

## MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, October 20, 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
Darrel L. Thomas	Assistant City Manager/COO
Patricia A. Bates	City Clerk
Jamie Alan Cole	City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Karen Lieberman	Asst. City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Susan Trevarthen	Asst. City Attorney, Weiss Serota Helfman Pastoriza Cole & Boniske
Dennis Giordano	President, Calvin, Giordano & Associates
Shelley Eichner	Vice President, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, 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
Peter Johnson	Assistant Director of Public Works, MuniTech LLC
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
Chief Harris Bouchillon	BSO DFRES – Weston
Chief Bruce Angier	BSO DFRES – Weston
Tracy H. Lautenschlager, Esq.	Greenberg Traurig, P.A.
Orlando Gonzalez	Weston Business Owner

**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 students from Imagine Charter School at Weston who were chaperoned by Principal Nadine Laham.

**THIRD ORDER OF BUSINESS**

**Presentations**

- A. **Broward Sheriff's Office Fire Rescue Employees of the Month** – Lieutenant Lawrence Krueger; Lieutenant Philip Kalarovich; Driver/Engineer Kevin Giles; Firefighter/Paramedics: Richard George, Stephen Kinsley, Lauren Letsche, Catherine O'Sullivan.
  
- B. **Broward Sheriff's Office Law Enforcement Employee of the Month** – Deputy Dominic Raimondi.
  
- C. **Broward County Supervisor of Elections Office** – Evelyn Perez-Verdia, Media Coordinator for the Broward County Supervisor of Elections Office.
  
- D. **Harvest Drive** – Mrs. Renee Herman, announced the upcoming annual Harvest Drive.

**ANNOUNCEMENTS**

- The next free quarterly residential Bulk Pickup is this week. For Single Family or Multi-family with Curbside collection, the date will be either, Wednesday, October 22<sup>nd</sup>, Thursday, October 23<sup>rd</sup>, OR Friday, October 24<sup>th</sup> – Whichever is your regularly scheduled collection day. For Multi-family with dumpsters: The date is Saturday, October 25<sup>th</sup>.
  
- A reminder to turn your clocks back one hour before going to bed on Saturday, November 1<sup>st</sup> and also to replace the batteries in your smoke alarms or detectors. Detectors have to be working to save lives.

- Election Day is Tuesday, November 4<sup>th</sup>. Early Voting is available at locations throughout the county through Sunday, November 2<sup>nd</sup>. We urge you to vote – on the ballot are numerous important issues that will impact you and your families. Elected offices, State Constitutional Amendments, the County Question of Reauthorizing the Children’s Services Council, the School District of Broward County General Obligation Bond, and seven City of Weston Charter Amendments.
- You can view the proposed Weston Charter Amendment ballot questions on our City website or government access TV channel, in both English and Spanish. We urge you to take the time to review the questions and to vote on the proposals. Please contact us should you have any questions on the proposed amendments so that you can make a fully informed decision.
- Tickets are on sale for *The Magic of Cirque de la Symphonie*. The Symphony of the Americas full orchestra with acrobats, contortionists, dancers, jugglers, balancers and strong-men; all choreographed to classical masterpieces and popular contemporary music. The concert will be held Saturday, November 8<sup>th</sup> at 7:30 PM at Cypress Bay Theater. Advance ticket sales are available for \$20 at the Weston Community Center and Community Bank of Broward.
- Tuesday, November 11<sup>th</sup> the all City administrative offices will be closed in honor of Veterans Day. City parks will be open and there is regular garbage collection. Please take a moment to give thanks to all of the men and women who have or still do, serve in uniform to protect and serve our county.
- On Saturday, November 15<sup>th</sup> we present the November free monthly Moonlight Movie in the Park featuring “RIO 2”. Starting at 7:30 PM in the Weston Regional Park, this is a great night of free entertainment for the entire family. For details on this and many other upcoming events, please visit the city website at [www.westonfl.org](http://www.westonfl.org) or subscribe to our weekly Newsday Tuesday e-newsletter.
- The next City Commission meeting will be held on Monday, November 17<sup>th</sup> at 7:00 PM here in City Hall.
- BSO Fire Rescue reminds residents that they offer free CPR training classes. You could be saving the life of a loved one. They are also taking registrations for the next basic Community Emergency Response Training Program, commonly called CERT. All training and supplies are free of charge. The program begins January 6<sup>th</sup> and will be held each Tuesday night from 6:30-

8:30PM for 8 weeks. Please call 954-389-2015 to register for CPR or CERT training. Details on the CERT program are available on the City website.

- BSO Law Enforcement offers the Weston district parking lot as a safe haven for the City's online buyers or sellers to meet, such as when buying or selling an item off of a site such as Craigslist. The parking lot is accessible 24 hours a day and is located at 17300 Royal Palm Boulevard.

