

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, September 21, 2009 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
Richard Jay Weiss	City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Karen Lieberman	Assistant City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Patricia A. Bates	City Clerk
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
Laurie Menekou	Assistant Director of Communications
Don Decker	Director of Parks and Recreation
Drew Gilmore	Director of Landscaping
Brad Kaine	Director of Public Works
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
Toby Feuer	President of the Bonaventure Presidents' Council
Zeev Vinik	Weston Resident
Dee Montesanno	Weston Resident
Clara Gianninoto	Weston Resident
Margaret Dombrowski	Weston Resident
Alberto Herrera	Weston Resident
Carolyn Hill	Weston Resident
Irene Martinez	Weston Resident
Rose Keiling	Weston Resident
Joseph George Werman	Weston Resident

Esther Maryanoff	Weston Resident
Joan Docek	Weston Resident
Ryan Terrell	Weston 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

The City Commission led the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Presentations

Broward Sheriff's Office Fire Rescue Employee of the Month – None

ANNOUNCEMENTS

- A new tool Weston is making available to residents called ReadyTown is now on the City website. This is an on-line, easy and fun to use, step-by-step guide to making an Emergency Preparedness Plan. Weston is the first city in the nation to offer this innovative preparedness program.
- BSO urges residents to lock all vehicles. Over 60% of car burglaries in Weston are unlocked vehicles.
- There will be a Grant Award Ceremony at Weston Fire Station No. 81, on Wednesday, September 30th at 4:00pm. We are pleased to announce that the Weston Fire Department is the recipient of a Heritage Rewards Program grant in the amount of \$21,466 from Allianz Life Insurance Company of North America, for the purchase of equipment to be installed in each Weston fire truck and rescue vehicle, which will work with the PreEmption equipment to be installed on traffic signals. It will activate a signal before the emergency vehicle arrives at intersections and activate the signal to clear the approach of the emergency vehicle.
- The City is kicking off its 2009-2010 free Moonlight Movies in the Park series on Saturday, October 3rd at 8:00 p.m. in the Weston Regional Park. A series of seven movies will be presented monthly through April. On Saturday, October 3rd at 8:00 p.m., "Night at the Museum 2" will be shown. Bring lawn chairs or blankets. Kids under 12 must be accompanied by an adult.

- The Arts Council of Greater Weston will present its annual Weston Arts & Culture Showcase, a free event to be held on Wednesday, October 7, 2009 at the Hyatt Regency Bonaventure Hotel. There will be wine, champagne and a dessert reception in conjunction with art and cultural exhibits, and live entertainment by the Ars Flores Quintet and Larry Hoppen of "Orleans".

FOURTH ORDER OF BUSINESS

Audience Comments

Toby Feuer, President of the Bonaventure Presidents' Council

Item #10 was withdrawn from the agenda.

FIFTH ORDER OF BUSINESS

Consent Agenda

A. Commissioners' Items Removed for Later Discussion

Commissioners' Items Removed for Later Discussion 11-B

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.

SIXTH ORDER OF BUSINESS

Resolution No. 2009-86 of the City Commission of the City of Weston, Florida, approving and adopting the final millage rate for taxation of real property lying within the boundaries of the City of Weston to fund the budget for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010.
Final Millage Rate

Mayor Hersh read the Resolution into the record by title.

Mayor Hersh stated, on September 14, 2009, the City Commission approved a proposed millage rate of 1.7670 mills. This rate constitutes a 2.50% increase compared with the rolled-back rate of 1.7239 mills, and 0.00% increase above the rolled back millage rate adjusted for change in per capita Florida personal income of 1.7670 mills. The roll back rate is the rate that would be needed to bring in the same ad valorem tax revenue as last year.

The City Manager made a budget presentation to the City Commission at the September 14th meeting. Mr. Flint, is there anything additional you would like to add at this time? City Manager Flint, stated no.

We will now open the public hearing. Is there anyone from the public who wishes to speak on the proposed millage rate resolution?

Zeev Vinik commented from the public.

Mayor Hersh closed the public hearing. The Commission discussed the item.

Commissioner Stermer moved to approve Resolution No. 2009-86 setting the final millage rate at 1.7670 mills.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2009-86.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes

SEVENTH ORDER OF BUSINESS

Resolution No. 2009-87 of the City Commission of the City of Weston, Florida, approving and adopting the final budget of the City of Weston for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010.
Final Weston Budget

Mayor Hersh read the Resolution into the record by title. We will now open the public hearing. Is there anyone from the public who wishes to speak on the resolution?

No comment from the public.

Commissioner Stermer moved to approve Resolution No. 2009-87.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2009-87.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes

EIGHTH ORDER OF BUSINESS

Resolution No. 2009-88 of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving and adopting the final budget for the Indian Trace Development District for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010.
Final ITDD Budget

Mayor Hersh read the Resolution into the record by title. We will now open the public hearing. Is there anyone from the public who wishes to speak on the resolution?

