

**TOWN OF DAVIE
REGULAR MEETING
NOVEMBER 2, 2016**

I. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:32 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

None.

IV. PRESENTATIONS

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

Leona Henry, Assistant Public Relations Coordinator, explained that half of the penny increase would go to local municipalities for infrastructure projects and half would go to the County for transportation projects. The surtax would last 30 years and the Town would receive \$8 million in revenue the first year and \$300 million over the 30-year period. Ms. Henry advised everyone to visit: www.APennyAtWork.com for additional information.

3. Translocation of Owl Project, Lois Wexler, Broward County Commissioner

Councilmember Hattan made a motion, seconded by Councilmember Caletka to withdraw Item 3. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul announced that the applicant had requested items 37 and 44 be tabled to Council's December 7 meeting.

Councilmember Starkey made a motion, seconded by Vice-Mayor Luis to table items 37 and 44 to Council's December 7, 2016 meeting. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled item 1 from the Consent agenda. Councilmember Starkey pulled Item 3.

Councilmember Caletka made a motion, seconded by Councilmember Hattan to approve the Consent Agenda, less items 1 and 3. In a voice vote, all voted in favor. (Motion carried 5-0)

V. APPROVAL OF CONSENT AGENDA

Proclamation

1. National Hunger, Homeless and Youth Homeless Awareness Month (November 2016)

Resolutions

Administration

2. **STATE LEGISLATIVE AGENDA** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE TOWN OF DAVIE'S 2017 STATE LEGISLATIVE AGENDAS; AND PROVIDING FOR AN EFFECTIVE DATE.
3. **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, IN SUPPORT OF STATE FUNDING FOR THE BOYS AND GIRLS CLUBS YOUTH PROGRAMS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.
4. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,

APPROVING AN AGREEMENT WITH ORANGE BLOSSOM MOBILE PARK, LLC REGARDING THE CONSTRUCTION OF FENCING BY THE TOWN OF DAVIE AND ORANGE BLOSSOM MOBILE PARK, LLC ON THE EASTERN AND WESTERN BOUNDARIES OF ORANGE BLOSSOM MOBILE HOME PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

5. **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A RIGHT OF WAY EASEMENT FROM ORANGE BLOSSOM MOBILE PARK, LLC AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE TEN FOOT (10') RIGHT OF WAY EASEMENT FOR SW 67 AVENUE ON THE WEST SIDE OF ORANGE BLOSSOM MOBILE HOME PARK; AND PROVIDING FOR AN EFFECTIVE DATE.
6. **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A UTILITY EASEMENT FROM STANDARD PACIFIC OF FLORIDA, GP, INC. AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE UTILITY EASEMENT FOR THE SADDLE BRIDGE DEVELOPMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
7. **VACATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE VACATION OF A PORTION OF AN UTILITY EASEMENT FOR THE SADDLE BRIDGE DEVELOPMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
8. **DECLARATION OF RESTRICTIVE COVENANTS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE DECLARATION OF RESTRICTIVE COVENANTS FOR WESTRIDGE PARK; PROVIDING FOR RECORDATION OF THE RESTRICTIVE COVENANTS; AND PROVIDING FOR AN EFFECTIVE DATE.
9. **DECLARATION OF RESTRICTIVE COVENANTS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE DECLARATION OF RESTRICTIVE COVENANTS FOR OAK HILL EQUESTRIAN PARK; PROVIDING FOR RECORDATION OF THE RESTRICTIVE COVENANTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Budget and Finance

10. **BUDGET TRANSFER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING BUDGET TRANSFERS WITHIN THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2016 AND APPROVING THE FINAL BUDGET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

CRA

11. **RATIFYING AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING AND APPROVING A DEVELOPER AGREEMENT BETWEEN 4TH AVE LAND HOLDINGS, LLC., AND THE TOWN OF DAVIE COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

12. **RATIFICATION OF MEMORANDUM OF UNDERSTANDING** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA RATIFYING AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF DAVIE COMMUNITY REDEVELOPMENT AGENCY AND CRAVEN THOMPSON & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING & PLANNING SERVICES FOR CONTRACT DOCUMENT PREPARATION, BIDDING ASSISTANCE AND CONSTRUCTION OBSERVATION SERVICES FOR THE WESTSIDE IMPROVEMENT AREA PURSUANT TO RESOLUTION R-2009-307; AUTHORIZING THE MAYOR TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING HER SIGNATURE TO SAID RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Fire

13. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT FROM THE 2017 FEDERAL EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM (EMPG) CITIZEN CORPS (CC) SUBGRANT PROGRAM OF \$7,400 FOR THE PURCHASE OF EQUIPMENT FOR THE DAVIE FIRE RESCUE EXPLORERS PROGRAM, AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE WITH NO REQUIREMENT FOR MATCHING FUNDS.
14. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT FROM THE 2017 FEDERAL EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM (EMPG) COMMUNITY EMERGENCY RESPONSE TEAM (CERT) SUBGRANT PROGRAM FOR \$7,400 TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT, COMMUNICATIONS EQUIPMENT, MEDICAL SUPPLIES, AND OPERATIONAL EQUIPMENT FOR THE DAVIE CERT TEAM, AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE WITH NO REQUIREMENT FOR MATCHING FUNDS.
15. **CONTRACT AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE CONTRACT AMENDMENT BETWEEN TOWN OF DAVIE AND ADVANCED DATA PROCESSING, INC. (ADPI), A SUBSIDIARY OF INTERMEDIX CORPORATION, TO INCLUDE ADDITIONAL SERVICES RELATING TO THE PUBLIC EMERGENCY MEDICAL TRANSPORT (PEMT) FUNDING INITIATIVE FOR THE TOWN TO PARTICIPATE IN THE CERTIFIED PUBLIC EXPENDITURE (CPE) PROGRAM FOR THE DELIVERY OF SPECIFIC HEALTH CARE SERVICES TO MEDICAID PATIENTS.

Information Technology

16. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PURCHASE OF SIXTY-FIVE (65) LENOVO POLICE MOBILE LAPTOPS INCLUDING A FIVE YEAR WARRANTY FOR THE AMOUNT OF \$134,379.30, ON THE STATE OF FLORIDA WSCA CONTRACT: 43211500-WSCA-15-ACS.
17. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PURCHASE OF VMWARE SOFTWARE MAINTENANCE FOR THE ENTERPRISE SERVER NETWORK INFRASTRUCTURE AND SERVER RELATED EQUIPMENT FOR A TOTAL OF \$21,812.78, ON STATE OF FLORIDA COMMERCIAL OFF THE SHELF (COTS) CONTRACT # 43230000-14-01.

18. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PURCHASE OF HARDWARE AND SOFTWARE MAINTENANCE FOR THE ENTERPRISE CISCO NETWORK INFRASTRUCTURE AND SERVER RELATED EQUIPMENT FOR A TOTAL OF \$60,749.94, FROM UNITED DATA TECHNOLOGIES (UDT) ON BOTH STATE OF FLORIDA WSCA CONTRACT # 43220000-WSCA-14-ACS AND COLLIER PUBLIC SCHOOL CONTRACT # 16-062 TECHNOLOGY EQUIPMENT, SOFTWARE & SERVICES CATALOG.

Parks and Recreation

19. **AGREEMENT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO APPROVE A ONE (1) YEAR EXTENSION OF THE OPERATIONS AND MANAGEMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND GREENWAY GOLF ASSOCIATES, INC., AND PROVIDING FOR AN EFFECTIVE DATE.

Police

20. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY AND THE DAVIE POLICE DEPARTMENT COMMENCING ON OCTOBER 1, 2016 AND CONCLUDING ON JUNE 9, 2017 PROVIDING SEVEN (7) LAW ENFORCEMENT SCHOOL RESOURCE OFFICERS (SRO) TO SERVE AT THE BROWARD COUNTY SCHOOLS WITHIN THE TOWN OF DAVIE.
21. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A RESOLUTION APPROVING A TWO YEAR CONTRACT EXTENSION UTILIZING THE SE FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP CONTRACT 13-C-103RFP AWARDED TO 2nd CHANCE HOLDINGS INC. DBA BUDGET CAR RENTAL FOR FLEX RENTAL VEHICLES USED FOR THE POLICE DEPARTMENT'S CRIMINAL INVESTIGATIVE UNIT.
22. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE EXPENDITURE OF \$13,555.00 FOR AN ANNUAL MAINTENANCE AND SUPPORT AGREEMENT BY MORPHOTRACK, LLC FOR THE MOTOROLA PRINTRAK LATENT STATION EQUIPMENT FOR THE POLICE DEPARTMENT INVESTIGATIONS BUREAU.

