

## MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, August 18, 2014 at 7:00 PM at Weston City Hall, 17200 Royal Palm Boulevard, Weston, Florida.

Present and constituting a quorum were:

Daniel J. Stermer	Mayor
Angel M. Gomez	Commissioner
Toby Feuer	Commissioner
Jim Norton	Commissioner
Thomas M. Kallman	Commissioner

Also present were:

John R. Flint	City Manager
David E. Keller	Assistant City Manager/CFO
Patricia A. Bates	City Clerk
Jamie Alan Cole	City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Chad Friedman	Asst. City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Anthony Soroka	Asst. City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Sarah Sinatra Gould	Director of Development Services, Calvin, Giordano & Associates
Thaddeus Bielecki	Director of Landscaping
Bryan E. Cahen	Director of Budget
Donald Decker	Director of Parks and Recreation
Karl C. Thompson	Director of Public Works
Steven Murray	MuniTech LLC
Stephanie Brassie	Assistant Director of Communications, MuniTech LLC
Cosmo Tornese	Building Official, C.A.P. Government, Inc.
Chief Kevin Butler	BSO DLE – Weston
Colonel Pollack	BSO DLE
Major Holmes	BSO DLE
Chief Harris Bouchillon	BSO DFRES – Weston
Chief Bruce Angier	BSO DFRES – Weston
Sumner Packer	Resident
Fabio Andrade	Resident
Michael Chesser	Representative for Cleveland Clinic
Debbie Orshefsky, Esq.	Greenberg Traurig, P.A., Representative for Midtown Athletic Club
Matthew H. Scott, Esq.	Tripp Scott, Representative for Varney & Son’s Tree Expert Co.

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mayor Stermer called the meeting to order at 7:10 PM.

City Clerk Patricia Bates called the roll.

**SECOND ORDER OF BUSINESS**

**Pledge of Allegiance**

The Pledge of Allegiance was led by Colonel Pollack, Major Holmes, Chief Angier, Chief Bouchillon, and Chief Butler of the Broward Sheriff's Office.

**THIRD ORDER OF BUSINESS**

**Presentations**

- A. **Broward Sheriff's Office Law Enforcement Employee of the Month** – Deputy Paula Bello-Sanchez.
  
- B. **Presentation in recognition and memory of Jeffrey Lee Skidmore** - Mark L. Huard, President of the Rotary Club of Weston.

**ANNOUNCEMENTS**

- Today was the first day of school for those attending Broward County Public Schools. We welcome students back and urge motorists to heed the 15 MPH school zones which BSO will strictly enforce. Please be extra vigilant in watching for children at bus stops and students walking or riding bikes to school. We wish everyone a wonderful school year.
  
- On Wednesday, August 27<sup>th</sup> City Hall and the Public Works Services Center offices will be closed from 8AM until 11AM for mandatory training sessions.
  
- All City Administrative offices will be closed on Monday, September 1<sup>st</sup> in honor of the Labor Day Holiday. All city parks will be open and there will be regular garbage and recycling collection.

- September City Commission Meetings & Budget Hearings: The City Commission meetings in September are not on the usual first and third Monday as these meetings are also city budget hearings and must be coordinated so as not to conflict with the School Board or County Commission budget hearings. Our meetings will be held on Monday, September 15<sup>th</sup> and Monday, September 29<sup>th</sup> at 7pm, here at City Hall. The budget can be viewed online at westonfl.org.
- BSO Fire Rescue in Weston offers free CPR training and also has free EMS Go Packets. These are perfect for the elderly, chronically ill, or children left with caregivers. The packet is designed to hang on a door inside your home and hold a provided medical information form as well as advanced care directives, making them immediately accessible to first responder personnel or easy to take to the hospital for a care giver. Go Packets or CPR class information is available by calling Fire Station 81 at 954-389-2015.

#### **FOURTH ORDER OF BUSINESS**

#### **Audience Comments**

Sumner Packer, Weston Resident  
Fabio Andrade, Weston Resident

#### **FIFTH ORDER OF BUSINESS**

#### **Consent Agenda**

##### **A. Commissioners' Items Removed for Later Discussion**

Commissioners' Items Removed for Later Discussion 15-B.

##### **B. Approval of the balance of the Consent Agenda**

Commissioner Norton 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 Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

## QUASI-JUDICIAL HEARING

The City Clerk stated Item 6 did not meet advertising and notice requirements. Advertising and notice requirements were met for Items 7, 8 and 9.

