



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

CITY COMMISSION AGENDA

City Commission Meeting

Regular Meeting Date: June 14, 2011 Time: 7:00 PM
Next Regular Meeting Date: July 19, 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.
 - 1) Officer of the Month
 - 2) Courteous Officer of the Month
 - 3) Employee of the Month

ITEM (S) FOR THE COMMISSION'S CONSIDERATION:

1. Approval of Minutes

(There was not enough time to finish the minutes for 6/07/11)

2. City Manager's Report (25 minutes)

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

a) Rescheduling the Executive Session regarding the Moya Case.

PUBLIC REMARKS

(5 minutes)

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

UNFINISHED BUSINESS

RESOLUTION (S) PUBLIC HEARING (S)

5. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, relating to a request pursuant to Section 20-3.4(B)(4)(b) of the Land Development Code for Special Use Approval to locate a general restaurant at 5701 SW 72 Street (The Shops at Sunset Place) within the "SR(HD-OV)" Specialty Retail (Hometown District-Overlay); and providing an effective date. 3/5

(City Manager - Planning/Zoning Dept.)

ORDINANCE (S) FIRST READING

6. An Ordinance, amending Section 2-22 of the Code of Ordinances of the City of South Miami, Florida, to eliminate term limits for commissions, boards and committees; providing for severability, ordinances in conflict and providing for an effective date. 3/5

(Mayor Stoddard)

7. 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.

(Deferred 5/26/11) 5/5

(City Manager-Planning Dept.)

ORDINANCE (S) SECOND READING PUBLIC HEARING (S)

8. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending Section 15-63 of the Code of Ordinances of the City of South Miami, Florida regarding mobile street sales restrictions by clarifying the prohibition against sales during a special event, such as an exhibition, exposition, art show and/or festival; providing for severability, ordinance in conflict, and an effective date. 3/5
(City Manager - Code Enforcement)

9. An Ordinance of the Mayor and City Commission of the City of South Miami, Florida, amending the Land Development Code Section 20-2.3 entitled "Definitions" in order to modify the definition of "Story" to clearly indicate that the use of any floor of a building as a parking level or partially for parking shall be included in the definition of a single story for the purpose of determining of the number of stories in a building; providing for severability; providing for ordinances in conflict; and providing an effective date. 3/5

*(Approved on 1st Reading 4/4/11 * Discussed on 2nd Reading 4/19/11 & moved to be placed again for 2nd Reading on 6/07/11 - See Excerpt Minutes attached)*

(City Manager - Planning/Zoning Dept.)

(END OF UNFINISHED BUSINESS)

BEGINNING OF CONSENT

10. A Resolution directing the City Manager to pay Luis Reiter, with the firm of Squire Sanders and Dempsy LLP the sum of \$19,467.17 for services rendered for the period May 2, 2011 through May 31, 2011. 3/5
(City Attorney)

11. A Resolution of the Mayor and City Commission of the City of South Miami, Florida, authorizing the City Manager to permit the Parks Foundation of Miami-Dade County to host the *Taste of the Town* on top of the South Miami Municipal Parking Garage by holding its' 1st Annual Million Trees Miami fundraising event on July 9, 2011, to provide a venue for fundraising and using the raised funds through the Parks Foundation of Miami-Dade County, for the planting of approved trees in the City of South Miami; providing for an effective date. 3/5
(City Manager-Parks/Recreation Dept.)

(END OF CONSENT)

RESOLUTION(S)

12. A Resolution of the Mayor and the City Commission of the City of South Miami, Florida, petitioning Miami-Dade County School Board to re-open J.R.E. Lee Alternative School located at 6521 SW 62nd Avenue in the City of South Miami, Florida, to be used as an elementary/community school. 3/5
(Commissioner Beasley)

ORDINANCE (S) SECOND READING PUBLIC HEARING (S)
(NONE)

RESOLUTION (S) PUBLIC HEARING (S)
(NONE)

ORDINANCE (S) FIRST READING

(CONT'D)

13. An Ordinance of the City of South Miami, Florida, amending the City of South Miami Comprehensive Plan to amend the current future land use map category titled "Public/ Institutional Uses (Four-Story)." 3/5
(City Manager-Planning/Zoning Dept.)
14. An Ordinance of the City of South Miami, Florida, amending the City of South Miami Comprehensive Plan to adopt a new future land use map category titled "Clinic / Veterinarian (Two-Story)." 3/5
(City Manager-Planning/Zoning Dept.)
15. An Ordinance of the City of South Miami, Florida, amending the City of South Miami Comprehensive Plan to adopt a new future land use map category titled "Clinic (Two-Story)." 3/5
(City Manager-Planning/Zoning 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.