

MONDAY
DECEMBER 7, 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 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

CITY OF WESTON

6. An Ordinance of the City Commission of the City of Weston, Florida, adopting the annual update to the Capital Improvements Element within the City's Comprehensive Plan in accordance with Section 163.3177, Florida Statutes; and providing for an effective date.
Second and Final Reading ***Pages 5-32***
7. An Ordinance of the City Commission of the City of Weston, Florida, amending Chapter 12 "Definitions" to create a definition of "Pain Management Clinic;" creating Section 158.59.1 "Pain Management Clinics," to prohibit on-site dispensing of controlled substances by pain management clinics; and providing for an effective date.
Second and Final Reading ***Pages 33-38***
8. An Ordinance of the City of Weston, Florida, granting to Florida Power & Light Company, its successors and assigns, an electric franchise, imposing provisions and conditions relating thereto, providing for monthly payments to the City of Weston, and providing for an effective date.
Second and Final Reading ***Pages 39-48***

9. Consent Agenda
CITY OF WESTON

- A. A Resolution of the City Commission of the City of Weston, Florida, supporting Senate Bill 376, amending Florida Statutes to authorize local governmental entities to use their publicly accessible websites for legally required public notices and advertisements.

Pages 49-59

- B. A Resolution of the City Commission of the City of Weston, Florida, supporting the endorsement of employer support for the National Guard and Reserve, in furtherance of our country's service members and their families during time of need; and providing for an effective date.

Pages 60-70

- C. A Resolution of the City Commission of the City of Weston, Florida, authorizing the purchase of playground shade structure for Weston Regional Park from Superior Park Systems, Inc., Hollywood, Florida.

Pages 71-91

- D. A Resolution of the City Commission of the City of Weston, Florida, authorizing the purchase and installation of equipment required for the implementation of a GPS radio based priority control system for non-equipped intersections within the City for the City's Fire Rescue Vehicles.

Pages 92-143

CITY OF WESTON AND BONAVENTURE DEVELOPMENT DISTRICT

- E. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving Change Order No. 4-Final for the City's contract provider, Murray Logan Construction, Inc., for the project known as Bonaventure Development District Pump Station No. 1 and 2, City of Weston Bid No. 2008-01, Calvin, Giordano & Associates Project No. 06-5711.

Pages 144-159

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

- 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, revising the "Schedule of Fees to be Charged for Services provided by the City of Weston."

Pages 160-164

- G. 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 Workshop Meeting of the City Commission held on November 9, 2009 and the Minutes of the Regular Meeting of the City Commission of the City of Weston held on November 16, 2009.

Pages 165-182

10. Adjournment

**UPON THE CONCLUSION OF THE CITY COMMISSION MEETING, A MEETING OF
THE TOWN FOUNDATION, INC. BOARD OF DIRECTORS WILL COMMENCE.**

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, December 7, 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
Karl Kennedy	City Engineer, Calvin, Giordano & Associates
Denise Barrett	Director of Communications
Don Decker	Director of Parks and Recreation
Drew Gilmore	Director of Landscaping
Brad Kaine	Director of Public Works
Darrel Thomas	Treasurer
Cindy Tao	Accounting Manager
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
John Messerian	Project Designer, Calvin, Giordano & Associates
Robert Roush	Electrical Engineer, Calvin, Giordano & Associates
Sabrina Baglieri	Construction Administrator, Calvin, Giordano & Associates
Wesley Greaves	Inspector, Calvin, Giordano & Associates
Troy Modlin	Atlantis Management Services, LC, Property Manager
Ruth Bettini	Century Property Management, Property Manager

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

Weston Christian Academy 3rd Grade Students led the Pledge of Allegiance.

