

**TOWN OF DAVIE  
REGULAR MEETING  
OCTOBER 5, 2016**

**I. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 1:00 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, Hattan and Starkey. Also present were Town Administrator Lemack, Assistant Town Administrator Lewis, Town Attorney Rayson, Assistant Town Administrator Holste and Town Clerk Roig recording the meeting.

**III. OPEN PUBLIC MEETING**

Valerie Pellegrini had become concerned that something was growing in Silver Lake. She had contacted a Town employee, who promised to help and explained that by the beginning of November the Town would clear the lake. Ms. Pellegrini invited Town employees to contact her.

Karen Stenzel-Nowicki also lived on Silver Lake and said the West side was overgrown with 50-60-foot black olive trees that she had been asking the Town to mitigate. She said they had suffered \$25,000 worth of damage during Hurricane Wilma and asked Council to help keep the community safe.

Audrey Edwards said there was a lot across from her home on Gulfstream Lane at 3581 W State Road 84 for which the owner had received a water permit and had electric service. She said someone was using the property for a marina and this was an issue in her neighborhood. Ms. Edwards stated this was a “big Code Enforcement issue.”

Jackie Zumwalt stated her property was also across from the commercial marina operation. She said this neighborhood had always been residential until the Town issued a “commercial water lane ordinance to a blank lot” in October 2015.

Barbara Tilley said someone had put “a lot of junk” out on Berkley Road and the Town had removed it but now there were more items dumped there. She was concerned because there was a hurricane approaching.

Chad Hooten said there were only 11 houses on his street, SW 57 Street, but a traffic studies in 2014 showed that 500 cars used the street to cut through. He thanked the Town for closing the street off at 82 Avenue and said residents were delighted.

**IV. PRESENTATIONS**

1. “A Penny at Work” - Transportation and Local Infrastructure Surtax on November 8, 2016

Ballot, Phillip Holste, Assistant Town Administrator

Leona Henry, Public Relations Assistant, provided a presentation. She said the 1-cent sales tax surtax would be used to fund infrastructure and transportation projects in Broward County and would last 30 years. She reported the Town of Davie would receive approximately \$8 million in revenue the first year, \$90 million over the first 10 years and \$300 million over 30 years. Ms. Henry informed everyone that half the revenue would be dedicated to County transportation projects and half would be for municipalities’ infrastructure projects. She advised everyone to visit [www.APennyAtWork.com](http://www.APennyAtWork.com) for information. She offered to make presentations at HOAs and civic organizations.

Mayor Paul stated staff had requested the addition of Item 22: Declaration on the State of Emergency to the Agenda.

Councilmember Starkey made a motion, seconded by Councilmember Caletka to add Item 22 to the Agenda. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul said staff had also requested that items 16 and 17 be tabled to October 19.

Councilmember Caletka made a motion, seconded by Councilmember Starkey to table items 16 and 17 to October 19. In a voice vote, all voted in favor. (Motion carried 5-0)

Later in the meeting, Mr. Lemack pointed out that items 16 and 20 (not 16 and 17) should have been tabled.

Councilmember Caletka made a motion, seconded by Vice-Mayor Luis to add Item 17 back on the Agenda and to table Item 20 to October 19. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled items 1 and 2 from the Consent Agenda.

Councilmember Caletka made a motion, seconded by Councilmember Hattan to approve the Consent Agenda, less items 1 and 2. In a voice vote, all voted in favor. (Motion carried 5-0)

## **V. APPROVAL OF CONSENT AGENDA**

### ***Proclamation***

1. Fire Prevention Week, (October 9-15, 2016)

### ***Resolutions***

#### ***Community Services***

2. **MODIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING CHANGES TO THE DAVIE COMMUNITY BUS ROUTES WHICH INCLUDE THE BLUE, GREEN AND SOUTH FLORIDA EDUCATION CENTER (SFEC) TRI-RAIL BUSES AND PROVIDING FOR AN EFFECTIVE DATE.

#### ***Information Technology***

3. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SIXTY (60) MONTH CONTRACT FOR AT&T ENTERPRISE SWITCHED ETHERNET & NETWORKING RELATED SERVICES, A THIRTY-SIX (36) MONTH CONTRACT FOR ENTERPRISE PRIMARY RATE ISDN – VOICE/DATA SERVICES; ALSO, A MASTER SERVICES AGREEMENT.

#### ***Planning and Zoning***

4. **SCRIVENER'S ERROR** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CORRECTING A SCRIVENER'S ERROR CONCERNING VARIANCE APPLICATION "V 15-112 WENDY'S", AND PROVIDING AN EFFECTIVE DATE. Scrivener's Error Resolution 2015-268, Wendy's (2470 Davie Road, RAC-RTE)

#### ***Public Works***

5. **WORK AUTHORIZATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ISSUING A WORK AUTHORIZATION FOR AN AMOUNT NOT TO EXCEED \$64,300 IN ACCORDANCE TO THE BID AWARDED BY THE CITY OF MIAMI GARDENS TO METRO EXPRESS, INC. FOR SIDEWALK REPLACEMENT AND INSTALLATION ITB# 12-13-034 AND PROVIDING FOR AN EFFECTIVE DATE.

