

**TOWN OF DAVIE  
REGULAR MEETING  
OCTOBER 19, 2016**

**I. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:30 p.m. and was followed by the Pledge of Allegiance. Boy Scout Troop 118 presented the colors.

**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.

Mayor Paul announced that the Global Environmental Change class from Broward College was observing the meeting.

**III. PRESENTATIONS**

1. "A Penny at Work" - Transportation and Local Infrastructure Surtax on November 8, 2016 Ballot, Phillip Holste, Assistant Town Administrator

Mr. Holste reminded everyone that two initiatives were on the ballot for transportation and infrastructure surtaxes. He described projects for which the Town could use the surtax revenue: road resurfacing; guardrails; sidewalks; traffic signalization; traffic enhancements; new ambulances, firetrucks and an aerial truck; park playgrounds; shade canopies; water and sewer lines; park facilities and Bergeron Rodeo Grounds improvements.

2. Translocation of Owl Project

Mayor Paul announced staff had requested tabling this item until November 2.

Councilmember Starkey made a motion, seconded by Councilmember Hattan to table this item to November 2. In a voice vote, all voted in favor. (Motion carried 5-0)

3. Mayor's Cup, B. Keith Smith, Assistant Athletic Director, Nova Southeastern University

Mr. Smith and Michael Mominey, NSU Director of Athletics, presented the Town with the Sunshine State Conference Mayor's Cup. This recognized the top team of the 11 in the conference.

Mayor Paul stated the applicant for Item 20 had requested it be tabled to November 20

Councilmember Starkey made a motion, seconded by Vice-Mayor Luis to table Item 20 to November 2. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul requested adding Item 22A Magistrates to the agenda.

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

Mayor Paul pulled items 4, 5 and 12 from the Consent Agenda. Councilmember Starkey pulled Item 1.

Councilmember Caletka made a motion, seconded by Councilmember Hattan to approve the Consent Agenda, less items 1, 4, 5 and 12. In a voice vote, all voted in favor. (Motion carried 5-0)

**IV. APPROVAL OF CONSENT AGENDA**

Parade Permit

1. Forest Ridge Holly Day Parade Permit

## ***Resolutions***

### **CRA**

2. **RATIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA, AUTHORIZING AND APPROVING THE RATIFICATION OF THE DAVIE COMMUNITY REDEVELOPMENT AGENCY, TO PIGGY BACK THE TOWN OF DAVIE BID B-14-108 AND TOWN OF DAVIE RESOLUTION R-2016-171 FOR THE INSTALLATION, MAINTENANCE AND REMOVAL OF HOLIDAY LIGHTING FOR FY-2016-2017 HOLIDAY SEASON IN THE AMOUNT OF \$25,432.00; PROVING FOR SEVERABILITY; AND PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

### **Engineering**

3. **BID SELECTION/CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM WEEKLEY ASPHALT PAVING, INC. AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A CONTACT FOR CONSTRUCTION SERVICES FOR THE DAVIE ROAD PHASE II ROADWAY IMPROVEMENT PROJECT FROM NOVA DRIVE TO SW 39TH STREET AND PROVIDING FOR AN EFFECTIVE DATE.

### **Public Works**

4. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROVAL AND AWARD OF BID NO. B-16-120 TO WEST CONSTRUCTION, INC., INCLUDING ADDITIVE ALTERNATE NUMBERS 1, 3, 4, 6, 7 AND 8 FOR THE NEW WEST FIRE RESCUE STATION #86 AND COMMUNITY CENTER / F.O.C. AT SHENANDOAH PARK AND PROVIDING FOR AN EFFECTIVE DATE
5. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF \$70,243.00 FOR ELECTRICAL SERVICE FOR THE NEW FIRE RESCUE STATION #86 AND COMMUNITY CENTER / F.O.C. AT SHENANDOAH PARK AND PROVIDING FOR AN EFFECTIVE DATE

### **Purchasing**

6. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND COUNCIL AUTHORIZING THE RENEWAL AND EXECUTION OF THE CONTRACT WITH FIT FIRST, INC. TO PROVIDE JAZZERCISE INSTRUCTOR SERVICES AND PROVIDING FOR AN EFFECTIVE DATE.
7. **SURPLUS PROPERTY AUCTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, DECLARING 4.06 ACRES OF VACANT TOWN PROPERTY LOCATED AT 1525 SW 136 AVENUE TO BE SURPLUS PROPERTY AND SELECTING THE FIRM OF FISHER AUCTION COMPANY TO PROVIDE REAL ESTATE SALE SERVICES THROUGH THE COMPETITIVE AUCTION PROCESS AND PROVIDING FOR THE FINAL SALE OF THE PROPERTY TO BE CONTINGENT ON THE TOWN COUNCIL'S APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

8. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID FOR LOCATING AND MARKING OF UNDERGROUND UTILITY LINES AWARDED BY THE CITY OF COOPER CITY, FLORIDA (BID #2015-5-UTL).
9. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID AWARDED BY THE CITY OF POMPANO BEACH, FLORIDA, FOR CARBON DIOXIDE LIQUID BULK DELIVERY FOR WATER TREATMENT, SOUTHEAST FLORIDA COOPERATIVE PURCHASING GROUP BID (L-43-16).

Quasi-Judicial Consent Agenda

Temporary Use Permits

10. **TU 16-214, Happy Holiday Seasonal Sales, 5251 South University Drive** (B-3).
11. **TU 16-201, Longstar Texaco, 3215 S. University Drive** (Community Business (B-2) District).

Quasi-Judicial Items

12. **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 October 5, 2016**) (**see related item #17**)
13. **Site Plan (SP) 16-073, Publix**, 4601-4777 S. University Drive - (currently zoned Community Business (B-2) District)
14. **Site Plan SP 16-018 A First Healthcare Building**, 5051 South University Drive, B-2, Proposed. (**see related items # 15 & 19**)
15. **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS "FIRST HEALTHCARE OF UNIVERSITY DRIVE" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 16-019, **First Healthcare of University Drive**, B-2 Proposed) (**see related items # 14 & 19**)

**V. DISCUSSION OF CONSENT AGENDA ITEMS**

1. Forest Ridge Holly Day Parade Permit

Councilmember Starkey announced that the parade would be on December 3 at the Forest Ridge community entranceway. The entire community was welcome to attend the parade and festivities. She invited everyone to visit [WWW.HollyDayParade.com](http://WWW.HollyDayParade.com) for more information.

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

*First Readings - Second and Final Readings to be held on November 2, 2016*

- 17. REZONING - 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 October 5, 2016) (see related item #12)**

**12. FLEX - ANCHOR YACHT**

Heard with Item 17.

Councilmember Caletka reported there had been two code violations at Anchor Yachts, one for lack of a permit for repair of a seawall and the second was an EPA violation for waxing a boat without the proper equipment to contain the particles. He had spoken with County Commissioner Tim Ryan and Fort Lauderdale Commissioner Romney Rogers, who were concerned. Councilmember Caletka said this was not the right time for this to go forward and suggested postponing for six months to allow the applicant the opportunity to be “role models for their neighborhood and the residents that they abut.”

Councilmember Caletka made a motion, seconded by Vice-Mayor Luis to table items 12 and 17 to the Councils’ first meeting in March 2017. 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).

**VI. PUBLIC HEARING**

Resolution

- 16. CAPITAL IMPROVEMENT PLAN - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE 10-YEAR CAPITAL IMPROVEMENTS PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2017-2026; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Rayson read the resolution 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.

Mr. Holste provided an update on the Fire Station 86 project. He described the site plan and displayed photos. Mr. Holste said the station would also house field operations and a community center. They were working on the improvements promised for Shenandoah Park.

Mr. Holste reviewed the budgeting and funding for the project. The additional funds were needed because the cost of the bid award had exceeded estimates; some of the items were additional items they must complete and some were for enhanced functionality or aesthetics. \$3 million was needed to cover the funding gap: \$1.5 million from the College Avenue project and \$1.5 million from Capital Project Fund reserves.

If the resolution was approved, the vendor contract would come to Council for approval on November 2, the groundbreaking would occur in January 2017 and the opening was anticipated for January 2018.

Vice-Mayor Luis made a motion, seconded by Councilmember Starkey to approve Item 16. 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).

4. **BID SELECTION** - BID NO. B-16-120 TO WEST CONSTRUCTION, INC.

Heard with Item 16.

5. **EXPENDITURE** - \$70,243.00 FOR ELECTRICAL SERVICE

Heard with Item 16.

Vice-Mayor Luis made a motion, seconded by Councilmember Caletka to approve items 4 and 5. 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

18. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION ZB 16-147 TRAFICANT, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM “INDUSTRIAL (M-4) HACIENDA VILLAGE DISTRICT” TO “PLANNED INDUSTRIAL PARK (M-3) DISTRICT”; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 16-147 **Trafficant**, 3400 Burris Road).

