

**TOWN OF DAVIE
REGULAR MEETING
SEPTEMBER 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.

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, Assistant Town Administrator Lewis, Town Attorney Rayson and Town Clerk Roig recording the meeting.

Mayor Paul stated the applicant for items 12 and 13 had requested they be tabled to October 7.

Councilmember Hattan made a motion, seconded by Vice-Mayor Starkey to table items 12 and 13 to October 7. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul said the applicant for item 18 had requested it be tabled to October 7.

Councilmember Hattan made a motion, seconded by Vice-Mayor Starkey to table item 18 to October 7. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul announced staff had requested the addition of item 20, a proclamation for National Preparedness Month.

Vice-Mayor Starkey made a motion, seconded by Councilmember Hattan to add item 20. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul said staff had requested the addition of a land use amendment item and tabling it to October 7.

Vice-Mayor Starkey made a motion, seconded by Councilmember Hattan to add item 21 Land Use Amendment, to the agenda and to table it to October 7. In a voice vote, all voted in favor. (Motion carried 5-0)

Deputy Planning and Zoning Manager David Abramson advised Council that item 15 needed to be tabled. Councilmember Hattan made a motion, seconded by Councilmember Luis to table item 15 to October 7. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled item 14 from the Consent Agenda.

Councilmember Caletka made a motion, seconded by Councilmember Hattan to approve the Consent Agenda, less item 14. In a voice vote, all voted in favor. (Motion carried 5-0)

III. PRESENTATIONS

None.

IV. APPROVAL OF CONSENT AGENDA

Resolutions

Administration

1. **BID SELECTION-** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ACCEPTING THE BID FOR MAILING AND PRINTING SERVICES FOR THE DAVIE UPDATE AND PARKS AND TRAILS GUIDE; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Services

2. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE TRANSIT BUS SERVICE AGREEMENT BETWEEN THE TOWN OF DAVIE AND TRANSIT CONNECTION LLC, FORMERLY KNOWN AS CRUISIN' COMMUNITY TRANSIT CONNECTION LLC, FOR THE OPERATION AND MAINTENANCE OF THE DAVIE COMMUNITY TRANSIT BLUE AND GREEN ROUTES; APPROVING THE CDBG SUB-RECIPIENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND TRANSIT CONNECTION LLC, FORMERLY KNOWN AS CRUISIN' COMMUNITY TRANSIT CONNECTION LLC FOR THE OPERATION AND MAINTENANCE OF THE DAVIE COMMUNITY TRANSIT GREEN ROUTE; AND PROVIDING FOR AN EFFECTIVE DATE.

3. **EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE A THIRD AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND GRANTS COORDINATOR, JOHN MALIFF AND PROVIDING FOR AN EFFECTIVE DATE.

Fire

4. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE DISTRICT BOARD OF TRUSTEES OF BROWARD COLLEGE (BC) TO ALLOW STUDENTS TO PARTICIPATE IN EMERGENCY MEDICAL SERVICES (EMS) FIELD CLINICALS AND PROVIDING FOR AN EFFECTIVE DATE.

Human Resources

5. **EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN EXTENSION TO THE EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND JOHN C. RAYSON AS IN-HOUSE ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

Planning and Zoning

6. **ZONING IN PROGRESS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, DIRECTING THE TOWN ADMINISTRATOR TO ENFORCE "A ZONING IN PROGRESS" PURSUANT TO CHAPTER 12, ARTICLE X, DIVISION 5, PLANNING AND ZONING IN PROGRESS, OF THE TOWN CODE, CONCERNING OFFICE AND MIXED RESIDENTIAL/OFFICE DEVELOPMENT IN THE RO (RESIDENTIAL/OFFICE) ZONING DISTRICT, AND PROVIDING FOR AN EFFECTIVE DATE.

Police

7. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF \$28,490.00 WITH AN ANNUAL RECURRING EXPENDITURE OF \$8,500.00 FOR DATA TRANSLATION AND TECHNICAL SUPPORT FOR THE PURCHASE OF THE ATACRAIDS CRIME ANALYSIS SOFTWARE FROM LEXISNEXIS RISK SOLUTIONS FL, INC. A SOLE SOURCE MANUFACTURER.

