

MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Monday, December 1, 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 Cole Bierman & Popok, PL
Karen Lieberman	Asst. City Attorney, Weiss Serota Helfman Cole Bierman & Popok, PL
Sarah Sinatra Gould	Director of Development Services, Calvin, Giordano & Associates
Karl Kennedy	City Engineer, Calvin, Giordano & Associates
Denise Barrett	Director of Communications
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
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
Craig McDonald	Corporate Property Services, Inc.
Corey O’Gorman	Place Planning Design

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

Presentation of Colors by the Western High School Jr. ROTC Color Guard. The Pledge of Allegiance was led by students from Weston Christian Academy who were chaperoned by their 5th grade teacher Ms. Susan Trotter.

THIRD ORDER OF BUSINESS

Presentations

- A. **Broward Sheriff's Office Fire Rescue Employees of the Month** – Engine 55 Captain Tim Coffy, Driver/Engineer James Burge, and Firefighter/Paramedic Brett Chapman. Rescue 55 Lieutenant Neil DiRico, Firefighter/Paramedic Jonathan Adams, and Firefighter/Paramedic Kimberly Buhr.

- B. **Proclamation – Rick Case Bikes for Kids Month.** Accepted by Rick and Rita Case.

- C. **Recognition** - Girl Scout Troop 10863. These young ladies, ages 8-10, are attending a Commission meeting in pursuit of their citizen legacy badge.

ANNOUNCEMENTS

- We have numerous events coming up. Please view the City website at www.westonfl.org for all of the details.
- There are two free events being held on Saturday, December 13th. In the afternoon at the Weston Community Center is Magician Dave Kaplan with show times of 1:30 PM & 3:00 PM, which is great for children of all ages, accompanied by an adult. Next, at 7:30 PM is the ever popular Moonlight Movie in the Park featuring the perfect December feature film: FROZEN. Bring your lawn chairs and blankets, the movie is on us!
- The very next day is the Mayor's Get Fit Challenge Cup 1-Mile Walk on Sunday, December 14th at 9 AM – this is open to all elementary students in Weston. The school with the highest percentage of registrations based on their school enrollment will win \$1500 for their school and take home the Mayor's Get Fit Challenge Cup Trophy. Forms are available here, at your school and on the City website.

- An announcement that has been a long time in coming -

The Town Foundation, Incorporated - Disbursement and Dissolution. The Town Foundation, Inc. was created by Weston's largest developer, Arvida, as a not-for-profit corporation. The Foundation members are those property owners in the Arvida developed communities.

One of the responsibilities of the Foundation was to provide cable television to all of the residential Foundation members through the Service Agreement with what is now Advanced Cable Communications.

In February 2003, the members of the City Commission assumed the seats of the Foundation's Board of Directors. The Foundation remained a not-for-profit corporation separate and apart from the City of Weston.

On December 31, 2013 the Service Agreement between the Foundation and Advanced terminated; this was the last responsibility of the Foundation. Going forward, there is no reason for the Foundation to continue to exist.

In September 2014, The Town Foundation, Inc. Board of Directors voted unanimously to dissolve the Foundation and disburse the remaining assets to the Foundation members.

All of this leads up to some good news:

Shortly after December 1, 2014 the Foundation will disburse approximately \$1,714,600 to those Foundation members whose accounts are current. This disbursement will occur through a credit on the utility bill issued by the City of Sunrise.

The amount disbursed per member will be APPROXIMATELY \$120.00. The Foundation has transferred to the City the amount of \$100,000 to be held in reserve for any future Foundation expenses that may arise.

- BSO Fire Rescue reminds residents that during the holidays to be extra cautious and never leave items cooking on the stove unattended.
- BSO Fire Rescue is 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 6th 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.

- Last, but certainly not least, tonight is the last regular City Commission meeting until January 20, 2015. On behalf of the entire City Commission and our staff, we wish you and your families a safe and happy holiday season. As a reminder, there is no garbage collection on Christmas Day, Thursday, December 25th. For those with Thursday pickup, you will receive pickup on your next regularly scheduled garbage collection day.

