



TOWN OF DAVIE

Davie Town Hall: 6591 Orange Drive, Davie, Florida 33314 Phone: (954) 797-1000

September 17, 2008
7:00 PM

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **PUBLIC HEARING - BUDGET**

Resolution

3.1 **DEBT SERVICE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING THE MILLAGE RATE TO BE LEVIED FOR VOTER APPROVED DEBT SERVICE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009. **Approved**

Ordinances - Second and Final Reading

3.2 **MILLAGE RATE** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING THE MILLAGE RATE TO BE LEVIED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009. {**Approved on First Reading September 3, 2008. The vote was as follows: Mayor Truex - no; Vice-Mayor Luis - yes; Councilmember Caletka - yes; Councilmember Crowley - yes; Councilmember Starkey - no**} **Approved**

3.3 **BUDGET** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE BUDGET FOR THE TOWN OF DAVIE FOR THE FISCAL YEAR 2009. {**Approved on First Reading September 3, 2008. The vote was as follows: Mayor Truex - yes; Vice-Mayor Luis - yes; Councilmember Caletka - yes; Councilmember Crowley - yes; Councilmember Starkey - no**} **Approved**

4. **APPROVAL OF CONSENT AGENDA**

Resolutions

4.1 **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF LAW ENFORCEMENT TRUST FUNDS IN THE AMOUNT \$262,706.00 FOR THE PURCHASE OF HARDWARE AND SOFTWARE FROM SUNGARD PUBLIC SECTOR, INC. FOR OPERATION OF THE OSSI COMPUTER AIDED DISPATCH AND RECORDS MANAGEMENT SYSTEMS FOR THE TOWN OF DAVIE POLICE DEPARTMENT. **Approved**

4.2 **PURCHASE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE WESTERN STATES CONTRACTING ALLIANCE CONTRACT # A63307 FOR THE PURCHASE OF TWO INTERNET PROTOCOL SMALL COMPUTER SYSTEM INTERFACE STORAGE AREA NETWORK (ISCSI SAN). (\$69,998) **Approved**

- 4.3 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING TO ACCEPT THE BID FROM FISCHER SCIENTIFIC COMPANY CO, LLC TO PURCHASE SELF CONTAINED BREATHING APPARATUS (SCBA) AIRPAKS. (\$46,073.04) **Approved**
- 4.4 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT WITH CALVIN, GIORDANO AND ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO THE DESIGN OF THE WASTEWATER TRANSMISSION MAIN IMPROVEMENTS. (\$208,385) **Approved**
- 4.5 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE. **Approved**
- 4.6 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF HEALTH, BROWARD COUNTY HEALTH DEPARTMENT TO BE A CLOSED POINT OF DISPENSING (POD) TO DISPENSE MEDICATION/ANTIDOTES TO ALL TOWN OF DAVIE EMPLOYEES AND THEIR FAMILIES IN THE EVENT OF A DECLARED NUCLEAR, BIOLOGICAL OR CHEMICAL (NBC) EMERGENCY. **Approved**
- 4.7 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE FIRE RESCUE TO RENEW AN AGREEMENT WITH CITY COLLEGE (CC) TO ALLOW ADULT STUDENTS TO PARTICIPATE IN EMERGENCY MEDICAL SERVICES (EMS) FIELD CLINICALS. **Approved**
- 4.8 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT WITH GOVERNOR CONSTRUCTION, INC. FOR THE REHABILITATION OF TOWN OF DAVIE LIFT STATION #11. (\$223,460.75) **Approved**
- 4.9 **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE APPLICATION FOR A \$112,500 GRANT FROM THE FLORIDA RECREATION DEVELOPMENT AND ASSISTANCE PROGRAM FOR THE RENOVATION OF RECREATIONAL FACILITIES AT DRIFTWOOD PARK AND AUTHORIZING ACCEPTANCE AND EXECUTION OF THE GRANT. (not budgeted - \$37,500 Town match) **Approved**

5. DISCUSSION OF CONSENT AGENDA ITEMS

6. PUBLIC HEARING

Resolutions

- 6.1 **CAPITAL PROJECTS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE 5-YEAR CAPITAL PROJECTS PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2009-2013. (reconsidered and tabled from September 3, 2008) **Approved subject to...**

6.2 **CAPITAL PROJECTS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CAPITAL PROJECTS PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2008-2012.** **Approved**

