

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, March 2, 2015 at 7:00 PM at Weston City Hall, 17200 Royal Palm Boulevard, Weston, Florida.

Present and constituting a quorum were:

Daniel J. Stermer	Mayor
Angel M. Gomez	Commissioner
Toby Feuer	Commissioner
Jim Norton	Commissioner
Thomas M. Kallman	Commissioner

Also present were:

John R. Flint	City Manager
David E. Keller	Assistant City Manager/CFO
Darrel L. Thomas	Assistant City Manager/COO
Patricia A. Bates	City Clerk
Jamie Alan Cole	City Attorney, Weiss Serota Helfman Cole Bierman & Popok, PL
Karen Lieberman	Asst. City Attorney, Weiss Serota Helfman Cole Bierman & Popok, PL
Chad Friedman	Asst. City Attorney, Weiss Serota Helfman Cole Bierman & Popok, PL
Dennis Giordano	President, Calvin, Giordano & Associates
Sarah Sinatra Gould	Director of Development Services, Calvin, Giordano & Associates
Jankristof Devastey, P.E.	Traffic Engineer, Calvin, Giordano & Associates
Curt A. Keyser, P.E.	Director of Engineering, Calvin, Giordano & Associates
Denise Barrett-Miller	Director of Communications
Thaddeus Bielecki	Director of Landscaping
Bryan E. Cahen	Director of Budget
Donald Decker	Director of Parks and Recreation
Karl C. Thompson	Director of Public Works
Steven Murray	MuniTech LLC
Cosmo Tornese	Building Official, C.A.P. Government, Inc.
Chief Kevin Butler	BSO DLE – Weston
Chief Harris Bouchillon	BSO DFRES – Weston
Chief Bruce Angier	BSO DFRES – Weston
Debbie M. Orshefsky, Esq.	Greenberg Traurig, P.A.
Steven Schwartz	President/CEO, TCA Holdings, LLC
Joaquin E. Vargas, P.E.	Senior Transportation Engineer, Traf Tech Engineering, Inc.
Stephen Straley, Esq.	Straley & Otto, P.A.
Ian Rairden	Transportation Engineer, Kimley-Horn and Associates, Inc.
Jesse S. Faerber	Weston Resident
Linda W. Cohen	Weston Resident
Bruce S. Cohen	Weston Resident
Sheila Danzig	Weston Resident

Madison Romeril	Weston Resident
Barry Romeril	Weston Resident
Fern Resnick	Weston Resident
Michael Sidle	Weston Resident
Shalina Jaffer	Weston Resident
Harvey Parker	Weston Resident
Rasaul Khaledi	Weston Resident
Gil Cerda	Weston Resident
Maribel Mays	Weston Resident
Thomas, Mays	Weston Resident
Llowel Resnick	Weston Resident
Joel Fass	Weston Resident

FIRST ORDER OF BUSINESS

Roll Call

Mayor Stermer called the meeting to order at 7:00 PM.

City Clerk Patricia Bates called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was led by students from Weston Christian Academy who were chaperoned by 5th grade teacher Johana Bigio.

THIRD ORDER OF BUSINESS

Presentations

A. Sheriff Scott Israel - announced the City's ISO Class 1 Protection Classification Rating

B. Broward Sheriff's Office Fire Rescue Employees of the Month –

Battalion Chief Michael Welbaum	Captain Kevin Bartlett
Battalion Chief Edward Federkeil	Lieutenant Robert Stout
Battalion Chief Ray Briant	Lieutenant Fred Hall
Captain Robert Melendez	Lieutenant Dan Gheorge
Captain Matthew Pellitteri	Lieutenant Eric Delotta
Captain Marc Hubschman	Lieutenant Neil Dirico
Captain Michael Coombs	Lieutenant Joseph Dorsette
Captain Christopher Declaire	Driver/Engineer Michael Dara

Driver/Engineer Thomas Craven	Firefighter/Paramedic Ken Desantis
Driver/Engineer Mark Ball	Firefighter/Paramedic Chet Klug
Driver/Engineer James Burge	Firefighter/Paramedic Michael Rush
Driver/Engineer Mike Jankowski	Firefighter/Paramedic Vito Recchia
Driver/Engineer Neil Colosi	Firefighter/Paramedic Scott Mobley
Firefighter/Paramedic Ron Keindl	Firefighter/Paramedic Frank Tuzzo
Firefighter/Paramedic Randall Robertson	Firefighter/Paramedic Jarrett Buetti
Firefighter/Paramedic Christina Bias	Firefighter/Paramedic Patrick Simon
Firefighter/Paramedic Kimberly Buhr	Firefighter/Paramedic Miguel Perez
Firefighter/Paramedic Todd Brady	Firefighter/Paramedic Carl King
Firefighter/Paramedic Kirk Morcus	Firefighter James Chandler
Firefighter/Paramedic Mick Dube	

C. Presentation – Broward Water Partnership presented by Dr. Jennifer Jurado, Director, Broward County Environmental Planning & Community Resilience Division.

