

**TOWN OF DAVIE
TOWN COUNCIL REGULAR MEETING
AUGUST 3, 2016**

I. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. and was followed by the Pledge of Allegiance.

II. ROLL CALL

Present at the meeting were Mayor Paul, Vice-Mayor Luis and Councilmembers Caletka and Hattan. Councilmember Starkey was absent. Also present were Town Administrator Lemack, Assistant Town Administrator Lewis, Town Attorney Rayson, Assistant Town Administrator Holste and Town Clerk Roig recording the meeting.

Councilmember Hattan made a motion, seconded by Councilmember Caletka to excuse Councilmember Starkey's absence. In a voice vote, with Councilmember Starkey absent, all voted in favor. (Motion carried 4-0)

III. OPEN PUBLIC MEETING

Arthur Joseph stated Mayor Paul had promised a new Oak Hill Fire Station when she ran for office in 2004 and the station had still not been built. Regarding the sales tax transportation/infrastructure surtax, Mr. Joseph advised everyone to vote against it. He noted this represented a 17% increase of the sales tax. Mr. Joseph pointed out that sales taxes affected the poor the most.

A representative of the James Junior Foundation described the organization and its activities. He advised those who knew of a child needing help to contact the organization.

Susan Coyle, Soroptimists International, described their organization and announced their golf tournament on September 23 at Hollywood Country Club in Pembroke Pines.

Eric Swalley, Vice Chair of the Agriculture and Environmental Advisory Committee, reported there were three vacant seats on the committee and asked anyone interested to apply.

IV. PRESENTATIONS

1. Certificate of Appreciation for Providing Prompt and Professional Aid on January 3, 2016

Julie Carson, Wilton Manors Commissioner, related her experience with the Davie Fire Rescue Services after being thrown from her horse. She thanked the personnel who had helped her and presented them with the certificates: Capt. Edward Diltz, Lt. Raul Ramos, Firefighter Scott Richards, BC Dan Moran, DE James Carrera and Victor Catino.

Mayor Paul said staff had requested items 18-24 be tabled due to a legal advertising requirement.

Mayor Paul requested the addition of presentation item 2: Zika Virus Update.

Councilmember Caletka made a motion, seconded by Vice-Mayor Luis to add Item 2 under presentations. In a voice vote, with Councilmember Starkey absent, all voted in favor. (Motion carried 4-0)

Councilmember Caletka made a motion, seconded by Vice-Mayor Luis to table items 18-24 until August 17. In a voice vote, with Councilmember Starkey absent, all voted in favor. (Motion carried 4-0)

2. Zika Virus Update

Mark Collins, Director of Public Works, introduced Dr. Thaqi, Director of the Florida Department of Health in Broward County. Dr. Thaqi discussed the Zika virus and the danger it presented to pregnant women, as well as actions being taken by the State and County to control it. She advised everyone about how to protect themselves from exposure to the mosquitoes. Dr. Thaqi

reported the Florida Department of Health and CDC websites had the most up-to-date information. Homeowners could also request mosquito spraying on the Department of Health website. Mr. Collins stated the Town's website was very current as well and was updated frequently.

Vice-Mayor Luis made a motion, seconded by Councilmember Hattan to approve the Consent Agenda. In a voice vote, with Councilmember Starkey absent, all voted in favor. (Motion carried 4-0)

V. APPROVAL OF CONSENT AGENDA

Minutes

1. June 23, 2016 Meeting Minutes (Special)

Resolutions

Administration

2. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ACCEPTANCE OF \$72,500 IN GRANT FUNDING FROM THE FLORIDA DEPARTMENT OF HEALTH (FDOH) EMS MATCHING GRANT PROGRAM FOR THE PURCHASE OF FOUR (4) POWER LOAD COT FASTENER SYSTEMS AND FOUR (4) POWER PRO XT COTS, AUTHORIZING ITS ACCEPTANCE AND PURCHASE OF DESIGNATED EQUIPMENT, WITH REQUIRED MATCHING FUNDS OF \$24,167 FROM THE FIRE GRANT EXPENSE ACCOUNT.
3. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE HEBREW DAY SCHOOL OF BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (see related item #16)

Engineering

4. **UTILITY EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE UTILITY EASEMENT FROM EIP AT DAVIE I, LLC FOR TARGET – LAKESIDE TOWN SHOPS AND TO ACCEPT CLOSEOUT DOCUMENTS INCLUDING UTILITIES BILL OF SALE AND OPINION OF TITLE AND PROVIDING FOR AN EFFECTIVE DATE.

