

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, June 7, 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
Daniel J. Stermer	Commissioner
Murray Chermak	Commissioner
Angel Gomez	Commissioner

Also present were:

John R. Flint	City Manager
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
Anthony Soroka	Assistant City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Dennis Giordano	President, Calvin, Giordano & Associates
Shelley Eichner	Vice-President, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, Calvin, Giordano & Associates
Denise Barrett	Director of Communications, MuniTech LLC
Donald Decker	Director of Parks and Recreation
Andrew Gilmore	Director of Landscaping
Brad Kaine	Director of Public Works
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
Senator Nan Rich	Florida Senate
Tara Christou	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. Commissioner Mercedes Henriksson was absent.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

Broward Sheriff's Office Marine Cadets Color Guard presented the colors and Senator Nan Rich led the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Presentations

- A. Broward Sheriff's Office Fire Rescue Employees of the Month** – Lieutenant James Glaze; Firefighter/Paramedic Lissette Munoz, and Firefighter/Paramedic Daniel Cook
- B. Senator Nan Rich – Legislative Update**

ANNOUNCEMENTS

- Weston Parks & Recreation is now accepting applications for the upcoming July 4th Hometown Parade. Print out an application from the city website at www.westonfl.org
- A reminder to residents, we are now officially in hurricane season and if you have not already done so, having an emergency preparedness plan is essential. The city website offers you ReadyTown, an easy to use, step-by-step tool to assist you in making an emergency plan. It's perfect for families, individuals and those with special needs. Just click on ReadyTown right on the Weston website homepage. You will also find weekly articles on preparedness in our Newsday Tuesday section also on the homepage at www.westonfl.org.
- With the rainy season upon us, we need to pay closer attention to the storm drain, also called a catch basin, closest to our homes. To prevent street flooding and the possibility of water reaching your home, storm drains should be cleared of leaves, palm fronds and debris. Never remove the grates as this creates a serious safety hazard to children, pets and adults and allows large debris into the outfall which may cause even worse flooding. Residents in gated communities and on private streets should call their Homeowner Association for storm drain maintenance.

FOURTH ORDER OF BUSINESS

Audience Comments

Tara Christou, Resident

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Commissioners' Items Removed for Later Discussion

Commissioners' Items Removed for Later Discussion 11-C

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 was absent.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes.

SIXTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, creating Title V, "Public Safety," by renumbering, renaming and amending certain Chapters and Sections of Title IX, "General Regulations" and Title XIII, "General Offenses;" 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 Chermak seconded the motion.

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

SEVENTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, creating Title VI, "Emergencies," by renumbering, renaming and amending certain Chapters and Sections of Title III, "Administration," Title IX, "General Regulations," and Title XV, "Land Usage;" 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 Chermak moved to approve the Ordinance.
Commissioner Gomez seconded the motion.

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

EIGHTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, creating Title VII, "Motor Vehicles and Vessels," by renumbering, renaming and amending certain Chapters and Sections of Title VII, "Traffic Code" and Title IX "General Regulations;" 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 Chermak seconded the motion.

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

NINTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending certain sections of Chapter 110, "Business Tax Receipts and Business Regulations," to include the definition of "Business" and provide procedures to qualify for the Charitable Organization Exemption and rebut the presumption of engaging in business within the City; setting the penalty for failure to pay a business tax; 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 Stermer moved to approve the Ordinance. Commissioner Gomez seconded the motion.

Roll call vote on the Ordinance. Commissioner Stermer voted yes. Commissioner Henriksson was absent. Commissioner Chermak voted yes. Commissioner Gomez voted yes. Mayor Hersh voted yes.
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THE CITY COMMISSION RECESSED TO CONVENE AS THE AUDIT COMMITTEE, THEN RECONVENED AS THE CITY COMMISSION TO ADOPT THE RESOLUTION RATIFYING THE RECOMMENDATION OF THE AUDIT COMMITTEE AND CONTINUE WITH THE CITY COMMISSION MEETING.

CITY COMMISSION MEETING RECESSED AT 7:35 PM – RECONVENED AT 8:50 PM.

TENTH ORDER OF BUSINESS

Resolution No. 2010-58 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 and ratifying the Audit Committee's ranking of the three audit firms pursuant to the Request for Proposals for the Procurement of Professional Audit Services, RFP No. 2010-02.

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

No comment from the public. The City Commission accepts and ratifies the ranking of the three audit firms as follows: Keefe, McCullough & Co., LLP is ranked number one; McGladrey & Pullen, LLP is ranked number two and S. Davis & Associates, P.A. is ranked number three.

Commissioner Stermer moved to approve Resolution No. 2010-58.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-58.
Commissioner Stermer voted yes.
Commissioner Henriksson was absent.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes.