### SIXTH ORDER OF BUSINESS

**A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 14-7095, a variance from Chapter 124 of the Code of Ordinances of the City, Zoning, to waive same roof profile requirement in Section 124.36(F), Enclosed Accessory Uses, for a proposed pool cabana with a reduced roof slope, for the property located at 3155 Lake Ridge Lane, Weston, Florida**

***3155 Lake Ridge Lane Residence Zoning Variance***

Item 6 was deferred to the September 15, 2014 City Commission Meeting.
--

Quasi-Judicial procedures were waived for Items 7 and 8 by the City Commission with approval from Applicant Representative Michael Chesser.

Commissioner Norton made a disclosure that he has a Business Relationship with the applicant, Cleveland Clinic and is filing Form 8B Memorandum of Voting Conflict for County, Municipal and other Local Public Officers with the City Clerk. Commissioner Norton left the dais and abstained from discussion and voting on Items 7 and 8.

### SEVENTH ORDER OF BUSINESS

**Resolution No. 2014-80 of the City Commission of the City of Weston, Florida, considering Application No. 14-7111, a variance from Chapter 123 of the Code of Ordinances of the City, Landscaping, to waive certain landscaping requirements for Cleveland Clinic's proposed parking improvements in the north parking lot, for the property located at 3100 Weston Road, Weston, Florida.**

***Cleveland Clinic Landscape Island Variance***

The Resolution was read into the record by title. The item was opened for public comment. No comment from the public.

Commissioner Feuer moved to approve Resolution No. 2014-80.  
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2014-80.  
Commissioner Norton abstained from voting.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

#### **EIGHTH ORDER OF BUSINESS**

**Resolution No. 2014-81 of the City Commission of the City of Weston, Florida, considering Application No. 13-6133, a site plan amendment for two new parking lots on Cleveland Clinic's campus, located at 3100 Weston Road, Weston, Florida.**

***Cleveland Clinic Parking Lot Expansion Site Plan Amendment***

The Resolution was read into the record by title. The item was opened for public comment. No comment from the public.

Commissioner Feuer moved to approve Resolution No. 2014-81.  
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2014-81.  
Commissioner Norton abstained from voting.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

#### **NINTH ORDER OF BUSINESS**

**A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 14-6602, a site plan amendment to include a new driveway entrance on Windmill Ranch Road, for the property known as Midtown Athletic Club, located at 2300 Royal Palm Boulevard, Weston, Florida.**

***Midtown Athletic Club Site Plan Amendment  
New Driveway Entrance on Windmill Ranch Road***

The Resolution was read into the record by title. Debbie Orshefsky, Esq. of Greenberg Traurig, P.A. represented the applicant.

Commissioner Norton moved to continue the item to the October 20, 2014 City Commission Meeting.  
Commissioner Gomez seconded the motion.

Roll call vote to continue the item to the October 20, 2014 City Commission Meeting.  
Commissioner Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

### END OF QUASI-JUDICIAL HEARING

### TENTH ORDER OF BUSINESS

**Ordinance No. 2014-17 of the City of Weston, Florida, amending Section 100.06, "Permits and Fees; Private Property;" to provide for additional regulations related to certain special events; 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 Kallman moved to approve Ordinance No. 2014-17.  
Commissioner Feuer seconded the motion.

Roll call vote on Ordinance No. 2014-17.  
Commissioner Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

#### ELEVENTH ORDER OF BUSINESS

**Ordinance No. 2014-18 of the City of Weston, Florida, amending Section 124.27 "Town Center Overlay District" by modifying Appendix "A" "Town Center Overlay District Design Guidelines" relating to retail tenant identification signs; 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 Feuer moved to approve Ordinance No. 2014-18.  
Commissioner Norton seconded the motion.

Roll call vote on Ordinance No. 2014-18.  
Commissioner Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

#### TWELFTH ORDER OF BUSINESS

**Ordinance No. 2014-19 of the City of Weston, Florida, amending Section 124.47, "Lot Size, Height and Setbacks," to provide that generators may encroach into a required minimum yard setback; and providing for an effective date.**

*Second and Final Reading\**

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

Mayor Stermer stated, Items 12 and 13 on tonight's agenda propose to amend the City's Land Development Regulations. Pursuant to State Law, these types of Items are 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 Items.

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. City Manager John Flint provided an

explanation of the changes for second reading.

Commissioner Gomez moved to approve Ordinance No. 2014-19.  
Commissioner Kallman seconded the motion.

