

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, September 21, 2015 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
Darrel L. Thomas	Assistant City Manager/COO
Patricia A. Bates	City Clerk
Jamie Alan Cole	City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Karen Lieberman	Asst. City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Chad Friedman	Asst. City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Sarah Sinatra Gould	Director of Development Services, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, Calvin, Giordano & Associates
Denise Barrett-Miller	Director of Communications
Thaddeus Bielecki	Director of Landscaping
Bryan E. Cahen	Director of Budget
Donald Decker	Director of Parks and Recreation
Ryan M. Fernandes	Director of Technology Services
Karl C. Thompson	Director of Public Works
Steven Murray	Assistant Director of Technology Services, MuniTech LLC
Jack Fisher	Assistant Building Official, C.A.P. Government, Inc.
Chief Kevin Butler	BSO DLE – Weston
Lt. Rafael Lopez	BSO DLE – Weston
Chief Harris Bouchillon	BSO DFRES – Weston
Chief Bruce Angier	BSO DFRES – Weston
Peter A. Mardinly, Esq.	Belmont Investment Corp.

FIRST ORDER OF BUSINESS

Roll Call

Mayor Stermer called the meeting to order at 7:00 PM.
City Clerk Patricia Bates called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was led by students from Manatee Bay Elementary School chaperoned by Ms. Meryl Jefferson, Middle Childhood Specialist.

THIRD ORDER OF BUSINESS

Presentations

- A. Broward Sheriff's Office Law Enforcement Employees of the Month** – CSA Veronica Landsman and Deputy John Rall.
- B. Proclamation Hunger Action Month** - Accepted by Ms. Nataly Ramirez, Donor Relations Manager for Feeding South Florida.
- C. Certificates of Recognition** – Weston FC Team USA, the 2015 Danone Nations Cup Winners who will be representing the United States as Team USA at the Danone Nations Cup 2015 World Final.

ANNOUNCEMENTS

- The Parks and Recreation Department has put together a full schedule of events beginning this October through April. Residents are encouraged to sign up for our weekly E-newsletter *Newsday Tuesday*, or visit our Events Calendar on the Weston website at Westonfl.org/Events.
- We would like to remind business owners that Business Tax Receipts are due and payable on or before September 30th. You can renew your BTR online or in person at City Hall. Should you have any questions, please contact our Business Tax Coordinator at 954-385-2000.

- The first in a series of free monthly Moonlight Movies in the Park will be held on Saturday, October 10th at 8PM in Weston Regional Park. The animated feature film *HOME* will entertain the entire family. Bring lawn chairs or blankets out to the park and then sit back and relax... the movie is on us!
- The BSO Weston District office will host a BSO Shred-A-Thon & Operation Medicine Cabinet on Saturday, October 17th from 10:00am – 1:00pm in the District parking lot, located at 17300 Royal Palm Boulevard. Residents can bring up to five boxes of materials for free shredding. At the same time you can also properly dispose of any unused or unwanted medications. Come early and receive a \$5 gift card while supplies last.
- BSO Fire Rescue reminds residents that they offer free CPR training classes. You could be saving the life of a loved one. Please call today to sign up for CPR training at 954-389-2015.

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 15-C.

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.

ITEM #15-C

Resolution No. 2015-111 of the City Commission of the City of Weston, Florida, approving an Agreement between the City of Weston and the Sheriff of Broward County, Florida to provide for Emergency Medical, Fire Protection and Fire Prevention Services.

The Resolution was read into the record by title. The item was opened for public comment. No comment from the public. City Manager John Flint provided an overview.

Commissioner Norton moved to approve Resolution No. 2015-111.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2015-111.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

CITY OF WESTON

SIXTH ORDER OF BUSINESS

Resolution No. 2015-104 of the City Commission of the City of Weston, Florida, approving and adopting the final millage rate for taxation of real property lying within the boundaries of the City of Weston to fund the budget for Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.

Final Millage Rate

The Resolution was read into the record by title. Mayor Stermer stated, on September 11, 2015, the City Commission approved a proposed millage rate of 2.3900 mills. This rate constitutes a 6.09% increase compared with the rolled-back rate of 2.2528 mills [computed pursuant to Florida Statutes 200.065(1)], and a 4.05% increase above the rolled back millage rate adjusted for change in per capita Florida personal income of 2.2970 mills. The rolled back rate is the rate that would be needed to bring in the same amount of ad valorem tax revenue as last year.

The City Manager's budget message and the City's budget have been and are available on the City's website.

The City Manager made a budget presentation to the City Commission at the September 11th meeting. Mr. Flint, is there anything additional you would like to add at this time? Mr. Flint stated there is no increase in the millage rate; no increase in the Bonaventure Development District Assessment; no increase in the Indian Trace Development District Assessment; a \$.38 cent increase in the Solid Waste Assessment; and a \$19.92 increase in the Fire Assessment for single family residential properties.

We will now open the public hearing. Is there anyone from the public who wishes to speak on the final millage rate resolution? No comment from the public.

