

MONDAY  
MAY 15, 2006  
7:00 P.M.



WESTON COMMUNITY CENTER  
20200 SADDLE CLUB ROAD  
WESTON, FLORIDA

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CITY COMMISSION  
REGULAR MEETING AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Presentations
  - A. Weston University Graduation Ceremony
  - B. Broward Sheriff's Office Fire Rescue Employee of the Month
4. Audience Comments
5. Consent Agenda
  - A. Commissioners' Items Removed for Later Discussion
  - B. Approval of Balance of Consent Agenda

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**CITY OF WESTON**

**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. 06-5317, variance to eliminate the required off-street loading space for the proposed 4,100 square foot Bank Atlantic facility, for the property located at the northeast corner of Weston Road and North Corporate Lakes Boulevard.  
**Bank Atlantic Loading Variance      Deferred from April 17, 2006      Pages 7-26**
7. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 06-5318, variance to allow the number of stacking spaces to be reduced from six spaces to five spaces for the proposed 4,100 square foot Bank Atlantic facility, for the property located at the northeast corner of Weston Road and North Corporate Lakes Boulevard.  
**Bank Atlantic Stacking Variance      Deferred from April 17, 2006      Pages 27-55**

8. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 05-5245, site plan for Bank Atlantic to construct a 4,100 square foot bank facility with a three lane drive-thru facility, located at the northeast corner of Weston Road and North Corporate Lakes Boulevard.  
**Bank Atlantic Site Plan** **Deferred from April 17, 2006** **Pages 56-69**

**END OF QUASI-JUDICIAL HEARING**

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**CITY OF WESTON**

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9. An Ordinance of the City of Weston, Florida, providing for amendment of the City Charter by amending Section 2.03, "Election and Term of Office," to change the number of consecutive terms a City Commissioner may serve from two to three; amending Article III, "Administrative," to change the title to "Executive and Administrative"; amending Section 3.01, "City Manager," to eliminate the ability of a management firm to act as the City Manager, and to declare that the City Manager is the Chief Executive and Administrative Officer of the City; amending Section 3.03, "Powers and Duties of the City Manager," to provide that the City Manager and Mayor jointly shall have the power to declare states of emergency and local emergency and to establish and remove curfews; to provide that the City Manager shall have the power to call special meetings of the City Commission at his/her discretion, or at the request of three Commissioners; amending Section 4.01, "Commission Meeting Procedure," to change the procedures for calling special meetings of the City Commission; amending Section 4.03, "Emergency Ordinances," to change the number of affirmative votes required for the adoption of emergency ordinances; 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 70-80**
10. An Ordinance of the City of Weston, Florida, amending Section 98.02, "Storm Shutter Placement," to allow the City Manager to issue time extensions for maintaining storm shutters in the closed/secured position; and providing for an effective date.  
**Public Hearing and First Reading** **Pages 81-85**
11. An Ordinance of the City of Weston, Florida, amending Section 12.01, "Definitions," to define the Building Code and to simplify the definition of Building Permit; amending Sections 12.01, "Definitions," 98.01, "Storm Shutters Placed On Structures Certified For Occupancy," 98.02, "Storm Shutter Placement," 98.03, "Permissible Storm Shutters," 110.55, "Convenience Businesses," 114.42, "Technical Standards," 151.046, "Street Lights and Underground Utilities," 151.070, "Gravity Sewer Collection System," 157.03, "Registration Requirements," 157.16, "Permit Procedure and Review Criteria," 157.17, "Antenna Installation," 158.30, "Dumpsters and Dumpster Enclosures," 159.016, "Application and Requirement for Development Permits," 159.036, "Adequacy of Fire Protection Service," 159.099, "Access for Vehicles other than Automobiles," 159.136, "Design Criteria for Local Streets by Development Type," 161.01, "Hurricane Regulations," to replace references to the South Florida Building Code with references to the Building Code; and providing for an effective date.  
**Public Hearing & First Reading** **Pages 86-97**