Human Resources

5. **MEMORANDUM OF UNDERSTANDING**- A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE TOWN OF DAVIE AND THE FLORIDA STATE LODGE, FRATERNAL ORDER OF POLICE ASSOCIATES (FOPA) TO MEMORIALIZE CHANGES THEY HAVE MUTUALLY AGREED TO MAKE TO ARTICLE 27 OF THEIR NEW COLLECTIVE BARGAINING AGREEMENT (CBA) FOR 2015-2018, AND TO THE TOWN'S PENSION PLAN ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Information Technology

6. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING BIDS AWARDED BY THE US COMMUNITIES CONTRACT # 14-JLR-003 FOR THE PURCHASE OF KRONOS WORKFORCE CENTRAL SAAS (SOFTWARE AS A SERVICE) FOR SMB (SMALL MEDIUM BUSINESSES) PAYROLL AND TIMEKEEPING SOLUTION, TIMEKEEPING HARDWARE / PERIPHERALS, MAINTENANCE AND ASSOCIATED IMPLEMENTATION AND INTEGRATION SERVICES FOR AN INITIAL THIRTY SIX (36) MONTH TERM WITH FOLLOW ON YEARLY RENEWALS AT THE DISCRETION OF THE TOWN OF DAVIE.

7. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A MICROSOFT ENTERPRISE AGREEMENT FOR OFFICE 365 LICENSING WITH SOFTWARE HOUSE INTERNATIONAL (MICROSOFT AUTHORIZED RESELLER / PARTNER), FOR A THREE (3) YEAR TERM, USING STATE OF FLORIDA CONTRACT # 43230000-15-2; ALSO, APPROVING BIDS AWARDED BY THE STATE OF FLORIDA DELL WSCA CONTRACT # 43211500-WSCA-15-ACS FOR DELL TO ASSIST THE TOWN WITH ENTERPRISE OFFICE 365 IMPLEMENTATION RELATED SERVICES.

Police

8. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO A TEN (10) MONTH AGREEMENT (OCT. 1, 2016 THRU SEPT 30, 2017) BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY AND THE TOWN OF DAVIE TO PROVIDE SEVEN (7) LAW ENFORCEMENT SCHOOL RESOURCE OFFICERS (SRO) TO SERVE AT THE BROWARD COUNTY SCHOOLS WITHIN THE TOWN OF DAVIE.

Town Attorney

9. **CONTRIBUTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A CONTRIBUTION OF \$32,197.00 TO THE BROWARD METROPOLITAN PLANNING ORGANIZATION PUBLIC INFORMATION EFFORT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

Utilities

10. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID FOR VALVE ASSESSMENT, EXERCISING AND MAINTENANCE AWARDED BY THE CITY OF COOPER CITY, FLORIDA (BID 2015-4-UTL)

Quasi-Judicial Consent Items

11. **Site Plan SP16-125 NSU Lake**, (Generally located at the northwest corner of SW 39th Street and SW 73rd Avenue) (see related item #17)

12. **Site Plan SP15-197 Horseshoe Lake**, (located on the south side of Griffin Road between 58th Avenue and 61st Avenue, zoned Griffin Corridor District - East Gateway Zone) (see related items #13 & 14)

13. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE AND THE FINDING OF ADEQUACY DATE RECORDED ON THE PLAT KNOWN AS

TROTTERS CHASE, AND PROVIDING AN EFFECTIVE DATE. (**DG15-152 Horseshoe Lake**, south side of Griffin Road between SW 58th Avenue and SW 61st Avenue, zoned Griffin Corridor District - East Gateway Zone) (**see related items #12 &14**)

14. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO VACATE DRAINAGE EASEMENTS RECORDED ON THE PLAT KNOWN AS TROTTERS CHASE, AND PROVIDING AN EFFECTIVE DATE. (**DG16-044 Horseshoe Lake**, south side of Griffin Road between 58th Avenue and 61st Avenue, zoned Griffin Corridor District - East Gateway Zone) (**see related items #12 & 13**)
15. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS I-595 COMMERCE CENTER PLAT, AND PROVIDING AN EFFECTIVE DATE. (**DG16-183 I-595 Commerce Center Plat**, 3500 Davie Road, RAC-RTE)
16. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "DAVIE CAMPUS PLAT", AND PROVIDING AN EFFECTIVE DATE. (**DG16-144 David Posnack Jewish Day School**, zoned CF) (**see related item #3**)

VI. DISCUSSION OF CONSENT AGENDA ITEMS

None.

VII. PUBLIC HEARING

Quasi-Judicial Public Hearing Item

17. **SPECIAL PERMIT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING SPECIAL PERMIT APPLICATION "SE 16-162, NSU LAKE;" AND PROVIDING FOR AN EFFECTIVE DATE (**SE 16-162, NSU Lake**, Folio numbers 5041 27 30 0010, 5041 27 30 0000 and 5041 27 01 0170). (**see related item #11**)

Mr. Rayson read the resolution by title and reported the quasi-judicial process had been waived.

