

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, April 18, 2016 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, PL
Karen Lieberman	Asst. City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Dennis Giordano	President, Calvin, Giordano & Associates
Sarah Sinatra Gould	Director of Development Services, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, 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
Ryan M. Fernandes	Director of Technology Services
Karl C. Thompson	Director of Public Works
Cosmo Tornese, P.E.	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
Richard Stark	State Representative Florida House District 104
Autumn Desanti	Resident
Manual Synalovski, AIA	Synalovski Romanik Saye, LLC
James Cromar	Director of Planning, Broward MPO
Paul Calvaresi	Regional Transportation Planner, Broward MPO

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 Imagine Charter School at Weston, who were chaperoned by Assistant Principal Ms. Theresa Sumner.

THIRD ORDER OF BUSINESS

Presentations

- A. **Broward Sheriff's Law Enforcement Employees of the Month** – Sgt. William Morgan; Detective Steve Barreto; Detective Shawn Mears; Detective DJ Acosta; and Detective Christopher Bradley.
- B. **Proclamation – Florida Water Professionals Month.** Accepted by Ms. Linda Vargas, Vice Chair of the Florida Water & Pollution Control Operators Association Region VII.
- C. **Proclamation – Safe Digging Month.** Accepted by Ms. Cheryl Ritter, Damage Prevention Manager for Sunshine 811.
- D. **Certificates of Recognition** – Mr. Buddy Evans, Executive Vice President of the Weston YMCA Family Center recognized a group of swimmers and coaches who qualified for the YMCA Short Course National Championship Qualifier in Greensboro, North Carolina.
- E. **Certificates of Recognition** – Recognizing the Riptide Weston Over 50 Team, Winners of the Florida State Soccer Association Florida Classic Tournament, and the Riptide Weston Over 55 Team, Winners of the Florida State Soccer Association Florida Classic Tournament.
- F. **LEGISLATIVE UPDATE** – State Representative Richard Stark, Florida House District 104.

ANNOUNCEMENTS

- The Quarterly Residential Bulk Pickup will be held this month. For residences with curbside collection, pickup dates are Wednesday, April 20th, Thursday, April 21st, OR Friday, April 22nd, whichever is your regular garbage collection date. Place items curbside, away from the mailbox, by 7AM on your collection date. For multi-family units with dumpsters, the pickup date is Saturday, April 23rd. Place items near dumpster by 7AM. For additional information visit the City website at Westonfl.org or call Public Works at 954-385-2600.
- The playground at Emerald Estates Park is currently closed while new play equipment is installed. The remainder of the park is open to the public while this enhancement is completed which will be approximately May 6th.
- Chess players of all ages and skill levels are invited to join myself and your City Commissioners and City leaders at the final Mayors' Chess Challenge on Saturday, May 7th from 10AM until Noon at the Weston Community Center inside the Weston Regional Park. No RSVP is required just come on out for this friendly open competition which is a celebration of scholastic chess and an opportunity for the novices, the experts and all ranges in-between to join in the fun.
- On Wednesday, May 11th and Thursday, May 12th the City of Weston is proud to partner with the Florida Department of Financial Services to offer two free workshops on how to Be Scam Free. Directed toward seniors, but excellent for anyone, the workshops will teach you how to spot fraudulent behavior; common scams that target seniors; and how to fight identity theft. The Wednesday, May 11th date is an English language workshop. The Thursday, May 12th date is a Spanish language workshop: En Español – both workshops are from 10AM – 11AM at the Bonaventure Town Center Club, 16690 Saddle Club Road.

FOURTH ORDER OF BUSINESS

Autumn Desanti, Resident

Audience Comments

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Commissioners' Items Removed for Later Discussion

Commissioners' Items Removed for Later Discussion 11-A.

