

MONDAY
OCTOBER 19, 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

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 Tract 57(C) and a portion of Tract 57 within the Bonaventure Plat both of which are generally located at the southwest corner of Bonaventure Boulevard and State Road 84, consisting of approximately 3.08 acres, from high rise Multi Family (MF-3) to Municipal Use (MU); and providing for an effective date.
Public Hearing and First Reading *Pages 5-21*

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

END OF QUASI-JUDICIAL HEARING

7. An Ordinance of the City of Weston, Florida, creating Section 71.12, "Parking In Designated Official Use Only Spaces;" and providing for an effective date.

Second and Final Reading

Pages 22-26

8. 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 27-32

9. Consent Agenda

CITY OF WESTON

- A. A Resolution of the City Commission of the City of Weston, Florida, approving the Minutes of the Workshop Meeting of September 30, 2009 and Regular Meeting of the City Commission of the City of Weston held on October 5, 2009.

Pages 33-47

CITY OF WESTON AND BONAVENTURE DEVELOPMENT DISTRICT

- B. A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Bonaventure Development District, accepting the conveyance of certain real property, specifically a portion of Tract 57 Bonaventure, located within the City, from Newbon Outparcels, Ltd.

Pages 48-68

- C. A Resolution of the City Commission of the City of Weston, Florida, and as the governing board of the Bonaventure Development District, requesting that the City rezone Tract 57(C) within the Bonaventure Plat, which is generally located at the southwest corner of Bonaventure Boulevard and State Road 84, from High Rise Multi Family (MF-3) to Municipal Use (MU).

Pages 69-77

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 a Third 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 78-85

10. 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.
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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 19, 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
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
Shelley Eichner	Vice-President, Calvin, Giordano & Associates
Sarah Sinatra	Director of Development Services, Calvin, Giordano & Associates
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

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

Eagle Point Elementary School Safety Patrol led the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Presentations

- A. Broward Sheriff's Office Fire Rescue Employees of the Month** – Captain Robert Oberrieth, Inspector Valerie Bamford, Inspector Driver/Engineer Michael Rizzo, Inspector Jose Lorenzo, and Inspector Brad Mayhue.
- B. Recognition** – Rafael Giraldo, History Teacher at Tequesta Trace Middle completed a 3,800 mile, 86-day cross country journey entitled "*Tour of Discovery.*"

C. "A+" School Awards:

Principal Tonya Frost, Country Isles Elementary School
Principal Linda Chuckman, Eagle Point Elementary School
Principal Eliot Tillinger, Everglades Elementary School
Principal Jacquelyn Vernon, Imagine Charter School at Weston
Principal Wanda Ross, Indian Trace Elementary School
Principal Donna McCann, Manatee Bay Elementary School
Principal Susan Sasse, Gator Run Elementary School
Principal Mark Kaplan, Falcon Cove Middle School
Principal Paul Micensky, Tequesta Trace Middle School

ANNOUNCEMENTS

- BSO urges residents to lock all vehicles. Over 60% of car burglaries in Weston are unlocked vehicles.
- Friday, October 30th Annual Fall Harvest Festival and Halloween Safety Expo from 6:00 PM to 9:00 PM at Tequesta Trace Park. There will be a Children's Halloween Costume Parade at 6:30 PM and then a Pet Costume Contest at 8 PM. There will be live entertainment, inflatable's, food vendors, arts & craft booths, DJ music, a pumpkin patch, interactive teddy bear clinic, bloodmobile, health screening and numerous safety exhibits by Police and Fire. Kids will receive free cotton candy and snow cones.
- Monthly Moonlight Movies at Weston Regional Park - Saturday night, November 7th "Monsters vs. Aliens."

- Beginning Monday, October 19th and over the next three weeks, until November 9th the City of Sunrise water department will be flushing the water system in the Indian Trace Development District portion of Weston. The water system flushing will occur Monday through Thursday evenings between the hours of 11:00 PM to 2:00 AM.

FOURTH ORDER OF BUSINESS

Audience Comments

None.

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.

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 Tract 57(C) and a portion of Tract 57 within the Bonaventure Plat both of which are generally located at the southwest corner of Bonaventure Boulevard and State Road 84, consisting of approximately 3.08 acres, from high rise Multi Family (MF-3) to Municipal Use (MU); 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.
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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

Ordinance No. 2009-12 of the City of Weston, Florida, creating Section 71.12, "Parking In Designated Official Use Only Spaces;" and providing for an effective date.

Second and Final Reading

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

Commissioner Henriksson moved to approve Ordinance No. 2009-12.
Commissioner Gomez seconded the motion.

Roll call vote on Ordinance No. 2009-12.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes.

EIGHTH 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 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.

NINTH ORDER OF BUSINESS

Consent Agenda

CITY OF WESTON

- A. Resolution No. 2009-99 of the City Commission of the City of Weston, Florida, approving the Minutes of the Workshop Meeting of September 30, 2009 and Regular Meeting of the City Commission of the City of Weston held on October 5, 2009.

CITY OF WESTON, BONAVENTURE DEVELOPMENT DISTRICT

- B. Resolution No. 2009-100 of the City Commission of the City of Weston, Florida, and as the governing board of the Bonaventure Development District, accepting the conveyance of certain real property, specifically a portion of Tract 57 Bonaventure, located within the City, from Newbon Outparcels, Ltd.
- C. Resolution No. 2009-101 of the City Commission of the City of Weston, Florida, and as the governing board of the Bonaventure Development District, requesting that the City rezone Tract 57(C) within the Bonaventure Plat, which is generally located at the southwest corner of Bonaventure Boulevard and State Road 84, from High Rise Multi Family (MF-3) to Municipal Use (MU).

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

- D. Resolution No. 2009-102 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 Third 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.

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

TENTH ORDER OF BUSINESS

The meeting adjourned at 7:30 PM.

Adjournment



Eric M. Hersh, Mayor