No comment from the public.

Commissioner Chermak moved to approve Resolution No. 2009-88.
Commissioner Henriksson seconded the motion.

Roll call vote on Resolution No. 2009-88.
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. 2009-89 of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving and adopting the final budget for the Bonaventure Development District for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010.
Final BDD Budget

Mayor Hersh read the Resolution into the record by title. We will now open the public hearing. Is there anyone from the public who wishes to speak on the resolution?

Dee Montesanno, Clara Gianninoto, Margaret Dombrowski, Alberto Herrera, Carolyn Hill, Irene Martinez, Rose Keiling, Joseph George Werman, Esther Maryanoff, Joan Docek, and Ryan Terrell commented from the public.

Mayor Hersh closed the public hearing. The Commission discussed the item.

Commissioner Stermer moved to approve Resolution No. 2009-89.
Commissioner Chermak seconded the motion.

Roll call vote on Resolution No. 2009-89.
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, amending Chapter 12 "Definitions" to include definitions for the terms "Golf Cart," "Residential Area," and "Seasonal Delivery Personnel;" creating Section 70.05 "Seasonal Delivery Personnel Golf Cart Use;" and providing for an effective date.
Public Hearing and First Reading

The Ordinance was withdrawn from the agenda.

ELEVENTH ORDER OF BUSINESS

Consent Agenda

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

- B. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, terminating the Agreement with Davis Tours, Inc., or the Bonaventure Community Bus Service.

The Resolution was read into the record by title. The Commission discussed the item. The item was withdrawn from the agenda.

CITY OF WESTON

- A. Resolution No. 2009-90 of the City Commission of the City of Weston, Florida, approving the Minutes of the Regular Meeting of the City Commission of the City of Weston held on August 17, 2009.

CITY OF WESTON, BONAVENTURE DEVELOPMENT DISTRICT

- B. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, terminating the Agreement with Davis Tours, Inc., or the Bonaventure Community Bus Service.

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

- C. Resolution No. 2009-91 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, establishing a revised and restated "Schedule of Fees to be Charged for Services Provided by the City of Weston."
- D. Resolution No. 2009-92 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 a Second Addendum to Agreement among the Sheriff of Broward County, Florida and the City of Weston, Florida, the Indian Trace Development District and the Bonaventure Development District for Police Services.
- E. Resolution No. 2009-93 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 "Third Amendment to the Amended and Restated Professional Services Agreement between the City of Weston, Florida and Calvin, Giordano & Associates, Inc."

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

TWELFTH ORDER OF BUSINESS

The meeting adjourned at 7:35 PM.

Adjournment



Eric M. Hersh, Mayor

MONDAY
SEPTEMBER 21, 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. A Resolution of the City Commission of the City of Weston, Florida, approving and adopting the final millage rate for taxation of real property lying within the boundaries of the City of Weston to fund the budget for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010.
Final Millage Rate ***Pages 5-9***
7. A Resolution of the City Commission of the City of Weston, Florida, approving and adopting the final budget of the City of Weston for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010.
Final Weston Budget ***Pages 10-55***

INDIAN TRACE DEVELOPMENT DISTRICT

8. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving and adopting the final budget for the Indian Trace Development District for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010.
Final ITDD Budget ***Pages 56-82***

BONAVENTURE DEVELOPMENT DISTRICT

9. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving and adopting the final budget for the Bonaventure Development District for Fiscal Year 2009/2010 commencing October 1, 2009 and ending September 30, 2010.
Final BDD Budget **Pages 83-94**

CITY OF WESTON

10. An Ordinance of the City of Weston, Florida, amending Chapter 12 "Definitions" to include definitions for the terms "Golf Cart," "Residential Area," and "Seasonal Delivery Personnel;" creating Section 70.05 "Seasonal Delivery Personnel Golf Cart Use;" and providing for an effective date.
Public Hearing and First Reading **Pages 95-100**

11. **CONSENT AGENDA**
CITY OF WESTON

- A. A Resolution of the City Commission of the City of Weston, Florida, approving the Minutes of the Regular Meeting of the City Commission of the City of Weston held on August 17, 2009.
Pages 101-112

CITY OF WESTON AND BONAVENTURE DEVELOPMENT DISTRICT

- B. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, terminating the Agreement with Davis Tours, Inc., or the Bonaventure Community Bus Service.
Pages 113-117

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 as the governing board of the Bonaventure Development District, establishing a revised and restated "Schedule of Fees to be Charged for Services Provided by the City of Weston."
Pages 118-162

- 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 a Second Addendum to Agreement among the Sheriff of Broward County, Florida and the City of Weston, Florida, the Indian Trace Development District and the Bonaventure Development District for Police Services.

Pages 163-171

- 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 "Third Amendment to the Amended and Restated Professional Services Agreement between the City of Weston, Florida and Calvin, Giordano & Associates, Inc."

Pages 172-179

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.