

TUESDAY  
FEBRUARY 16, 2010  
7:00 P.M.



WESTON CITY HALL  
17200 ROYAL PALM BOULEVARD  
WESTON, FLORIDA

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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

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**CITY OF WESTON**

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**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. 10-3122, variance for the property located at Weston Auto Care and Tire, 2580 Glades Circle, Weston, Florida, to allow a telecommunication tower equipment enclosure to encroach three (3) feet into a required ten (10) foot landscape buffer.

***T-Mobile Telecommunication Tower Equipment Enclosure Landscape Buffer Variance***

***Pages 5-33***

7. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 09-2874, amendment to the site plan for the property located at Weston Auto Care and Tire, 2580 Glades Circle, Weston, Florida, to co-locate an antenna on an existing 100 foot stealth monopole with an addition of approximately 217 square feet to the equipment enclosure.

***T-Mobile Antenna Site Plan Amendment***

***Pages 34-56***

**END OF QUASI-JUDICIAL HEARING**

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8. An Ordinance of the City of Weston, Florida, amending Section 110.52, "Extended Retail Sales and Services Hours License," Section 110.55, "Outdoor Seating or Bar Areas," and Section 111.06, "Extended Operating Hours with Alcoholic Beverage License," to provide for transferability of licenses; and providing for an effective date.

***Second and Final Reading***

***Pages 57-62***

9. 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, revising the "Schedule of Fees to Be Charged for Services Provided By the City of Weston."

***Pages 63-67***

10. An Ordinance of the City of Weston, Florida, creating Section 51.11, "Temporary Water Meters;" and providing for an effective date.

***Public Hearing and First Reading***

***Pages 68-72***

11. Consent Agenda  
***CITY OF WESTON***

- A. A Resolution of the City Commission of the City of Weston, Florida, supporting and adopting the Broward County December 2009 Revised Multi-Jurisdictional Local Mitigation Strategy.

***Pages 73-164***

- B. A Resolution of the City Commission of the City of Weston, Florida, approving Change Order No. 1-Final for the City's contract provider, Hypower, Inc., for the project known as Weston Redundant Fiber Optic Ring, City of Weston Bid No. 2009-02, Calvin, Giordano & Associates Project No. 08-1906.

***Pages 165-180***

***CITY OF WESTON AND INDIAN TRACE DEVELOPMENT DISTRICT***

- C. A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, accepting the conveyance of certain real property located within the City, from Arvida/JMB Partners.

***Pages 181-199***

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

- 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, accepting the City of Weston 2018 Strategic Value and Business Plans.

***Pages 200-350***

- 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 February 1, 2010.

**Pages 351-359**

12. 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.

## MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Tuesday, February 16, 2010 at 7:00 PM at Weston City Hall, 17200 Royal Palm Boulevard, Weston, Florida.

Present and constituting a quorum were:

Eric M. Hersh	Mayor
Mercedes G. Henriksson	Commissioner
Daniel J. Stermer	Commissioner
Murray Chermak	Commissioner
Angel Gomez	Commissioner

Also present were:

John R. Flint	City Manager
David E. Keller	Assistant City Manager/CFO
Jeffrey L. Skidmore	Assistant City Manager/COO
Patricia A. Bates	City Clerk
Jamie Alan Cole	City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Dennis J. Giordano	President, Calvin, Giordano & Associates
Shelley Eichner	Vice-President, Calvin, Giordano & Associates
Sarah Sinatra	Director of Development Services, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, Calvin, Giordano & Associates
Laurie Menekou	Assistant Director of Communications
Donald Decker	Director of Parks and Recreation
Andrew Gilmore	Director of Landscaping
Darrel Thomas	Treasurer
Steven Murray	MuniTech LLC
Cosmo Tornese	Building Official, C.A.P. Government, Inc.
Chief John Frailey	BSO DFRES – Weston
Chief Greg Page	BSO DLE – Weston
Pier Ballesteros	Agent for T-Mobile South

### FIRST ORDER OF BUSINESS

### Roll Call

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

City Clerk Patricia Bates called the roll.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

Country Isles Elementary School Student Council led the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**Presentations**

- A. **Broward Sheriff's Office Law Enforcement Employee of the Month** – Deputy Tenika Hilton
  
- B. **Proclamation recognizing the Four Year Anniversary of the Weston Branch Library** - accepted by Ellen Lindenfeld, Southwest Regional Library Manager, Eileen McNally, Weston Library Branch Manager and Mona Habib of the Weston Friends of the Library.
  
- C. **Certificates of Recognition** - Weston Warriors 110s – the American Youth Football League Super Bowl Champions.

**ANNOUNCEMENTS**

- On Sunday, February 21<sup>st</sup> from 10AM-5PM, is the 4<sup>th</sup> Annual Weston Artwalk and Showtime outdoor festival being held at the Weston Town Center. Presented by the Arts Council of Greater Weston.
  
- Weston's next Free Moonlight Movie in the Park will be held on Friday, February 26<sup>th</sup>. The feature film "Paul Blart, Mall Cop" will begin at 7:30 PM at the Event Stage in the Weston Regional Park. Bring lawn chairs or blankets.
  
- Coming up in March: the Ars Flores Symphony Concert, free Movie in the Park, free Puppet Show for Kids, the BSO "Drug Buy Back" program, Foreign Film night, and the 6<sup>th</sup> Annual Rock & Pop Masters Concert in the Park. For information on these events visit our website at [www.westonfl.org](http://www.westonfl.org).
  
