

**TOWN OF DAVIE
REGULAR MEETING
APRIL 15, 2015**

I. PLEDGE OF ALLEGIANCE

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

Mayor Paul requested a moment of silence in memory of Lonnie Thomas Bergeron who had passed away the previous week. She announced there would be a service on April 21 at 10 A.M. at the Rodeo Grounds.

II. ROLL CALL

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

Mayor Paul requested tabling item III.1.

Councilmember Hattan made a motion, seconded by Vice-Mayor Starkey to table item III.1. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul introduced new IT Manager Nelson Martinez.

III. PRESENTATIONS

1. Police Badge 90th Anniversary, Chief Patrick Lynn
[Tabled]

2. 2014 FOP Officer of the Year and Employee of the Year, Chief Patrick Lynn
Chief Lynn congratulated Detective Eddie Velasquez.

3. Public Affairs Academy Graduation, Matt Mlodzinski, Special Projects Senior
Operations Manager

Mayor Paul announced that this program had inspired her to institute a Mayor's Scholarship program. Starting this spring, she would offer a scholarship to a graduating senior who wished to major in Public Affairs.

Mayor Paul presented certificates to graduates:

Trent Hemple
Eric Markowitz
Summer McCabe
Bryan Miles
Alisha Novarro
Dominic Reel
Chloe Schuman
Sean Smith

Mayor Paul pulled items 1, 2, 3, 4 and 5 from the consent Agenda. Vice-Mayor Starkey pulled items 25 and 26.

Councilmember Hattan made a motion, seconded by Councilmember Caletka to approve the Consent Agenda, less items 1, 2, 3, 4, 5, 25 and 26. In a voice vote, all voted in favor. (Motion carried 5-0)

IV. APPROVAL OF CONSENT AGENDA

Proclamations

1. Earth Day (April 22, 2015)
2. Crime Victims' Rights Week (April 19-25, 2015)
3. Arbor Day (April 24, 2015)
4. Public Service Recognition Week (May 3-9, 2015)

Resolutions

Administration

5. **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ENCOURAGING THE BROWARD COUNTY BOARD OF COMMISSIONERS AND THE FEDERAL AVIATION ADMINISTRATION TO WORK TOGETHER IN A PROACTIVE APPROACH TO PROVIDE QUIETER SKIES AND NEIGHBORHOODS FOR THE RESIDENTS OF THE TOWN OF DAVE; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Services

6. **EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE AN AMENDED EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND GRANTS COORDINATOR, JOHN MALIFF; AND PROVIDING AN EFFECTIVE DATE.

Public Works

7. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ALLOWING FOR THE TOWN TO PIGGY-BACK OFF THE HILLSBOROUGH COUNTY BID ITB-S-0141-0-2013/EM FOR STREET SWEEPING SERVICES FROM STAR CLEANING USA, INC. AND PROVIDING FOR AN EFFECTIVE DATE.
8. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CHEN MOORE & ASSOCIATES, INC. FOR WATER & WASTEWATER ENGINEERING SERVICES, LANDSCAPE ARCHITECTURE SERVICES, AND CONSTRUCTION INSPECTION SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
9. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MCCAFFERTY BRINSON CONSULTING, LLC. FOR WATER & WASTEWATER ENGINEERING SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
10. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH A.D.A. ENGINEERING, INC. FOR ROADWAY / TRAFFIC ENGINEERING SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
11. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BAILEY ENGINEERING CONSULTANTS, INC. FOR ELECTRO MECHANICAL & INSTRUMENTATION CONTROL ENGINEERING SERVICES AND

INSTRUMENTATION & SCADA SYSTEMS SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.

12. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CALVIN, GIORDANO AND ASSOCIATES, INC. FOR ROADWAY / TRAFFIC ENGINEERING SERVICES , LAND DEVELOPMENT / CIVIL SITE & DRAINAGE ENGINEERING SERVICES, ELECTRO MECHANICAL & INSTRUMENTATION CONTROL ENGINEERING SERVICES, WATER & WASTEWATER ENGINEERING SERVICES, STRUCTURAL SERVICES, HYDROGEOLOGY & ENVIRONMENTAL ENGINEERING SERVICES, LANDSCAPE ARCHITECTURE SERVICES, SURVEYING & UTILITY LOCATES SERVICES, CONSTRUCTION INSPECTION SERVICES, AND INSTRUMENTATION & SCADA SYSTEMS SERVICES BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
13. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CRAIG A. SMITH & ASSOCIATES, INC. FOR ELECTRO MECHANICAL & INSTRUMENTATION CONTROL ENGINEERING SERVICES AND SURVEYING & UTILITY LOCATES SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
14. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CRAVEN THOMPSON & ASSOCIATES FOR ROADWAY/TRAFFIC ENGINEERING SERVICES, LAND DEVELOPMENT / CIVIL SITE & DRAINAGE ENGINEERING SERVICES, LANDSCAPE ARCHITECTURE SERVICES, SURVEYING & UTILITY LOCATES SERVICES, AND CONSTRUCTION INSPECTION SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
15. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR ROADWAY / TRAFFIC ENGINEERING SERVICES, LAND DEVELOPMENT / CIVIL SITE & DRAINAGE ENGINEERING SERVICES, AND LANDSCAPE ARCHITECTURE SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
16. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH LAKDAS/YOHALEM ENGINEERING, INC. FOR STRUCTURAL ENGINEERING SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
17. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MUNSON DESIGN AND CONSULTING, INC. FOR LAND DEVELOPMENT / CIVIL SITE & DRAINAGE ENGINEERING SERVICES, SURVEYING & UTILITY LOCATES SERVICES, AND CONSTRUCTION INSPECTION SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.

18. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MWH AMERICAS, INC. FOR ELECTRO MECHANICAL & INSTRUMENTATION CONTROL ENGINEERING SERVICES, WATER & WASTEWATER ENGINEERING SERVICES, AND HYDROGEOLOGY & ENVIRONMENTAL ENGINEERING SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
19. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH R. J. BEJAR & COMPANY, INC. FOR LAND DEVELOPMENT/CIVIL SITE AND DRAINAGE ENGINEERING SERVICES AND CONSTRUCTION INSPECTION SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
20. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH KEITH AND ASSOCIATES, INC. FOR LANDSCAPE ARCHITECTURAL SERVICES AND SURVEYING & UTILITY LOCATES SERVICES FROM BID# B-14-94 AND PROVIDING FOR AN EFFECTIVE DATE.
21. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION WITH CPZ ARCHITECTS, INC. FOR MISCELLANEOUS ARCHITECTURAL SERVICES AND PROVIDING FOR AN EFFECTIVE DATE.
22. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION WITH FRANK COSTOYA ARCHITECT, P.A. FOR MISCELLANEOUS ARCHITECTURAL SERVICES AND PROVIDING FOR AN EFFECTIVE DATE.
23. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION WITH MANUEL SYNALOVSKI ASSOCIATES FOR MISCELLANEOUS ARCHITECTURAL SERVICES AND PROVIDING FOR AN EFFECTIVE DATE.
24. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION WITH SALTZ MICHELSON ARCHITECTS, INC. FOR MISCELLANEOUS ARCHITECTURAL SERVICES AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney

25. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA REGARDING PAYMENT PURSUANT TO THE FINAL JUDGMENT AWARDING ATTORNEYS FEES AND COSTS TO BROWARD COLLEGE, IN THE CASE OF TOWN OF DAVIE VS. BROWARD COLLEGE BOARD OF TRUSTEES CASE NO: 11-20111(07).

26. **SETTLEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE SETTLEMENT OF THE LITIGATION STYLED *CITY OF SUNRISE, ET. AL. VS BROWARD COUNTY*; AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF DAVIE TO EXECUTE A SETTLEMENT AGREEMENT WITH BROWARD COUNTY; AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF DAVIE TO EXECUTE A SETTLEMENT PROCEEDS DISTRIBUTION AGREEMENT WITH THE SETTLING MUNICIPALITIES.

Utilities

27. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID FOR VALVE ASSESSMENT AWARDED BY SARASOTA COUNTY, FLORIDA (CONTRACT #2013-494).
28. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID SUBMITTED BY RJ SULLIVAN CORPORATION FOR THE REHABILITATION OF UNIT #3 AT THE SYSTEM II WASTEWATER TREATMENT PLANT (3500 NW 76 AVENUE) (B-15-32).