D. Proclamation – Women’s History Month accepted by Commissioner Feuer.

ANNOUNCEMENTS

- This Saturday, March 7th at 7PM the City proudly presents another free Concert in the Park featuring *LET IT BE, the Beatles Tribute*. Experience a spectacular theatrical concert with a nationally touring Beatles Tribute band, playing all the Beatles music we all know and love. Bring lawn chairs out to the event stage in the Weston Regional Park. Enjoy a variety of food truck and concession stand options for a great night out with family or friends.
- The next evening, Sunday, March 8th, experience the full Symphony of the Americas Orchestra from 6:00-7:30PM in Weston Town Center. Music of your favorite Broadway show, movie and classics. Limited available seating or bring your own lawn chair. This free performance will be behind the Bell Town in the Weston Town Center.

- Perfect for those with young children, on Saturday, March 14th at 1:30 & 3PM, the Weston Community Center is offering free professional puppet shows of The Frog Prince. The show is best suited for children in Pre-K through the 2nd grade, accompanied by an adult.
- On Saturday night, March 14th at 7:30PM our free monthly Moonlight Movie in the Park will present *DOLPHIN TALE 2*. Bring lawn chairs or blankets out to the Weston Regional Park.
- BSO Fire Rescue reminds residents that they offer free CPR training classes. You could be saving the life of a loved one. Please call today to sign up for CPR training at 954-389-2015.

FOURTH ORDER OF BUSINESS

Audience Comments

None.

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Commissioners' Items Removed for Later Discussion

Commissioners' Items Removed for Later Discussion 10-C and 10-G .

B. Approval of the balance of the Consent Agenda

Commissioner Norton moved to approve the balance of the Consent Agenda.
Commissioner Gomez seconded the motion.

Roll call vote on the balance of the Consent Agenda.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

QUASI-JUDICIAL HEARING

City Attorney Jamie Cole read the quasi-judicial procedures. City Clerk Patricia Bates confirmed advertising and notice requirements were met for items 6 & 9 and swore in the witnesses.

SIXTH ORDER OF BUSINESS

Resolution No. 2015-22 of the City Commission of the City of Weston, Florida, considering Application No. 14-6602, a Site Plan Amendment to include a new driveway entrance on Windmill Ranch Road, for the property known as Midtown Athletic Club, located at 2300 Royal Palm Boulevard, Weston, Florida.

*Midtown Athletic Club Site Plan Amendment
New Driveway Entrance on Windmill Ranch Road
Continued from February 17, 2015*

The Resolution was read into the record by title. Mayor Stermer stated the following time limits: Presentation time limits, City Staff will have 30 minutes maximum; the Applicant will have 30 minutes maximum; and the Association will have 20 minutes maximum. Cross Examination time limits, City Staff will have 10 minutes maximum; the Applicant will have 10 minutes maximum; and the Association will have 10 minutes maximum. Closing Statements time limits, City Staff will have 10 minutes maximum; the Applicant will have 10 minutes maximum; and the Association will have 10 minutes maximum.

Sarah Sinatra Gould, Director of Development Services presented for the City. Debbie M. Orshefsky, Esq., Greenberg Traurig, P.A; Steven Schwartz, President/CEO TCA Holdings, LLC; and Joaquin E. Vargas, P.E., Senior Transportation Engineer, Traf Tech Engineering, Inc. presented for the Applicant. Stephen Straley, Esq., Straley & Otto, P.A.; and Ian Rairden, Transportation Engineer, Kimley-Horn and Associates, Inc. presented for Windmill Ranch Estates Maintenance Association, Inc.