B. Approval of the Balance of the Consent Agenda

Commissioner Norton moved to approve the balance of the Consent Agenda.
Commissioner Kallman 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

SIXTH ORDER OF BUSINESS

Resolution No. 2016-46 of the City Commission of the City of Weston, Florida, considering Application No. 16-8487, a variance from Section 126.11(B) of the Code of Ordinances of the City, Permanent Signs, Office, Industrial, Institutional Use Signage, to allow two proposed reversed channel lettering wall signs, for the applicant known as Ultimate Software, for the property known as Beacon Pointe at Weston, located at 2250 North Commerce Parkway, Weston, Florida.

***Ultimate Software Sign Variance
Deferred from March 21, 2016 Meeting***

Quasi-Judicial procedures were waived by the City Commission with consent from the Applicant Representative Manual Synalovski, AIA, Synalovski Romanik Saye, LLC. City Clerk Patricia Bates confirmed advertising and notice requirements had been met.

The Resolution was read into the record by title. The item was opened for public comment. No comment from the public.

Commissioner Norton moved to approve Resolution No. 2016-46.
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2016-46.
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, providing for amendment of the City Charter by amending Section 2.05, "Vacancies; Forfeiture of Office; Filling of Vacancies," to change the time frame for holding special elections to fill a vacancy when there is no scheduled available election within one year; providing requisite ballot language for submission to electors; providing for adoption of enabling resolution; 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 Attorney Jamie Cole provided an overview.

Commissioner Gomez moved to approve the Ordinance.
Commissioner Feuer 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, amending Section 1.01, "Definitions," of the City Code to add a definition related to sexual violator residency restrictions; defining "reside,"; amending Section 52.45 "Sexual Violator Residency Prohibition" to clarify the type of residency prohibited by the City Code; 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. City Attorney Jamie Cole answered questions from the Commission. The City Commission discussed the item. Revisions for Second Reading: Page 1 of 3, Line 44 delete "calendar year", add "twelve (12) month period".

Commissioner Norton moved to approve the Ordinance.
Commissioner Gomez 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.

NINTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending Section 100.11, "Background Checks," and creating Section 100.14, "Concussion and Head Injury Regulations," to update procedures related to sports leagues in public parks to ensure consistency with state law; 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.

Commissioner Feuer moved to approve the Ordinance.
Commissioner Kallman 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

Ordinance No. 2016-07 of the City of Weston, Florida, amending Section 2.17, "Procedures for Relief from Specified Laws;" to update the notice procedures; and providing for an effective date..

Second and Final Reading

The Ordinance was read into the record by title. This is a Second and Final Reading. The item was opened for public comment. No comment from the public. City Manager John Flint provided an overview of the changes for second reading. Page 1 of 2, Line 47 following text was added: "If the real property is located within a Homeowners' Association and that Homeowners' Association is registered with the City, then the City, shall deliver a copy of the notice, by first class mail postmarked at least ten days prior to the date of the hearing, to the Homeowners' Association."

Commissioner Gomez moved to approve Ordinance No. 2016-07.
Commissioner Feuer seconded the motion.

Roll call vote on Ordinance No. 2016-07.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

ELEVENTH ORDER OF BUSINESS

Consent Agenda

Item 11-A Resolution No. 2016-47 of the City Commission of the City of Weston, Florida, approving the Interlocal Agreement between Broward County and City of Weston for preparation, implementation, and administration by Broward County of the City of Weston's State Housing Initiatives Partnership (SHIP) Program for the State of Florida's Fiscal Years 2016-2017, 2017-2018, and 2018-2019.

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 Feuer moved to approve Resolution No. 2016-47.
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2016-47.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

CITY OF WESTON

- A. Resolution No. 2016-47 of the City Commission of the City of Weston, Florida, approving the Interlocal Agreement between Broward County and City of Weston for preparation, implementation, and administration by Broward County of the City of Weston's State Housing Initiatives Partnership (SHIP) Program for the State of Florida's Fiscal Years 2016-2017, 2017-2018, and 2018-2019.**
- B. Resolution No. 2016-48 of the City Commission of the City of Weston, Florida, approving the 2016 Amendment to Interlocal Agreement between Broward County and the City of Weston providing for division and distribution of the proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit. *One-cent local option gas tax***
- C. Resolution No. 2016-49 of the City Commission of the City of Weston, Florida, approving the 2016 Amendment to Interlocal Agreement between Broward County and the City of Weston providing for division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance. *Three-cent local option gas tax***