Mayor Paul opened the public hearing portion of the meeting. As no one spoke, Mayor Paul closed the public hearing portion of the meeting.

Councilmembers disclosed communications they had regarding the item.

Vice-Mayor Luis made a motion, seconded by Councilmember Hattan to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Luis - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Starkey - absent. (Motion carried 4-0).

STAFF IS REQUESTING THE FOLLOWING ITEMS TO BE TABLED TO AUGUST 17, 2016

Ordinances - Second and Final Readings

18. **BUDGET AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2016; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to August 17.

19. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ARTICLE X, DIVISION 1, SECTION 12-309, CODE OF

ORDINANCES TITLED, "REVIEW FOR VARIANCES", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to August 17.

20. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ARTICLE XII, DIVISION 3, SECTION 12-371, CODE OF ORDINANCES TITLED, "SITE PLAN REVIEW", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to August 17.

21. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 25, ARTICLE III, SECTION 31, CODE OF ORDINANCES TITLED, "WATER AND SEWER LIENS", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to August 17.

22. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING ARTICLE XVIII, ALCOHOLIC BEVERAGES, OF CHAPTER 12, LAND DEVELOPMENT CODE; REPEALING CHAPTER 3; ALCOHOLIC BEVERAGES; REPEALING SECTION 12-34(C), ALCOHOLIC BEVERAGE ESTABLISHMENTS; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to August 17.

23. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 7, ARTICLE I, SECTION 3, CODE OF ORDINANCES TITLED, "USE AND STORAGE OF FIREWORKS", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to August 17.

24. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING CHAPTER 7, ARTICLE I, SECTION 3.1, CODE OF ORDINANCES TITLED, "SALE OF SPARKLERS AND FIREWORKS", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to August 17.

VIII. APPOINTMENTS

25. Committee/Board Vacancies and Appointments
None.

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

No discussion.

XI. NEW BUSINESS

No discussion.

XII. SCHEDULE OF NEXT MEETING

No discussion.

XIII. MAYOR/COUNCILMEMBER’S COMMENTS

VICE-MAYOR LUIS

PRIVATE PROPERTY PONDS AND THE ZIKA VIRUS. Vice-Mayor Luis asked Mr. Collins about mosquito protection for ponds. Mr. Collins stated Mosquito Control was sending information. In the meantime, he advised there was a product called mosquito dunks that could be purchased in home stores. Code Enforcement Officers and Rangers were being provided the dunks to treat troughs.

MAYOR PAUL

NATIONAL NIGHT OUT. Mayor Paul reported the event had been somewhat rained out the previous evening but thanked the Police Department and community members for participating.

DUCK THEFTS. Mayor Paul had received complaints about duck thefts and said State law made animal cruelty a crime and allowed municipalities to adopt their own ordinances. She requested Council’s support to make the entire Town a Bird Sanctuary to extend protection to all wildlife. Council agreed and Mayor Paul asked Mr. Rayson to draft an ordinance,

FRACKING RESOLUTION. Mayor Paul requested Council’s support for a resolution reaffirming their stance against fracking and their concern regarding legally raising the allowed level of toxic chemicals to be released into the groundwater system. Recently, the Regulatory Commission asked and received permission to increase the levels of toxins released into the ground, which was totally unacceptable. This still needed to be approved at the Federal level. She also wanted to add these issues to their legislative priorities list. Council agreed.

MISDIRECTED VOTER ID CARDS. Mayor Paul reported that 1,800 voter ID cards had been mailed to the wrong addresses in Davie. She said they were working with the Supervisor of Elections, Dr. Brenda Snipes, to correct this. Mr. Lemack had spoken with Dr. Snipes, and stated a form of ID was needed as well as the voter ID card in order to vote. Dr. Snipes’ office would also call all residents who were affected and would provide the Town with the names and addresses of those involved, since the Town had received many calls about it. Mayor Paul wondered if this had occurred in other municipalities.

HONOR FLIGHT LETTER. Mayor Paul had received a letter thanking the Town for their \$625 Honor Flight donation. She thanked employees who donated a portion of their paychecks.

XIV. TOWN ADMINISTRATOR’S COMMENTS

No remarks.

XV. TOWN ATTORNEY’S COMMENTS

FRACKING/GROUNDWATER TOXINS RESOLUTION. Mayor Paul informed Mr. Rayson that she wished a reference to their previous resolution opposing fracking included in the resolution regarding groundwater toxins.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:19 pm.

Approved_____

Mayor/Councilmember

Town Clerk