

## MINUTES OF MEETING CITY OF WESTON

A regular meeting of the City Commission of the City of Weston was held Tuesday, February 20, 2018 at 7:00 PM at Weston City Hall, 17200 Royal Palm Boulevard, Weston, Florida.

Present and constituting a quorum were:

Daniel J. Stermer	Mayor
Toby Feuer	Commissioner
Thomas M. Kallman	Commissioner
Margaret H. Brown	Commissioner
Byron L. Jaffe	Commissioner

Also present were:

John R. Flint	City Manager
Darrel L. Thomas	Assistant City Manager/CFO
Karl C. Thompson	Assistant City Manager/COO
Katherine V. Selchan	Assistant City Clerk, MuniTech LLC
Jamie Alan Cole	City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Chad Friedman	Asst. City Attorney, Weiss Serota Helfman Cole & Bierman, PL
Dennis Giordano	President, Calvin, Giordano & Associates
Sarah Sinatra Gould	Director of Development Services, 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
Steven Murray	Assistant Director of Technology Services, MuniTech LLC
Chief Kevin Butler	BSO DLE – Weston
Lt. Sam Cavalieri	BSO DLE – Weston
Deputy Kari Pallotto	BSO DLE – Weston
Deputy Michael Carabine	BSO DLE – Weston
Weston Explorers	BSO DLE – Weston
Chief Bruce Angier	BSO DFRES – Weston
Bonnie Miskel, Esquire	Dunay, Miskel and Backman, LLP
Daniel E. Wagner	Resident
Mary Malina Macfie	Resident
Allen Green	Resident
Nancy Cooke	Resident
Grace Sigal	Resident

## **FIRST ORDER OF BUSINESS**

### **Roll Call**

Mayor Stermer called the meeting to order at 7:00 PM.  
Assistant City Clerk Katherine Selchan called the roll.

## **MOMENT OF SILENCE**

Honoring the victims in the school shooting at Marjory Stoneman Douglas High School on February 14, 2018. Honor them and give our thoughts and prayers to their families, friends, teachers and classmates at Stoneman Douglas, through Broward County and throughout our nation.

## **SECOND ORDER OF BUSINESS**

### **Pledge of Allegiance**

The Pledge of Allegiance was led by student council members from Manatee Bay Elementary School who are chaperoned by Mrs. Ramos, student council coordinator and Mrs. Heather Hedman-Devaughn, Principal.

## **THIRD ORDER OF BUSINESS**

### **Presentations**

- A. Broward Sheriff's Law Enforcement Employees of the Month** – Deputies David Argenti, John Perez, and Frank Pellegrino.
- B. Retirement Presentation** – Broward County Sheriff's Deputy Kevin Maccagli is retiring after 30 years of service for Broward County and for the City of Weston.

## **ANNOUNCEMENTS**

- On Saturday, February 24<sup>th</sup> the City will present a free magic show featuring **Magician Gary Midnight** at the Weston Community Center. Showtimes are 1:30PM and 3:00PM. Shows are for children of all ages but children must be accompanied by an adult.
- On February 24<sup>th</sup>, the City of Weston in cooperation with the Weston Philharmonic Society is proud to present the **Dallas Brass** in concert with the powerful vocals of Daniel Rodriguez "America's Beloved Tenor," also formerly known as the 'Singing Policeman'. Join us for a unique and memorable experience for the entire family. This is a ticketed concert held at the

Cypress Bay Theater on February 24<sup>th</sup> at 7:30PM. Advance tickets are just \$20 for adults or \$30 at the door. Advance tickets for students are \$10 or \$15 at the door.

You can purchase tickets at the Weston Community Center, 20200 Saddle Club Road; Mia of London Jewelers (Weston Commons Plaza), and Glamopolitan Beauty Lounge (Weston Town Center).

- On Saturday, March 3<sup>rd</sup> the City will offer a free professional puppet show, best suited for children in PreK through 2<sup>nd</sup> Grade. Little Red Riding Hood will be presented at the Weston Community Center at 1:30PM and 3:00PM.
- Also on March 3<sup>rd</sup> starting at 7:30PM is our next free Moonlight Movie in the Park featuring Ferdinand. Bring lawn chairs or blankets for seating to the Event Stage in Weston Regional Park.
- On March 4<sup>th</sup> is the incredible Weston World Fest from Noon to 4PM in Weston Regional Park. This year, international colors and customs meet local sports for one amazing community experience.  
Enjoy live professional and semi-professional performances onstage throughout the day including Japanese drumming, Brazilian Bossa Nova, Bollywood dancers and more. Sample the cuisines of France, Italy, Germany, India, Japan, Spain and Mexico. This year's Sports Expo includes 20 different country booths focused on international sports for kids, with a wide variety of local sports, health & fitness vendors offering information and interactive activities for adults. Brought to you by the Arts Council of Greater Weston and the City of Weston.
- The first public hearing for the change of zoning for The Lodge at Weston Hills is scheduled for Monday, March 5<sup>th</sup> starting at 6 PM and concluding at 11 PM; if necessary it will be continued to Tuesday, March 6<sup>th</sup> also 6 PM to 11 PM. Advance sign-up to speak at the March 5<sup>th</sup> and 6<sup>th</sup> meetings will be available beginning Monday, February 26<sup>th</sup> through noon on Monday, March 5<sup>th</sup> on the Homepage of city website at [www.WestonFL.org](http://www.WestonFL.org). If you sign-up online, you will NOT need to sign-up at City Hall.

