

MONDAY  
OCTOBER 6, 2008  
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 Law Enforcement 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. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 08-1859, amendment to the site plan for Weston Town Center for 16 additional outdoor seats to accommodate a wine merchant (Joy of Libation), located at 1722-1724 Main Street. *Joy of Libation*  
*Weston Town Center Site Plan Amendment* *Pages 5-25*
7. An Ordinance of the City of Weston, Florida, rezoning property located at 1440 North Park Drive (Park of Commerce), consisting of approximately 1.66 acres, from Industrial (I-1) District to Commercial (C-1) District; and providing for an effective date. *Gridiron Club*  
*Public Hearing and First Reading* *Pages 26-42*

*\*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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8. An Ordinance of the City of Weston, Florida, amending Chapter 32, "Taxes, Fees and Costs," by creating Section 32.40 "Cost Recovery for Verification of Proper Payment to City," to provide for recovery of administrative costs associated with verification of proper payment received; and providing for an effective date.

*Second and Final Reading*

*Pages 43-47*

9. Consent Agenda

*CITY OF WESTON*

- A. A Resolution of the City Commission of the City of Weston, Florida, urging the Legislature of the State of Florida to fully fund and sustain Broward County's traffic magistrate citation program; providing for conflict; providing for severability; providing for an effective date.

*Pages 48-55*

- B. 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 September 25, 2008.

*Pages 56-68*

*CITY OF WESTON AND BONAVENTURE DEVELOPMENT DISTRICT*

- C. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving the Federally Funded Subgrant Agreement with the State of Florida, Division of Emergency Management for Hazard Mitigation Grant Program Funds for the Bonaventure Storm Water Pump Stations Wind Retrofit.

*Pages 69-110*

10. 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, October 6, 2008 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
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
Patricia A. Bates	City Clerk
Dennis J. Giordano	President, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, Calvin, Giordano & Associates
Denise Barrett	Director of Communications
Don Decker	Director of Parks and Recreation
Brad Kaine	Director of Public Works
Drew Gilmore	Director of Landscaping
Darrel Thomas	Treasurer
Chief Greg Page	BSO DLE - Weston
Chief John Frailey	BSO DFRES - Weston
Cosmo Tornese	Building Official, C.A.P. Government, Inc.
Steven Murray	MuniTech, LLC
J. Scott Gombar, P.E.	Sr. Vice President, Eisman & Russon
Toby Feuer	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 Indian Trace Elementary School Safety Patrols led the Pledge of Allegiance.

**ANNOUNCEMENTS**

- Free Moonlight Movies in the Park Series kicks off on October 11<sup>th</sup> @ 7:30 pm. Event Stage inside the Weston Regional Park. Weston Community Center at 954-389-4321.
- Quarterly Bulk-Pickup Collection. Single-Family homes: Wednesday, October 15<sup>th</sup>, Thursday, October 16<sup>th</sup> or Friday, October 17<sup>th</sup>. Place bulk items curbside by 7 am. Multi-family units: place items next to your dumpster on Saturday, October 18<sup>th</sup>. Questions contact Public Works at 954-385-2600.
- Tickets on sale at Weston Community Center for the 2008/09 Children's Theater Series and our Symphony Concert Series. Information is available on the city web site and in the upcoming Weston Announcer. The Symphony Series includes the New Florida Philharmonic and the Symphony of the Americas Orchestras. Weston Community Center at 954-389-4321.
- Arts Council of Greater Weston signature annual kickoff reception on Wednesday, October 22<sup>nd</sup> at 7PM at the Hyatt Regency Bonaventure. Free event open to the public.
- Grand Opening Celebration for Library Park on Thursday, October 30<sup>th</sup> at 7 pm. Library Park is located at the intersection of Bonaventure Boulevard and Vista Park Boulevard, adjacent to the Broward County Weston Branch Library.

**THIRD ORDER OF BUSINESS**

**Presentations**

Broward Sheriff's Office Law Enforcement Employee of the Month - None.

**FOURTH ORDER OF BUSINESS**

**Audience Comments**

J. Scott Gombar, P.E.                      Sr. Vice President, Eisman & Russon  
Toby Feuer                                      Resident

**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 Henriksson 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.

### QUASI-JUDICIAL HEARING

The Quasi-Judicial Hearing for Item 6 was waived by the City Commission with the consent of the applicant.

### SIXTH ORDER OF BUSINESS

**Resolution No. 2008-128 of the City Commission of the City of Weston, Florida, considering Application No. 08-1859, amendment to the site plan for Weston Town Center for 16 additional outdoor seats to accommodate a wine merchant (Joy of Libation), located at 1722-1724 Main Street. *Joy of Libation***

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 approve Resolution No. 2008-128.  
Commissioner Henriksson seconded the motion.

Roll call vote on Resolution No. 2008-128.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

The Quasi-Judicial Hearing for Item 7 was waived by the City Commission with the consent of the applicant.

#### SEVENTH ORDER OF BUSINESS

**An Ordinance of the City of Weston, Florida, rezoning property located at 1440 North Park Drive (Park of Commerce), consisting of approximately 1.66 acres, from Industrial (I-1) District to Commercial (C-1) District; and providing for an effective date. *Gridiron Club*  
*Public Hearing and Final 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 voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

#### END OF QUASI-JUDICIAL HEARING

#### EIGHTH ORDER OF BUSINESS

**Ordinance No. 2008-12 of the City of Weston, Florida, amending Chapter 32, "Taxes, Fees and Costs," by creating Section 32.40 "Cost Recovery for Verification of Proper Payment to City," to provide for recovery of administrative costs associated with verification of proper payment received; and providing for an effective date.  
*Second and Final Reading***

The Ordinance was read into the record by title. This is a Second and Final Reading. The item was opened for public comment. No comment from the public.

Commissioner Stermer moved to approve Ordinance No. 2008-12.  
Commissioner Henriksson seconded the motion.

Roll call vote on Ordinance No. 2008-12.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

**NINTH ORDER OF BUSINESS**

**Consent Agenda**

***CITY OF WESTON***

- A. Resolution No. 2008-129 of the City Commission of the City of Weston, Florida, urging the Legislature of the State of Florida to fully fund and sustain Broward County's traffic magistrate citation program; providing for conflict; providing for severability; providing for an effective date.
  
- B. Resolution No. 2008-130 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 September 25, 2008.

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

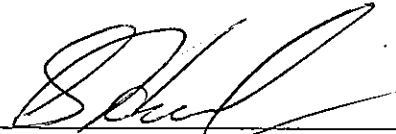
- C. Resolution No. 2008-131 of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving the Federally Funded Subgrant Agreement with the State of Florida, Division of Emergency Management for Hazard Mitigation Grant Program Funds for the Bonaventure Storm Water Pump Stations Wind Retrofit.

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

**TENTH ORDER OF BUSINESS**

**Adjournment**

The meeting adjourned at 7:16 PM.

  
Eric M. Hersh, Mayor