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

#### **Audience Comments**

Orlando Gonzalez, Weston Business Owner

**City Attorney Jamie Alan Cole provided an overview of the Charter Amendment questions on the November 4, 2014 Special Referendum Election Ballot.**

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

#### **Consent Agenda**

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

Commissioners' Items Removed for Later Discussion 12-B .

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

Commissioner Norton moved to approve the balance of the Consent Agenda.  
Commissioner Feuer 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

### SIXTH 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  
Continued from August 18, 2014 Meeting***

The Resolution was read into the record by title. Tracy H. Lautenschlager, Esq., Greenberg Traurig, P.A represented the applicant. The Applicant requested to defer the item to the November 17, 2014 City Commission Meeting.

Commissioner Gomez moved to defer the item to a time certain of 7:45 PM at the November 17, 2014 City Commission Meeting and waive the re-advertising and notice requirements.  
Commissioner Feuer seconded the motion.

Roll call vote to defer the item to a time certain of 7:45 PM at the November 17, 2014 City Commission Meeting and waive the re-advertising and notice requirements.  
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**

## SEVENTH ORDER OF BUSINESS

**Ordinance No. 2014-21 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.**

### ***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. The City Commission discussed the item. Assistant City Attorney Susan Trevarthen answered questions.

Commissioner Kallman moved to approve Ordinance No. 2014-21.  
Commissioner Norton seconded the motion.

Roll call vote on Ordinance No. 2014-21.  
Commissioner Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

## EIGHTH ORDER OF BUSINESS

**Ordinance No. 2014-22 of the City of Weston, An Ordinance of the City of Weston, Florida, amending Chapter 81 (RESERVED) by creating Chapter 81, "Medical Marijuana Retail Centers", to provide definitions and business location and use regulations for Medical Marijuana Retail Centers; 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. The City Commission discussed the item. Assistant City Attorney Susan Trevarthen answered questions.

Commissioner Norton moved to approve Ordinance No. 2014-22.  
Commissioner Feuer seconded the motion.

Roll call vote on Ordinance No. 2014-22.  
Commissioner Norton voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

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

**An Ordinance of the City of Weston, Florida, amending Section 132.02, "Methods of Acquisition," to clarify procedures related to Sealed Competitive Methods; 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 Gomez moved to approve the Ordinance.  
Commissioner Feuer 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.

#### TENTH ORDER OF BUSINESS

**A Resolution of the City Commission of the City of Weston, Florida, approving the vacation of a portion of the Right-of-Way in Parcel G of the Emerald Estates Plat, generally located south of South Post Road; reserving an easement for utilities in the portion of the Right-of-Way to be vacated; and providing for an effective date.**

*Deferred from September 15, 2014 Meeting*

Item 10 was withdrawn from the City Commission Agenda by City Manager John Flint.

#### ELEVENTH ORDER OF BUSINESS

**Resolution No. 2014-123 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 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 Feuer moved to approve Resolution No. 2014-123.  
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2014-123.  
Commissioner Norton abstained from voting.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Gomez voted yes.  
Mayor Stermer voted yes.

#### TWELFTH ORDER OF BUSINESS

#### Consent Agenda

Item 12-B was removed from the Consent Agenda.

**ITEM 12-B Resolution No. 2014-125 of the City Commission of the City of Weston, Florida, encouraging the School Board of Broward County to create a Bond Oversight Committee if the SMART Bond Referendum is approved by voters and encouraging residents to vote in the November 2014 General Election.**



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

Commissioner Gomez moved to approve Resolution No. 2014-125.  
Commissioner Norton seconded the motion.

Roll call vote on Resolution No. 2014-125.  
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. 2014-124 of the City Commission of the City of Weston, Florida, indicating the official intent of the City to issue Tax-Exempt Bonds in the amount of \$2,850,000 to finance the costs of new Fire Protection Services Equipment, and to use a portion of the proceeds of such bonds to reimburse expenditures paid or incurred prior to the date of issuance thereof.**
- B. Resolution No. 2014-125 of the City Commission of the City of Weston, Florida, encouraging the School Board of Broward County to create a Bond Oversight Committee if the SMART Bond Referendum is approved by voters and encouraging residents to vote in the November 2014 General Election.**
- C. Resolution No. 2014-126 of the City Commission of the City of Weston, Florida, accepting and ratifying rankings of the Selection Committee, pursuant to RFP No. 2014-07, a Request for Proposals for Work Order and Asset Management Software, and authorizing the City Manager or his designee to enter into negotiations with the top ranked proposer, Timmons Group, Inc., of Richmond, Virginia.**
- D. Resolution No. 2014-127 of the City Commission of the City of Weston, Florida, approving Change Order No. 1-Final for the City's contract provider, MBR Construction, Inc. of Fort Lauderdale, Florida, for Peace Mound Park Improvements, Bid No. 2013-09, Calvin, Giordano & Associates, Inc., Project No. 11-4584.**
- E. Resolution No. 2014-128 of the City Commission of the City of Weston, Florida, approving Change Order No. 2-Final for the City's contract provider, Construct Solid Builders Construction of Pembroke Pines, Florida, for Bid No. 2013-11, Weston Community Center Interior Renovations.**

- F. Resolution No. 2014-129 of the City Commission of the City of Weston, Florida, approving Change Order No. 2-Final for the City's contract provider, Bejar Construction, Inc., of Pembroke Pines, Florida, for Emerald Estates Park Improvements, Bid No. 2013-15, Calvin, Giordano & Associates, Inc., Project No. 12-5405.