- April 1, 2010 is Census Day. Obtaining a complete count of our community is essential in obtaining our fair share of funding for the next ten years. A simple 10 question Census Questionnaire will be mailed to residences in late March.

**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 11-D

**B. Approval of the balance of the Consent Agenda**

Commissioner Stermer 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 Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

**QUASI-JUDICIAL HEARING**

City Attorney Jamie Cole read the Quasi-Judicial procedures into the record. City Clerk Patricia Bates confirmed advertising compliance for Items 6 and 7. Applicant Representative Pier Ballesteros, agent for T-Mobile South had no objection to hearing Items 6 and 7 together.

**SIXTH ORDER OF BUSINESS**

**A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 10-3122, variance for the property located at Weston Auto Care and Tire, 2580 Glades Circle, Weston, Florida, to allow a telecommunication tower equipment enclosure to encroach three (3) feet into a required ten (10) foot landscape buffer.**

***T-Mobile Telecommunication Tower Equipment Enclosure Landscape Buffer Variance***

## SEVENTH ORDER OF BUSINESS

**A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 09-2874, amendment to the site plan for the property located at Weston Auto Care and Tire, 2580 Glades Circle, Weston, Florida, to co-locate an antenna on an existing 100 foot stealth monopole with an addition of approximately 217 square feet to the equipment enclosure.  
*T-Mobile Antenna Site Plan Amendment***

The Resolutions were read into the record by title. Sarah Sinatra, Director of Development Services, presented for the City. Pier Ballesteros, agent for T-Mobile South presented for the applicant. The items were opened for public comment. No comment from the public. Mayor Hersh asked if the bridge on page Z-4 is concealed behind the wall enclosure. Mr. Ballesteros stated yes. Mayor Hersh stated he is concerned that they are not looking at what the final site plan will be because AT&T will be coming in with a variance and site plan amendment for the same site. Ms. Sinatra stated AT&T will be resubmitting their variance and site plan amendment for this location and could be ready to come before the Commission in a month and a half. Commissioner Stermer stated T-Mobile should be allowed to go ahead and proceed. Mayor Hersh asked if T-Mobile had any time restrictions. Mr. Ballesteros stated no. Mayor Hersh moved to defer the variance and site plan amendment to April 5, 2010 to allow time for the submittal of the AT&T applications for this site.

Mayor Hersh moved to defer the Resolutions to the April 5, 2010 City Commission Meeting.  
Commissioner Henriksson seconded the motion.

Roll call vote on deferring the Resolutions to the April 5, 2010 City Commission Meeting.  
Commissioner Stermer voted no.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

**END OF QUASI-JUDICIAL HEARING**

#### **EIGHTH ORDER OF BUSINESS**

**Ordinance No. 2010-01 of the City of Weston, Florida, amending Section 110.55, "Outdoor Seating or Bar Areas," and Section 111.06, "Extended Operating Hours with Alcoholic Beverage License," to provide for transferability of licenses; 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.

Commissioner Henriksson moved to approve Ordinance No. 2010-01.  
Commissioner Stermer seconded the motion.

Roll call vote on Ordinance No. 2010-01.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

#### **NINTH ORDER OF BUSINESS**

**Resolution No. 2010-14 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, revising the "Schedule of Fees to Be Charged for Services Provided By the City of Weston."**

The Resolution was read into the record by title. The item was opened for public comment.

No comment from the public.

Commissioner Stermer moved to approve Resolution No. 2010-14.  
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-14.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

**TENTH ORDER OF BUSINESS**

**An Ordinance of the City of Weston, Florida, creating Section 51.11, "Temporary Water Meters;" 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.

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

Roll call vote on the Ordinance.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

**ELEVENTH ORDER OF BUSINESS**

**Consent Agenda**

Item 11-D was removed from the Consent Agenda for discussion.

**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, accepting the City of Weston 2018 Strategic Value and Business Plans.**

The Resolution was read into the record by title. The item was opened for public comment. No comment from the public. Mayor Hersh stated that the 2018 Strategic Value and Business Plans are more of a report/planning tool for the City. Mayor Hersh stated the scenarios/solutions in the plans are not supported by him. The plans need to be revisited every year. Staff has been conservative as directed.

Commissioner Stermer moved to approve Resolution No. 2010-18.  
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-18. Commissioner Stermer voted yes. Commissioner Henriksson voted yes. Commissioner Chermak voted yes. Commissioner Gomez voted yes. Mayor Hersh voted yes
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***CITY OF WESTON***

- A. Resolution No. 2010-15 of the City Commission of the City of Weston, Florida, supporting and adopting the Broward County December 2009 Revised Multi-Jurisdictional Local Mitigation Strategy.
- B. Resolution No. 2010-16 of the City Commission of the City of Weston, Florida, approving Change Order No. 1-Final for the City's contract provider, Hypower, Inc., for the project known as Weston Redundant Fiber Optic Ring, City of Weston Bid No. 2009-02, Calvin, Giordano & Associates Project No. 08-1906.

***CITY OF WESTON AND INDIAN TRACE DEVELOPMENT DISTRICT***

- C. Resolution No. 2010-17 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, accepting the conveyance of certain real property located within the City, from Arvida/JMB Partners.

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

- D. Resolution No. 2010-18 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 2018 Strategic Value and Business Plans.
- E. Resolution No. 2010-19 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 February 1, 2010.

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

**TWELFTH ORDER OF BUSINESS**

The meeting adjourned at 8:00 PM.

**Adjournment**



Eric M. Hersh, Mayor