Public Works

23. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN WEST CONSTRUCTION, INC., AND THE TOWN OF DAVIE TO CONSTRUCT THE NEW WEST FIRE RESCUE STATION #86 AND COMMUNITY CENTER / F.O.C. AT SHENANDOAH PARK FROM BID # B-16-120 INCLUDING ADDITIVE ALTERNATE NUMBERS 1, 3, 4, 6, 7 AND 8 AND PROVIDING FOR AN EFFECTIVE DATE.

Purchasing

24. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING TSC ASSOCIATES INC. AS THE PRIMARY CONSULTANT AND SOFL CORPORATION AS THE SECONDARY CONSULTANT IN ACCORDANCE WITH RFP

B-16-113 TO PROVIDE PROJECT CONSULTING AND HOME REPAIR PROGRAM SERVICES AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

25. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT WITH THE TOP RANKED STABLE KNIGHT 5100, LLC. IN ACCORDANCE WITH RFP# B-16-140 TO PROVIDE HORSE BOARDING SERVICES.

Town Attorney

26. **EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE AN EMPLOYMENT AGREEMENT REAPPOINTING JOHN WILSON AS TRAFFIC INFRACTION ENFORCEMENT OFFICER AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

27. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE CONTRACT FOR CALIBRATION AND REPAIR OF FLOW METERS AND RELATED DEVICES AWARDED BY THE CITY OF POMPANO BEACH (RFP #L-51-16).
28. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF THE CONTRACT AWARDED THROUGH THE BID BY THE CITY OF BOCA RATON, FLORIDA, FOR SOLAR SALT (BULK) FOR WATER TREATMENT, SOUTHEAST FLORIDA COOPERATIVE PURCHASING GROUP BID (2013-038).
29. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF THE CONTRACT AWARDED THROUGH THE BID (#14-107) FOR POTABLE WATER AND WASTEWATER POLYMERS TO KED GROUP, INC. (DEWATERING WASTEWATER POLYMER) AND TROPICHEM ENTERPRISES (POTABLE WATER POLYMER).
30. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF THE CONTRACT AWARDED THROUGH THE BID BY THE CITY OF DEERFIELD BEACH, FLORIDA, FOR SULFURIC ACID FOR WATER TREATMENT, SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP BID (2012-13/18).
31. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF THE CONTRACT AWARDED THROUGH THE BID BY THE CITY OF TAMARAC, FLORIDA, FOR FURNISH, DELIVER AND DISCHARGE OF QUICKLIME FOR WATER TREATMENT, SOUTHEAST FLORIDA COOPERATIVE PURCHASING GROUP BID (BID 11-25B).
32. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF THE CONTRACT AWARDED BY THE CITY OF SUNRISE, FLORIDA, FOR REPAIRS, MAINTENANCE AND REHABILITATION OF

RAW WATER PRODUCTION WELLS (CONTRACT NO. (12)C-21-H).

Quasi-Judicial Consent Agenda

Temporary Use Permits

33. **Temporary Use Permit - TU 16-300, Home Depot** Seasonal Sale of Christmas Trees, 5801 South University Drive (currently zoned B-2).
34. **Temporary Use Permit - TU16-298, Home Depot** Seasonal Sale of Christmas Trees, 15885 Rick Case Honda Way (currently zoned BP)
35. **Temporary Use Permit - TU 16-299, Home Depot** Seasonal Sale of Christmas Trees, 2301 South University Drive (zoned B-3).
36. **Temporary Use Permit - TU 16-320, Davie Industrial Merchant's Association,** Seasonal Sale of Christmas Trees, 2701-2751 North University Drive (B-2).

Quasi-Judicial Items

37. **Site Plan SP 15-120 M & M Apartments,** SW 44th Street, east of SW 57th Terrace, RAC-ND2. (see related item #44)
Tabled to December 7, 2016.
38. **Site Plan SP15-261 Zona Village,** Generally located on the east side of the intersection of Davie Road and Southwest 39th Street (currently zoned RAC-TOS) (see related item #39)
39. **PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT APPLICATION KNOWN AS PLAT P15-262 ZONA VILLAGE 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. Zona Village,** generally located on the east side of the intersection at Davie Road and Southwest 39th Street (currently zoned RAC-TOS) (see related item #38)

VI. DISCUSSION OF CONSENT AGENDA ITEMS

1. National Hunger, Homeless and Youth Homeless Awareness Month (November 2016)
Councilmember Hattan read the proclamation.

