

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, November 17, 2014 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
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
Anthony Soroka	Asst. City Attorney, Weiss Serota Helfman Cole Bierman & Popok, PL
Dennis Giordano	President, Calvin, Giordano & Associates
Shelley Eichner	Vice President, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, Calvin, Giordano & Associates
Denise Barrett	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
Lt. Rodney Brimlow	BSO DLE – Weston
Chief Harris Bouchillon	BSO DFRES – Weston
Chief Bruce Angier	BSO DFRES – Weston
Debbie Orshefsky, Esq.	Greenberg Traurig, P.A.
Renee Smoley	Weston Resident
Commissioner Martin Kiar	Board of County Commissioners of Broward County

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

Presentation of Colors by the Broward Sheriff's Office Explorer Honor Guard. The Pledge of Allegiance was led by students from Indian Trace Elementary School who were chaperoned by Principal Amy Winder and Curriculum Specialist Marc Horowitz.

THIRD ORDER OF BUSINESS

Presentations

- A. **Broward Sheriff's Office Law Enforcement Employee of the Month** - Sergeant William "Sony" Morgan.

- B. **Proclamation – DECA Month** accepted by students from Cypress Bay High School, Ms. Laurent Babitz, CBHS DECA, Director of Executive Council and Julian Wright, President.

ANNOUNCEMENTS

- City Administrative offices will close at 3:00 PM on Wednesday, November 26th and will be closed on Thursday and Friday, November 27th and 28th.
- City parks will close at 6 PM on Thanksgiving Day only, November 27th.
- There will be regular garbage and recycling collection throughout the holiday.
- On behalf of the entire City Commission and our staff, we wish you and your families a very Happy Thanksgiving.
- We have numerous events coming up in December. Please view the City website at www.westonfl.org for all of the details.
- BSO Fire Rescue reminds residents that during the Thanksgiving holiday to be extra cautious and never leave items cooking on the stove unattended.

- BSO Fire Rescue is also taking registrations for the next basic Community Emergency Response Training Program, commonly called CERT. All training and supplies are free of charge. The program begins January 6th and will be held each Tuesday night from 6:30-8:30 PM for 8 weeks. Please call 954-389-2015 to register for CPR or CERT training. Details on the CERT program are available on the City website.

FOURTH ORDER OF BUSINESS

Resolution No. 2014-131 of the City Commission of the City of Weston, Florida, declaring the unopposed candidates for Residential Area Seat 3, Jim Norton; and Residential Area Seat 4, Toby Feuer; elected to four year terms commencing on November 17, 2014.

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

Commissioner Kallman moved to approve Resolution No. 2014-131.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2014-131.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

FIFTH ORDER OF BUSINESS

OATH OF OFFICE CEREMONY

Commissioner Toby Feuer was sworn in by Renee Smoley.

Commissioner Jim Norton was sworn in by Broward County Commissioner Martin Kiar.

CITY COMMISSION MEETING RECESSED AT 7:33 PM

CITY COMMISSION MEETING RECONVENED AT 7:45 PM

QUASI-JUDICIAL HEARING

SIXTH ORDER OF BUSINESS

A Resolution 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
Deferred from October 20, 2014 Meeting to time certain of 7:45***

The Resolution was read into the record by title. Debbie Orshefsky, Esq., Greenberg Traurig, P.A. represented the applicant.

Commissioner Kallman moved to waive the re-advertising and notice requirements, but Applicant must post sign with meeting date on the site.
Commissioner Feuer seconded the motion.

Roll call vote to waive the re-advertising and notice requirements, but Applicant must post sign with meeting date on the site.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

Commissioner Gomez moved to continue the item to the January 20, 2015 City Commission Meeting.
Commissioner Norton seconded the motion.

Roll call vote to continue the item to the January 20, 2015 City Commission Meeting.
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

Resolution No. 2014-132 of the City Commission of the City of Weston, Florida, establishing the Order of Voting on any motion to consider an action taken by the City Commission.

The Resolution was read into the record by title. The item was opened for public comment. No comment from the public. Commissioner Gomez chose to vote fourth. Commissioner Feuer chose to vote second. Commissioner Norton chose to vote first. Mayor Stermer chose to vote last. Commissioner Kallman will vote third.

Commissioner Norton moved to approve Resolution No. 2014-132.
Commissioner Feuer seconded the motion.

Roll call vote on Resolution No. 2014-132.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

EIGHTH ORDER OF BUSINESS

Resolution No. 2014-133 of the City Commission of the City of Weston, Florida, electing the Alternate Presiding Officer and Second Alternate Presiding Officer for meetings of the City Commission.

The Resolution was read into the record by title. The item was opened for public comment. No comment from the public. Commissioner Gomez was nominated as the Alternate Presiding Officer and Commissioner Feuer was chosen as the Second Alternate Presiding Officer.