6.3 **BOND ISSUANCE - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA MAKING CERTAIN FINDINGS; AUTHORIZING THE ISSUANCE OF THE TOWN OF DAVIE, FLORIDA, EDUCATIONAL FACILITIES REVENUE BONDS, SERIES 2008B (NOVA SOUTHEASTERN UNIVERSITY PROJECT) IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$60,000,000 TO PAY OR REIMBURSE THE COST OF THE EDUCATIONAL FACILITIES TO BE ACQUIRED, CONSTRUCTED AND EQUIPPED BY NOVA SOUTHEASTERN UNIVERSITY, INC., AND TO PAY CERTAIN COSTS OF ISSUANCE OF THE 2008B BONDS INCLUDING THE COSTS OF A CREDIT FACILITY; AUTHORIZING THE EXECUTION, DELIVERY AND/OR USE OF A BOND INDENTURE, BOND LOAN AGREEMENT, MASTER TRUST INDENTURE, MASTER BCEFA SUPPLEMENT, MASTER OBLIGATION, CREDIT FACILITY, REMARKETING AGREEMENT, BOND PURCHASE AGREEMENT, OFFICIAL STATEMENT AND OTHER DOCUMENTS AND THE PERFORMANCE OF OBLIGATIONS THEREUNDER; AUTHORIZING THE NEGOTIATED SALE OF THE 2008B BONDS TO SUNTRUST ROBINSON HUMPHREY, INC. AND BANC OF AMERICA SECURITIES LLC AND DELEGATING THE MAYOR AND TOWN ADMINISTRATOR TO FIX THE FINAL TERMS AND CONDITIONS OF THE 2008B BONDS AND DOCUMENTS SUBJECT TO CERTAIN PARAMETERS; APPOINTING U.S. BANK NATIONAL ASSOCIATION AS THE BOND TRUSTEE, PAYING AGENT AND REGISTRAR; REQUIRING INDEMNIFICATION; AUTHORIZING FURTHER ACTS ON BEHALF OF THE TOWN IN CONNECTION WITH THE 2008B BONDS; PROVIDING FOR SEVERABILITY; DECLARING FLORIDA LAW AS THE GOVERNING LAW IN CONNECTION WITH THE ISSUANCE OF THE 2008B BONDS; AND PROVIDING AN EFFECTIVE DATE.** **Tabled to 10/1/08**

Ordinances - Second and Final Reading

6.4 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 12, LAND DEVELOPMENT CODE, ARTICLE XI. DEVELOPMENT REVIEW PROCEDURES; ADDING DIVISION 6, SCHOOL CONCURRENCY, IN ORDER TO COMPLY WITH REQUIREMENTS TO IMPLEMENT PUBLIC SCHOOL CONCURRENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading September 3, 2008. All voted in favor.}** **Approved**

6.5 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 12, LAND DEVELOPMENT CODE, ARTICLE III. USE REGULATIONS, DIVISION 2. GENERAL REGULATIONS, SECTION 12-33(Q) GENERAL PROVISIONS PERTAINING TO ALL BUSINESS DISTRICTS; PROVIDING DEVELOPMENT REGULATIONS FOR PERMANENT, FREE-STANDING AND UNOCCUPIED KIOSKS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {**Approved on First Reading September 3, 2008 subject to Planning and Zoning's recommendations and Council approval of the site plan after Site Plan Committee review. The vote was as follows: Mayor Truex - yes; Vice-Mayor Luis - yes; Councilmember Caletka - no; Councilmember Crowley - yes; Councilmember Starkey - yes**}

Approved subject to...

6.6 **BENEFIT TRUST FUND** - AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF AN OTHER POST-EMPLOYMENT BENEFIT TRUST FOR THE EMPLOYEES OF TOWN OF DAVIE, FLORIDA; AUTHORIZING THE JOINING AS A PARTY THE FLORIDA MUNICIPAL PENSION TRUST FUND MASTER TRUST AGREEMENT AND THE PARTICIPATION OF SAID TRUST IN THE OTHER POST-EMPLOYMENT BENEFIT PLAN TRUST UNDER THE FLORIDA MUNICIPAL PENSION TRUST FUND MASTER TRUST AGREEMENT; PROVIDING FOR PUBLICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING AN EFFECTIVE DATE. {**Approved on First Reading September 3, 2008 The vote was as follows: Mayor Truex - yes; Vice-Mayor Luis - out of room; Councilmember Caletka - yes; Councilmember Crowley - yes; Councilmember Starkey - yes**}

