

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, September 27, 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 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
Patricia A. Bates	City Clerk
Richard Jay Weiss	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 J. Giordano	President, Calvin, Giordano & Associates
Shelley Eichner	Vice-President, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, Calvin, Giordano & Associates
Denise Barrett	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
Cosmo Tornese	Building Official, C.A.P. Government, Inc.
Chief Greg Page	BSO DLE – Weston
Chief Harris Bouchillon	BSO DFRES – Weston

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

- A. Broward Sheriff's Office Fire Rescue Employees of the Month** – Special Projects Coordinator Courtney Palmer, Life Safety Educator LaToya Carbonell and Life Safety Educator Pamela Gorman.
- B. Public Works Staff Recognition** - Honoring Weston Public Works Drainage Technician Chris Cameron.

ANNOUNCEMENTS

- The City of Weston is kicking off its 2010-2011 FREE Moonlight Movies in the Park series on Saturday, October 2nd at 8:00 p.m. in the Weston Regional Park. A series of seven movies will be presented monthly through April. On Saturday, October 2nd at 8:00 p.m., "Alvin and the Chipmunks 2" will be shown. Bring lawn chairs or blankets for a fun and relaxing night out. Kids under 12 must be accompanied by an adult.
- On Tuesday, October 19th the Arts Council of Greater Weston invites everyone to attend the Wonderful World of Weston – Art, Culture, and Diversity. This free event will be held from 7:00 p.m. - 9:30 p.m. at the Hyatt Bonaventure Hotel. This is a reception to promote the wealth of art and cultural programming coming this season, which includes art & cultural exhibits, refreshments, silent auction and continuous entertainment.
- Weston's annual Halloween Safety Expo will be held on Friday night, October 29th at Tequesta Trace Park. A safe and educational trick or treating experience, the Safety Expo will have live entertainment, police and fire exhibits, a pumpkin patch, bloodmobile and much more. Don't forget your costume or your bag for treats.
- On a very sad note, on behalf of the City Commission and staff, we extend our condolences to Commissioner-Elect Toby Feuer whose husband David lost his battle with cancer. Our thoughts and prayers go out to Toby and her family.

FOURTH ORDER OF BUSINESS

Audience Comments

None.

The following item was added to the Agenda as Item 11-A:

A Resolution of the City Commission of the City of Weston, Florida, authorizing and directing the City Attorney to file a lawsuit to enforce Broward County's compliance with the Public Records Act.

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 Stermer moved to approve the Consent Agenda.
Commissioner Gomez 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.
Mayor Hersh voted yes.

SIXTH ORDER OF BUSINESS

Resolution No. 2010-125 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 2010/2011 commencing October 1, 2010 and ending September 30, 2011.
Final Millage Rate

Mayor Hersh read the Resolution into the record by title.

Mayor Hersh stated, on September 13, 2010, the City Commission approved a proposed millage rate of 2.0000 mills. This rate constitutes a 1.56% increase compared with the rolled-back rate of 1.9692 mills, and 3.52% increase above the rolled back millage rate adjusted for change in per capita Florida personal income of 1.9320 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 gave a budget summary to the City Commission at the September 13th 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 final millage rate resolution?

No comment from the public. Mayor Hersh closed the public hearing.

Commissioner Henriksson moved to approve Resolution No. 2010-125 setting the final millage rate at 2.0000 mills.
Commissioner Stermer seconded the motion.

Roll call vote on Resolution No. 2010-125.
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. 2010-126 of the City Commission of the City of Weston, Florida, approving and adopting the final budget of the City of Weston for Fiscal Year 2010/2011 commencing October 1, 2010 and ending September 30, 2011.
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. Mayor Hersh closed the public hearing.

Commissioner Gomez moved to approve Resolution No. 2010-126.
Commissioner Henriksson seconded the motion.