ELEVENTH ORDER OF BUSINESS

Consent Agenda

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

- C. 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. 315, City of Weston Street Light Energy Conservation Program, Proposal No. 10-3318, for the City's contract provider, Calvin, Giordano & Associates, Inc.**

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 Stermer moved to approve Resolution No. 2010-61.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-61.
Commissioner Stermer voted yes.
Commissioner Henriksson was absent.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes

CITY OF WESTON

- A. Resolution No. 2010-59 of the City Commission of the City of Weston, Florida, approving Work Authorization No. 309, Saddle Club/Bonaventure Roundabout LAP Agreement, Proposal No. 08-2320.1, for the City's contract provider, Calvin, Giordano & Associates, Inc.
- B. Resolution No. 2010-60 of the City Commission of the City of Weston, Florida, approving Work Authorization No. 316, City of Weston Additional Inspection & Contract Administration for the Redundant Fiber Optic, Proposal No. 08-1906.1 for the City's contract provider, Calvin, Giordano & Associates, Inc.

CITY OF WESTON, INDIAN TRACE DEVELOPMENT DISTRICT

- C. Resolution No. 2010-61 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. 315, City of Weston Street Light Energy Conservation Program, Proposal No. 10-3318, for the City's contract provider, Calvin, Giordano & Associates, Inc.

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

- D. Resolution No. 2010-62 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 May 17, 2010.

INDIAN TRACE DEVELOPMENT DISTRICT

- E. Resolution No. 2010-63 of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving Work Authorization No. 319, Indian Trace Development District Pipe Investigation, Proposal No. 10-3334.1, for the City's contract provider, Calvin, Giordano & Associates, Inc.

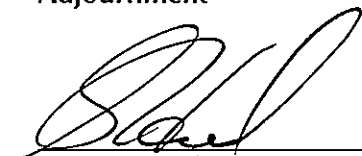
BONAVENTURE DEVELOPMENT DISTRICT

- F. Resolution No. 2010-64 of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving Work Authorization No. 318, Bonaventure Development District Pipe Investigation, Proposal No. 10-3334, for the City's contract provider, Calvin, Giordano & Associates, Inc.

TWELFTH ORDER OF BUSINESS

The meeting adjourned at 8:55 PM.

Adjournment


Eric M. Hersh, Mayor

MONDAY
JUNE 7, 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

6. An Ordinance of the City of Weston, Florida, creating Title V, "Public Safety," by renumbering, renaming and amending certain Chapters and Sections of Title IX, "General Regulations" and Title XIII, "General Offenses;" and providing for an effective date.
Public Hearing and First Reading **Pages 5-37**
7. An Ordinance of the City of Weston, Florida, creating Title VI, "Emergencies," by renumbering, renaming and amending certain Chapters and Sections of Title III, "Administration," Title IX, "General Regulations," and Title XV, "Land Usage;" and providing for an effective date.
Public Hearing and First Reading **Pages 38-72**
8. An Ordinance of the City of Weston, Florida, creating Title VII, "Motor Vehicles and Vessels," by renumbering, renaming and amending certain Chapters and Sections of Title VII, "Traffic Code" and Title IX "General Regulations;" and providing for an effective date.
Public Hearing and First Reading **Pages 73-101**
9. An Ordinance of the City of Weston, Florida, amending certain sections of Chapter 110, "Business Tax Receipts and Business Regulations," to include the definition of "Business" and provide procedures to qualify for the Charitable Organization Exemption and rebut the presumption of engaging in business within the City; setting the penalty for failure to pay a business tax; and providing for an effective date.
Public Hearing and First Reading **Pages 102-115**

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

THE CITY COMMISSION WILL RECESS TO CONVENE AS THE AUDIT COMMITTEE, THEN RECONVENE AS THE CITY COMMISSION TO ADOPT THE RESOLUTION RATIFYING THE RECOMMENDATION OF THE AUDIT COMMITTEE AND CONTINUE WITH THE CITY COMMISSION MEETING.

10. 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 and ratifying the Audit Committee's ranking of the three audit firms pursuant to the Request for Proposals for the Procurement of Professional Audit Services, RFP No. 2010-02.

Pages 116-120

11. Consent Agenda
CITY OF WESTON

- A. A Resolution of the City Commission of the City of Weston, Florida, approving Work Authorization No. 309, Saddle Club/Bonaventure Roundabout LAP Agreement, Proposal No. 08-2320.1, for the City's contract provider, Calvin, Giordano & Associates, Inc.

Pages 121-134

- B. A Resolution of the City Commission of the City of Weston, Florida, approving Work Authorization No. 316, City of Weston Additional Inspection & Contract Administration for the Redundant Fiber Optic, Proposal No. 08-1906.1 for the City's contract provider, Calvin, Giordano & Associates, Inc.

Pages 135-143

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, approving Work Authorization No. 315, City of Weston Street Light Energy Conservation Program, Proposal No. 10-3318, for the City's contract provider, Calvin, Giordano & Associates, Inc.

Pages 144-153

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, approving the Minutes of the Regular Meeting of the City Commission of the City of Weston held on May 17, 2010.

Pages 154-165

INDIAN TRACE DEVELOPMENT DISTRICT

- E. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving Work Authorization No. 319, Indian Trace Development District Pipe Investigation, Proposal No. 10-3334.1, for the City's contract provider, Calvin, Giordano & Associates, Inc.

Pages 166-176

BONAVENTURE DEVELOPMENT DISTRICT

- F. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving Work Authorization No. 318, Bonaventure Development District Pipe Investigation, Proposal No. 10-3334, for the City's contract provider, Calvin, Giordano & Associates, Inc.

Pages 177-187

12. 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.