

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, December 7, 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, PL
Gail D. Serota	Asst. City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Karen Lieberman	Asst. City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Anthony Soroka	Asst. City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Dennis Giordano	President, Calvin, Giordano & Associates
Shelley Eichner	Vice President, 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
Steven Murray	Assistant Director of Technology Services, MuniTech LLC
Cosmo Tornese, P.E.	Building Official, C.A.P. Government, Inc.
Michael Miller	Zoning Official/Code Enforcement Manager, Calvin, Giordano & Associates
Shane Mainhart	Code Enforcement Officer, Calvin, Giordano & Associates
Chief Kevin Butler	BSO DLE – Weston
Lt. Rafael Lopez	BSO DLE – Weston
Chief Harris Bouchillon	BSO DFRES – Weston
Jeffrey S. Dinetz	President and Publisher inWESTON Magazine
Commissioner Ron Bergeron	Florida Fish and Wildlife Conservation Commission
Peter Antonacci	Executive Director South Florida Water Management District
Christy Brigman, Esq.	Kelley Kronenberg
Bambi Mary Thalia Nikolakis Williams	

FIRST ORDER OF BUSINESS

Roll Call

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

City Clerk Patricia Bates called the roll. Commissioner Gomez arrived at 7:20 PM.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was led by students from Everglades Elementary School, who were chaperoned by Sheryl Brill, Student Council Advisor.

THIRD ORDER OF BUSINESS

Presentations

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

Captain Lisa Tasse

Driver/Engineer Miguel Garcia

Firefighter/Paramedic Gary Chambers

Captain Tammy Henghold

Driver/Engineer Lysander Rostow

Firefighter/Paramedic Joel Campbell

Lieutenant Neil DiRico

Firefighter/Paramedic Dennis Gonzalez

Firefighter/Paramedic Kimberly Buhr

Lieutenant Leah Hlavsa

Paramedic Susan Lohbauer

Lieutenant Virginio Gallardo

Firefighter/Paramedic Kelly Chatman

Firefighter/Paramedic Kyle Robbins

Lieutenant Joseph Dorsette

Firefighter/Paramedic Charlie Cabrera

Firefighter/Paramedic Michael Beolet

Captain Daniel Olson

Driver/Engineer Michael Jankowski

Firefighter/Paramedic Juan de la Fuente

Driver/Engineer Justin Pratt

Captain Brion Poitier

Firefighter/Paramedic Stephen Krivjanik

Lieutenant Herb Schosnig

Driver/Engineer Jeffrey Moore

Firefighter/Paramedic Noble Watkins

B. Proclamation Rick Case Bikes for Kids Month – accepted by Rick and Rita Case.

C. Presentation Cleveland Clinic Florida upcoming expansion program – Ozzie Delgado, Chief Operating Officer, Cleveland Clinic Florida; Mike Chesser, Department of Planning and Construction, Cleveland Clinic Florida; Gina Petredis, Director of Government Relations, Cleveland Clinic; and Dan O'Riley, Skidmore, Owings, Merrill Architects.

ANNOUNCEMENTS

- There are many upcoming events. Residents are encouraged to sign up for our weekly E-newsletter *Newsday Tuesday*, or visit our Events Calendar on the Weston website at Westonfl.org/Events.
- This coming Sunday, December 13th there will be three great events: The 18th Annual Run For Tomorrow Half-Marathon & 5K at 6:20AM; the Mayor's Get Fit Challenge Cup – a 1-mile Health Walk at 9AM; and the free Get Fit Fest from 9AM-1PM – all at a new location at Cypress Bay High School. Race registration and the Mayor's Challenge Cup registration is still open online. I hope to see ALL Weston Elementary Students to get involved. Your school could win a \$1500 cash prize AND the Trophy. Go to westonfl.org on the home page for details.
- With the races happening Sunday morning, there are several road closures and likely traffic delays. The road closures are all on the City website. Bonaventure Blvd., both directions, between Royal Palm Blvd. and South Post Road from 6AM-10AM. Vista Park Blvd., both directions, between Bonaventure Blvd. and Vista Grove Lane from 2AM – 10:30AM, and Vista Park Blvd., between Manatee Isles Drive; and Vista Park – race traffic only from 2AM – 10:30AM. The easiest access is from Griffin Road.
- The second in a series of three - FREE - *WestonNights* outdoor concert events in Weston Regional Park will be held on Saturday, January 9th from 7PM-10PM. Rock in the New Year with an evening of classic rock and legendary sounds, with live performances by Mr. Nice Guy. There will be a wide variety of food trucks on site for food purchases or bring your own, just remember to bring lawn chairs for seating and have a great night out.
- The holidays are upon us and as this is the last City Commission meeting until January 19th, we wish those celebrating... a Happy Hanukkah, a Merry Christmas, and Happy Kwanzaa and a very safe and Happy New Year to everyone. Also a reminder that there is only ONE day of the year that there is NO garbage collection, and that is Christmas Day which is Friday, December 25th. Collection will occur on your next, regular scheduled pickup day.
- Lastly, reminders from BSO: Ensure gifts and valuables are kept out of sight if in your vehicle. Lock all car and home doors at all times. Fire Rescue reminds us take extra precautions in the kitchen: never leave items cooking on the stove unattended and ensure handles on pots are not accessible to children. Also never leave the home with candles lit or Christmas trees lights left

