

MONDAY
APRIL 5, 2010
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

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. 10-3254, amendment to the conditions of the approved site plan for the property located at 357 Racquet Club Road, Weston, Florida, to extend the date the temporary Welcome Center may remain on the property from June 30, 2010 to June 30, 2012, with an option for an additional one year extension with the City Manager's approval.
Racquet Club Resorts, Inc., Temporary Welcome Center Extension Request ***Pages 5-20***
7. 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, Inc., 2580 Glades Circle, Weston, Florida, to allow a telecommunication tower equipment enclosure to encroach three feet into a required ten foot landscape buffer.
T-Mobile Telecommunication Tower Equipment Enclosure Landscape Buffer Variance
Deferred from February 16, 2010 ***Pages 21-47***

8. 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, Inc., 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 Co-location Site Plan Amendment
Deferred from February 16, 2010 ***Pages 48-69***

9. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 10-3253, variance for the property located at Weston Auto Care and Tire, Inc., 2580 Glades Circle, Weston, Florida, to allow a telecommunication tower equipment enclosure to encroach three feet into a required ten foot landscape buffer.
AT&T Telecommunication Tower Equipment Enclosure Landscape Buffer Variance
Pages 70-95

10. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 09-3086, amendment to the site plan for the property located at Weston Auto Care and Tire, Inc., 2580 Glades Circle, Weston, Florida, to co-locate an antenna on an existing 100 foot stealth monopole with an addition of approximately 257 square feet to the equipment enclosure.
AT&T Antenna Co-location Site Plan Amendment ***Pages 96-114***

END OF QUASI-JUDICIAL HEARING

11. Consent Agenda
CITY OF WESTON
 - A. A Resolution of the City Commission of the City of Weston, Florida, appointing _____ as a Director and _____ as an Alternate Director for the 2010-2011 Broward League of Cities Board of Directors.
Pages 115-120

 - B. A Resolution of the City Commission of the City of Weston, Florida, approving the renewal of the Agreement between the City of Weston and C.A.P. Government, Inc. for Plan Review and Inspection Services for an additional five year term.
Pages 121-125

CITY OF WESTON AND INDIAN TRACE DEVELOPMENT DISTRICT

- C. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving Change Order No. 1 for the City's Contract Provider, Governor Construction, Inc., of Hollywood, Florida, for the project known as Indian Trace Development District Pump Station No. 1 and No. 2 Rehabilitation, City of Weston Bid No. 2009-10, Calvin, Giordano & Associates, Inc., Project No. 00-1445.A.
Pages 126-136

CITY OF WESTON AND BONAVENTURE DEVELOPMENT DISTRICT

- D. A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Bonaventure Development District, approving Work Authorization No. 312, Bonaventure Boulevard U-Turn Lane, Proposal No. 10-3182, for the City's contract provider, Calvin, Giordano & Associates, Inc.

Pages 137-147

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 March 15, 2010.

Pages 148-156

12. Adjournment

UPON THE CONCLUSION OF THE CITY COMMISSION MEETING, A MEETING OF THE AUDIT COMMITTEE OF THE CITY OF WESTON WILL COMMENCE.

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 Monday, April 5, 2010 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 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
Karen Lieberman	Assistant City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Chad Friedman	Assistant 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
Brad Kaine	Director of Public Works
Darrel Thomas	Treasurer
Steven Murray	MuniTech LLC
Carlos A. Penin, P.E.	President, C.A.P. Government, Inc.
Cosmo Tornese	Building Official, C.A.P. Government, Inc.
David Tringo	Building Official, C.A.P. Government, Inc.
Chief Greg Page	BSO DLE – Weston
Chief Harris Bouchillon	BSO DFRES – Weston
Frank A. Utset, Esq.	Greenspoon Marder, P.A.
John M.	Resident
Milana Meshenberg	Agent for T-Mobile South
Gustavo Dezzuto	SBA Network Services, agent for AT&T

FIRST ORDER OF BUSINESS

Roll Call

Commissioner Stermer called the meeting to order at 7:00 PM.
City Clerk Patricia Bates called the roll. Mayor Eric Hersh was absent.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

Girl Scout Troop Number 10697 led the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Presentations

- A. **Broward Sheriff's Office Fire Rescue Employee of the Month** – Captain Robert Sahdala
- B. **Proclamation - 90th Celebration for the League of Women Voters** – accepted by Margaret Wolter
- C. **Proclamation - 2010 National Library Week** – accepted by Weston Branch Library Manager, Eileen McNally and Mona Habib from the Friends of the Library
- D. **Proclamation - 2010 National Nurses Week** – accepted by Becky Bodnarchuk, RN, Cleveland Clinic Florida
- E. **Proclamation - National Public Works Week** – accepted by Brad Kaine, Director of Public Works

