

TUESDAY
FEBRUARY 17, 2009
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 Employee of the Month
4. Audience Comments
5. Consent Agenda
 - A. Commissioners' Items Removed for Later Discussion
 - B. Approval of Balance of Consent Agenda

CITY OF WESTON

6. An Ordinance of the City of Weston, Florida, amending Section 12.01, "Definitions," to create and amend definitions relating to telecommunication facilities; repealing existing Chapter 157 "Telecommunications Facilities and Antennas" and adopting new Chapter 157 "Wireless Telecommunications Facilities" relating to wireless telecommunications towers and antennas; and providing for an effective date.
Second and Final Reading *Pages 4-40*
7. An Ordinance of the City of Weston, Florida, amending Chapter 12, "Definitions," of the Code of Ordinances to add definitions relevant to communications facilities; amending and repealing existing sections of Chapter 162 "Facilities In Rights-of-Way"; repealing Chapter 114 "Cable Television"; creating Chapter 165 "Communications Services Regulations," of the Code of Ordinances to provide terms and conditions for the placement and maintenance of communications facilities or systems, antennas, equipment facilities, and other vertical structures in the City's public rights-of-way for the provision of communications, cable and video services; providing for reservation of rights; and providing for an effective date.
Second and Final Reading *Pages 41-96*
8. An Ordinance of the City of Weston, Florida, amending Section 34.03, "Powers, Duties and Responsibilities," to provide that during a state of emergency or during a state of local emergency, the City Manager may enter into contracts addressing the emergency; and providing for an effective date.
Public Hearing and First Reading *Pages 97-101*

9. Consent Agenda

CITY OF WESTON

- A. A Resolution of the City Commission of the City of Weston, Florida, approving the Grant Planning and Generation Project Authorization for Fiscal Year 2009-2010 between the City of Weston and Stan Hemphill, for Country Isles Park enhancements; authorizing the City Manager to execute the said project authorization; and providing for an effective date. **Pages 102-107**
- B. A Resolution of the City Commission of the City of Weston, Florida, approving the Minutes of the Regular Meetings of the City Commission of the City of Weston held on January 20, 2009 and February 2, 2009.

Pages 108-125

CITY OF WESTON, INDIAN TRACE DEVELOPMENT DISTRICT AND BONAVENTURE 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, and the Bonaventure Development District, extending the contract with Varney & Sons Tree Expert Company, Inc., for arboricultural services. **Pages 126-132**

10. 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.

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Tuesday, February 17, 2009 at 7:00 PM at Weston City Hall, 17200 Royal Palm Boulevard, Weston, Florida.

Present and constituting a quorum were:

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

Also present were:

John R. Flint	City Manager
David E. Keller	Assistant City Manager/CFO
Jeffrey L. Skidmore	Assistant City Manager/COO
Jamie Alan Cole	City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Karen Lieberman	Assistant City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Scott Robin	Assistant City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Patricia A. Bates	City Clerk
Sarah Sinatra	Director of Development Services, Calvin, Giordano & Associates
Karl M. Kennedy	City Engineer, Calvin, Giordano & Associates
Brad Kaine	Director of Public Works
Donald Decker	Director of Parks and Recreation
Drew Gilmore	Director of Landscaping
Laurie Menekou	Assistant Director of Communications
Darrel Thomas	Treasurer
Steven Murray	Municipal Technologies LLC
Lt. Jeffrey Tozzie	BSO DLE - Weston
Chief John Frailey	BSO DFRES – Weston

FIRST ORDER OF BUSINESS

Roll Call

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

City Clerk Patricia Bates called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

Everglades Elementary students led the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Presentations

Broward Sheriff's Office Fire Rescue Employee of the Month – Fire Fighter/Paramedic Richard George.

Proclamation – The Golden Minute for Life Week Proclamation was accepted by Mr. Larry Herman, President of the Rotary Club of Weston and Dr. Bernie Fernandez, CEO of Cleveland Clinic Florida.

ANNOUNCEMENTS

- BSO urges residents to lock all vehicles. Over 60% of car burglaries in Weston are unlocked vehicles.
- Tickets are on sale for February 28th performance by the Symphony of the Americas. The orchestra will perform at the Cypress Bay Theater, with award winning guest artist, 20 year old Stanislav Drzewiecki on piano.
- Saturday, March 7th at 1:30 pm, Professional Theatre for Children, The Velveteen Rabbit at the Cypress Bay Theater.
- Resurfacing at Gator Run Park has been completed. Eagle Point Park is being resurfaced and is expected to be completed by March 14th.

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 None

B. Approval of the Consent Agenda

Commissioner Gomez moved to approve the Consent Agenda. Commissioner Henriksson seconded the motion.

Roll call vote on the Consent Agenda.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.

SIXTH ORDER OF BUSINESS

Ordinance No. 2009-03 of the City of Weston, Florida, amending Section 12.01, "Definitions," to create and amend definitions relating to telecommunication facilities; repealing existing Chapter 157 "Telecommunications Facilities and Antennas" and adopting new Chapter 157 "Wireless Telecommunications Facilities" relating to wireless telecommunications towers and antennas; 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. 2009-03.
Commissioner Gomez seconded the motion.

Roll call vote on Ordinance No. 2009-03.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.

SEVENTH ORDER OF BUSINESS

Ordinance No. 2009-04 of the City of Weston, Florida, amending Chapter 12, "Definitions," of the Code of Ordinances to add definitions relevant to communications facilities; amending and repealing existing sections of Chapter 162 "Facilities In Rights-of-Way"; repealing Chapter 114 "Cable Television"; creating Chapter 165 "Communications Services Regulations," of the Code of Ordinances to provide terms and conditions for the placement and maintenance of communications facilities or systems, antennas, equipment facilities, and other vertical structures in the City's public rights-of-way for the provision of communications, cable and video services; providing for reservation of rights; 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 Gomez moved to approve Ordinance No. 2009-04.
Commissioner Henriksson seconded the motion.

Roll call vote on Ordinance No. 2009-04.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.

EIGHTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending Section 34.03, "Powers, Duties and Responsibilities," to provide that during a state of emergency or during a state of local emergency, the City Manager may enter into contracts addressing the emergency; 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 Henriksson moved to approve the Ordinance.
Commissioner Gomez 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.

NINTH ORDER OF BUSINESS

Consent Agenda

CITY OF WESTON

- A. Resolution No. 2009-14 of the City Commission of the City of Weston, Florida, approving the Grant Planning and Generation Project Authorization for Fiscal Year 2009-2010 between the City of Weston and Stan Hemphill, for Country Isles Park enhancements; authorizing the City Manager to execute the said project authorization; and providing for an effective date.
- B. Resolution No. 2009-15 of the City Commission of the City of Weston, Florida, approving the Minutes of the Regular Meetings of the City Commission of the City of Weston held on January 20, 2009 and February 2, 2009.

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


- C. Resolution No. 2009-16 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 the contract with Varney & Sons Tree Expert Company, Inc., for arboricultural services.

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

TENTH ORDER OF BUSINESS

Adjournment

The meeting adjourned at 7:25 PM.


Daniel J. Sterner, Commissioner