Purchasing

8. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID AWARDED BY U.S. COMMUNITIES TO HOME DEPOT FOR THE PURCHASE OF MISCELLANEOUS BUILDING MATERIALS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney

9. **AGREEMENT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RENEWING AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE DAVIE SCHOOL FOUNDATION, INC.; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Utilities

10. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE BID FROM TOMCO2 SYSTEMS AS A SINGLE SOURCE SUPPLIER FOR THE INSTALLATION AND LEASE OF TEMPORARY CARBON DIOXIDE (CO2) EQUIPMENT AT THE SYSTEM III WATER TREATMENT PLANT (WTP) (3500 NW 76 AVENUE); PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Quasi-Judicial Consent Items

11. **TU 15-240, Temporary Use Permit for United Methodist Pumpkin Patch** (6500 SW 47th Street, zoned CF).
12. **DEVELOPER'S AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO EXECUTE A TERMINATION OF DECLARATION OF RESTRICTIVE COVENANTS AFFILIATED WITH THE PREVIOUS DEVELOPMENT APPLICATION KNOWN AS SITE PLAN SP 12-299 DAVIE COLLEGIATE; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. DA15-096, 35TH & Davie Apartments, Generally located on the east side of Davie Road, between Nova Drive and Southwest 39th Street (RAC-RTE). (see related items #13 & 18)

Tabled to October 7.

13. **Site Plan (SP) 15-094, 35th & Davie Apartments** (located on the east side of Davie Road, between Nova Drive and Southwest 39th Street, zoned Regional Activity Center - Research Technology District East). (see related items #12 & 18)

Tabled to October 7.

14. **Site Plan (SP) 14-208, Fieldstone Shops of Davie** (1380 South Flamingo Road, zoned B-2).

15. **Site Plan (SP) 14-288 Saddle Bridge** (7600 Griffin Road, zoned Griffin Corridor University Drive Node).

Tabled to October 7.

16. **Site Plan (SP) 15-145, University Office Park of Davie III** (5400 N. University Dr., zoned CC Commerce Center). (see related item #16)

17. **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "UNIVERSITY PARK AT DAVIE," AND PROVIDING AN EFFECTIVE DATE** (DG15-144, University Office Park of Davie III, 5400 North University Drive, zoned CC Commerce Center). (see related item #15)

20. National Preparedness Month

Mayor Paul read the proclamation and presented it to Deputy Fire Chief Michael Malvasio.

V. DISCUSSION OF CONSENT AGENDA ITEMS

14. Site Plan (SP) 14-208, Fieldstone Shops of Davie (1380 South Flamingo Road, zoned B-2).

Mayor Paul wanted to be sure the additions to the site plan were part of the record:

1. A third dumpster will be added to the site nearer to the restaurants, the location of which will be coordinated with staff. The intent is to add the dumpster with no loss in parking or building area.

2. A single charging station for electric vehicles will be added to the site.

3. The existing, expired agreement will be modified to raise the potential contribution toward a traffic signal at SW 14 Street and Flamingo Road to \$50,000.

4. The owner agrees to all Site Plan Committee recommendations. These recommendations have already been incorporated into the site plan documents.

Councilmember Caletka was pleased about the charging station.

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

VI. PUBLIC HEARING

Quasi-Judicial Public Hearing Item

18. **VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION V 15-199 35th & DAVIE APARTMENTS; AND PROVIDING AN EFFECTIVE DATE** (V15-199, 35th & Davie Apartments, generally located on the east side of Davie Road, between Nova Drive and Southwest 39th Street, zoned RAC-RTE). (see related items #12 & 13)

Tabled to October 7.

21. **LAND USE AMENDMENT**

Tabled to October 7.

VII. APPOINTMENTS

19. Committee/Board Vacancies and Appointments

Mayor Paul reappointed Sarita Jennings to the SCAC.