For specific details on all of the events mentioned, and others not mentioned, please visit our website at [WestonFL.org](http://WestonFL.org) and go to the Events Calendar.

- Residents are always encouraged to sign up for our weekly E-newsletter *Newsday Tuesday*, which will provide you with all of this information and much more. Sign up online at WestonFL.org.

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

#### **Audience Comments**

Daniel E. Wagner, Resident  
Mary Malina Macfie, Resident  
Allen Green, Resident  
Nancy Cooke, Resident  
Grace Sigal, Resident

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

#### **Consent Agenda**

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

Commissioners' Item(s) Removed for Later Discussion 9-D.

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

Commissioner Feuer moved to approve the Balance of the Consent Agenda.  
Commissioner Jaffee seconded the motion.

Roll call vote on the balance of the Consent Agenda.  
Commissioner Jaffe voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Brown voted yes.  
Mayor Stermer voted yes.

## QUASI-JUDICIAL HEARING (WAIVED)

### SIXTH ORDER OF BUSINESS

**Resolution No. 2018-20 of the City Commission of the City of Weston, Florida, considering an application to change or waive requirements of the Broward County Land Development Code amending the Non-Vehicular Access Line agreement on Sector 5 Boundary Plat, to propose parking and access on Saddle Club Road to Indian Trace Park, located at the southeast corner of Indian Trace Road and Saddle Club Road, to serve as enhanced access for the public.**

*Indian Trace Park NVAL Amendment*

*Deferred from February 5, 2018 City Commission Meeting*

The Resolution was read into the record by title. Quasi-Judicial Procedures were waived for Item No. 6 by the City Commission. City Manager John Flint provided an explanation. The item was opened for public comment. No comment from the public.

Commissioner Feuer moved to approve Resolution No. 2018-20.  
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2018-20.  
Commissioner Jaffe voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Brown voted yes.  
Mayor Stermer voted yes.

### SEVENTH ORDER OF BUSINESS

**Ordinance No. 2018-01 of the City of Weston, Florida, amending the Future Land Use map designation within the City's Comprehensive Plan from Residential Irregular 5 to Residential Irregular 28.44 on property generally located north and south of Racquet Club Road, and west of Bonaventure Boulevard, as further legally described on Exhibit "A," and consisting of approximately 25 acres; 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. City Manager John Flint provided an explanation. The Applicant's Representative, Bonnie Miskel, Esquire, Dunay, Miskel and Backman, LLP, commented on the item. The item was opened for public comment. Grace Sigal commented from the public. Commission Feuer requested a traffic study be done and made part of site plan presentation. The City Commission discussed the item.

Commissioner Feuer moved to approve Ordinance No. 2018-01.  
Commissioner Brown seconded the motion.

Roll call vote on Ordinance No. 2018-01  
Commissioner Jaffe voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Brown voted yes.  
Mayor Stermer voted yes.

### **EIGHTH ORDER OF BUSINESS**

**An Ordinance of the City of Weston, Florida, amending Section 95.01, "Residential Property," and 95.02, "Commercial and Industrial/Office Developments; Undeveloped Land," to provide for regulations relating to roof tarps; 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. City Manager John Flint provided an overview. The City Commission discussed the item. The item was opened for public comment. No comment from the public.

Commissioner Kallman moved to approve the Ordinance.  
Commissioner Jaffe seconded the motion.

Roll call vote on the Ordinance.  
Commissioner Jaffe voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman voted yes.  
Commissioner Brown voted yes.  
Mayor Stermer voted yes.

**NINTH ORDER OF BUSINESS**

**Consent Agenda**

**ITEM 9-D**

**Resolution No. 2018-24 of the City Commission of the City of Weston, Florida, authorizing filing of a lawsuit against certain pharmaceutical manufacturers and retaining law firms on a contingency fee basis to prosecute the lawsuit; and authorizing the City Manager to execute the Retainer Agreement.**

The Resolution was read into the record by title. City Attorney Jamie Cole provided an overview. The item was opened for public comment. No comment from the public. Commissioner Kallman questioned contingencies. The City Commission discussed the item.

Commissioner Feuer moved to approve Resolution No. 2018-24.  
Commissioner Kallman seconded the motion.

Roll call vote on Resolution No. 2018-24.  
Commissioner Jaffe voted yes.  
Commissioner Feuer voted yes.  
Commissioner Kallman yes.  
Commissioner Brown voted yes.  
Mayor Stermer voted yes.

