

MONDAY  
MAY 3, 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 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***

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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. An Ordinance of the City of Weston, Florida, rezoning Tracts 40, 40A, 41, and 41A within the plat of Bonaventure (Plat Book 82, Page 43) which are generally located north of Saddle Club Road, between Ivy Lane and Laurel Drive, consisting of approximately 19.60 acres, from R-1 Single Family to MF-2, Low Rise Multi-Family (2 or 3 Stories); and providing for an effective date.

***Public Hearing and First Reading***

***Pages 6-24***

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

**END OF QUASI-JUDICIAL HEARING**

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7. An Ordinance of the City of Weston, Florida, amending Section 92.01, "Residential Property," and Section 92.02, "Commercial and Industrial/Office Developments; Undeveloped Land," to provide for maintenance standards for privately owned fire hydrants; and providing for an effective date.  
**Public Hearing and First Reading** **Pages 25-31**
8. Consent Agenda  
**CITY OF WESTON**
- A. A Resolution of the City Commission of the City of Weston, Florida, approving the 2009-2012 Byrne Justice Assistance Local Solicitation Grant Program Memorandum of Understanding among participating agencies.  
**Pages 32-43**
- B. A Resolution of the City Commission of the City of Weston, Florida, urging the Broward County Board of County Commissioners to continue to fund the Broward Sheriff's Regional Crime Laboratory.  
**Pages 44-54**
- C. A Resolution of the City Commission of the City of Weston, Florida, approving the 2010 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 55-66**
- D. A Resolution of the City Commission of the City of Weston, Florida, approving the 2010 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 67-78**
- E. A Resolution of the City Commission of the City of Weston, Florida, approving the 2010 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 79-90**
- F. A Resolution of the City of Weston, Florida, amending the budget of the City of Weston for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010; and providing for an effective date.  
**Pages 91-98**
- G. A Resolution of the City Commission of the City of Weston, Florida, approving a Local Agency Program Agreement between the State of Florida Department of Transportation and the City of Weston for the Bonaventure Boulevard at Saddle Club Road intersection improvements project.  
**Pages 99-122**

***INDIAN TRACE DEVELOPMENT DISTRICT***

- H. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, amending the budget of the Indian Trace Development District for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010; and providing for an effective date.

***Pages 123-130***

***BONAVENTURE DEVELOPMENT DISTRICT***

- I. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, amending the budget of the Bonaventure Development District for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010; and providing for an effective date.

***Pages 131-138***

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

- J. A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving Work Authorization No. 314, Weston/ITDD Lift Station 16 Rehabilitation, Proposal No. 10-3201, for the City's contract provider, Calvin, Giordano & Associates, Inc.

***Pages 139-151***

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

- K. 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 Comprehensive Annual Financial Report, for the Fiscal Year ended September 30, 2009.

***Pages 152-280***

- L. 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 April 5, 2010 and the Minutes of the Workshop Meeting of the City Commission of the City of Weston held on April 7, 2010.

***Pages 281-297***

9. 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 Monday, May 3, 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
Karen Lieberman	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, MuniTech LLC
Donald Decker	Director of Parks and Recreation
Andrew Gilmore	Director of Landscaping
Brad Kaine	Director of Public Works
Darrel Thomas	Treasurer
Cindy Tao	Accounting Manager, MuniTech LLC
Dana Sampson	Accounts Receivable, MuniTech LLC
Ana Rodriguez	Accounts Payable, MuniTech LLC
Steven Murray	MuniTech LLC
Cosmo Tornese	Building Official, C.A.P. Government, Inc.
Chief Greg Page	BSO DLE – Weston
Chief Harris Bouchillon	BSO DFRES – Weston
Toby Feuer	President, Presidents' Council of Bonaventure
Karen Weichold	Resident

**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**

Gator Run Elementary School Student Council led the Pledge of Allegiance.

**THIRD ORDER OF BUSINESS**

**Presentations**

- A. **Broward Sheriff's Office Fire Rescue Employees of the Month** – FF/Paramedic Thomas Feeney
- B. **Proclamation** - Florida Building Safety Month accepted by Cosmo Tornese, City Building Official

**ANNOUNCEMENTS**

- BSO urges residents to lock all vehicles. Over 60% of car burglaries in Weston are unlocked vehicles.
- Construction will begin tomorrow, May 4<sup>th</sup> on the installation of a roundabout at the intersection of Bonaventure Boulevard and Blatt Boulevard, to increase safety and efficiency. While there will be intermittent lane closures, the intersection will remain open. Construction is anticipated to take six months. Visit the city website homepage for additional details and check Happening Now for lane closure announcements, at [www.westonfl.org](http://www.westonfl.org).
- The annual Household Hazardous Waste and Electronics Collection event is coming up on Sunday, May 16<sup>th</sup> from 8 AM -3 PM at the Weston Public Works Services Building. Visit the website for details or call 954-385-2600.
- Applications are now available on the City website for the upcoming July 4<sup>th</sup> Parade.
- The City's Comprehensive Annual Financial Report is on tonight's agenda to be accepted by the City Commission. Our independent auditors have advised us, in their Report on Internal Control that Weston has no significant deficiencies and no material weaknesses, and further, the Report to City Management indicates that all of the Auditor comments and recommendations from last year have been addressed, and no new comments or recommendations for improvement have been made. This shows significant strides for the City

in improving the level of effective internal controls, and reflects very well on the accounting staff, placing Weston in a very small minority of cities which receive no negative comments and no suggestions for improvement. Congratulations and thank you to our accounting staff and we ask that you keep up the great work.