Quasi-Judicial Consent Items

29. **DEVELOPER'S AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR TO ENTER INTO A TRAFFIC SIGNALIZATION AGREEMENT BETWEEN THE TOWN OF DAVIE AND BROWARD COUNTY IN CONNECTION WITH PARCEL "E" OF SHENANDOAH SECTION THREE PLAT AMENDMENT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (DA15-101, Fire Station 86, 14651 Southwest 14th Street, zoned RS).
30. **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS "STIRLING VILLAGE COMMERCIAL" 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, P14-036, Stirling Village Commercial (4290 Davie Road Extension [zoned B-2])
31. **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS "ARTIS SENIOR LIVING" 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. P14-297, Artis Senior Living 2800 Flamingo Road [A-1; Proposed CF]. (See related items # 32, 33, 38, & 39)
32. **Site Plan** (SP) 14-296, Artis Senior Living, 2800 Flamingo Road [A-1; Proposed CF]. (See related items # 31, 33, 38, & 39)
33. **FLEX APPLICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING FLEX APPLICATION "FX 14-299 ARTIS SENIOR LIVING" FOR THE ALLOCATION OF RESIDENTIAL RESERVE FLEXIBILITY ONTO THE PLAT KNOWN AS "ARTIS SENIOR LIVING" IN ACCORDANCE WITH THE BROWARD COUNTY LAND USE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

(FX14-299, Artis Senior Living, 2800 Flamingo Road [A-1, Proposed CF]). (See related # 31, 32, 38, & 39)

V. DISCUSSION OF CONSENT AGENDA ITEMS

1. Earth Day (April 22, 2015)

Councilmember Hattan read the proclamation.

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

2. Crime Victims' Rights Week (April 19-25, 2015)

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

Vice-Mayor Starkey read the proclamation.

Mayor Paul presented the proclamation to Judy Nesbitt from Broward Victims' rights Coalition. Ms. Nesbitt stated the vigil would be held on April 22 at 6 P.M.

3. Arbor Day (April 24, 2015)

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

Councilmember Luis read the proclamation.

Mayor Paul presented the proclamation to Mark Collins, Director of Public Works.

4. Public Service Recognition Week (May 3-9, 2015)

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

Councilmember Caletka read the proclamation.

Mayor Paul presented the proclamation to Public Relations Coordinator Anita Reid. Ms. Reid thanked the following Sponsors:

Davies's Best Pizza

Eric Sherman from Boya

New River Groves

Rick Case Automotive Group

Tropical Smoothie

Young at Art

5. SUPPORT - QUIETER SKIES AND NEIGHBORHOODS

Mayor Paul reported she and Mr. Lemack had met with Hollywood, Dania Beach and Fort Lauderdale to build a coalition to request the Broward County Commission approach the FAA with some recommendations to help bring quiet skies and quiet neighborhoods to the communities near Fort Lauderdale-Hollywood International Airport (FLL).

Councilmember Hattan made a motion, seconded by Councilmember Caletka to approve.

Vice-Mayor Starkey suggested adding "streets, sidewalks, landscaping" to the "whereas" clause that referred to the substance deposited from passing aircraft. She also requested adding the National League of Cities to the entities that would be provided copies of the proclamation.

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

25. EXPENDITURE - ATTORNEYS FEES AND COSTS TO BROWARD COLLEGE

Vice-Mayor Starkey wanted Tallahassee to amend this through legislation so it should be added to the Town's legislative agenda.

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

26. SETTLEMENT - CITY OF SUNRISE, ET AL. VS BROWARD COUNTY.

Vice-Mayor Starkey asked when they would receive the additional amount. Mr. Rayson reported the Town would receive \$2.52 million as soon as all municipalities approved the settlement. He anticipated the funds would be distributed within a month.

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

VI. PUBLIC HEARING

Ordinances - Second and Final Readings

34. **VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION VA14-087, DANISI, VACATING A PORTION OF SOUTHWEST 45TH STREET (ORANGE DRIVE) RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (VA 14-087 Danisi, Generally located at the northeast corner of Southwest 45th Street and Southwest 74th Avenue) {Approved on first reading on April 1, 2015. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - absent.} (Motion Carried 4-0).**

Mr. Rayson read the ordinance by title.