Commissioner Feuer moved to approve Resolution No. 2015-104.
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2015-104.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

SEVENTH ORDER OF BUSINESS

Resolution No. 2015-105 of the City Commission of the City of Weston, Florida, approving and adopting the final budget of the City of Weston for Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.

Final Weston Budget

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

Commissioner Gomez moved to approve Resolution No. 2015-105.
Commissioner Feuer seconded the motion.

Roll call vote on Resolution No. 2015-105.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

INDIAN TRACE DEVELOPMENT DISTRICT

EIGHTH ORDER OF BUSINESS

Resolution No. 2015-106 of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving and adopting the final budget for the Indian Trace Development District for Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.

Final ITDD Budget

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. 2015-106.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2015-106.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

BONAVENTURE DEVELOPMENT DISTRICT

NINTH ORDER OF BUSINESS

Resolution No. 2015-107 of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving and adopting the final budget for the Bonaventure Development District for Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.

Final BDD Budget

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. 2015-107.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2015-107.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

QUASI-JUDICIAL HEARING

City Attorney Jamie Cole read the quasi-judicial procedures. City Clerk Patricia Bates confirmed advertising and notice requirements were met and swore in the witnesses.

TENTH ORDER OF BUSINESS

Resolution No. 2015-108 of the City Commission of the City of Weston, Florida, considering Application No. 15-7925, a site plan amendment to include façade improvements and kiosk relocations, for the property known as Weston Town Center, located at 1636 and 1638 Town Center Circle, Weston, Florida.

***Weston Town Center, 1636 and 1638 Town Center Circle - Site Plan Amendment
Rescheduled from August 17, 2015 City Commission Meeting***

The Resolution was read into the record by title. Sarah Sinatra Gould, Director of Development Services presented for the City. Peter A. Mardinly, Esq., Belmont Investment Corp. presented for the applicant. The item was opened for public comment. No comment from the public. The City Commission discussed the item.

Commissioner Norton moved to approve Resolution No. 2015-108.
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2015-108.
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

ELEVENTH ORDER OF BUSINESS

Ordinance No. 2015-19 of the City of Weston, Florida, creating Section 89.02, "Mobile Vendors Regulations" and creating Section 100.20, "Mobile Vendors," to provide for regulations relating to mobile vendors; 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. 2015-19.
Commissioner Feuer seconded the motion.

Roll call vote on Ordinance No. 2015-19.
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. 2015-20 of the City of Weston, Florida, amending Section 32.02, "Methods of Acquisition," to clarify procedures related to cooperative acquisitions; 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. 2015-20.
Commissioner Gomez seconded the motion.

Roll call vote on Ordinance No. 2015-20.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

THIRTEENTH ORDER OF BUSINESS

Ordinance No. 2015-21 of the City of Weston, Florida, amending the City Code of Ordinances by amending Section 1.01 "Definitions" to clarify the definition of dwelling unit, create a definition of family, and modify the definitions of solid waste collection services assessed cost and solid waste collection services assessment to ensure consistency with implementation; amending Section 64.71 "Specific Methods of Construction and Requirements" to utilize terms consistent with code definitions; amending Section 123.16 "Swale Tree Requirements" to clarify terms; amending Chapter 124 "Zoning" to clarify and use defined terms; and amending Chapter 127, "Engineering Standards," to clarify applicability; 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. 2015-21.
Commissioner Norton seconded the motion.

Roll call vote on Ordinance No. 2015-21.
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 1.01, "Definitions" to provide a definition of Medical Marijuana Retail Center, Medical Marijuana Treatment Center and related terms; amending Section 124.16 "IOC Districts" by providing for Medical Marijuana Retail Center special exception uses; amending Section 124.54 "Off Street Parking", to provide parking standards for Medical Marijuana Retail Centers; amending Section 124.81 "Special Exceptions" to provide additional application requirements, procedures and standards for Medical Marijuana Retail Centers; 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 Attorney Jamie Cole 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.

FIFTEENTH ORDER OF BUSINESS

Consent Agenda

Item 15-C was removed for discussion and heard before Item No. 6.

CITY OF WESTON

- A. Resolution No. 2015-109 of the City Commission of the City of Weston, Florida, approving the First Amendment to the Agreement between the City of Weston and C.A.P. Government, Inc., for Comprehensive Building Code Services RFP No. 2014-09.**
- B. Resolution No. 2015-110 of the City Commission of the City of Weston, Florida, approving the conveyance to the City of Tract "D" of Country Isles Garden Homes as a landscape buffer, and accepting the conveyance of the landscape buffer.**

- C. Resolution No. 2015-111 of the City Commission of the City of Weston, Florida, approving an Agreement between the City of Weston and the Sheriff of Broward County, Florida to provide for Emergency Medical, Fire Protection and Fire Prevention Services.

