with a bal\$9,500)*

(Acting City Manager)

18. 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 Twilight 5K Run/Walk Race to benefit the South Miami Police Explorers and the After School House Program to be held June 6, 2010; providing for an effective date. 3/5

*(A resolution to permit the installation of a banner over Sunset Drive to promote a Twilight 5K Run/Walk Race to benefit the South Miami Police Explorers and the After School House Program to be held June 6, 2010)*

(Acting City Manager)

(END OF CONSENT)

RESOLUTION (S)

(Cont'd)

19. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; re-appointing Peter Isern to serve on the

Pension Board for a two-year term ending April 18, 2012; and providing an effective date. 3/5

*(A resolution re-appointing Peter Isern to serve on the Pension Board for a 2-yr term ending 4/18/12) (Deferred 4/19/10)*

(Committee of the Whole)

20. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, accepting the recommendation of the City's Audit Committee to conduct a complete audit of the books and records of Mark Richman Properties, Inc. in connection with its operation of the parking garage which is the subject of a March 11, 2005 Lease Agreement between the City of South Miami and Mark Richman Properties, Inc.; and providing an effective date. 3/5

*(A resolution accepting the recommendation of the City's Audit committee to conduct a complete audit of the books & records of Mark Richman Properties, Inc. in connection with its operation of the parking garage which is the subject of a March 11, 2005 lease agreement between the City and MRP)*

(City Attorney)

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

(Cont'd)

21. An ordinance of the Mayor and City Commission of the City of South Miami, Florida authorizing the Acting City Manager to finance the purchase of ~~four (4)~~ nine (9) 2010 Ford Crown Victoria Police Interceptors for a total amount of ~~\$101,360.00~~ \$228,060.00 and accepting the interest rate of 3.08% for a five (5) year financing term through Suntrust Bank with twenty (20) quarterly payments in the amounts of ~~\$5,487.70~~ \$12,378.72 and charging to the Police Department's Vehicle Lease/Purchase Account Number 001-1910-521-4450; Providing for severability, ordinances in conflict, and an effective date. 4/5

(Acting City Manager)

## RESOLUTION (S) PUBLIC HEARING (S)

22. A resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing the Acting City Manager to execute a service contract with Arco Electronics, Inc. for three consecutive years for Fire Alarms Maintenance and Monitoring at the Gibson-Bethel Community Center, City Hall and Police Department in

the amount of \$6,360.00 per year to be charged to Public Works Contractual Services Account Number 001-1710-519-3450; providing for an effective date. 3/5  
(Acting City Manager)

ORDINANCE (S) FIRST READING PUBLIC HEARING (S)  
(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 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.