Mr. Rayson read the ordinance by title. Mayor Paul said the second reading would be held on November 2, 2016.

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

Rod Feiner, attorney, said the owner agreed with the staff report and invited questions.

Vice-Mayor Luis 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).

19. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 16-17 A FIRST HEALTHCARE BUILDING, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: AGRICULTURAL (A-1) DISTRICT TO COMMUNITY BUSINESS (B-2) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 16-017 **A First Healthcare Building**, 5051 South University Drive, B-2 zoning proposed). (see related items # 14 & 15)

Mr. Rayson read the ordinance by title. Mayor Paul said the second reading would be held on November 2, 2016.

Mayor Paul opened the public hearing portion of the meeting.

A company representative invited questions.

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

Councilmembers disclosed communication they had regarding this item.

Councilmember Starkey made a motion, seconded by Councilmember Caletka 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).

**APPLICANT IS REQUESTING THIS THIS BE TABLED TO NOVEMBER 2, 2016**

20. **VARIANCE - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION VA 15-119, M & M APARTMENTS, VACATING A PORTION OF NORTHWEST 12TH AVENUE RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (VA 15-119 M & M Apartments, a portion of Northwest 12<sup>th</sup> Avenue right-of-way, between SW 44<sup>th</sup> Street and SW 44 Court, zoned RAC-ND2) [Applicant requesting a tabling to the November 2, 2016 meeting]**  
Tabled to November 20.

**VII. APPOINTMENTS**

21. Committee/Board Vacancies & Appointments  
None.

**VIII. COMMITTEE RECOMMENDATIONS**

22. Open Space and Recreation Advisory Committee, Mayor Paul

Mayor Paul had received an email from Chair Carolina Davis indicating the committee had unanimously approved advising Council to move forward with a disk golf project as proposed by the Austin Goodrich Troupe in Reflections Park.

David Flaherty, Parks and Recreation Director, stated this was an Eagle Scout project and the area residents had approved it.

Mayor Paul said the Committee was concerned that staff had not provided minutes from the 5/26 special meeting regarding the parking policy at Pine Island Park. Once they received the transcription, they would take action. The Committee had also been expecting DRC reviews.

Mayor Paul noted Council had not received annual reports from all of the advisory committees and they should be reminded of this responsibility.

**IX. OLD BUSINESS**

None.

**X. NEW BUSINESS**

- 22A. Magistrates

Mayor Paul reported one of the Town's magistrates had inquired if there was sufficient money in the budget to grant the magistrates a raise. Mr. Lemack had provided Councilmembers with a survey of magistrates' pay and the average was \$131 per hour. The Town's magistrates were compensated at \$100 per hour and had not received an increase since 2006. Mayor Paul made the following recommendations:

- Prepare a pay increase for magistrates at \$125 per hour
- Transition from a resolution appointment to individual contracts that would be valid through September 30, 2017, to be approved by Council
- Determine if a budget amendment was necessary
- Prepare an RFQ for special magistrates and bring to Council for selection
- Selection criteria for magistrates should include a comprehensive understanding of the rural lifestyle and associated laws for the agricultural community

Council agreed with Mayor Paul's recommendations.

**XI. SCHEDULE OF NEXT MEETING**

23. State and Federal Legislative Agenda Workshop - November 2, 2016 at 5:00 PM  
Council agreed to the meeting.

## **XII. MAYOR/COUNCILMEMBER'S COMMENTS**

### **VICE-MAYOR LUIS**

**BULK TRASH.** Vice-Mayor Luis asked if there would be additional bulk pickup for debris residents had put out after the storm. Mr. Lemack stated the Town was on a regular schedule and they understood the situation.

**EMERGENCY OPERATIONS CENTER.** Vice-Mayor Luis had visited the Town's Emergency Operations Center during Hurricane Matthew and noted how well-run and organized everyone was.

### **MAYOR PAUL**

**GOVERNMENT WEEK.** Mayor Paul had met with students who wanted to learn what the Mayor did at her office. She had been surprised at the students' knowledge on a number of issues.

**HURRICANE MATTHEW.** Mayor Paul had heard many compliments from residents about how prepared the Town was.

**MARANDO FARM AND RANCH GRAND OPENING.** Mayor Paul had attended the event and remarked it had been wonderful. She announced the facility was open seven days, all day. There were farm animals and visitors could pick their own eggs. Mayor Paul announced that this weekend, the Davie/Cooper City Chamber of Commerce was hosting a Fun Day at Marando from 10 a.m. until 2 p.m. Admission was \$10 per person.

