



TOWN OF DAVIE

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

REGULAR MEETING

July 16, 2008

7:00 PM

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF CONSENT AGENDA

Minutes

3.1 June 18, 2008 (Workshop Meeting)

approved

3.2 June 18, 2008 (Regular Meeting)

approved subject to..

Resolutions

3.3 **OPPOSITION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXPRESSING OPPOSITION TO A PROPOSAL KNOWN AS THE CALYPSO DEEPWATER PORT PROJECT THAT WOULD BRING LIQUIFIED NATURAL GAS TO FLORIDA VIA UNDERWATER PIPELINES, AND PROVIDING FOR AN EFFECTIVE DATE.

approved

3.4 **OBJECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OBJECTING TO A RECENT REVERSAL BY GOVERNOR CRIST PERTAINING TO OIL EXPLORATION DRILLING OFF THE COAST OF FLORIDA, AND PROVIDING FOR AN EFFECTIVE DATE.

approved subject to..

3.5 **SETTING A PUBLIC HEARING** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE SETTING A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT ON THE LEVY OF NON AD VALOREM SPECIAL ASSESSMENTS ON CERTAIN PROPERTY WITHIN BOUNDARIES OF THE TOWN OF DAVIE PURSUANT TO F.S. 170 AND F.S. 197

approved

3.6 **ASSESSMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING, AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (\$22,000)

approved

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- 3.7 **ASSESSMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE. **approved**
- 3.8 **SELECTION OF FIRM** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF ACAI ASSOCIATES, INC. TO DESIGN AND LOCATE BUS SHELTERS AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES. **tabled to 8/20/08**
- 3.9 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF NET ASSETS CORPORATION FOR THE PROVISION OF A FULL SERVICE ELECTRONIC PROPERTY REPORTING SERVICE AND AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE AN AGREEMENT FOR SUCH SERVICES, AND PROVIDING FOR AN EFFECTIVE DATE. **approved**
- 3.10 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND NOVA SOUTHEASTERN UNIVERSITY FOR COMMUNITY ORIENTED POLICE OFFICERS. **approved**
- 3.11 **PURCHASE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID AWARDED BY THE STATE OF FLORIDA (CONTRACT NUMBER 250-000-03-1) TO INSIGHT PUBLIC SECTOR, INC; AND AUTHORIZING THE EXPENDITURE OF \$33,534 FOR THE PURCHASE OF IN-CAR PRINTERS AND EQUIPMENT FOR THE TOWN OF DAVIE POLICE DEPARTMENT. **approved**
- 3.12 **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE FLORIDA, APPROVING AN EXTENSION OF THE CONTRACT BETWEEN THE TOWN AND KEMP GROUP INTERNATIONAL CORPORATION FOR SCHOOL CROSSING GUARDS FOR THE POLICE DEPARTMENT. (\$250,000) **approved**
- 3.13 **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #3 WITH WILLIAMS PAVING COMPANY, INC. TO CHANGE THE CONTRACTED SCOPE OF WORK AS DESCRIBED IN THE ATTACHED CHANGE ORDER #3. (\$11,274.32) **approved**

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

4. DISCUSSION OF CONSENT AGENDA ITEMS

5. PUBLIC HEARING

Resolution

- 5.1 **ACTION PLAN** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE FY 2008/09 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN WHICH INCLUDES THE CDBG PROGRAM BUDGET; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE ALL NECESSARY CERTIFICATIONS AND GRANT RELATED DOCUMENTS; AUTHORIZING MINOR, NON-SUBSTANTIVE CHANGES TO THE ACTION PLAN WHICH MAY BE IDENTIFIED DURING THE REVIEW AND APPROVAL PROCESS WHICH DO NOT SIGNIFICANTLY AFFECT THE PURPOSE, SCOPE, BUDGET, OR INTENT OF THE PLAN; AND AUTHORIZING SUBMISSION OF THE ACTION PLAN TO HUD. **approved**

Ordinances - Second and Final Reading

- 5.2 **PENSION AMENDMENT** - AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE FIREFIGHTERS PENSION TRUST FUND TO ADOPT THE PENSION PROVISIONS OF THE 2005 - 2008 FIREFIGHTER COLLECTIVE BARGAINING AGREEMENT; AMENDING SECTION TWO OF THE PLAN TO REVISE THE DEFINITION OF EARNABLE COMPENSATION TO INCLUDE TOTAL REMUNERATION EXCLUSIVE OF OVERTIME; AMENDING SECTION FOUR OF THE PLAN TO PROVIDE FOR MEMBER CONTRIBUTIONS OF 8.4% OF EARNABLE COMPENSATION; AMENDING SECTION SIX OF THE PLAN TO CLARIFY THE NORMAL FORM OF RETIREMENT BENEFIT FOR A MARRIED PARTICIPANT AS THE 60 PERCENT JOINT AND SURVIVOR ANNUITY OR UNREDUCED TEN YEAR CERTAIN AND LIFE ANNUITY; AMENDING SECTION SIX OF THE PLAN TO PROVIDE FOR A HIGHER MULTIPLIER FOR A MEMBER'S SIXTEENTH THROUGH TWENTIETH YEARS OF SERVICE; AMENDING SECTION FOURTEEN OF THE PLAN TO PROVIDE FOR A FIVE YEAR DROP; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading July 2, 2008. The vote was as follows: Mayor Truex - no; Vice Mayor Luis - yes; Councilmember Starkey - yes; Councilmember Caletka - no; Councilmember Crowley - yes}** **approved**