CITY OF WESTON, INDIAN TRACE DEVELOPMENT DISTRICT,

- D. Resolution No. 2015-112 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, accepting a Bill of Sale, Grant of Easement, and Maintenance Bond for utility facilities located at 1555 Bonaventure Boulevard, in a portion of Parcel C-1, Sector 6, Plat Book 141, Page 21, Public Records of Broward County, Florida.

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

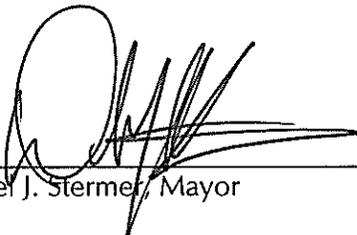
- E. Resolution No. 2015-113 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, establishing a revised and restated "Schedule of Fees to be Charged for Services Provided by the City of Weston."

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

SIXTEENTH ORDER OF BUSINESS

The meeting adjourned at 8:16 PM.

Adjournment



Daniel J. Stermer, Mayor

MONDAY
SEPTEMBER 21, 2015
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(s) 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. A Resolution of the City Commission of the City of Weston, Florida, approving and adopting the final millage rate for taxation of real property lying within the boundaries of the City of Weston to fund the budget for Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.
Final Millage Rate ***Pages 6-10***
7. A Resolution of the City Commission of the City of Weston, Florida, approving and adopting the final budget of the City of Weston for Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.
Final Weston Budget ***Pages 11-78***

INDIAN TRACE DEVELOPMENT DISTRICT

8. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving and adopting the final budget for the Indian Trace Development District for Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.
Final ITDD Budget ***Pages 79-102***

BONAVENTURE DEVELOPMENT DISTRICT

9. A Resolution of the City Commission of the City of Weston, Florida, as the governing board of the Bonaventure Development District, approving and adopting the final budget for the Bonaventure Development District for Fiscal Year 2015/2016 commencing October 1, 2015 and ending September 30, 2016.
Final BDD Budget **Pages 103-115**
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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.

10. A Resolution of the City Commission of the City of Weston, Florida, considering Application No. 15-7925, a site plan amendment to include façade improvements and kiosk relocations, for the property known as Weston Town Center, located at 1636 and 1638 Town Center Circle, Weston, Florida.
*Weston Town Center, 1636 and 1638 Town Center Circle - Site Plan Amendment
Rescheduled from August 17, 2015 City Commission Meeting* **Pages 116-205**

END OF QUASI-JUDICIAL HEARING

CITY OF WESTON

11. An Ordinance of the City of Weston, Florida, creating Section 89.02, "Mobile Vendors Regulations" and creating Section 100.20, "Mobile Vendors," to provide for regulations relating to mobile vendors; and providing for an effective date.
Second and Final Reading **Pages 206-213**
12. An Ordinance of the City of Weston, Florida, amending Section 32.02, "Methods of Acquisition," to clarify procedures related to cooperative acquisitions; and providing for an effective date.
Second and Final Reading **Pages 214-218**

13. An Ordinance of the City of Weston, Florida, amending the City Code of Ordinances by amending Section 1.01 "Definitions" to clarify the definition of dwelling unit, create a definition of family, and modify the definitions of solid waste collection services assessed cost and solid waste collection services assessment to ensure consistency with implementation; amending Section 64.71 "Specific Methods of Construction and Requirements" to utilize terms consistent with code definitions; amending Section 123.16 "Swale Tree Requirements" to clarify terms; amending Chapter 124 "Zoning" to clarify and use defined terms; and amending Chapter 127, "Engineering Standards," to clarify applicability; and providing for an effective date.

Second and Final Reading

Pages 219-229

14. An Ordinance of the City of Weston, Florida, amending Section 22.01, "Disclosure of Business Relationships," and creating Chapter 26, "Prohibition from Participation in Discussion"; and providing for an effective date.

Public Hearing and First Reading

Pages 230-235

15. **CONSENT AGENDA**

CITY OF WESTON

- A. A Resolution of the City Commission of the City of Weston, Florida, approving the First Amendment to the Agreement between the City of Weston and C.A.P. Government, Inc., for Comprehensive Building Code Services RFP No. 2014-09.

Pages 236-245

- B. A Resolution of the City Commission of the City of Weston, Florida, approving the conveyance to the City of Tract "D" of Country Isles Garden Homes as a landscape buffer, and accepting the conveyance of the landscape buffer.

Pages 246-294

- C. A Resolution of the City Commission of the City of Weston, Florida, approving an Agreement between the City of Weston and the Sheriff of Broward County, Florida to provide for Emergency Medical, Fire Protection and Fire Prevention Services.

Pages 295-336

CITY OF WESTON AND INDIAN TRACE 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, accepting a Bill of Sale, Grant of Easement, and Maintenance Bond for utility facilities located at 1555 Bonaventure Boulevard, in a portion of Parcel C-1, Sector 6, Plat Book 141, Page 21, Public Records of Broward County, Florida.

Pages 337-394

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 as the governing board of the Bonaventure Development District, establishing a revised and restated "Schedule of Fees to be Charged for Services Provided by the City of Weston."

Pages 395-438

16. 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.

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.