Roll call vote on Resolution No. 2010-126.
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. 2010-127 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 2010/2011 commencing October 1, 2010 and ending September 30, 2011.
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. Mayor Hersh closed the public hearing.

Commissioner Henriksson moved to approve Resolution No. 2010-127.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-127.
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. 2010-128 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 2010/2011 commencing October 1, 2010 and ending September 30, 2011.
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?

No comment from the public. Mayor Hersh closed the public hearing.

Commissioner Henriksson moved to approve Resolution No. 2010-128.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2010-128.
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, creating Title XII, "Land Use," by renumbering, renaming and amending certain Chapters of Title XV, "Land Usage;" creating Chapter 128, "Building Codes-Adopted;" creating Chapter 129, "Minimum Housing;" creating Chapter 130, "Unsafe Structures;" 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.
Mayor Hersh voted yes.

ELEVENTH ORDER OF BUSINESS

**An Ordinance of the City of Weston, Florida, creating Title XII, "Land Use," by renumbering and amending Title XV, "Land Usage;" creating Chapter 131, "Facilities in Rights-of-Way;" creating Chapter 132, "Public Rights-of-Way Regulations for Communications Service Providers;" creating Chapter 133, "Wireless Telecommunications Facilities;" 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.
Mayor Hersh voted yes.

ITEM 11-A WAS ADDED TO THE AGENDA

A Resolution of the City Commission of the City of Weston, Florida, authorizing and directing the City Attorney to file a lawsuit to enforce Broward County's compliance with the Public Records Act.

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 an overview. The Commission discussed the item. City Manager Flint and City Attorney Richard Weiss answered questions from the Commission.

Commissioner Stermer moved to defer the Resolution to the October 4, 2010 City Commission Meeting.
Commissioner Henriksson seconded the motion.

Roll call vote to defer the Resolution to the October 4, 2010 City Commission Meeting.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes.

TWELFTH ORDER OF BUSINESS

Consent Agenda

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


- A. Resolution No. 2010-129 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."

The Item listed above on the Consent Agenda was approved earlier in the meeting.

THIRTEENTH ORDER OF BUSINESS

Adjournment

The meeting adjourned at 8:35 PM.


Eric M. Hersh, Mayor

MONDAY
SEPTEMBER 27, 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. Presentations
 - A. Broward Sheriff's Office Fire Rescue Employee of the Month
 - B. Public Works Staff Recognition
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 2010/2011 commencing October 1, 2010 and ending September 30, 2011.
Final Millage Rate **Pages 6-9**
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 2010/2011 commencing October 1, 2010 and ending September 30, 2011.
Final Weston Budget **Pages 10-56**

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 2010/2011 commencing October 1, 2010 and ending September 30, 2011.
Final ITDD Budget **Pages 57-83**

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 2010/2011 commencing October 1, 2010 and ending September 30, 2011.
Final BDD Budget **Pages 84-94**

CITY OF WESTON

10. An Ordinance of the City of Weston, Florida, creating Title XII, "Land Use," by renumbering, renaming and amending certain Chapters of Title XV, "Land Usage;" creating Chapter 128, "Building Codes-Adopted;" creating Chapter 129, "Minimum Housing;" creating Chapter 130, "Unsafe Structures;" and providing for an effective date.
Public Hearing and First Reading **Pages 95-114**
11. An Ordinance of the City of Weston, Florida, creating Title XII, "Land Use," by renumbering and amending Title XV, "Land Usage;" creating Chapter 131, "Facilities in Rights-of-Way;" creating Chapter 132, "Public Rights-of-Way Regulations for Communications Service Providers;" creating Chapter 133, "Wireless Telecommunications Facilities;" and providing for an effective date.
Public Hearing and First Reading **Pages 115-183**
12. **CONSENT AGENDA**
CITY OF WESTON, INDIAN TRACE DEVELOPMENT DISTRICT AND BONAVENTURE DEVELOPMENT DISTRICT
- A. 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 184-229
13. 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.