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

Michael Wright, Administrator of the community's A Way Home Plan to End Homelessness, thanked the Town and accepted the proclamation.

3. **SUPPORT - STATE FUNDING FOR THE BOYS AND GIRLS CLUBS**

Councilmember Starkey wanted to send a strong message of support and also wanted to add this to the Town's legislative agenda.

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

2. Harvest Drive Presentation, Renee Herman, Harvest Drive Founder

Ms. Herman said they would assist 2,400 families this year. She explained that the program was children-based and taught kids the lesson of giving back. She invited everyone to come on

Friday, November 18 to Western High School starting at 3:00 p.m. and Monday, November 21 starting at 9:00 a.m.

Mayor Paul read the proclamation and presented it to Ms. Herman.

VII. PUBLIC HEARING

Quasi-Judicial Public Hearing Items

Ordinances (Second and Final Readings)

40. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION ZB16-147 TRAFICANT, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM “INDUSTRIAL (~~M-4~~) **(M-3)** 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. (ZB16-147 Traficant, 3400 Burris Road). **{Approved on first reading on October 19, 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 and announced that all parties had waived the quasi-judicial procedure for all quasi-judicial items.

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 Starkey 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).

41. **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).**{Approved on first reading on October 19, 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 Caletka 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).

Resolutions

42. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION V16-190 SUAREZ, AND PROVIDING AN EFFECTIVE DATE (Variance V16-190, **Suarez**, 14692 Vista Luna Drive; R-5).

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.

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).

43. **VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION V16-164 FORBES, AND PROVIDING AN EFFECTIVE DATE (Variance V16-164, Forbes, 7711 NW 42 St.; RM-8).**

Mr. Rayson read the resolution by title.

David Quigley, Planning and Zoning Manager, provided the staff report and announced that the Planning and Zoning Board had recommended the setback be no less than three feet, not zero. The Engineering Department had indicated that they could deal with drainage issues through the engineering permit, regardless of the setback. The slab had already been poured with zero setback.

Mayor Paul opened the public hearing portion of the meeting.

Melanie Singer, neighbor, said the lots were small and recalled that she had been told a few years ago to move her own deck out of the easement area. She thought this slab should avoid the easement as well. She added that water collected when it rained in this area.

Mr. Quigley stated all adjacent neighbors had signed letters of support. Ms. Singer said she had originally signed the letter of support but had later changed her mind because of the easement. Mr. Quigley said Engineering felt that gutters could address any drainage issues.

Kevin Forbes, nephew of the applicant, Robert Forbes, said his uncle had installed the patio so his grandchildren could play in the yard. His stated they had come into the Town and paid a fine and then applied for the variance. Mr. Forbes explained that his uncle had installed a gutter to redirect the rainwater. He recalled that all neighbors had supported the variance but Ms. Singer had brought up the easement at the Planning and Zoning Board meeting. He said they were never made aware of an easement. If Engineering determined the slab needed to be moved, his uncle would move it. Mr. Quigley said the house was built under a previous code and the house was built 7.5 feet from the property line. The current zoning standard was 20 feet.

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

Vice-Mayor Luis wanted the owner to work with Engineering and reduce the slab if flooding was an issue.

Mayor Paul was concerned about the easement, not the flooding possibility. Mr. Quigley said utility companies were willing to let owners here use three feet of the easement.

Councilmember Starkey noted that the property was narrow and the utilities would not be readily accessible if the easement were invaded.

Mr. Lemack suggested tabling the item and allowing the owner time to get a sign-off from FPL on the easement.

Vice-Mayor Luis made a motion, seconded by Councilmember Hattan to table the item to January 4, 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).

APPLICANT IS REQUESTING THIS ITEM TO BE TABLED TO DECEMBER 7, 2016

Ordinance - First Reading (Second and Final Reading to be on held December 7, 2016)

44. **VACATION - 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 12th Avenue right-of-way, between SW 44th Street and SW 44 Court, zoned RAC-ND2) (**Tabled from October 21, 2016**). (See related items #37)
Tabled to December 7, 2016.

VIII. APPOINTMENTS

45. Committee/Board Vacancies & Appointments

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

No discussion.

XI. NEW BUSINESS

No discussion.

XII. SCHEDULE OF NEXT MEETING

46. Timing of December meetings

Mayor Paul wished to start the December 7 Council meetings one hour early to allow Councilmembers to attend the Kiwanis fund raiser for a playground at the Farm Park at the Old Davie School. Council agreed that the workshop at Leroy Collins Park would begin at 4:00 p.m.; the CRA meeting would begin at 5:00 p.m. and the Council meeting would begin at 5:30 p.m.