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

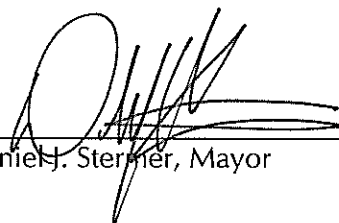
- G. Resolution No. 2014-130 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, approving the Minutes of the Regular Meeting of the City Commission of the City of Weston held on September 29, 2014, and the Minutes of the Special Meeting of the City Commission of the City of Weston held on October 6, 2014, and the Minutes of the Workshop Meeting of the City Commission of the City of Weston held on October 6, 2014.

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

**THIRTEENTH ORDER OF BUSINESS**

The meeting adjourned at 8:13 PM.

**Adjournment**

  
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Daniel J. Sterner, Mayor

MONDAY  
OCTOBER 20, 2014  
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 Fire Rescue 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

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QUASI-JUDICIAL HEARING

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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. 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  
Continued from August 18, 2014 Meeting***

***Pages 6-92***

END OF QUASI-JUDICIAL HEARING

7. 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.

***Second and Final Reading***

***Pages 93-103***

8. An Ordinance of the City of Weston, An Ordinance of the City of Weston, Florida, amending Chapter 81 (RESERVED) by creating Chapter 81, "Medical Marijuana Retail Centers", to provide definitions and business location and use regulations for Medical Marijuana Retail Centers; and providing for an effective date.

***Second and Final Reading***

***Pages 104-120***

9. An Ordinance of the City of Weston, Florida, amending Section 132.02, "Methods of Acquisition," to clarify procedures related to Sealed Competitive Methods; and providing for an effective date.

***Public Hearing and First Reading***

***Pages 121-126***

10. A Resolution of the City Commission of the City of Weston, Florida, approving the vacation of a portion of the Right-of-Way in Parcel G of the Emerald Estates Plat, generally located south of South Post Road; reserving an easement for utilities in the portion of the Right-of-Way to be vacated; and providing for an effective date.

***Deferred from September 15, 2014 Meeting***

***Pages 127-138***

11. 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 139-182***

12. **CONSENT AGENDA**

***CITY OF WESTON***

- A. A Resolution of the City Commission of the City of Weston, Florida, indicating the official intent of the City to issue Tax-Exempt Bonds in the amount of \$2,850,000 to finance the costs of new Fire Protection Services Equipment, and to use a portion of the proceeds of such bonds to reimburse expenditures paid or incurred prior to the date of issuance thereof.

***Pages 183-188***

- B. A Resolution of the City Commission of the City of Weston, Florida, encouraging the School Board of Broward County to create a Bond Oversight Committee if the SMART Bond Referendum is approved by voters and encouraging residents to vote in the November 2014 General Election.

**Pages 189-196**

- C. A Resolution of the City Commission of the City of Weston, Florida, accepting and ratifying rankings of the Selection Committee, pursuant to RFP No. 2014-07, a Request for Proposals for Work Order and Asset Management Software, and authorizing the City Manager or his designee to enter into negotiations with the top ranked proposer, Timmons Group, Inc., of Richmond, Virginia.

**Pages 197-214**

- 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, MBR Construction, Inc. of Fort Lauderdale, Florida, for Peace Mound Park Improvements, Bid No. 2013-09, Calvin, Giordano & Associates, Inc., Project No. 11-4584.

**Pages 215-221**

- E. A Resolution of the City Commission of the City of Weston, Florida, approving Change Order No. 2-Final for the City's contract provider, Construct Solid Builders Construction of Pembroke Pines, Florida, for Bid No. 2013-11, Weston Community Center Interior Renovations.

**Pages 222-229**

- F. A Resolution of the City Commission of the City of Weston, Florida, approving Change Order No. 2-Final for the City's contract provider, Bejar Construction, Inc., of Pembroke Pines, Florida, for Emerald Estates Park Improvements, Bid No. 2013-15, Calvin, Giordano & Associates, Inc., Project No. 12-5405.

**Pages 230-251**

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

- 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 Regular Meeting of the City Commission of the City of Weston held on September 29, 2014, and the Minutes of the Special Meeting of the City Commission of the City of Weston held on October 6, 2014, and the Minutes of the Workshop Meeting of the City Commission of the City of Weston held on October 6, 2014.

**Pages 252-277**

13. 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.