Commissioner Norton moved to approve Resolution No. 2014-133.
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2014-133.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

NINTH ORDER OF BUSINESS

Consent Agenda

A. Commissioners' Items Removed for Later Discussion

Commissioners' Items Removed for Later Discussion 14-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.

TENTH ORDER OF BUSINESS

Audience Comments

None.

ELEVENTH ORDER OF BUSINESS

Ordinance No. 2014-23 of the City of Weston, Florida, amending Section 132.02, "Methods of Acquisition," to clarify procedures related to Sealed Competitive Methods; 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 ordinance.

Commissioner Gomez moved to approve Ordinance No. 2014-23.
Commissioner Feuer seconded the motion.

Roll call vote on Ordinance No. 2014-23.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

TWELFTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, repealing Section 52.66, "Sale of Nicotine Vaporizer or Liquid Vaporizers to Minors Prohibited,"; amending Section 1.01, "Definitions," to provide definitions related to the regulation of nicotine vaporizer use within the City; creating Section 52.67, "Prohibited Use of Nicotine Vaporizers" to prohibit the use of Nicotine Vaporizers wherever smoking is prohibited in 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 explanation 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.

THIRTEENTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending Section 124.16 "IOC Districts" by providing for Retail Vaporizer Shop Special Exception Uses; 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 #13 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. City Manager John Flint provided an explanation of the ordinance. The City Commission discussed the item.

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.

FOURTEENTH ORDER OF BUSINESS

Consent Agenda

Item 14-G was removed from the Consent Agenda.

ITEM 14-G Resolution No. 2014-140 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving the First Amendment to the Agreement among the City of Weston, Florida, the Indian Trace Development District, and Bel Air Maintenance, Inc. for Custodial Services RFP No. 2011-03.

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 14-G.

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

Commissioner Feuer moved to approve Resolution No. 2014-140.
Commissioner Norton seconded the motion.

Roll call vote on Resolution No. 2014-140.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman abstained from voting.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

CITY OF WESTON

- A. Resolution No. 2014-134 of the City Commission of the City of Weston, Florida, accepting the results of the Municipal Special Election held November 4, 2014, concerning proposed Charter amendments.**
- B. Resolution No. 2014-135 of the City Commission of the City of Weston, Florida, approving the Fifth Amendment to the Lease and Funding Agreement for Lease of Recreational Facilities at Cypress Bay High School between the School Board of Broward County and the City of Weston.**
- C. Resolution No. 2014-136 of the City Commission of the City of Weston, Florida, approving Change Order No. 2-Final for the City's contract provider, General Asphalt Company, Inc., of Miami, Florida, for Bid No. 2012-06, Weston Road and Royal Palm Resurfacing, Calvin, Giordano & Associates, Inc., Project No. 11-4484/11-4485.**

- D. Resolution No. 2014-137 of the City Commission of the City of Weston, Florida, amending the Budget of the City of Weston for Fiscal Year 2013/2014 commencing October 1, 2013 and ending September 30, 2014; and providing for an effective date.

BONAVENTURE DEVELOPMENT DISTRICT

- E. Resolution No. 2014-138 of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, amending the budget of the Bonaventure Development District for Fiscal Year 2013/2014 commencing October 1, 2013 and ending September 30, 2014; and providing for an effective date.

INDIAN TRACE DEVELOPMENT DISTRICT

- F. Resolution No. 2014-139 of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving Work Authorization No. 1 for Professional Civil Engineering Continuing Services for Country Isles Water Services replacement construction engineering and inspection, Weston, Florida, for the City's contract provider, EAC Consulting, Inc., of Fort Lauderdale, Florida.

CITY OF WESTON AND INDIAN TRACE DEVELOPMENT DISTRICT

- G. Resolution No. 2014-140 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving the First Amendment to the Agreement among the City of Weston, Florida, the Indian Trace Development District, and Bel Air Maintenance, Inc. for Custodial Services RFP No. 2011-03

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

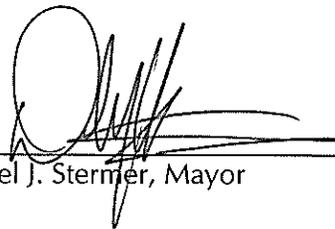
- H. Resolution No. 2014-141 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, extending and amending the agreement with GraphPlex Signage, Inc for Traffic Signs Replacement Program, RFP No. 2009-03 for the first additional five year period.
- I. Resolution No. 2014-142 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 Workshop Meeting of the City Commission of the City of Weston held on October 13, 2014, and the Minutes of the Regular Meeting of the City Commission of the City of Weston held on October 20, 2014.

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

FIFTEENTH ORDER OF BUSINESS

The meeting adjourned at 8:03 PM.

Adjournment

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by several vertical and horizontal strokes, positioned above a horizontal line.

Daniel J. Sternjer, Mayor