Mayor Paul opened the public hearing portion of the meeting.

Bruce Epperson, attorney for Ms. Danisi, said his client had no issues with the ordinance and thanked Mr. Rayson and staff.

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

Councilmember 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 Starkey - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Luis - yes. (Motion carried 5-0)

35. **LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING "LAND USE APPLICATION (LA) 14-009 SADDLE BRIDGE", AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "COMMERCIAL" TO "RESIDENTIAL 10 DU/ACRE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA14-009, Saddle Bridge, located on the south side of Griffin Road between 76th Avenue and 78th Avenue, zoned Griffin Corridor - University Drive Node) (Requires super-majority vote) {Approved on first reading on August 19, 2014. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Hattan - yes; Councilmember Starkey - yes; Councilmember Caletka - yes; Councilmember Luis - yes.} (Motion Carried 5-0). (tabled from April 1, 2015)**

Mr. Rayson read the ordinance by title.

Deputy Planning and Zoning Manager David Abramson provided the staff report.

Hope Calhoun, attorney for the applicant, said the change would allow 37 units but the developer had agreed to limit density to 28 units. She said they had considered a further reduction

pursuant to a request from Mayor Paul but they were comfortable with the 28 units. Ms. Calhoun confirmed that the emergency exit would be only on 76 Street.

Mayor Paul opened the public hearing portion of the meeting.

Steve Post said it was getting more and more difficult to cross Griffin Road and requested a button on the traffic light pole that would allow him and his horse 45 seconds to cross.

John Pesce said there had been “quite a bit of negativity” at the citizen participation meetings. He added that there was confusion on the current HOA board and among residents. Mr. Pesce stated the HOA members and half of the board would not object to the developer building 24 homes instead of 28.

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

Ms. Calhoun stated they were amending the land use plan to remove commercial and add residential instead, which would reduce the traffic impact. She said they had also added parking to address neighbors’ concerns and agreed to work with Broward County to ensure traffic signalization was not an issue for the area. Ms. Calhoun stated they had received comments on the site plan indicating that 28 units fit very compatibly on the site.

Laura Borges, Town Engineer, had spoken with Mr. Post and FDOT regarding the street crossing button request and FDOT had indicated that an equestrian crossing for Griffin Road here would disrupt timing along Griffin Road and was not warranted. It would also require significant new infrastructure.

Vice-Mayor Starkey believed that originally, the street crossing was intended for Griffin Road and wanted to investigate this further. Ms. Calhoun agreed to continue to coordinate with Town staff and FDOT on this issue.

Councilmember Hattan had attended the public participation meetings and recalled discussions about parking. Ms. Calhoun said they had added parking in response to that concern.

Councilmember Luis said he much preferred the residential development to the originally proposed commercial.

Councilmembers disclosed communications they had regarding this item.

Councilmember Hattan made a motion, seconded by Councilmember Luis to approve. In a roll call vote, the vote was as follows: Mayor Paul - no; Vice-Mayor Starkey - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Luis - yes. (Motion carried 4-1)

Ordinance - First Reading (Second and Final Reading to be held at a later date)

36. **LAND USE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING LAND USE PLAN AMENDMENT (LA) APPLICATION "LA 14-219 MARBELLA GRANDE", AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM RESIDENTIAL 1 DU/ACRE AND RESIDENTIAL 5 DU/ACRE TO SPECIAL CLASSIFICATION RESIDENTIAL 7.4 DU/ACRE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (located on the west side of Davie Road, south of Southwest 49th Court, currently zoned A-1) (Requires super-majority vote) (tabled from April 1, 2015)**

Mr. Rayson read the ordinance by title.

Mr. Abramson provided the staff report.

Scott Backman, representing the applicant, described the adjacent area development and said this request was compatible and consistent. He recalled the Planning and Zoning Board had approved 88 units and the developer had since reduced the number to 74 units, 7.4 per acre. He pointed out that the parcels to the south could not be developed all the way to Osprey Landing, which was zoned for 5 units per acre. He remarked that this “fits, it belongs, it works; it’s consistent with what you all are trying to do to the north within your downtown.”