on; try the battery operated candles for better safety. And of course, don't drink and drive – please have a designated driver or call a car service – be safe and enjoy the holidays.

FOURTH ORDER OF BUSINESS

Audience Comments

Jeffrey S. Dinetz, President and Publisher inWESTON Magazine

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Commissioners' Items Removed for Later Discussion

Commissioners' Items Removed for Later Discussion 8-C.

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.

EIGHTH ORDER OF BUSINESS

Consent Agenda

Item 8-C was removed from the Consent Agenda.

ITEM #8-C

Resolution No. 2015-132 of the City Commission of the City of Weston, and as the governing board of the Indian Trace Development District, approving an Agreement among City of Weston, Indian Trace Development District, and South Florida Water Management District for the conveyance of lands for C-11 Impoundment Area.

The Resolution was read into the record by title. City Manager John Flint provided an overview. The item was opened for public comment. Commissioner Ron Bergeron, Florida Fish and Wildlife Conservation Commission; and Peter Antonacci, Executive Director South Florida Water Management District commented from the public.

Commissioner Norton moved to approve Resolution No. 2015-132.
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2015-132.
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 notice requirements were met and swore in the witnesses.

SIXTH ORDER OF BUSINESS

Resolution No. 2015-135 of the City Commission of the City of Weston, Florida, considering Application from Bambi Mary Thalia Nikolakis Williams for request for relief from Section 72.04(C)(1) of the Code of Ordinances of the City relating to commercial vehicle parking on residential property.

***Request for Relief Application
Postponed from October 19, 2015***

The Resolution was read into the record by title. Anthony Soroka, Assistant City Attorney, Weiss Serota Helfman Cole & Bierman, PL presented for the City. Christy Brigman, Esq., Kelley Kronenberg and the applicant Bambi Mary Thalia Nikolakis Williams presented the application. The item was opened for public comment. No comment from the public. The City Commission discussed the item. City Attorney Jamie Alan Cole commented and answered questions from the City Commission. Code Enforcement Officer Shane Mainhart answered questions from the City Commission.

Commissioner Gomez moved to grant the request with no conditions.

Commissioner Norton seconded the motion amending with the following conditions:

1. Homeowner Association approval in writing.
2. When the vehicle is no longer usable, cannot be replaced with a vehicle that cannot fit in the garage.
3. Vehicle cannot be used to transport commercial products.
4. Continually certify by the State of Florida with a medical exception.
5. No signage on the vehicle anywhere at any time.

Commissioner Feuer made a substitute motion that the accommodation only applies to this van.

Commissioner Norton seconded the motion.

Roll call vote on the substitute motion.

Commissioner Norton voted yes.

Commissioner Feuer voted yes.

Commissioner Kallman voted no.

Commissioner Gomez voted no.

Mayor Stermer voted no.

Commissioner Gomez withdrew his motion to grant the request with no conditions.

Commissioner Norton moved to grant relief with the following conditions:

1. Only for the current vehicle.
2. Homeowner Association approval in writing.
3. No signage on the vehicle at anytime.
4. Continually certify by the State of Florida with a medical exception for sunscreen.