The item was opened for public comment. Jesse S. Faerber, Weston Resident; Linda W. Cohen, Weston Resident; Bruce S. Cohen, Weston Resident; Sheila Danzig, Weston Resident; Madison Romeril, Weston Resident; Barry Romeril, Weston Resident; Fern Resnick, Weston Resident; Michael Sidle, Weston Resident; Shalina Jaffer, Weston Resident; Joel Fass for Lee Hager, Weston Resident; Harvey Parker, Weston Resident; Rasaul Khaledi, Weston Resident; Gil Cerda, Weston Resident; Maribel Mays, Weston Resident; Thomas, Mays, Weston Resident; Llowel Resnick, Weston Resident; and Joel Fass, Weston Resident commented from the public.

Stephen Straley, Esq., Straley & Otto, P.A. had no cross examination presentation from Windmill Ranch Estates Maintenance Association, Inc. Applicant Representative Debbie M. Orshefsky, Esq., Greenberg Traurig, P.A. questioned the City's Traffic Engineer Jankristof Devastey, P.E. Sarah Sinatra Gould, Director of Development Services had no cross examination presentation from the City.

Stephen Straley, Esq., Straley & Otto, P.A. provided closing statements from Windmill Ranch Estates Maintenance Association, Inc. Debbie M. Orshefsky, Esq., Greenberg Traurig, P.A. provided closing statements for the Applicant. Sarah Sinatra Gould, Director of Development Services had no closing statements from the City.

The City Commission asked questions of City Staff and the Applicant Representatives. The Public Hearing was closed.

Commissioner Gomez moved to approve the application.
Motion died for lack of a second.

Commissioner Kallman moved to deny the application.
Motion died for lack of a second.

Meeting recessed at 10:15 PM

Meeting reconvened at 10:24 PM

Commissioner Feuer moved to approve Resolution No. 2015-22.
Commissioner Gomez seconded the motion.

Roll call vote to approve Resolution No. 2015-22.
Commissioner Norton voted no.
Commissioner Feuer voted yes.
Commissioner Kallman voted no.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

ITEM 9 WAS MOVED TO THE QUASI-JUDICIAL PART OF THE AGENDA.

Quasi-Judicial procedures were waived for Item 9 by the City Commission with approval from Applicant Representative, Debbie M. Orshefsky, Esq., Greenberg Traurig, P.A.

An Ordinance of the City of Weston, Florida, rezoning property generally located north of South Post Road, south of Meridian Parkway, east of Corporate Avenue, and west of Weston Road, consisting of approximately 19.71 acres, from Industrial, Office and Commercial (IOC) to Hospital Zoning (HZ) District; and providing for an effective date.

Public Hearing and First Reading

****The City Commission will be sitting simultaneously as the Local Planning Agency when considering this item.***

Mayor Stermer stated, Item #9 on tonight's agenda proposes to amend the City's Zoning Map. Pursuant to State Law, this type of Item is to be reviewed by the Local Planning Agency and considered by the City Commission. As permitted by Section 163.3174 of the Florida Statutes, the City Commission also serves as the Local Planning Agency, therefore, the City Commission, both in our capacity as Local Planning Agency and as the governing body of the City, will hear the following Item. The Ordinance was read into the record by title. This is a Public Hearing and First Reading. The item was opened for public comment. No comment from the public.

Commissioner Gomez moved to approve the Ordinance.
Commissioner Norton seconded the motion.

Roll call vote on the Ordinance.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

END OF QUASI-JUDICIAL HEARING

SEVENTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending Section 40.01 "Payment of Business Tax" of Chapter 40, "Business Tax Receipts," increasing the business tax rates by 5% effective October 1, 2015 for engaging in business within the City; and providing for an effective date.

Public Hearing and First Reading

The Ordinance was read into the record by title. This is a Public Hearing and First Reading. The item was opened for public comment. No comment from the public. City Manager John Flint provided an overview of the ordinance. The City Commission discussed the item.

Commissioner Feuer moved to approve the Ordinance.
Commissioner Norton seconded the motion.

Roll call vote on the Ordinance.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

EIGHTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, creating Section 125.42, "Unity of Title or Covenant in Lieu of Unity of Title" of the City Code; and providing for an effective date.

Public Hearing and First Reading

****The City Commission will be sitting simultaneously as the Local Planning Agency when considering this item.***

Mayor Stermer stated, Item #8 on tonight's agenda proposes to amend the City's Land Development Regulations. Pursuant to State Law, this type of Item is to be reviewed by the Local Planning Agency and considered by the City Commission. As permitted by Section 163.3174 of the Florida Statutes, the City Commission also serves as the Local Planning Agency, therefore, the City Commission, both in our capacity as Local Planning Agency and as the governing body of the City, will hear the following Item. The Ordinance was read into the record by title. This is a Public Hearing and First Reading. The item was opened for public comment. No comment from the

public. Assistant City Attorney Chad Friedman provided an overview of the ordinance. The City Commission discussed the item.