Approved

Ordinances - First Reading (Second and Final Reading to be held October 1, 2008)

6.7 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES BY ADDING A NEW ARTICLE II TO CHAPTER 18 OF THE TOWN CODE ENTITLED "MOTOR VEHICLE ACCIDENT AND INCIDENT FEES"; AUTHORIZING THE TOWN TO IMPOSE SERVICE FEES OR CHARGES FOR THE DEPLOYMENT OF PUBLIC SAFETY SERVICES RENDERED BY THE TOWN OF DAVIE FOR MOTOR VEHICLE ACCIDENTS AND INCIDENTS; PROVIDING THAT SUCH FEES AND CHARGES SHALL BE ESTABLISHED OR MODIFIED FROM TIME TO TIME BY RESOLUTION OF THE TOWN COUNCIL; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; INCORPORATION INTO THE CODE OF ORDINANCES OF THE TOWN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from September 3, 2008)

Approved

- 6.8 **PLAN AMENDMENT - AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE RETIREMENT PLAN AND TRUST FOR MANAGEMENT AND GENERAL EMPLOYEES; AMENDING ADOPTION AGREEMENT SECTION E (3)(d) TO PERMIT PROMOTED MANAGERIAL EMPLOYEES TO UPGRADE THEIR PRIOR GENERAL EMPLOYEE SERVICE BY PAYING THE FULL ACTUARIAL COST OF SUCH SERVICE; AMENDING ADOPTION AGREEMENT SECTION G(3) REGARDING THE CALCULATION OF PENSION BENEFITS FOR GENERAL EMPLOYEE MEMBERS WHO ARE PROMOTED TO MANAGERIAL POSITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE. **Approved****

Quasi-Judicial Item

- 6.9 **VARIANCE - V 5-3-08, Stubbs, 9050 North Lake Park Circle (PRD) (to reduce the east property line from 10 feet to 5 feet and to reduce the rear patio setback from 5 feet to 2.18 feet) *Planning and Zoning Board recommended approval* **Approved****

Item to be tabled

- 6.10 **PLANNING AND ZONING BOARD TABLED TO SEPTEMBER 10, 2008; COUNCIL CAN TABLE TO OCTOBER 1, 2008**

VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING VACATION APPLICATION VA 11-1-06 "OAK HOLLOW" VACATING PORTIONS OF RIGHTS-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (VA 11-1-06, Oak Hollow, 3700 SW 136 Avenue **Tabled to 10/1/08**)

7. APPOINTMENTS

- 7.1 Mayor Truex
- 7.1.1 Senior Citizen Advisory Committee (one exclusive appointment - term expires April 2010) (members shall be a minimum 60 years of age)
 - 7.1.2 Youth Education and Safety Advisory Board (one exclusive appointment - term expires April 2010) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood)
- 7.2 Vice-Mayor Luis
- 7.2.1 Open Space Advisory Committee Agency (one exclusive - term expires April 2010)
- 7.3 Councilmember Crowley
- 7.3.1 Youth Education and Safety Advisory Board (one exclusive appointment - term expires April 2010) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood)

- 7.4 Councilmember Starkey
 - 7.4.1 Agricultural Advisory Board (one exclusive appointment - term expires April 2010) (insofar as possible, members shall have experience in agricultural matters, related occupations or other similar skills)
 - 7.4.2 Youth Education and Safety Advisory Board (two exclusive appointments - terms expire April 2010) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood)
- 7.5 Unsafe Structures Board (two non-exclusive appointments; terms expire April 2009) (one appointment shall be a plumbing contractor - member shall be a permanent resident or have their principal place of business within the Town's jurisdiction)

8. OLD BUSINESS

- 8.1 Charter Review Board Recommendations (deferred from September 3, 2008)

9. NEW BUSINESS

- 9.1 District 1 Councilmember Appointment Process

10. SCHEDULE OF NEXT MEETING

11. MAYOR/COUNCILMEMBER'S COMMENTS

12. TOWN ADMINISTRATOR'S COMMENTS

13. TOWN ATTORNEY'S COMMENTS

14. ADJOURNMENT

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THIS BOARD OR COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSES, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS MADE.

Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk at 954-797-1023 at least five business days prior to the meeting to request such accommodations. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8700 (voice) or 1-800-955-8771 (TDD).