#### ***Purchasing***

6. **AGREEMENT** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS WITH SYSCO SOUTH FLORIDA, INC. AND CHEF MINUTE MEALS, INC., FOR THE EMERGENCY FOOD AND SUPPLY SERVICES SOUTHEAST FLORIDA COOPERATIVE AGREEMENT.

7. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE TOP RANKED ODYSSEY MANUFACTURING COMPANY IN ACCORDANCE WITH RFP# B-16-138 TO PROVIDE CHEMICAL SYSTEM MAINTENANCE AND REPAIR SERVICES AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

Town Attorney

22. **DECLARATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO DECLARE A STATE OF EMERGENCY, AND TAKE OTHER MEASURES AS NEEDED TO MITIGATE THE EFFECTS OF HURRICANE MATTHEW; AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

8. **BID RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING RENEWAL OF THE BID FOR MAINTENANCE AND/OR REPAIRS TO WATER AND SEWER SYSTEMS AWARDED BY THE CITY OF BOYNTON BEACH, FLORIDA (CONTRACT NO. 050-2821-13/JMA).

9. **BID RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING RENEWAL OF THE BID AWARDED BY THE CITY OF NORTH MIAMI BEACH FOR SODIUM HYPOCHLORITE FOR WATER TREATMENT, SOUTHEAST FLORIDA COOPERATIVE PURCHASING GROUP BID (ITB 2012-15).

10. **BID RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RENEWING THE BIDS FOR CHEMICAL REAGENTS (BID #14-57) TO PROFESSIONAL ENVIRONMENTAL TESTING & CONSULTING LLC AND ENVIRONMENTAL REAGENT SERVICE.

11. **BID APPROVAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID FOR SODIUM HYPOCHLORITE (BULK BLEACH) AWARDED BY THE CITY OF STUART, FLORIDA (ITB 2015-293).

12. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO SIGN THE CONTRACT WITH HINTERLAND GROUP, INC. FOR THE REHABILITATION OF LIFT STATION #12 (5700 SW 82 AVENUE), BID NO. B16-78.

Quasi-Judicial Consent Items

Temporary Use Permit

13. **Temporary Use Permit TU16-230 for United Methodist Pumpkin Patch**, 6500 SW 47<sup>th</sup> Street, zoned CF.

14. **Site Plan SP16-096, CarMax**, 7420 State Road 84, zoned CC.

15. **Site Plan SP16-143 David Posnack Jewish Day School**, (see related item #19).

**STAFF IS REQUESTING THIS ITEM TO BE TABLED TO OCTOBER 19, 2016**

16. **FLEX** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING FLEX APPLICATION FX15-343 ANCHOR YACHT, FOR THE ALLOCATION OF COMMERCIAL FLEX ONTO THE PLAT KNOWN AS "HACIENDA FLORES" IN ACCORDANCE WITH THE BROWARD COUNTY LAND USE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE. (**FX15-343 Anchor Yacht**, 3541 W. State Road 84, currently zoned RM-5, Residential Multifamily District - Hacienda Village, proposed zoning B-2M, Community Business Marina) [**requires supermajority vote pursuant to Sec. 12-304(E)**] (**tabled from August 17, 2016**). (see related item #20).  
Tabled to October 19.

22. Declaration on the State of Emergency

**VI. DISCUSSION OF CONSENT AGENDA ITEMS**

1. Fire Prevention Week, (October 9-15, 2016)

Vice-Mayor Luis read the proclamation.

Councilmember Starkey made a motion, seconded by Councilmember Hattan to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

Robert Taylor, Fire Marshal, accepted the proclamation and thanked the Town for its support of fire safety.

***Resolutions***

***Community Services***

2. **MODIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING CHANGES TO THE DAVIE COMMUNITY BUS ROUTES WHICH INCLUDE THE BLUE, GREEN AND SOUTH FLORIDA EDUCATION CENTER (SFEC) TRI-RAIL BUSES AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Starkey made a motion, seconded by Vice-Mayor Luis to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

**VII. PUBLIC HEARING**

***Ordinance - (Second and Final Reading)***

17. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 3.6 OF THE TOWN OF DAVIE POLICE PENSION PLAN TO PROVIDE FOR CONTINUED PAYMENT OF RETIREMENT BENEFITS FOR RETIREES WHO ARE REHIRED AS SCHOOL RESOURCE OFFICERS, PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICT, AND PROVIDING FOR AN EFFECTIVE DATE. {**Approved on first reading on September 21, 2016. In a vote: Mayor Paul - yes; Vice-Mayor Luis - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion carried 5-0)**}.