THIRD ORDER OF BUSINESS

Presentations

- A. Broward Sheriff's Office Law Enforcement Employee of the Month** – none
- B. Certificate of Achievement for Excellence in Financial Reporting** – Accepted by Darrel Thomas, Treasurer, and Cindy Tao, Accounting Manager. Weston is the recipient of the Certificate of Achievement for Excellence in Financial Reporting for the fiscal year ending September 30, 2008, presented by the Government Finance Officers Association of the U.S. and Canada.
- C. Recognition for Bonaventure Stormwater Pump Stations project** – Five key project staff members from our contract engineering firm Calvin, Giordano and Associates who were so instrumental in obtaining grant monies, designing and completing the Bonaventure Stormwater Pump Stations project are John Messerian – Project Designer, Robert Roush – Electrical Engineer, Karl Kennedy – Project Manager, Sabrina Baglieri – Construction Administrator, and Wesley Greaves – Inspector.

ANNOUNCEMENTS

- BSO urges residents to lock all vehicles. Over 60% of car burglaries in Weston are unlocked vehicles.

City of Weston City Commission Minutes
December 7, 2009

- Designed especially for children ages 3-10, the City will host a professional puppet show inside the Weston Community Center on Saturday, December 12th. Show times are 1:30 PM and 3:00 PM. For details please visit the City website or call 954-389-4321.
- Free monthly Moonlight Movie in the Park, is on Saturday, December 12th at 7:30 PM with the presentation of Paul Blart, MALL COP. The event stage in the Weston Regional Park.
- On Sunday, December 13th beginning at 7 AM is the annual Half Marathon and 5K run and walk, the Run for Tomorrow. The races begin and end at Cypress Bay High School. Anyone interested in participating can get information from our website or go to www.runfortomorrow.com to register. Road closures are: Bonaventure Blvd. - from South Post Road to Royal Palm Blvd., from 6:00 AM – 10:00 AM and Vista Park Blvd. - from 6:30 AM - 8:00 AM. Delays include: Royal Palm Parkway and Glades Parkway from Bonaventure Blvd. to Park Road, which will maintain one lane for traffic throughout the race; and Bonaventure Blvd. between South Post Road and Griffin Road.
- The next presentation in the Weston Foreign Film Series is "*Italian for Beginners*." Two showings are Monday night, December 14th at the Weston 8 Cinema; tickets are \$7 available at the Weston Community Center and other locations – check our website for details.
- Santa's Holiday Revue – an entertaining musical that takes an around the world tour of the dances, songs and stories from Christmas, Hanukkah, Kwanzaa and more will be presented at 10 AM on Saturday, December 19th at the Cypress Bay Theater. Tickets for this professional production for children are \$10 in advance and available at the Weston Community Center.
- All City offices will close at noon on December 24th and December 31st and are closed on Christmas Day and New Year's Day.
- The next City Commission meeting will be held on Tuesday, January 19, 2010.
- There is no garbage collection on Christmas Day, December 25th. Single family homes disposing of Christmas trees can place them curbside from December 26th thru January 9th.

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 9-F

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

Ordinance No. 2009-15 of the City Commission of the City of Weston, Florida, adopting the annual update to the Capital Improvements Element within the City's Comprehensive Plan in accordance with Section 163.3177, Florida Statutes; and providing for an effective date.

Second and Final Reading

Mayor Hersh stated pursuant to Florida Statutes Section 163.3184, anyone who wishes to receive a courtesy informational statement concerning publication of the Department of Community Affairs' notice of intent to find the proposed Comprehensive Plan Amendment either in compliance or not in compliance with state requirements, must place their name and address on a sign-in form.

If you wish to receive the courtesy information statement regarding Item 6, please place your name and address on the sign-in form on the table in the back of the room.

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. 2009-15.
Commissioner Henriksson seconded the motion.

Roll call vote on Ordinance No. 2009-15.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes.

SEVENTH ORDER OF BUSINESS

Ordinance No. 2009-16 of the City Commission of the City of Weston, Florida, amending Chapter 12 "Definitions" to create a definition of "Pain Management Clinic;" creating Section 158.59.1 "Pain Management Clinics," to prohibit on-site dispensing of controlled substances by pain management clinics; 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 Gomez moved to approve Ordinance No. 2009-16.
Commissioner Henriksson seconded the motion.

Roll call vote on Ordinance No. 2009-16.
Commissioner Stermer voted yes.
Commissioner Henriksson voted yes.
Commissioner Chermak voted yes.
Commissioner Gomez voted yes.
Mayor Hersh voted yes.