Roll call vote on Ordinance No. 2014-19.  
Commissioner Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

### THIRTEENTH ORDER OF BUSINESS

**An Ordinance of the City of Weston, Florida, amending Section 126.14, "Buildings and Unit Number Signs," to provide for required signage indicating the address at community buildings and community and commercial swimming pools; 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. City Manager John Flint provided an explanation of the ordinance. The City Commission discussed the item.

Commissioner Norton moved to approve the Ordinance.  
Commissioner Gomez seconded the motion.

Roll call vote on the Ordinance.  
Commissioner Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

#### FOURTEENTH ORDER OF BUSINESS

**An Ordinance of the City of Weston, Florida, amending Section 32.02, "Methods of Acquisition," to clarify procedures related to acquisitions of \$10,000 or less; 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. City Manager John Flint provided an explanation of the ordinance.

Commissioner Feuer moved to approve the Ordinance. Commissioner Kallman seconded the motion.
---

Roll call vote on the Ordinance. Commissioner Norton voted yes. Commissioner Feuer voted yes. Commissioner Kallman voted yes. Commissioner Gomez voted yes. Mayor Stermer voted yes.
---

#### FIFTEENTH ORDER OF BUSINESS

#### Consent Agenda

Item 15-B was removed from the Consent Agenda.

**ITEM 15-B Resolution No. 2014-83 of the City Commission of the City of Weston, Florida, declaring Varney & Son's Tree Expert Co., Inc. in default of the Arboricultural Services Agreements with the City; terminating the Arboricultural Services Agreement; authorizing and directing the City Manager to stop all payments to Varney & Son's Tree Expert Co., Inc.; authorizing and directing the City Attorney to file a lawsuit against Varney & Son's Tree Expert Co., Inc., to recover any and all amounts that were overbilled to the City and to seek damages related to the default of the arboricultural services agreements.**

The Resolution was read into the record by title. City Manager John Flint provided an explanation of the item. The item was opened for public comment. Matthew H. Scott, Esq. representing Varney & Son's Tree Expert Co. commented from the public. The City Commission discussed the item.

Commissioner Gomez moved to approve Resolution No. 2014-83.  
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2014-83.  
Commissioner Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

***CITY OF WESTON***

- A. Resolution No. 2014-82 of the City Commission of the City of Weston, Florida, approving Work Authorization No. 1 for Professional Architectural and Engineering Services, Restroom Renovation at City Parks, Weston, Florida, for the City's contract provider, Saltz Michelson Architects.
- B. Resolution No. 2014-83 of the City Commission of the City of Weston, Florida, declaring Varney & Son's Tree Expert Co., Inc. in default of the Arboricultural Services Agreements with the City; terminating the Arboricultural Services Agreement; authorizing and directing the City Manager to stop all payments to Varney & Son's Tree Expert Co., Inc.; authorizing and directing the City Attorney to file a lawsuit against Varney & Son's Tree Expert Co., Inc., to recover any and all amounts that were overbilled to the City and to seek damages related to the default of the arboricultural services agreements.
- C. Resolution No. 2014-84 of the City Commission of the City of Weston, Florida, authorizing the City Manager to execute a letter supporting the distribution of the Edward Byrne/JAG Program Funding for Federal Fiscal Year 2014-2015.

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

- D. Resolution No. 2014-85 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving the Consent to the Assignment and Assumption of the Amended and Restated Agreement among the City of Weston, Florida, the Indian Trace Development District and CLP Weston Hills Golf, LLC for Lake Maintenance and Water Withdrawal.
- E. Resolution No. 2014-86 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, approving the Consent to the Assignment and Assumption of the License Agreement among the City of Weston, Florida, the Indian Trace Development District and CLP Weston Hills Golf, LLC.

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

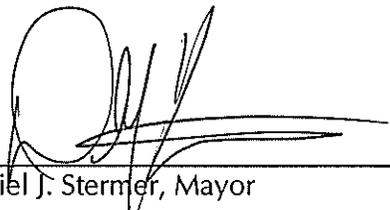
- F. Resolution No. 2014-87 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, accepting and ratifying rankings of the Selection Committee, pursuant to RFQ No. 2014-06, a Request For Qualifications for Professional Civil Engineering Continuing Services, and awarding and approving an agreement with EAC Consulting, Inc., of Fort Lauderdale, Florida.
  
- G. Resolution No. 2014-88 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 July 2, 2014.

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

**SIXTEENTH ORDER OF BUSINESS**

The meeting adjourned at 8:03 PM.

**Adjournment**



\_\_\_\_\_

Daniel J. Stermer, Mayor