Commissioner Gomez moved to approve the Ordinance.
Commissioner Norton seconded the motion.

Roll call vote on the Ordinance.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

TENTH ORDER OF BUSINESS

Consent Agenda

Item 10-C and 10-G were removed from the Consent Agenda.

ITEM 10-C Resolution No. 2015-25 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, extending the previously executed agreement with Bel Air Maintenance, Inc. for RFP No. 2011-03 for Custodial Services under the current terms and conditions on a month-to-month term not beyond June 30, 2015.

Commissioner Kallman stated that Bel Air Maintenance, Inc. is a customer of my insurance agency. Although the amount of business I transact with Bel Air Maintenance is below 5% or \$25,000 a year, I believe that it would still create the appearance of a conflict of interest for me to vote on this item, which would amend the contract between the City and Bel Air Maintenance. Accordingly, after consultation with the City Attorney, I will be abstaining from voting on the matter and will not participate. I will complete and file Form 8B Memorandum of Voting Conflict for County, Municipal and other Local Public Officers with the City Clerk. Commissioner Kallman left the dais and abstained from discussion and voting on Item 10-C.

The Resolution was read into the record by title. The item was opened for public comment. No comment from the public. City Manager John Flint provided an overview.

Commissioner Gomez moved to approve Resolution No. 2015-25.
Commissioner Feuer seconded the motion.

Roll call vote on Resolution No. 2015-25.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman abstained from voting.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

ITEM 10-G A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, accepting the City of Weston 2022 Strategic Value and Business Plan.

Item 10-G was withdrawn from the Consent Agenda to be heard at the March 16, 2015 City Commission Meeting.

CITY OF WESTON

A. Resolution No. 2015-23 of the City Commission of the City of Weston, Florida, supporting and encouraging the collective efforts of municipalities through the “#SaferBy4” initiative to reduce preventable child deaths due to drowning and sleep habits; authorizing the City Clerk to transmit this resolution; and providing for an effective date.

INDIAN TRACE DEVELOPMENT DISTRICT

B. Resolution No. 2015-24 of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving Change Order No. 1-Final for the City’s contract provider, Ric-Man International, Inc., of Pompano Beach, Florida, for Bid No. 2013-13, for ITDD Weston Forcemain Improvements, Calvin, Giordano & Associates, Inc., Project No. 11-4360.

CITY OF WESTON AND INDIAN TRACE DEVELOPMENT DISTRICT

C. Resolution No. 2015-25 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, extending the previously executed agreement with Bel Air Maintenance, Inc. for RFP No. 2011-03 for Custodial Services under the current terms and conditions on a month-to-month term not beyond June 30, 2015.

CITY OF WESTON, INDIAN TRACE DEVELOPMENT DISTRICT, BONAVENTURE DEVELOPMENT DISTRICT

- D. Resolution No. 2015-26 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, approving Change Order No. 1-Final for the City's contract provider, Ric-Man International, Inc., of Pompano Beach, Florida, for Bid No. 2013-16, for Weston Drainage Improvements, Calvin, Giordano & Associates, Inc., Project No. 12-4927.

- E. Resolution No. 2015-27 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, authorizing the purchase of products or services from various vendors in amounts not to exceed the amounts appropriated in the Fiscal Year 2015 Adopted or Amended Budgets.

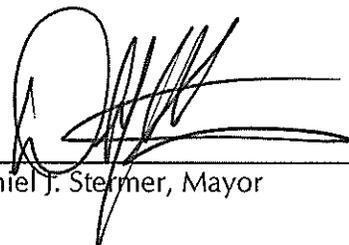
- F. Resolution No. 2015-28 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, accepting and ratifying rankings of the Selection Committee, pursuant to RFP No. 2014-10, a Request for Proposals for Arboricultural Services, and awarding and approving an Agreement with All Florida Tree and Landscape, Inc., of Coral Springs, Florida.

The Items listed above on the Consent Agenda were approved earlier in the meeting.

ELEVENTH ORDER OF BUSINESS

The meeting adjourned at 10:50 PM.

Adjournment



Daniel J. Stermer, Mayor