Mayor Paul had suggested reducing the number of units to 5 per acre. Mr. Backman said townhomes did not make sense economically at 5 units per acre. He reported the community had been supportive at the public participation meetings.

Vice-Mayor Starkey felt this was a logical step down from the Regional Activity Center down the corridor.

Mr. Backman informed Councilmember Luis that 25% of the property was a lake and water retention area.

Mayor Paul opened the public hearing portion of the meeting.

Michael Paesani agreed with Mayor Paul and remarked the developer should “build what you bought.” He said at least a dozen letters of opposition had been sent regarding this.

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

Councilmembers disclosed communications they had regarding this item.

Mayor Paul thought this was still too much density, when one considered the aggregate.

Councilmember Caletka said he was not “sold” on the 74 units. He said his vision for Davie Road was higher density to the north and lower density to the south. He felt that 70 units was reasonable, because it represented a 30% decrease from the adjacent development. Councilmember Caletka acknowledged that there would not be much development to the south, providing a nice separation for properties much farther south. He had considered the hospital coming to the area and felt that townhomes would provide an affordable housing alternative.

Councilmember Caletka said residents had written to him to inform him that the intersection of Davie Road and Stirling Road was “atrocious.”

Mr. Backman agreed to reduce the request to 70 units.

Councilmember Luis pointed out that not everyone who wanted to live in Davie could afford a single-family home. He felt 7 units per acre was a compromise and noted the developer had negotiated to reduce the density.

Councilmember Hattan agreed that the Stirling Road intersection needed work. She said they did need to be careful about density but felt that every request must be considered individually and reducing this to 7 units per acre was commendable.

Mayor Paul requested changing the name to make it more “Davie” and Mr. Backman agreed.

Councilmember Caletka made a motion, seconded by Councilmember Hattan to approve, at 7 dwelling units per acre. In a roll call vote, the vote was as follows: Mayor Paul - no; Vice-Mayor Starkey - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Luis - yes. (Motion carried 4-1)

Ordinance - First Reading (Second and Final Reading to be held on May 6, 2015)

37. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, REPEALING CHAPTER 7 SECTION 91, CODE OF ORDINANCES ENTITLED, “GOVERNMENT PROPERTY”; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Paul temporarily left the dais.

Mr. Rayson read the ordinance by title and opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Councilmembers disclosed communications they had regarding this item.

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

Quasi-Judicial Items

Ordinance - First Reading (Second and Final Reading to be held on May 6, 2015)

38. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 14-298 ARTIS SENIOR LIVING, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: "AGRICULTURAL (A-1) DISTRICT" TO "COMMUNITY FACILITIES (CF) DISTRICT"; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. ZB14-298, Artis Senior Living [2800 Flamingo Road]. (See related # 31, 32, 33, & 39)

Mr. Rayson reported a public hearing on this item would be held on May 6, 2015.

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

Mr. Abramson stated that along with the special permit item, the applicant had agreed to a restrictive covenant stating his agreement to develop this as a for-profit institution so it would remain an ad valorem tax paying entity for the life of the development.

Marcie Nolan, representing the applicant, introduced Don Feldman, project manager. Ms. Nolan said the facility would be a memory care facility only. She stated Artis Senior Living had always been for-profit and they had no problem entering into a deed restriction memorializing that.

Mayor Paul returned to the dais.

Mr. Feldman said he was president and CEO of Artis Senior Living. He described the structure of his assisted living communities.

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 this item.

Vice-Mayor Starkey felt this was an appropriate location for this facility.

Councilmember Luis made a motion, seconded by Vice-Mayor Starkey to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Starkey - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Luis - yes. (Motion carried 5-0)

39. **SPECIAL PERMIT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING SPECIAL PERMIT APPLICATION "SP 15-019 ARTIS SENIOR LIVING;" AND PROVIDING FOR AN EFFECTIVE DATE. SP15-019, Artis Senior Living [2800 Flamingo Road [A-1, Proposed CF]. (See related items # 31, 32, 33, & 38)

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.

Marcie Nolan, representing the applicant, said Artis Senior Living was a for-profit institution and they had no problem entering into a deed restriction confirming they would pay ad valorem taxes.