**PENNY SURTAX.** Mayor Paul reported that she and Mayor Greg Ross from Cooper City had given a presentation on the surtax at the Chamber of Commerce meeting and it had been well received.

### **COUNCILMEMBER STARKEY**

**NLC PRESCRIPTION DISCOUNT PROGRAM.** Councilmember Starkey reported the National League of Cities had provided this program for which cities could sign up. The program allowed residents to receive prescription drugs at an average of 24% off at 68,000 pharmacies nationwide. The program cost municipalities nothing and residents would sign up at the Town's website. Councilmember Starkey recommended that Council direct Grace Garagozzo, Human Resources Director, to look into the project and bring something back to Council. Council agreed.

**HURRICANE PREPAREDNESS.** Councilmember Starkey recalled that the Town had been lauded for its actions during and after Hurricane Wilma in 2005. She thanked staff for working with Waste Management to clear the extra bulk trash residents had put out before Hurricane Matthew.

**NEW GRANDDAUGHTER.** Councilmember Starkey announced her daughter had recently given birth to a baby girl.

**BOOMER BREAKTHROUGH.** Councilmember Starkey reported there would be a conference at Nova Southeastern University on November 4.

### **COUNCILMEMBER CALETKA**

**TRAFFIC INGRESS/EGRESS ISSUE.** Councilmember Caletka said the Town Hall exit was one-way but many people came through the wrong way. He wanted to repaint the hashing and add Do Not Enter as well.

**TIGER GRANT CELEBRATION.** Councilmember Caletka had been the Master of Ceremonies at the event earlier in the day in Hollywood. Five members of Congress had attended. Councilmember Caletka said the South Florida delegation worked together for the benefit of the area.

**HURRICANE PREPAREDNESS.** Councilmember Caletka recalled how impressed he had been with the Town's actions after Hurricane Wilma.

## **XIII. TOWN ADMINISTRATOR'S COMMENTS**

**GOVERNOR LEROY COLLINS FARM PARK CLOSING.** Mr. Lemack advised that the closing on the eight acres would move from December 30, 2016 to June 1, 2017.

**FIRE ASSESSMENT STUDY.** Mr. Lemack said the last fire study had been in June 2013 and

since then, the Town's population had increased 5%. An RFP would be issued and staff would bring a contract to Council for approval. Once information was available, a workshop would be scheduled for Council to provide direction.

**BULK WASTE.** Mr. Lemack recalled that they had commenced a trial program reducing collection in one district from twice per month to once per month. They wanted to determine if the change would improve the appearance of the neighborhood. A change to once per month would require a change to their Waste Management agreement.

Councilmember Caletka reported that Code Enforcement actions had a positive effect. He felt the most helpful thing was to change the pickup day from Thursday to Monday.

Councilmember Starkey believed the Spring Cleaning Event in Orange Park, with two pickups one month, had been very beneficial. She suggested additional optional dates during the year for this type of event or after a hurricane.

Vice-Mayor Luis did not feel once per month was often enough and noted that some cities collected bulk trash every week.

Council directed Mr. Lemack to pursue the contract with once per month pickups and some additional days.

**RESTRUCTURING GOVERNOR LEROY COLLINS OPERATIONAL ADMINISTRATION.** Mr. Lemack asked Council to select a workshop date to discuss options. Council agreed to meet before the December Council meeting at 5 p.m.

**DAVID W. YORK AWARD FOR OUTSTANDING PERFORMANCE AND PROFESSIONALISM.** Mr. Lemack announced the Town's reclaimed water utility had received the award and the State Department of Environmental Protection had submitted the Town's facility for an Advancement of Water Sustainability Through Innovative Application of Recycled Water award. He thanked water utility staff and presented the award to Don Bayler, Utilities Director.

**BETTY BOOTH ROBERTS PARK.** Mr. Lemack displayed photos of the park.

**SGT. PATTY RAVEN.** Mr. Lemack had visited Sgt. Raven with Police Chief Patrick Lynn and Assistant Police Chief Keith Dunn and reported she was doing very well.

**XIV. TOWN ATTORNEY'S COMMENTS**

**WORLD SERIES.** Mr. Rayson announced the Cleveland Indians were headed for the World Series.

**XV. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 7:46 pm.

Approved \_\_\_\_\_

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

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