- D. Resolution No. 2016-50 of the City Commission of the City of Weston, Florida, approving the 2016 Amendment to Interlocal Agreement between Broward County and the City of Weston providing for Division and Distribution of the Proceeds of the Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance. *Six-cent local option gas tax***

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

- E. Resolution No. 2016-51 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 the Minutes of the Regular Meeting of the City Commission of the City of Weston held on April 4, 2016.**

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

TWELFTH ORDER OF BUSINESS

**Commission/City Manager Agenda
Request**

A. John R. Flint, City Manager

Local Government Infrastructure Surtax and Regional Transportation Surtax

City Manager John Flint provided an overview. The City Commission discussed the item.

James Cromar, Director of Planning, Broward Metropolitan Planning Organization and Paul Calvaresi, Regional Transportation Planner, Broward Metropolitan Planning Organization answered questions from the City Commission.

ADDITIONAL ITEM ADDED TO THE AGENDA

Resolution No. 2016-52 of the City Commission of the City of Weston, Broward County, Florida, imposing a one cent per dollar Local Government Infrastructure Surtax on all authorized taxable transactions occurring within Broward County, Florida, as authorized by Section 212.055(2), Florida Statutes, providing that the imposition of the surtax shall not be effective unless approved at a referendum election; providing that the imposition shall be effective beginning January 1, 2017 and shall continue until repealed; providing for distribution of surtax revenues pursuant to law; directing the Supervisor of Elections to hold a referendum election on November 8, 2016; providing ballot language and a brief description of infrastructure capital projects; providing for adoption of a Resolution detailing project examples; providing for public distribution of this Resolution; directing the City Clerk to advertise the special referendum election in accordance with state law or coordinate such advertisement in accordance with state law with the supervisor of elections; providing for severability; providing for conflicts; and providing for an effective date.

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 Norton moved to approve Resolution No. 2016-52.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2016-52.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

THIRTEENTH ORDER OF BUSINESS

The meeting adjourned at 9:28 PM.

Adjournment



Daniel J. Stermer, Mayor

MONDAY
APRIL 18, 2016
7:00 P.M.



WESTON CITY HALL
17200 ROYAL PALM BOULEVARD
WESTON, FLORIDA

CITY COMMISSION
REGULAR MEETING AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Broward Sheriff's Office Law Enforcement Employee of the Month
4. Audience Comments
5. Consent Agenda
 - A. Commissioners' Items Removed for Later Discussion
 - B. Approval of Balance of Consent Agenda

QUASI-JUDICIAL HEARING

The following items are quasi-judicial in nature and are governed by the City's quasi-judicial procedures. If you wish to object or comment upon these items, please wait to do so when the announcement regarding the particular quasi-judicial item is made. You will be required to be sworn in before addressing the Commission, and if you wish to address the Commission, you may be subject to cross-examination. If you refuse to submit to cross-examination, the Commission will not consider what you have said in its final deliberations. The material in the City Commission's agenda backup and the staff résumés on file with the City Clerk will be considered as evidence without authentication.

6. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 16-8487, a variance from Section 126.11(B) of the Code of Ordinances of the City, Permanent Signs, Office, Industrial, Institutional Use Signage, to allow two proposed reversed channel lettering wall signs, for the applicant known as Ultimate Software, for the property known as Beacon Pointe at Weston, located at 2250 North Commerce Parkway, Weston, Florida.