XIII. MAYOR/COUNCILMEMBER'S COMMENTS

COUNCILMEMBER CALETKA

PROPERTY TAX DISCOUNT. Councilmember Caletka reminded everyone that they would receive a 4% discount if their taxes were paid in November.

COUNCILMEMBER STARKEY

BOOMER BREAKTHROUGH CONFERENCE. Councilmember Starkey announced that the conference would start at 9:00 a.m. on Friday. She distributed a program of events to councilmembers. Chris Carroll, author of "Unretirement: A Social Movement Gaining Momentum" was the guest speaker. The Town would have a table at the event.

COUNCILMEMBER HATTAN

HONOR FLIGHTS. Councilmember Hattan had escorted an honoree to Washington DC with Honor Flight South Florida on the previous Saturday. She recalled that the Town Council and staff had made donations to send seven vets on honor flights. They had visited several war memorials and been greeted on their return at Miami International by thousands of people, including congressional representatives. Councilmember Hattan thanked the Rick and Rita Case Boys and Girls Club for providing carts for the vets.

VICE-MAYOR LUIS

ROBBINS LODGE. Vice-Mayor Luis had visited the park on the Saturday before Halloween and remarked on the amazing costumes the participating kids wore.

MAYOR PAUL

MARV SIMON, WWII VET. Mayor Paul announced that the following day would be Marv and Peg Simon's 70th wedding anniversary. She congratulated the couple and wished them the best.

LAW ENFORCEMENT ATTACKS. Mayor Paul sent condolences to all law enforcement families whose loved ones had been attacked and/or killed in the line of duty.

MIKE KATULKA'S PASSING. Mayor Paul sent her condolences to Mike's wife Sandy and the rest of his family. She said Mr. Katulka had an antique fire engine that was used in parades and he was well known in the community.

ARISTA VILLAS. Mayor Paul and Mr. Holste had provided a presentation here on the penny sales tax the previous Saturday.

HEALTH FAIR AT EVERGLADES MOBILE HOME PARK. Mayor Paul said there had been a tremendous turnout in vendors and participants.

RODEO CIRCUIT FINALS. Mayor Paul reminded everyone that the finals would come to Town on November 10, 11 and 12.

SCHOOL BUSES ON NOB HILL. Mayor Paul noticed that there was a steady stream of school buses coming down Nob Hill Road from Indian Ridge Middle School at dismissal time. She noted that these buses were making a right turn on Orange Drive as a pass-through to get to Griffin Road and while turning, the busses had difficulty maneuvering the curve driving over and sometimes knocking down the rubber street dividers. She asked Mr. Lemack to look into it.

ORANGE BLOSSOM QUEEN AND PRINCESSES. Mayor Paul announced that the pageant would return to the Pine Island Multipurpose Center on *February 11 *(New date February 4, 2017). The winners would be in the Orange Blossom Parade.

XIV. TOWN ADMINISTRATOR'S COMMENTS

Jeff Pohlman, Parks and Recreation Operations and Management Professional, announced the following upcoming events:

- November 11, 2016 Veterans' Day Ceremony at Veterans' Park and awarding of a Purple Heart flag to the Town from the local VFW. Satellite parking would be available at the Bergeron Rodeo Grounds.
- November 19 and 20 Holiday Craft Show and Green Fair from 9:00 a.m. until 4:00 p.m. at the Bergeron Rodeo Grounds
- Holiday Decorating Contest registration had begun
- December 3 Lighting of the Greens, with a visit from Santa and music from the Florida Youth Orchestra and the Indian Ridge Chorus
- December 10 Winter Holiday Snow Play Event at the Bergeron Rodeo Grounds with an ice skating rink, attractions and kids crafts and another visit from Santa
- November 10, 11 and 12 Southeast Circuit Finals Rodeo at the Bergeron Rodeo Grounds. Gated open at 6:00 p.m. each night and performances would begin at 7:30.

MARK COLLINS' DEPARTURE. Councilmember Caletka wished Mr. Collins well and thanked him for his service.

XV. TOWN ATTORNEY'S COMMENTS

VOTING. Mr. Rayson reported he had voted on the first day of early voting and urged everyone to vote.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:39 p.m.

Approved _____

Mayor/Councilmember

Town Clerk