12. An Ordinance of the City of Weston, Florida, amending Chapter 12, "Definitions," of the Code of Ordinances, by amending Section 12.01, "Definitions," by creating a definition for "Landscape Features," and by amending the definition of "Landscaping;" amending Chapter 155, "Landscape Code," of the Code of Ordinances, by amending Section 155.17, "Landscape Plan," to require digital and hard copies of all landscape plans; providing for landscape inspections and landscape plan amendments following a disaster; amending Section 155.22, "Installation, Maintenance, and Irrigation," to provide for all landscaping to be regularly maintained in a safe condition; providing for the regular trimming of landscaping to prevent obstruction of traffic control devices and pedestrian clearance; providing for severability; and providing for an effective date.

***Second and Final Reading***

***Pages 98-105***

13. **CONSENT AGENDA**  
**CITY OF WESTON**

- A. A Resolution of the City Commission of the City of Weston, Florida, approving the 2006 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 106-119***

- B. A Resolution of the City Commission of the City of Weston, Florida, approving the 2006 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 120-129***

- C. A Resolution of the City Commission of the City of Weston, Florida, approving the 2006 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 130-141***

- D. 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, reaffirming its commitment to restoration of the Everglades, recognizing the importance of improving water quality, and supporting the opportunity to participate in the Broward Everglades Working Group.

***Pages 142-155***

- E. A Resolution of the City Commission of the City of Weston, Florida, approving Work Authorization No. 257, Weston Public Works Facility Fueling Station, for the City's contract provider, Calvin, Giordano & Associates, Inc.

***CGA Proposal No. 02-2400.4***

***Pages 156-168***

- F. A Resolution of the City Commission of the City of Weston, Florida, approving the Tenth Amendment to the Interlocal Agreement between the City of Weston and Broward County for Solid Waste Disposal Services, restructuring the Resource Recovery Board to provide greater representation to Municipal contract communities.

***Pages 169-184***

- G. A Resolution of the City Commission of the City of Weston, Florida, consenting to the subleases on the Cellular Tower located at Fire Station No. 67.

**Pages 185-273**

- H. A Resolution of the City Commission of the City of Weston, Florida, approving an Agreement between City of Sunrise and City of Weston Providing for Natural Gas Service; and providing for an effective date.

**Pages 274-294**

- I. A Resolution of the City Commission of the City of Weston, Florida, adopting the Recommended Tree List for multi-family and non-residential properties in the City of Weston.

**Pages 295-300**

- J. A Resolution of the City Commission of the City of Weston, Florida, ratifying the ranking of the Proposers that responded to City of Weston RFP No. 2006-04 for Disaster Recovery Services-Prime Contractor, and authorizing the appropriate city officials to enter into negotiations with the top ranked firm.

**Pages 301-307**

- K. A Resolution of the City Commission of the City of Weston, Florida, approving an Assignment of Rights to the Design and Construction Aspects of Request For Proposal No. 2002-05 from Arena Development Company, Ltd., to Arena Development/Centex Construction, LLC.; approving an Assignment of Rights to the Management and Operation Aspects of Request For Proposal No. 2002-05 from Arena Development Company, Ltd. to Incredible Ice Weston Management Company, LLC.; approving the agreement among the City of Weston; Arena Development/Centex Construction, LLC.; and Incredible Ice Weston Management Company, LLC., for the design, construction, management and operation of the Weston Ice Arena; authorizing the City Manager to execute the assignments and the agreement; and providing for an effective date.

**Pages 308-314**

- L. A Resolution of the City Commission of the City of Weston, Florida, approving the minutes of the regular meeting of the City Commission of the City of Weston held on April 3, 2006.

**Pages 315-356**

14. **COMMISSION/CITY MANAGER AGENDA REQUESTS**

- A. **John R. Flint, City Manager**  
Discussion regarding height of pool fences.

**Pages 357-363**

15. Adjournment

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### **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.