Councilmembers disclosed communications they had regarding this item.

Councilmember Hattan made a motion, seconded by Councilmember Luis to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Starkey - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Luis - yes. (Motion carried 5-0)

VII. APPOINTMENTS

40. Committee/Board Vacancies and Appointments

Councilmember Luis made a motion, seconded by Vice-Mayor Starkey to reappoint Ken DeArmas to the Planning and Zoning Board. In a voice vote, all voted in favor. (Motion carried 5-0)

VIII. COMMITTEE RECOMMENDATIONS

None.

IX. OLD BUSINESS

None.

X. NEW BUSINESS

Mayor Paul discussed the Quiet Skies, Quiet Neighborhoods resolution and added that there had been a recent airplane crash at Fort Lauderdale Executive Airport (FXE), an increasing number of drones and recent complaints of low-flying aircraft. She asked Council to initiate a Zoning in Progress and to have staff bring them an ordinance to address these issues. Mr. Rayson said in his opinion, a Zoning in Progress would allow them time to investigate and bring a proposal back to Council.

Councilmember Hattan made a motion, seconded by Vice-Mayor Starkey to initiate a Zoning in Progress to address low-flying aircraft and drones. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Caletka wanted to investigate transferring development rights to Davie from the County for Prestige Growers. He also wanted an ordinance that would require a unanimous vote of the Town Council to revert any development rights from the Town.

Councilmember Caletka made a motion, seconded by Vice-Mayor Starkey to require a unanimous vote of the Town Council to revert any development rights from the Town. In a voice vote, all voted in favor. (Motion carried 5-0)

XI. SCHEDULE OF NEXT MEETING

No discussion.

XII. MAYOR/COUNCILMEMBER’S COMMENTS

COUNCILMEMBER LUIS

COMMUNITY FORUM. Councilmember Luis stated the District 4 Town Administrator Community Forum would be on April 21 at 6 P.M. at the Shenandoah Community Center.

CHILD DROWNINGS. Councilmember Luis wanted to remind everyone to be careful with children around water.

VICE-MAYOR STARKEY

CHILD ABUSE PREVENTION MONTH. Vice-Mayor Starkey announced that April was Child Abuse Prevention Month and stated the Town had initiated a Safer by Four swim program and the first lesson had been very successful. She thanked staff who had participated. She related child death statistics and said this was what had prompted Broward County DCF to collaborate the Safer by Four program.

HUMAN TRAFFICKING AWARENESS OUTREACH. Vice-Mayor Starkey announced that on April 25, they would hold an outreach at the truck stop. She said truckers had been very supportive in the past and had a Truckers Against Trafficking organization.

NSU MEDICAL SCHOOL. Vice-Mayor Starkey said NSU would add a traditional medical school

and she was very excited about this.

NEW FBI BUILDING. Vice-Mayor Starkey had attended the opening ceremony for the new FBI building in Miramar. FBI Director Comey was in attendance, as was Davie's Chief Dunne playing with the bagpipe team.

HOPE OUTREACH. Vice-Mayor Starkey stated HOPE Outreach was at St. David's and stated their appreciation to the Town for its support.

RELAY FOR LIFE. Vice-Mayor Starkey had attended the Relay for Life at Western High School, a great event.

COUNCILMEMBER CALETKA

RV ORDINANCE. Councilmember Caletka requested an update. Planning and Zoning Manager David Quigley said he had not worked on this yet but promised to discuss it with Mr. Rayson and Mr. Lemack soon.

THANKS TO PARKS AND RECREATION. Councilmember Caletka had spoken with a very nice park ranger in Sunny Lake recently. Councilmember Caletka remarked on the number of people in that park that day.

PARK AND RIDE. Councilmember Caletka announced he had killed funding for the study and funding for the Park and Ride but FDOT still wanted to build it. Councilmember Caletka would set up a meeting with County Commissioner Lois Wexler, Councilmember Freddie Fisikelli from Southwest Ranches and FDOT District Secretary O'Reilly to discuss this. Council agreed they all still opposed the Park and Ride.

THANKS TO MS. WHATLEY. Councilmember Caletka thanked Victoria Whatley, Technology and Information Management Acting Director and remarked on how responsive the department was.