Mr. Rayson read the ordinance by title.

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

Councilmember Hattan made a motion, seconded by Councilmember Starkey 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 - yes. (Motion carried 5-0).

Quasi-Judicial Public Hearing Items

Second and Final Reading

18. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION ZB16-121 FPL GULFSTREAM SERVICE CENTER, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM LIGHT INDUSTRIAL (M-1) DISTRICT TO UTILITIES (U) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (4000 Davie Rd. Extension, currently zoned Light Industrial "M-1" District).{**Approved on first reading on September 21, 2016. In a roll call vote: Mayor Paul - yes; Vice-Mayor Luis - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion carried 5-0).**}

Mr. Rayson read the ordinance by title.

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

Councilmember Hattan made a motion, seconded by Vice-Mayor Luis 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 - yes. (Motion carried 5-0).

19. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION V16-145 DAVID POSNACK JEWISH DAY SCHOOL, AND PROVIDING AN EFFECTIVE DATE. (Variance V16-145, **David Posnack Jewish Day School**, 5810 South Pine Island Road, zoned CF). (**see related item # 15**).

Mr. Rayson read the resolution by title and reported all parties had waived the quasi-judicial procedure.

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

Councilmember Hattan made a motion, seconded by Vice-Mayor Luis 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 - yes. (Motion carried 5-0).

**STAFF IS REQUESTING THIS ITEM TO BE TABLED TO OCTOBER 19, 2016**

Ordinance - First Reading (Second and Final Reading to be on held October 19, 2016)

20. **REZONING APPLICATION** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION ZB15-342 ANCHOR YACHT, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING THE SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (**ZB15-342, Anchor Yacht**, 3541 W. State Road 84, currently zoned RM-5, Residential Multifamily District - Hacienda Village) (**tabled from August 17, 2016**). (**see related item #16**)

Tabled to October 19.

**VIII. APPOINTMENTS**

21. Committee/Board Vacancies & 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**

**MAYOR PAUL**

**HURRICANE PREPAREDNESS.** Mayor Paul asked everyone to take appropriate precautions for the approaching hurricane.

**COUNCILMEMBER HATTAN**

**CONTINUUM OF CARE COMMITTEE.** Councilmember Hattan announced she had been elected Chair of the committee the previous week.

**COUNCILMEMBER CALETKA**

**BETTY BOOTH ROBERTS PLAYGROUND.** Councilmember Caletka announced the playground was now open and loaded with kids. He thanked Parks and Recreation and Public Works.

**COUNCILMEMBER STARKEY**

**HOWARD GRIFFIN.** Councilmember Starkey reported Mr. Griffin had passed away recently. She requested a moment of silence in memory of Mr. Griffin and his wife, who had also passed away recently.

**DAVIE'S OWLS.** Councilmember Starkey thanked everyone for their work on the Town's owl project and stated Broward County Commissioner Lois Wexler had recognized their efforts and the County Commission had passed a proclamation. The proclamation also recognized The South Florida Audubon Society's Project Perch and the following people: Kelly Heffernan; Dr. Renata Snyder; Marty Diaz from the South Florida Wildlife Care Center; Grant Campbell and Chris Reese; Steve Korcherson and residents who continued to monitor the owls.

**VICE-MAYOR LUIS**

**GANDHI SQUARE EVENT.** Vice-Mayor Luis announced that Arun Gandhi, grandson of Mahatma Gandhi, had attended the recent event. He said this had been a very interesting, fascinating talk.

**SHANAH TOVAH.** Vice-Mayor Luis wished all Jewish residents a Happy New Year.

**HURRICANE PREPAREDNESS.** Vice-Mayor Luis urged everyone to prepare and to be careful after the storm.

**XIV. TOWN ADMINISTRATOR'S COMMENTS**

Mark Collins, Director of Public Works, provided an update on the approaching hurricane and how the County and the Town were preparing and said he believed they were ready. He confirmed for Mayor Paul that since Council had already passed a State of Emergency declaration, they would not

need to go to the Emergency Operations Center (EOC). Mr. Collins stated if Council was called to do a press conference, they would be transported there. He explained that once sustained winds reached 40 mph, Fire, Police and Public Works hunkered down but maintained contact. Once winds died down, they began clearing the roads. Mr. Collins urged everyone, "Don't panic; stay calm and use your head." He agreed to find out about water distribution and report back.

**XV. TOWN ATTORNEY'S COMMENTS**

Mr. Rayson stated he would report to the EOC at 7 a.m. the following morning if the winds were below 40 mph.

**XVI. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 1:46 p.m.

Approved\_\_\_\_\_

\_\_\_\_\_  
Mayor/Councilmember

\_\_\_\_\_  
Town Clerk