- 5.3 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 7, FIRE PREVENTION AND PROTECTION, CREATING SECTION 7-51, OF THE DAVIE CODE, TO PROVIDE FOR A COMMUNITY AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM; INCLUDING PROVIDING FOR DEFINITION FOR AUTOMATIC EXTERNAL DEFIBRILLATORS; REQUIRING AUTOMATIC EXTERNAL DEFIBRILLATORS IN CERTAIN OCCUPANCIES; PROVIDING FOR INSTALLATION AND OPERATION; PROVIDING FOR A INSTALLATION FEE AND PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading July 2, 2008. All voted in favor.}** **tabled to 8/6/08**
- 5.4 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN'S BUSINESS TAX RATE SCHEDULE IN ACCORDANCE WITH CHAPTER 205.0535(4) OF THE FLORIDA STATUTES, BY INCREASING THE RATE OF EACH CLASSIFICATION BY FIVE PERCENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. [requires supermajority vote] **{Approved on First Reading July 2, 2008. The vote was as follows: Mayor Truex - yes; Vice Mayor Luis - yes; Councilmember Starkey - yes; Councilmember Caletka - no; Councilmember Crowley - yes}**
approved
- 5.5 **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 2-1-08, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-2, COMMUNITY BUSINESS DISTRICT TO CF, COMMUNITY FACILITIES DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 2-1-08, New Life Assembly of God, 8151 Stirling Road) **{Approved on First Reading July 2, 2008. The vote was as follows: Mayor Truex - yes; Vice Mayor Luis - yes; Councilmember Starkey - yes; Councilmember Caletka - no; Councilmember Crowley - yes}**
approved subject to..

Resolution

- 5.6 **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. (tabled from June 18, 2008)
tabled to 8/6/08

Quasi-Judicial Item

- 5.7 **VARIANCE** - V 3-2-08, Rogers, 540 Green River Lane (PRD 3.8) (to reduce the required side setback from 15 feet to 9.2 feet from the western property line) (tabled from July 2, 2008) *Planning and Zoning Board recommended approval* **approved**

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6. APPOINTMENTS

- 6.1 Mayor Truex
 - 6.1.1 Senior Citizen Advisory Committee (two exclusive appointments - terms expire April 2010) (members shall be a minimum 60 years of age)
 - 6.1.2 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)
- 6.2 Councilmember Caletka
 - 6.2.1 Parks and Recreation Advisory Committee (one exclusive appointment - term expires April 2010) (members should have a concern with or an interest in the park facilities and recreational needs of the citizens of the Town)
- 6.3 Councilmember Crowley
 - 6.3.1 Parks and Recreation Advisory Committee (one exclusive appointment - term expires April 2010) (members should have a concern with or an interest in the park facilities and recreational needs of the citizens of the Town)
 - 6.3.2 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)
- 6.4 Councilmember Starkey
 - 6.4.1 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)
 - 6.4.2 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)
- 6.5 Unsafe Structures Board (two non-exclusive appointments; terms expire April 2009) (one appointment shall be a plumbing contractor and one appointment shall be a real estate property manager - both members shall be a permanent resident or have their principal place of business within the Town's jurisdiction)

7. OLD BUSINESS

- 7.1 Charter Review Board Recommendations (deferred from July 2, 2008)
- 7.2 2006 Open Space Bond: Due Diligence

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8. NEW BUSINESS

9. SCHEDULE OF NEXT MEETING

- 9.1 Digital Design Preference (RAC) - August 6, 2008 at 6:00 p.m.
- 9.2 Fire Station Update - August 11, 2008 at 6:00 p.m.
- 9.3 Special Council Meeting - September 3, 2008 at 6:00 p.m.
- 9.4 Solid Waste and Fire Final Special Assessments - September 15, 2008 at 12:00 p.m.

10. MAYOR/COUNCILMEMBER'S COMMENTS

11. TOWN ADMINISTRATOR'S COMMENTS

12. TOWN ATTORNEY'S COMMENTS

13. 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).