COUNCILMEMBER HATTAN

GUY HARVEY OCEANOGRAPHIC CENTER. Councilmember Hattan had attended the naming ceremony on April 10 and said the center was spectacular. She said they were doing wonderful things there.

SEXUAL ASSAULT WORKSHOP. On April 9, Councilmember Hattan had attended the Reality About Sexual Assault in America at the Pine Island Multipurpose Center, sponsored by Women United Forward, which had been very well attended.

ORAL CANCER MONTH. Councilmember Hattan said her dentist, Dr. Semaday, was providing free exams. His phone number is: 954-581-0120.

BONE DENSITY SCREENING. Councilmember Hattan announced that Baptist Medical Plaza was offering bone density screening tests free until the end of the month. The number is: 954-837-1352.

MAYOR PAUL

HONOR FLIGHT. Mayor Paul, Councilmember Hattan and several Town staff had participated in an honor flight the previous week and been honored with a plaque of appreciation. She stated the Town had raised over \$2,500 to send veterans on honor flights. The next trip would be on April 25 and because the Town was sponsoring six veterans, the Town logo would be on bags the veterans received. She advised anyone who wished to attend to arrive at 7 A.M. at FLL terminal 2.

EQUESTRIAN ISSUES. Mayor Paul said the horse community had alerted her to some issues and she assured them that these were being addressed. She stated the Town capitalized on their equestrian community and open space and asked people to call when they noticed problems.

DAISY. Mayor Paul announced she had adopted a new dog, Daisy, from Pooches in the Pines, which was run by the Pembroke Pine Police Department. Daisy was an 80-lb senior yellow Labrador.

VISION AND GOAL SETTING. Mayor Paul thanked Mr. Lemack and staff for the wonderful work they had done on the Vision and Goal Setting Session.

DAVIE DOLPHIN DAY. Mayor Paul wanted to reinstitute Davie Dolphin Day and name it in honor of Jim Bush.

THANKS TO MITCH TAYLOR. Mayor Paul thanked Intergovernmental Affairs Coordinator Mitch Taylor for working on getting State road appropriations. They had spoken with Rep. Katie Edwards and FDOT representatives, who promised to assist with some projects. Mr. Taylor had written a package to send to FDOT and Rep. Edwards as well as an entry to the Conference of Mayors contest regarding the Mayor's Health Initiative, and the Town was now a contest finalist.

MAYOR'S CHESS CHALLENGE. Mayor Paul announced the Challenge would be held on April 18 and several Mayors had indicated they would drop by.

ECONOMIC DEVELOPMENT WORKSHOP. Mayor Paul announced the workshop would be held at NOVA University.

XIII. TOWN ADMINISTRATOR'S COMMENTS

HONOR FLIGHT. Mr. Lemack confirmed the flight would be from terminal 2 at FLL.

GOAL AND VISION SETTING SESSION. Mr. Lemack thanked Council for their patience, guidance, support, vision and direction so they could have a very produce next several months.

VOLUNTEER EVENT. Mr. Lemack announced the volunteer event would be on April 18 at the Pine Island Multipurpose Center at 11:30 in the pool area.

THANKS TO MR. TAYLOR. Mr. Lemack thanked Mr. Taylor for the work he had done recently.

THANKS TO MS. WHATLEY. Mr. Lemack thanked Ms. Whatley for her support and patience through the transition.

DISTRICT FORUMS. Mr. Lemack reminded everyone that the District Forums were coming up. They had sent emails to HOAs and the Town subscriber list, put notices on the Town website and social media sites and other forms of notification. Dates for the meetings were: District 1: April 29 at 6 P.M. in Council chambers; District 2: April 22 at 6:30 P.M. at the Pine Island Multipurpose Center; District 3: April 20 at 6:30 P.M. at the Pine Island Multipurpose Center; District 4: April 21 at 6:30 P.M. at the Shenandoah Community Center.

XIV. TOWN ATTORNEY'S COMMENTS

NEW HOME. Mr. Rayson reported his daughter and her family had recently bought a home in Forest Ridge.

EXPECTING. Mr. Rayson reported his son and his daughter-in-law were expecting twins.

XV. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 9:19 pm.

Approved _____

Mayor/Councilmember

Town Clerk