- Congratulations are extended to Treasurer, Darrel Thomas, who on April 22<sup>nd</sup> was elected as President of the South Florida Government Finance Officers and City Clerks Association. Darrel's term will be for one year and we wish him well as he takes on leadership of the organization.

**FOURTH ORDER OF BUSINESS**

**Audience Comments**

Toby Feuer, President - Presidents' Council of Bonaventure  
Karen Weichold, Resident

**FIFTH ORDER OF BUSINESS**

**Consent Agenda**

**A. Commissioners' Items Removed for Later Discussion**

Commissioners' Items Removed for Later Discussion F & G

**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

The Quasi-Judicial Hearing for Item 6 was waived by the City Commission.

### SIXTH ORDER OF BUSINESS

Mayor Hersh stated, Item 6 on tonight's agenda proposes to amend the City's zoning map. Pursuant to State Law, this type of Item is 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.

**An Ordinance of the City of Weston, Florida, rezoning Tracts 40, 40A, 41, and 41A within the plat of Bonaventure (Plat Book 82, Page 43) which are generally located north of Saddle Club Road, between Ivy Lane and Laurel Drive, consisting of approximately 19.60 acres, from R-1 Single Family to MF-2, Low Rise Multi-Family (2 or 3 Stories); 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.***

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 Stermer moved to approve the Ordinance.  
Commissioner Henriksson 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.

## END OF QUASI-JUDICIAL HEARING

## SEVENTH ORDER OF BUSINESS

**An Ordinance of the City of Weston, Florida, amending Section 92.01, "Residential Property," and Section 92.02, "Commercial and Industrial/Office Developments; Undeveloped Land," to provide for maintenance standards for privately owned fire hydrants; 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 Henriksson 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.

## EIGHTH ORDER OF BUSINESS

### Consent Agenda

Item 8-F was removed from the Consent Agenda for discussion.

**F. A Resolution of the City of Weston, Florida, amending the budget of the City of Weston for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010; and providing for an effective date.**

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 defer the Resolution to the May 17, 2010 City Commission Meeting.  
Commissioner Henriksson seconded the motion.

Roll call vote to defer the Resolution to the May 17, 2010 City Commission Meeting.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

Item 8-G was removed from the Consent Agenda for discussion.

**G. A Resolution of the City Commission of the City of Weston, Florida, approving a Local Agency Program Agreement between the State of Florida Department of Transportation and the City of Weston for the Bonaventure Boulevard at Saddle Club Road intersection improvements project.**

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 gave an overview of the project covered by the Local Agency Program Agreement.

Commissioner Henriksson moved to approve Resolution No. 2010-46.  
Commissioner Stermer seconded the motion.

Roll call vote to approve Resolution No. 2010-46.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

***CITY OF WESTON***

- A. Resolution No. 2010-40 of the City Commission of the City of Weston, Florida, approving the 2009-2012 Byrne Justice Assistance Local Solicitation Grant Program Memorandum of Understanding among participating agencies.**
  
- B. Resolution No. 2010-41 of the City Commission of the City of Weston, Florida, urging the Broward County Board of County Commissioners to continue to fund the Broward Sheriff's Regional Crime Laboratory.**

- C. Resolution No. 2010-42 of the City Commission of the City of Weston, Florida, approving the 2010 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*
- D. Resolution No. 2010-43 of the City Commission of the City of Weston, Florida, approving the 2010 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*
- E. Resolution No. 2010-44 of the City Commission of the City of Weston, Florida, approving the 2010 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*
- F. A Resolution of the City of Weston, Florida, amending the budget of the City of Weston for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010; and providing for an effective date. *Deferred to the May 17, 2010 City Commission Meeting*
- G. Resolution No. 2010-46 of the City Commission of the City of Weston, Florida, approving a Local Agency Program Agreement between the State of Florida Department of Transportation and the City of Weston for the Bonaventure Boulevard at Saddle Club Road intersection improvements project.

**INDIAN TRACE DEVELOPMENT DISTRICT**

- H. Resolution No. 2010-45 of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, amending the budget of the Indian Trace Development District for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010; and providing for an effective date.

**BONAVENTURE DEVELOPMENT DISTRICT**

- I. Resolution No. 2010-47 of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, amending the budget of the Bonaventure Development District for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010; and providing for an effective date.

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

- J. Resolution No. 2010-48 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving Work Authorization No. 314, Weston/ITDD Lift Station 16 Rehabilitation, Proposal No. 10-3201, for the City's contract provider, Calvin, Giordano & Associates, Inc.

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

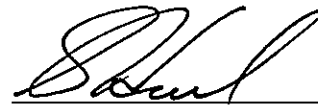
- K. Resolution No. 2010-49 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, accepting the Comprehensive Annual Financial Report, for the Fiscal Year ended September 30, 2009.
  
- L. Resolution No. 2010-50 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 April 5, 2010 and the Minutes of the Workshop Meeting of the City Commission of the City of Weston held on April 7, 2010.

Item 8-F was deferred to the May 17, 2010 City Commission Meeting, all other items listed above on the Consent Agenda were approved earlier in the meeting.

**NINTH ORDER OF BUSINESS**

The meeting adjourned at 7:28 PM.

**Adjournment**



Eric M. Hersh, Mayor