ANNOUNCEMENTS

- The final Moonlight Movie of the season *Madagascar 2* will be shown in the Weston Regional Park on Saturday, April 10th at 8:00 PM.
- A musical adaptation of *The Emperor's New Clothes* will be presented at the Cypress Bay Theater on Saturday, April 17th at 10:00 AM. Tickets for children are \$10 in advance and are available at the Weston Community Center.
- Weston's free residential bulk trash pick-up takes place on: Wednesday April 21st; Thursday April 22nd; Friday April 23rd or Saturday, April 24th. For single family homes, bulk trash collection will correspond with regularly scheduled collection day (Wednesday-Friday) and must be placed curbside by 7:00 AM. For multi-family units with dumpster service, place items alongside the community's dumpster by 7:00 AM on Saturday, April 24th.

- The City website at www.westonfl.org has been entirely redesigned. Logon and find an easier to navigate site with tons of additional information and a fresh new design. Added features include Newsday Tuesday: weekly news articles replacing our Quarterly newsletter; Online Community Class program registration; an About Weston section and numerous other additions to help residents, businesses and visitors alike.
- Now thru April 19th, Weston City Hall and the Weston Community Center are hosting Census Questionnaire Assistance Centers, staffed with census personnel to answer questions, supply forms in different languages or help you complete your form. The Assistance Center schedule is posted on our web site and at each building or you can call City Hall at 954-385-2000.

At the conclusion of tonight's City Commission meeting there will be a meeting of the Audit Committee. The City is in the process of procuring auditor services to conduct its annual financial audit as required by Florida Statutes and the City's Charter. Florida Statutes requires the use of an Audit Committee when selecting an auditor and the members of the City Commission serve as the members of the Audit Committee.

FOURTH ORDER OF BUSINESS

Audience Comments

None.

City Manager John Flint requested the following item be added to the Agenda as Item 10-A:

A Resolution of the City Commission of the City of Weston, Florida, acknowledging that there is a scrivener's error on the City's official Zoning Map for properties generally located north of Saddle Club Road, south of Blatt Boulevard, east of Bonaventure Boulevard, and west of Weston Road, as further shown on Exhibit "A;" directing the City Manager to initiate and schedule a rezoning to cure this scrivener's error.

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Commissioners' Items Removed for Later Discussion

Commissioners' Items Removed for Later Discussion 11-A

B. Approval of the balance of the Consent Agenda

Commissioner Henriksson 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 was absent.

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, 7, 8, 9 and 10.

SIXTH ORDER OF BUSINESS

Resolution No. 2010-27 of the City Commission of the City of Weston, Florida, considering Application No. 10-3254, amendment to the conditions of the approved site plan for the property located at 357 Racquet Club Road, Weston, Florida, to extend the date the temporary Welcome Center may remain on the property from June 30, 2010 to June 30, 2012, with an option for an additional one year extension with the City Manager's approval.
Racquet Club Resorts, Inc., Temporary Welcome Center Extension Request

The Resolution was read into the record by title. Sarah Sinatra, Director of Development Services, presented for the City. Frank A. Utset, Esq., Greenspoon Marder, PA presented for the applicant. The items were opened for public comment. John M. commented from the public.

Commissioner Gomez moved to approve Resolution No. 2010-27.
Commissioner Henriksson seconded the motion.

Roll call vote on Resolution No. 2010-27. Commissioner Stermer voted yes. Commissioner Henriksson voted yes. Commissioner Chermak voted yes. Commissioner Gomez voted yes. Mayor Hersh was absent.

Applicant Representatives for T-Mobile South and AT&T had no objection to hearing Items 7, 8, 9 and 10 together.

SEVENTH ORDER OF BUSINESS

Resolution No. 2010-28 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
Deferred from February 16, 2010 City Commission Meeting***

EIGHTH ORDER OF BUSINESS

Resolution No. 2010-29 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
Deferred from February 16, 2010 City Commission Meeting***

The Resolutions were read into the record by title. Sarah Sinatra, Director of Development Services, presented for the City. Milana Meshenberg, agent for T-Mobile South presented for the applicant. The items were opened for public comment. No comment from the public. City Attorney Jamie Cole answered questions from the City Commission.

Resolution No. 2010-29 is subject to the following condition:

Condition No. 1:

The City Manager may administratively approve a Landscape Plan Amendment deleting the western landscape requirement in the event that AT&T constructs its Site Plan in accordance with Application No. 09-3086.

Commissioner Henriksson moved to approve Resolution No. 2010-28.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-28.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh was absent.

Commissioner Henriksson moved to approve Resolution No. 2010-29
with the condition.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-29.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh was absent.