EIGHTH ORDER OF BUSINESS

Ordinance No. 2009-17 of the City of Weston, Florida, granting to Florida Power & Light Company, its successors and assigns, an electric franchise, imposing provisions and conditions relating thereto, providing for monthly payments to the City of Weston, 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. 2009-17.
Commissioner Henriksson seconded the motion.

Roll call vote on Ordinance No. 2009-17.
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

Item 9-F was removed from the Consent Agenda for discussion.

- F. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving Change Order No. 4-Final for the City's contract provider, Murray Logan Construction, Inc., for the project known as Bonaventure Development District Pump Station No. 1 and 2, City of Weston Bid No. 2008-01, Calvin, Giordano & Associates Project No. 06-5711.**

The Resolution was read into the record by title. City Manager John Flint recommended withdrawing the Resolution and no longer allow public use of the Police Services Center Training Room. Chief Page gave a status report on the use of the Training Room citing security measures of the facility and safety issues. Approximately 29 HOA's use the room on a monthly basis. In addition 11 other groups also utilize the facility. Troy Modlin, Bonaventure resident and Property Manager from Atlantis Management Services, LC and Ruth Bettini resident and Property Manager

from Century Property Management Property Manager commented from the public. The Commission discussed the item. The Police Services Center Training Room will no longer be available for public use. Item 9-F was withdrawn from the agenda.

CITY OF WESTON

- A. Resolution No. 2009-117 of the City Commission of the City of Weston, Florida, supporting Senate Bill 376, amending Florida Statutes to authorize local governmental entities to use their publicly accessible websites for legally required public notices and advertisements.
- B. Resolution No. 2009-118 of the City Commission of the City of Weston, Florida, supporting the endorsement of employer support for the National Guard and Reserve, in furtherance of our country's service members and their families during time of need; and providing for an effective date.
- C. Resolution No. 2009-119 of the City Commission of the City of Weston, Florida, authorizing the purchase of playground shade structure for Weston Regional Park from Superior Park Systems, Inc., Hollywood, Florida.
- D. Resolution No. 2009-120 of the City Commission of the City of Weston, Florida, authorizing the purchase and installation of equipment required for the implementation of a GPS radio based priority control system for non-equipped intersections within the City for the City's Fire Rescue Vehicles.

CITY OF WESTON AND BONAVENTURE DEVELOPMENT DISTRICT

- E. Resolution No. 2009-121 of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving Change Order No. 4-Final for the City's contract provider, Murray Logan Construction, Inc., for the project known as Bonaventure Development District Pump Station No. 1 and 2, City of Weston Bid No. 2008-01, Calvin, Giordano & Associates Project No. 06-5711.

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

- 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, revising the "Schedule of Fees to be Charged for Services provided by the City of Weston." *Withdrawn from the agenda.*
- G. Resolution No. 2009-122 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 Workshop Meeting of the City Commission held on November 9, 2009 and the Minutes of the Regular Meeting of the City Commission of the City of Weston held on November 16, 2009.

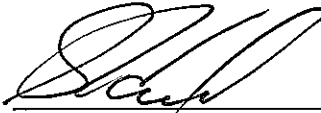
Item 9-F was withdrawn from the agenda, the other items listed above on the Consent Agenda were approved earlier in the meeting.

TENTH ORDER OF BUSINESS

Adjournment

Mayor Hersh stated before we adjourn this meeting, I would like to provide the public with information concerning the next meeting that will take place here this evening. After this Commission Meeting adjourns, I will open the regular meeting of the Town Foundation, Inc. The Town Foundation oversees cable television services for all residential properties within the Arvida developed portions of the City of Weston. The City Commission acts as the Board of Directors of the Foundation and, from time to time, must conduct business on the Foundation's behalf. The Commissioners are not acting in their capacity as Commissioners during the Town Foundation meeting, but rather as Directors of a non-profit Florida corporation. As indicated, upon adjournment of the City Commission meeting, I will open the regular meeting of the Town Foundation, Inc.

The meeting adjourned at 7:35 PM.



Eric M. Hersh, Mayor