

MONDAY  
NOVEMBER 2, 2009  
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. 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.  
*Second and Final Reading* *Pages 5-22*

**END OF QUASI-JUDICIAL HEARING**

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7. 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.

***Second and Final Reading***

***Pages 23-28***

8. Consent Agenda

***CITY OF WESTON***

- A. A Resolution of the City Commission of the City of Weston, Florida, urging the Florida Legislature to adopt and the Governor to sign legislation prohibiting typing, sending or reading of text messages and e-mails while operating a motor vehicle, and only allowing cell phone usage while driving when utilizing a hands-free device.

***Pages 29-34***

- B. A Resolution of the City Commission of the City of Weston, Florida, approving a one (1) year extension to the agreement between the City of Weston and Stan Hemphill of Leisure Grants Service, Inc. for Grant Consultation Services.

***Pages 35-42***

- C. A Resolution of the City Commission of the City of Weston, Florida, approving the terms of the Memorandum of Understanding (MOU) among Broward County, the Broward Solid Waste Disposal District, Wheelabrator South Broward, Inc. and Wheelabrator North Broward, Inc. for a term of ten years from August 4, 2011, with a ten (10) year extension by mutual agreement.

***Pages 43-57***

- D. A Resolution of the City Commission of the City of Weston, Florida, approving Change Order No. 1-Final for the City's Contract Provider, Horsepower Electric of Hialeah, Florida, for the project known as Indian Trace at Saddle Club Road Signalization, City of Weston Bid No. 2008-07, Calvin, Giordano & Associates, Inc., Project No. 05-5389.

***Pages 58-67***

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

- 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 the Bonaventure Development District, extending the contract with A & A Drainage & Vac Services, Inc., for maintenance of stormwater & sanitary sewer facilities.

***Pages 68-74***

- F. 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 October 19, 2009.

*Pages 75-84*

9. 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, November 2, 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
Bob Jackson	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 Greg Page	BSO DLE – Weston
Russell Hart	Resident
Toby Feuer	Resident
Matt Evans	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

Everglades Elementary School Student Council led the Pledge of Allegiance.

## THIRD ORDER OF BUSINESS

### Presentations

**A. Broward Sheriff's Office Law Enforcement Employee of the Month – None**

**B. Recognition** – FEMA recognizes the City's acceptance into the National Flood Insurance Program with a Class 8 Rating. Bob Jackson from Calvin, Giordano and Associates and Brad Kaine, Director of Public Works accepted the plaque.

## ANNOUNCEMENTS

- BSO urges residents to lock all vehicles. Over 60% of car burglaries in Weston are unlocked vehicles.
- Monthly Moonlight Movies at Weston Regional Park - Saturday night, November 7<sup>th</sup> "Monsters vs. Aliens."
- Until November 9<sup>th</sup> 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.
- All City administrative offices will be closed on Wednesday, November 11<sup>th</sup> in observance of Veteran's Day. All City parks will be open and there will be regularly scheduled garbage collection.
- Congratulations to Commissioner Mercedes Henriksson who is being honored as one of the "Ten Outstanding Latin Women of our Community", Friday night, November 13, 2009 by the *Mujeres Latinas*.
- Congratulations to Ms. Toby Feuer who was recently appointed by Broward County Commissioner Wexler to the Broward County Commission on the Status of Women on October 27<sup>th</sup>.

**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 8-A & 8-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 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**

**Ordinance No. 2009-13 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.**

***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. 2009-13.  
Commissioner Chermak seconded the motion.

Roll call vote on Ordinance No. 2009-13.  
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. 2009-14 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.**

*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. 2009-14.  
Commissioner Stermer seconded the motion.

Roll call vote on Ordinance No. 2009-14.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes.

**EIGHTH ORDER OF BUSINESS**

**Consent Agenda**

Item 8-A was removed from the Consent Agenda for discussion.

- A. A Resolution of the City Commission of the City of Weston, Florida, urging the Florida Legislature to adopt and the Governor to sign legislation prohibiting typing, sending or reading of text messages and e-mails while operating a motor vehicle, and only allowing cell phone usage while driving when utilizing a hands-free device.**

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

Matt Evans commented from the public. City Attorney Jamie Cole answered questions from the City Commission.

Commissioner Stermer moved to approve Resolution No. 2009-103.  
Commissioner Henriksson seconded the motion.

Roll call vote on Resolution No. 2009-103.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes

Item 8-C was removed from the Consent Agenda for discussion.

- C. A Resolution of the City Commission of the City of Weston, Florida, approving the terms of the Memorandum of Understanding (MOU) among Broward County, the Broward Solid Waste Disposal District, Wheelabrator South Broward, Inc. and Wheelabrator North Broward, Inc. for a term of ten years from August 4, 2011, with a ten (10) year extension by Mutual Agreement, providing that this Resolution shall be binding only upon approval of an additional Resolution approving a new Interlocal Agreement for the Broward Solid Waste Disposal District.**

A revised Resolution was given to the Commission. The new Resolution title was read into the record. The item was opened for public comment. No comment from the public. Mayor Hersh gave an overview of the item. Brad Kaine, Director of Public Works answered questions from the City Commission.

Commissioner Stermer moved to approve Resolution No. 2009-105.  
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2009-105.  
Commissioner Stermer voted yes.  
Commissioner Henriksson voted yes.  
Commissioner Chermak voted yes.  
Commissioner Gomez voted yes.  
Mayor Hersh voted yes

***CITY OF WESTON***

- A. Resolution No. 2009-103 of the City Commission of the City of Weston, Florida, urging the Florida Legislature to adopt and the Governor to sign legislation prohibiting typing, sending or reading of text messages and e-mails while operating a motor vehicle, and only allowing cell phone usage while driving when utilizing a hands-free device.
- B. Resolution No. 2009-104 of the City Commission of the City of Weston, Florida, approving a one (1) year extension to the agreement between the City of Weston and Stan Hemphill of Leisure Grants Service, Inc. for Grant Consultation Services.
- C. Resolution No. 2009-105 of the City Commission of the City of Weston, Florida, approving the terms of the Memorandum of Understanding (MOU) among Broward County, the Broward Solid Waste Disposal District, Wheelabrator South Broward, Inc. and Wheelabrator North Broward, Inc. for a term of ten years from August 4, 2011, with a ten (10) year extension by Mutual Agreement, providing that this Resolution shall be binding only upon approval of an additional Resolution approving a new Interlocal Agreement for the Broward Solid Waste Disposal District.
- D. Resolution No. 2009-106 of the City Commission of the City of Weston, Florida, approving Change Order No. 1-Final for the City's Contract Provider, Horsepower Electric of Hialeah, Florida, for the project known as Indian Trace at Saddle Club Road Signalization, City of Weston Bid No. 2008-07, Calvin, Giordano & Associates, Inc., Project No. 05-5389.

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

- E. Resolution No. 2009-107 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and the Bonaventure Development District, extending the contract with A & A Drainage & Vac Services, Inc., for maintenance of stormwater & sanitary sewer facilities.

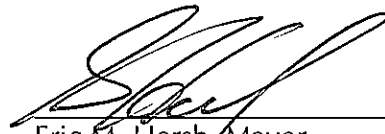
- F. **Resolution No. 2009-108 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, approving the Minutes of the Regular Meeting of the City Commission of the City of Weston held on October 19, 2009.**

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

**NINTH ORDER OF BUSINESS**

The meeting adjourned at 7:47 PM.

**Adjournment**



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Eric M. Hersh, Mayor