***CITY OF WESTON***

- A. Resolution No. 2018-21 of the City Commission of the City of Weston, Florida, approving the Interlocal Agreement between Broward County and the City of Weston providing for Division and Distribution of the Proceeds of the Six-Cent Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance.**
- B. Resolution No. 2018-22 of the City Commission of the City of Weston, Florida, approving an Agreement between Frederick Koch and Elizabeth Koch, property owners, and the City of Weston, to mutually beneficial terms pertaining to a fence improperly located within the City's lake maintenance easement, for the property located at 777 Tanglewood Circle, Weston, Florida 33327.**
- C. Resolution No. 2018-23 of the City Commission of the City of Weston, Florida, approving the conveyance to the Meadows Maintenance Association of a portion of Tract 1 & Tract 2, Sector 3 – Parcels H, I, J, K & L, as a Landscape Buffer.**
- D. Resolution No. 2018-24 of the City Commission of the City of Weston, Florida, authorizing filing of a lawsuit against certain pharmaceutical manufacturers and retaining law firms on a contingency fee basis to prosecute the lawsuit; and authorizing the City Manager to execute the Retainer Agreement.**

- E. Resolution No. 2018-25 of the City Commission of the City of Weston, Florida, accepting and ratifying the Selection Committee's ranking of firms for RFQ No. 2017-10 Professional Architectural Services for Weston Community Center and authorizing the City Manager to negotiate an agreement with the number one ranked firm, Cartaya & Associates Architects, P.A., of Fort Lauderdale, Florida.

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

- F. Resolution No. 2018-26 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, awarding RFP No. 2017-12 to All Florida Tree & Landscape, Inc., of Coral Springs, Florida, for Arboricultural Services.
- G. Resolution No. 2018-27 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 February 5, 2018.

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

**TENTH ORDER OF BUSINESS**

**Adjournment**

The meeting adjourned at 8:24 PM.



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Daniel J. Stermer, Mayor



TUESDAY  
FEBRUARY 20, 2018  
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 Law Enforcement Employees 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 an application to change or waive requirements of the Broward County Land Development Code amending the Non-Vehicular Access Line agreement on Sector 5 Boundary Plat, to propose parking and access on Saddle Club Road to Indian Trace Park, located at the southeast corner of Indian Trace Road and Saddle Club Road, to serve as enhanced access for the public.

***Indian Trace Park NVAL Amendment***

***Pages 6-32***

END OF QUASI-JUDICIAL HEARING

7. An Ordinance of the City of Weston, Florida, amending the Future Land Use map designation within the City's Comprehensive Plan from Residential Irregular 5 to Residential Irregular 28.44 on property generally located north and south of Racquet Club Road, and west of Bonaventure Boulevard, as further legally described on Exhibit "A," and consisting of approximately 25 acres; and providing for an effective date.

***Second and Final Reading***

***Pages 33-218***

8. An Ordinance of the City of Weston, Florida, amending Section 95.01, "Residential Property," and 95.02, "Commercial and Industrial/Office Developments; Undeveloped Land," to provide for regulations relating to roof tarps; and providing for an effective date.

***Public Hearing and First Reading***

***Pages 219-225***

9. **CONSENT AGENDA**

***CITY OF WESTON***

- A. A Resolution of the City Commission of the City of Weston, Florida, approving the Interlocal Agreement between Broward County and the City of Weston providing for Division and Distribution of the Proceeds of the Six-Cent Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance.

***Six-cent local option gas tax***

***Pages 226-238***

- B. A Resolution of the City Commission of the City of Weston, Florida, approving an Agreement between Frederick Koch and Elizabeth Koch, property owners, and the City of Weston, to mutually beneficial terms pertaining to a fence improperly located within the City's lake maintenance easement, for the property located at 777 Tanglewood Circle, Weston, Florida 33327.

***Pages 239-250***

- C. A Resolution of the City Commission of the City of Weston, Florida, approving the conveyance to the Meadows Maintenance Association of a portion of Tract 1 & Tract 2, Sector 3 – Parcels H, I, J, K & L, as a Landscape Buffer.

***Pages 251-274***

- D. A Resolution of the City Commission of the City of Weston, Florida, authorizing filing of a lawsuit against certain pharmaceutical manufacturers and retaining law firms on a contingency fee basis to prosecute the lawsuit; and authorizing the City Manager to execute the Retainer Agreement.

***Pages 275-282***

- E. A Resolution of the City Commission of the City of Weston, Florida, accepting and ratifying the Selection Committee's ranking of firms for RFQ No. 2017-10 Professional Architectural Services for Weston Community Center and authorizing the City Manager to negotiate an agreement with the number one ranked firm, Cartaya & Associates Architects, P.A., of Fort Lauderdale, Florida.

**Pages 283-294**

***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, awarding RFP No. 2017-12 to All Florida Tree & Landscape, Inc., of Coral Springs, Florida, for Arboricultural Services.

**Pages 295-360**

- 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 February 5, 2018.

**Pages 361-369**

10. Adjournment

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## PUBLIC PARTICIPATION AT COMMISSION MEETINGS

Anyone wishing to address the Commission with regards 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 prior to the meeting.