NINTH ORDER OF BUSINESS

Resolution No. 2010-30 of the City Commission of the City of Weston, Florida, considering Application No. 10-3253, variance for the property located at Weston Auto Care and Tire, Inc., 2580 Glades Circle, Weston, Florida, to allow a telecommunication tower equipment enclosure to encroach three feet into a required ten foot landscape buffer.

AT&T Telecommunication Tower Equipment Enclosure Landscape Buffer Variance

TENTH ORDER OF BUSINESS

Resolution No. 2010-31 of the City Commission of the City of Weston, Florida, considering Application No. 09-3086, amendment to the site plan for the property located at Weston Auto Care and Tire, Inc., 2580 Glades Circle, Weston, Florida, to co-locate an antenna on an existing 100 foot stealth monopole with an addition of approximately 257 square feet to the equipment enclosure.

AT&T Antenna Co-location Site Plan Amendment

The Resolutions were read into the record by title. Sarah Sinatra, Director of Development Services, presented for the City. Gustavo Dezzuto, SBA Network Services, agent for AT&T presented for the applicant. The items were opened for public comment. No comment from the public. City Attorney Jamie Cole answered questions from the City Commission.

Commissioner Gomez moved to approve Resolution No. 2010-30.
Commissioner Henriksson seconded the motion.

Roll call vote on Resolution No. 2010-30.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh was absent.

Commissioner Gomez moved to approve Resolution No. 2010-31.
Commissioner Henriksson seconded the motion.

Roll call vote on Resolution No. 2010-31.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh was absent.

END OF QUASI-JUDICIAL HEARING

ITEM 10-A WAS ADDED TO THE AGENDA

Resolution No. 2010-32 of the City Commission of the City of Weston, Florida, acknowledging that there is a scrivener's error on the City's official Zoning Map for properties generally located north of Saddle Club Road, south of Blatt Boulevard, east of Bonaventure Boulevard, and west of Weston Road, as further shown on Exhibit "A;" directing the City Manager to initiate and schedule a rezoning to cure this scrivener's error.

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

No comment from the public. City Manager John Flint provided a background explanation.

Commissioner Henriksson moved to approve Resolution No. 2010-32.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-32.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh was absent.

ELEVENTH ORDER OF BUSINESS

Consent Agenda

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

A. A Resolution of the City Commission of the City of Weston, Florida, appointing _____ as a Director and _____ as an Alternate Director for the 2010-2011 Broward League of Cities Board of Directors.

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

No comment from the public. Commissioner Stermer was nominated as Director and Commissioner Henriksson was nominated as Alternate Director for the 2010-2011 Broward League of Cities Board of Directors.

Commissioner Gomez moved to approve Resolution No. 2010-33 appointing Commissioner Stermer as Director and Commissioner Henriksson as Alternate Director for the 2010-2011 Broward League of Cities Board of Directors.
Commissioner Henriksson seconded the motion.

Roll call vote on Resolution No. 2010-33.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh was absent.

CITY OF WESTON

- A. Resolution No. 2010-33 of the City Commission of the City of Weston, Florida, appointing Commissioner Daniel J. Stermer as a Director and Commissioner Mercedes G. Henriksson as an Alternate Director for the 2010-2011 Broward League of Cities Board of Directors.
- B. Resolution No. 2010-34 of the City Commission of the City of Weston, Florida, approving the renewal of the Agreement between the City of Weston and C.A.P. Government, Inc. for Plan Review and Inspection Services for an additional five year term.

CITY OF WESTON AND INDIAN TRACE DEVELOPMENT DISTRICT

- C. Resolution No. 2010-35 of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving Change Order No. 1 for the City's Contract Provider, Governor Construction, Inc., of Hollywood, Florida, for the project known as Indian Trace Development District Pump Station No. 1 and No. 2 Rehabilitation, City of Weston Bid No. 2009-10, Calvin, Giordano & Associates, Inc., Project No. 00-1445.A.

CITY OF WESTON AND BONAVENTURE DEVELOPMENT DISTRICT

- D. Resolution No. 2010-36 of the City Commission of the City of Weston, Florida, and as the governing board of the Bonaventure Development District, approving Work Authorization No. 312, Bonaventure Boulevard U-Turn Lane, Proposal No. 10-3182, for the City's contract provider, Calvin, Giordano & Associates, Inc.

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

- E. Resolution No. 2010-37 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 March 15, 2010.

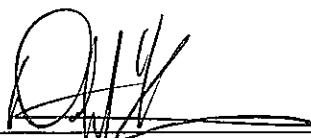
The Items listed above on the Consent Agenda were approved earlier in the meeting.

TWELFTH ORDER OF BUSINESS

Adjournment

Upon the conclusion of the City Commission Meeting, a Meeting of the Audit Committee of the City of Weston will commence.

The meeting adjourned at 7:51 PM.



Daniel J. Stermer, Commissioner
Alternate Presiding Officer