ITEM 12-A WAS ADDED TO THE AGENDA:

Item #12-A A Resolution of the City Commission of the City of Weston, Florida, authorizing the settlement of the litigation styled City of Weston Vs. Varney & Sons Tree Expert Co., Inc. for \$211,792.48; authorizing the City Manager to execute a settlement agreement with Varney & Sons Tree Expert Co., Inc.; authorizing the City Manager and City Attorney to take the necessary actions to effectuate the settlement.

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 None.

B. Approval of the Consent Agenda

Commissioner Feuer moved to approve the Consent Agenda.
Commissioner Gomez seconded the motion.

Roll call vote on 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

Quasi-Judicial procedures for Item 6 were waived by the City Commission with consent from the Applicant's Representative, Craig McDonald, Corporate Property Services, Inc.

SIXTH ORDER OF BUSINESS

Resolution No. 2014-143 of the City Commission of the City of Weston, Florida, considering Application No. 14-7132, a Site Plan Amendment to modify the façade and upgrade handicapped accessible parking spaces for the property known as Wendy's Restaurant, located at 1904 Weston Road, Weston, Florida.

Wendy's Restaurant, 1904 Weston Road, Site Plan Amendment

The Resolution was read into the record by title. Craig McDonald, Corporate Property Services, Inc. represented the applicant. The item was opened for public comment. No comment from the public.

Commissioner Norton moved to approve Resolution No. 2014-143.
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2014-143.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

Quasi-Judicial procedures for Item 7 were waived by the City Commission with consent from the Applicant's Representative, Corey O'Gorman, Place Planning Design.

SEVENTH ORDER OF BUSINESS

Resolution No. 2014-144 of the City Commission of the City of Weston, Florida, considering Application No. 14-7349, a Special Exception pursuant to Section 124.16 of the Code of Ordinances of the City to allow a 1,465 square foot vehicle rental agency in the C-1 Commercial Zoning District, for the property located at 1585 North Park Drive, Weston, Florida.

Enterprise Rent A Car, 1585 North Park Drive, Special Exception

The Resolution was read into the record by title. Corey O’Gorman, Place Planning Design represented the applicant. The item was opened for public comment. No comment from the public.

Commissioner Feuer moved to approve Resolution No. 2014-144.
Commissioner Gomez seconded the motion.

Roll call vote on Resolution No. 2014-144.
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

EIGHTH ORDER OF BUSINESS

Ordinance No. 2014-24 of the City of Weston, Florida, repealing Section 52.66, “Sale of Nicotine Vaporizer or Liquid Vaporizers to Minors Prohibited,”; amending Section 1.01, “Definitions,” to provide definitions related to the regulation of nicotine vaporizer use within the City; creating Section 52.67, “Prohibited Use of Nicotine Vaporizers” to prohibit the use of Nicotine Vaporizers wherever smoking is prohibited in the City; 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. 2014-24.
Commissioner Gomez seconded the motion.

Roll call vote on Ordinance No. 2014-24.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

NINTH ORDER OF BUSINESS

Ordinance No. 2014-25 of the City of Weston, Florida, amending Section 124.16 "IOC Districts" by providing for Retail Vaporizer Shop Special Exception Uses; 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. 2014-25.
Commissioner Norton seconded the motion.

Roll call vote on Ordinance No. 2014-25.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

TENTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending Section 32.02, "Methods of Acquisition," to authorize the City to participate in cooperative acquisitions and contracts that are competitively procured by any public entity within the United States in a manner consistent with State law; 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 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.

ELEVENTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending Section 127.10, "Engineering Permitting Procedures;" and Section 127.12, "Inspection Requirements During Construction," to update the engineering permitting procedures submittal requirements and inspection requirements during construction; 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. The City Commission discussed the item. Revise for second reading changing references to "Home Owners Association President" to "the Association President".

Commissioner Feuer moved to approve the Ordinance.
Commissioner Norton 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.