Ultimate Software Sign Variance

Deferred from March 21, 2016 Meeting

Pages 6-30

END OF QUASI-JUDICIAL HEARING

CITY OF WESTON

7. An Ordinance of the City of Weston, Florida, providing for amendment of the City Charter by amending Section 2.05, "Vacancies; Forfeiture of Office; Filling of Vacancies," to change the time frame for holding special elections to fill a vacancy when there is no scheduled available election within one year; providing requisite ballot language for submission to electors; providing for adoption of enabling resolution; and providing for an effective date.
Public Hearing and First Reading **Pages 31-36**

8. An Ordinance of the City of Weston, Florida, amending Section 1.01, "Definitions," of the City Code to add a definition related to sexual violator residency restrictions; defining "reside,;" amending Section 52.45 "Sexual Violator Residency Prohibition" to clarify the type of residency prohibited by the City Code; and providing for an effective date.
Public Hearing and First Reading **Pages 37-42**

9. An Ordinance of the City of Weston, Florida, amending Section 100.11, "Background Checks," and creating Section 100.14, "Concussion and Head Injury Regulations," to update procedures related to sports leagues in public parks to ensure consistency with state law; and providing for an effective date.
Public Hearing and First Reading **Pages 43-52**

10. An Ordinance of the City of Weston, Florida, amending Section 2.17, "Procedures for Relief from Specified Laws;" to update the notice procedures; and providing for an effective date.
Second and Final Reading **Pages 53-57**

11. **CONSENT AGENDA**

CITY OF WESTON

- A. A Resolution of the City Commission of the City of Weston, Florida, approving the Interlocal Agreement between Broward County and City of Weston for preparation, implementation, and administration by Broward County of the City of Weston's State Housing Initiatives Partnership (SHIP) Program for the State of Florida's Fiscal Years 2016-2017, 2017-2018, and 2018-2019.
Pages 58-75

- B. A Resolution of the City Commission of the City of Weston, Florida, approving the 2016 Amendment to Interlocal Agreement between Broward County and the City of Weston providing for division and distribution of the proceeds from the Broward County Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit.
One-cent local option gas tax **Pages 76-85**

- C. A Resolution of the City Commission of the City of Weston, Florida, approving the 2016 Amendment to Interlocal Agreement between Broward County and the City of Weston providing for division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance.

Three-cent local option gas tax

Pages 86-96

- D. A Resolution of the City Commission of the City of Weston, Florida, approving the 2016 Amendment to Interlocal Agreement between Broward County and the City of Weston providing for Division and Distribution of the Proceeds of the Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance.

Six-cent local option gas tax

Pages 97-107

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

- E. 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, approving the Minutes of the Regular Meeting of the City Commission of the City of Weston held on April 4, 2016.

Pages 108-120

12. Commission/City Manager Agenda Request

A. **John R. Flint, City Manager**

Local Government Infrastructure Surtax and Regional Transportation Surtax

Pages 121-145

13. Adjournment

PUBLIC PARTICIPATION AT COMMISSION MEETINGS

Anyone wishing to address the Commission with regard to a matter appearing on the Agenda or during audience comments must sign in with the City Manager or his designee. Each individual must state his or her name and the name of the entity represented (if applicable) and the item on the agenda to be addressed prior to conclusion of the discussion of the matter. Each person addressing the Commission shall approach the lectern, shall give their name and address in an audible tone of voice for the record, and unless further time is granted by the Presiding Officer, shall limit their address to three (3) minutes. All remarks shall be addressed to the Commission as a body and not to any member thereof. A person speaking on an item on the agenda shall limit their comments to matters relevant to the item. A person speaking during audience comments shall not address any item on the agenda and is strongly encouraged to refrain from making political statements. No person addressing the Commission shall make personal attacks on any member of the Commission or any other individuals or entities. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Presiding Officer. No question shall be asked of a Commissioner except through the Presiding Officer.

Any person who addresses the Commission on behalf of an individual, corporation or special interest group for compensation must disclose that representation when stating his or her name, as described above.

Pursuant to Florida Statutes 286.0105, if a person decides to appeal any decision made by the body with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes testimony and evidence upon which the appeal is to be based.

Any person requiring auxiliary aids and services at this meeting may call the City Clerk's Office at (954) 385-2000 at least three (3) business days prior to the meeting.