



MAYOR:	Philip K. Stoddard	ACTING CITY MANAGER:	Buford R. Witt
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

Regular Meeting date: June 2, 2010 Time: 7:30 PM
Next Regular Meeting date: June 8, 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.

ITEM (S) FOR THE COMMISSION'S CONSIDERATION:

1. **Approval of Minutes**
 - a) Minutes of May 5, 2010
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, Co-Designating S.W. 74th Street, from S.W. 57th Avenue (Red Road) to S.W. 61st Avenue as Richard O'Barry Drive; 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. 3/5

(Commissioner Harris)
6. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; appointing Yvonne Beckman to serve on the Planning Board for a term of two years, ending June 1, 2012; and providing an effective date. 3/5

(Vice Mayor Newman)
7. A Resolution of the Mayor and of the City Commission employing the law firm of Squire Sanders, Luis Reiter as Bond Counsel of the City of South Miami in conjunction with the City Municipal Garage and all other issues of public financing; and providing for an effective date. 3/5

(Mayor Stoddard)
8. 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 20-3.3(D) entitled "Permitted Use Schedule" in order to change the existing "School, Elementary or Secondary" and the existing "School Vocational" permitted use categories from "P" Permitted Use to "S" Special Use; and to create a new use type entitled "School, Private and Charter" with all development in the new "School, Private and Charter" use type being classified as an "S" Special Use; and providing for an effective date.

3/5

(Mayor Stoddard)

(END OF CONSENT)

RESOLUTION (S)

9. A resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to boards and committees; re-appointing Rodney L. Williams, to serve on the South Miami Community Redevelopment Agency (SMCRA) Board for a two-year term ending May 17, 2012; and providing an effective date.

3/5

(Deferred 5/18/10)

(Commissioner Palmer)

10. A resolution of the Mayor and City Commission of the City of South Miami, Florida, employing Warren Trazenfeld to ascertain if former City Attorney Luis Figueredo and his law firm committed legal malpractice in his representation of The City of South Miami in conjunction with the City Municipal Garage; and providing for an effective date.

3/5

(Vice Mayor Newman)

ORDINANCE (S) SECOND READING PUBLIC HEARING (S)

11. An ordinance of the Mayor and City Commission of the City of South Miami, Florida, relating to Chapter 8A of the City Code, repealing Section 8A-2.1 of the Code of Ordinances entitled "Code of Conduct for all Public Officials and Board Members"; providing for severability, ordinances in conflict, and an effective date.

3/5

(1st Reading 5/18/10)

(Vice Mayor Newman)

12. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, relating to a request to

amend the official zoning map of the City of South Miami Land Development Code by designating a commercial building located at 7221 SW 58 Avenue (aka Bougainvillea Tavern) and legally described as being a portion of Lots 51 and 52, less east 50 feet, in W.A. Larkin's Subdivision, recorded in Plat Book 3, page 198 of Miami-Dade County Public Records, as an historic site and by placement of an Historic Preservation Overlay Zone (HP-OV) over the existing zoning use district for this property; providing for severability; providing for ordinances in conflict; and providing an effective date.

4/5

(1st Reading 4/6/10)

(Acting City Manager)

RESOLUTION (S) PUBLIC HEARING (S)

13. A Resolution of the Mayor and City Commission of the City of South Miami, Florida relating to the issuance of a Certificate of Appropriateness pursuant to Section 20-5.19(e)(3) of the Land Development Code to permit the installation of wall signage on a designated historic commercial building located at 5837 Sunset Drive (Shelley Building); providing an effective date.

3/5

(Acting City Manager)

14. A Resolution of the Mayor and City Commission of the City of South Miami, Florida relating to the issuance of a Certificate of Appropriateness pursuant to Section 20-5.19(e)(3) of the Land Development Code to the permit installation of wall signage on a designated historic commercial building located at 5850B Sunset Drive (D.J. Red Building); providing an effective date.

3/5

(Acting City Manager)

15. A Resolution of the Mayor and City Commission of the City of South Miami, Florida relating to the issuance of a Certificate of Appropriateness pursuant to Section 20-5.19(e)(3) of the Land Development Code to the permit exterior renovation and roof replacement on a designated historic single family building located at 6202 SW 56 Street (Miller Dr.)(Cambridge Lawns Historic District); providing an effective date.

3/5

(Acting City Manager)

ORDINANCE (S) FIRST READING

16. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida amending the South Miami Code of Ordinances by amending Chapter 4, Alcoholic Beverages Article 1, Section 4-2 entitled "Distance requirements; nonconforming use; certificate of occupancy"; in order to provide an exemption to the spacing requirements between a liquor package store and residential uses for properties located on U.S. 1 (South Dixie Highway); providing for severability; providing for ordinances in conflict; and 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 MATER 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.