TWELFTH ORDER OF BUSINESS

An Ordinance of the City of Weston, Florida, amending the City's Water Supply Facilities Work Plan and applicable elements within the City's Comprehensive Plan relating to water supply planning; 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.***

Mayor Stermer stated, Item #12 on tonight's agenda proposes to amend the City's Comprehensive Plan. Pursuant to State Law, this type of Item is 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 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.

Commissioner Feuer moved to approve the Ordinance.
Commissioner Norton 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.

ITEM 12-A WAS ADDED TO THE AGENDA:

Resolution No. 2014-145 of the City Commission of the City of Weston, Florida, authorizing the settlement of the litigation styled City of Weston Vs. Varney & Sons Tree Expert Co., Inc. for \$211,792.48; authorizing the City Manager to execute a settlement agreement with Varney & Sons Tree Expert Co., Inc.; authorizing the City Manager and City Attorney to take the necessary actions to effectuate the settlement.

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. 2014-145.
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2014-145.
Commissioner Norton voted yes.
Commissioner Feuer voted yes.
Commissioner Kallman voted yes.
Commissioner Gomez voted yes.
Mayor Stermer voted yes.

THIRTEENTH ORDER OF BUSINESS

Consent Agenda

CITY OF WESTON

- A. Resolution No. 2014-146 of the City Commission of the City of Weston, Florida, authorizing the execution of the Cooperation Agreement between Broward County and City of Weston providing for County's Management of City's Community Development Block Grant Program, and authorizing the City Manager to notify HUD of the City's intent to join Broward County's Urban County CDBG Entitlement Program through a joint cooperation agreement.
- B. Resolution No. 2014-147 of the City Commission of the City of Weston, Florida, approving an Agreement with Timmons Group, Inc., of Richmond, Virginia, pursuant to RFP No. 2014-07, a Request For Proposals for Work Order and Asset Management Software.
- C. Resolution No. 2014-148 of the City Commission of the City of Weston, Florida, accepting and ratifying rankings of the Selection Committee pursuant to RFP No. 2014-08, a Request For Proposals for FY 2015 Bank Loan, accepting the response of Branch Banking & Trust Company, for loans to finance certain capital projects including completion of construction of the Emergency Operations Center building, information technology projects, and for the purchase of fire protection services vehicles; authorizing such loans and the issuance of bonds in the aggregate principal amount not to exceed \$3,535,000 to finance certain capital improvements within the City and not to exceed \$2,850,000 to finance capital purchases as described in the RFP; awarding the bonds on a negotiated basis; approving execution and delivery of a loan agreement and the bonds in connection with such loans.
- D. Resolution No. 2014-149 of the City Commission of the City of Weston, Florida, authorizing the purchase of furnishings for the Administrative Services Center from Berwin, Inc. dba JC White Architectural Interior Products, via State of Florida Contract No. 425-001-12-1; State of Florida Contract No. 420-420-10-1; and GSA (U.S. General Services Administration) Contract No. GS-27F-0060X; during Fiscal Year 2015.

INDIAN TRACE DEVELOPMENT DISTRICT

- E. Resolution No. 2014-150 of the City Commission of the City of Weston, Florida, as the governing board of the Indian Trace Development District, approving Work Authorization No. 2 for Professional Civil Engineering Continuing Services for Manatee Isles Drive Sidewalk, Weston, Florida, for the City's contract provider, EAC Consulting, Inc., of Fort Lauderdale, Florida.

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

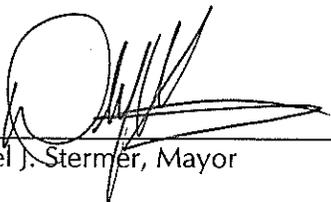
- F. Resolution No. 2014-151 of the City Commission of the City of Weston, Florida, and as the governing board of the Indian Trace Development District, and as the governing board of the Bonaventure Development District, establishing a revised and restated "Schedule of Fees to be Charged for Services Provided by the City of Weston."

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

FOURTEENTH ORDER OF BUSINESS

The meeting adjourned at 7:36 PM.

Adjournment



Daniel J. Stermer, Mayor