Motion died for lack of a second.

Commissioner Norton moved to grant the application with no conditions.

Commissioner Gomez seconded the motion.

Commissioner Norton amended the motion to grant the application as requested by the applicant for this 2005 White Sprinter Van and no other vehicle.
Commissioner Gomez agreed to the amended motion.

Roll call vote on Resolution No. 2015-135 to grant the application as requested by the applicant for this 2005 White Sprinter Van and no other vehicle.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted no.
Commissioner Gomez voted yes.
Mayor Stermer voted no.

END OF QUASI-JUDICIAL HEARING

SEVENTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending Section 124.54(A)(3) clarifying certain Off-Street Parking Requirements; 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 #7 on tonight's agenda proposes to amend the City's Zoning Regulations. Pursuant to State Law, these types of Items are 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 overview of the ordinance.

Commissioner Kallman 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

Consent Agenda

Item 8-C was removed from the Consent Agenda and heard earlier in the meeting.

CITY OF WESTON

- A. Resolution No. 2015-130 of the City Commission of the City of Weston, Florida, authorizing the purchase of playground equipment for Emerald Estates Park.
- B. Resolution No. 2015-131 of the City Commission of the City of Weston, Florida, indicating the official intent of the City to issue Tax-Exempt Bonds in the amount of \$6,225,000 to finance the costs of Parks Capital Improvements, and to use a portion of the proceeds of such bonds to reimburse expenditures paid or incurred prior to the date of issuance thereof.

CITY OF WESTON AND INDIAN TRACE DEVELOPMENT DISTRICT

- C. Resolution No. 2015-132 of the City Commission of the City of Weston, and as the governing board of the Indian Trace Development District, approving an Agreement among City of Weston, Indian Trace Development District, and South Florida Water Management District for the conveyance of lands for C-11 Impoundment Area.
- D. Resolution No. 2015-133 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving Change Order No. 2-Final for the City's contract provider, DBF Construction, LLC of Pompano Beach, Florida, for Bid No. 2015-02, Country Isles Water Service Replacement.

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

- E. Resolution No. 2015-134 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving Change Order No. 2-Final for the City's contract provider, DBF Construction, LLC of Pompano Beach, Florida, for Bid No. 2015-02, Country Isles Water Service Replacement.

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

NINTH ORDER OF BUSINESS

The meeting adjourned at 10.57 PM.

Adjournment



Daniel J. Stermer, Mayor

MONDAY
DECEMBER 7, 2015
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 Fire Rescue Employees 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 from Bambi Mary Thalia Nikolakis Williams for request for relief from Section 72.04(C)(1) of the Code of Ordinances of the City relating to commercial vehicle parking on residential property.

***Request for Relief Application
Postponed from October 19, 2015***

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END OF QUASI-JUDICIAL HEARING

CITY OF WESTON

7. An Ordinance of the City of Weston, Florida, amending Section 124.54(A)(3) clarifying certain Off-Street Parking Requirements; and providing for an effective date.

Public Hearing and First Reading*

Pages 17-21

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

8. **CONSENT AGENDA**

CITY OF WESTON

- A. A Resolution of the City Commission of the City of Weston, Florida, authorizing the purchase of playground equipment for Emerald Estates Park.

Pages 22-150

- B. A Resolution of the City Commission of the City of Weston, Florida, indicating the official intent of the City to issue Tax-Exempt Bonds in the amount of \$6,225,000 to finance the costs of Parks Capital Improvements, and to use a portion of the proceeds of such bonds to reimburse expenditures paid or incurred prior to the date of issuance thereof.

Pages 151-155

CITY OF WESTON AND INDIAN TRACE DEVELOPMENT DISTRICT

- C. A Resolution of the City Commission of the City of Weston, and as the governing board of the Indian Trace Development District, approving an Agreement among City of Weston, Indian Trace Development District, and South Florida Water Management District for the conveyance of lands for C-11 Impoundment Area.

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- D. A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving Change Order No. 2-Final for the City's contract provider, DBF Construction, LLC of Pompano Beach, Florida, for Bid No. 2015-02, Country Isles Water Service Replacement.

Pages 194-201

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 November 16, 2015.

Pages 202-211

9. 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.