VIII. COMMITTEE RECOMMENDATIONS

None.

IX. OLD BUSINESS

None.

X. NEW BUSINESS

20. National Preparedness Month
(Discussed earlier)

XI. SCHEDULE OF NEXT MEETING

None.

XII. MAYOR/COUNCILMEMBER'S COMMENTS

COUNCILMEMBER HATTAN

No comments.

COUNCILMEMBER LUIS

HAPPY SHANAH TOVAH. Councilmember Luis wished everyone a Happy Jewish New Year.

DAVIE ROAD/I595 TRAFFIC BACKUP. Councilmember Luis wondered if the light at Reese Road was not synchronized properly because it was causing backups from I595 in the morning. Laura Borgesi, Town Engineer, explained there a communication had been cable hit, preventing the lights here from synchronizing. It had since been repaired. She remarked that many of the lines had not been installed deeply enough and were struck during excavation/construction.

VICE-MAYOR STARKEY

COUNTY GRANT. Vice-Mayor Starkey reported the Town had received the Project Perch County grant in conjunction with the South Florida Audubon Association and Nova Middle School and they would create a butterfly garden at Owls' Lookout Park on September 17 from 2:00 P.M. until 3:00 P.M. She invited everyone to attend.

NOVA DRIVE AND PINE ISLAND ROAD TURN SIGNAL. Vice-Mayor Starkey stated the turn signal and green lights northbound from Nova Drive were not functioning.

REQUEST FOR EXCUSED ABSENCE. Vice-Mayor Starkey requested an excused absence from the October 7 meeting because she was going to Washington DC with the Florida League of Cities Federal Action Strike Team. She agreed to try to call in for the meeting. Mayor Paul agreed to excuse her absence if the call-in was not successful.

COUNCILMEMBER CALETKA

ZONING IN PROGRESS. Councilmember Caletka thanked Council for supporting his request for the RO Zoning in Progress on the agenda earlier.

MAYOR PAUL

HAPPY BIRTHDAY. Mayor Paul wished Marjorie Olsen a Happy 92nd Birthday.

SCAC MEETING. Mayor Paul had attended the recent Senior Citizens' Advisory Committee meeting and tried to get them back on track with some programs and ideas. One of the ideas was to create a Sunshine Committee to visit seniors who were in the hospital, ill or celebrating a birthday.

CONGRATULATIONS TO WESTERN HIGH SCHOOL. Mayor Paul said the school's 9/11 ceremony had been very moving and she was proud that every Councilmember had attended.

THANKS TO STAFF AND MR. LEMACK. Mayor Paul thanked staff and Mr. Lemack for a very smooth budget presentation. She was very happy with the budget.

MAYORS CHESS CHALLENGE. Mayor Paul said the kickoff had been the previous Saturday and there had been over 100 student participants. She thanked Parks and Recreation Director David Flaherty, Senior Operations Manager Matt Mlodzinski and their teams for doing a great job.

THANKS TO MS. BORGESI. Mayor Paul said Ms. Borgesi had applied again for a traffic light at 14th and Flamingo Road. The people at Pillar had indicated they might build a CVS there if the light were installed.

HAPPY NEW YEAR. Mayor Paul wished everyone a Happy Jewish New Year.

XIII. TOWN ADMINISTRATOR'S COMMENTS

9/11 MEMORIAL CEREMONY. Mr. Lemack thanked staff for attending the 9/11 ceremony.

2016 BUDGET. Mr. Lemack thanked the Council for their work in developing the budget. He also thanked staff, the public and advisory boards for their participation. He specifically thanked employees for putting in long hours in the past few months.

CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING.

Mr. Lemack reported this was the second year the Town had received this award for their Comprehensive Annual Financial Report (CAFR). This was the highest form of recognition for governmental accounting and financial reporting and represented a significant accomplishment by a government and its management. He said they were very fortunate to have Budget and Finance Director Bill Ackerman, staff, and their outside auditors.

XIV. TOWN ATTORNEY'S COMMENTS

ROSH HASHANAH. Mr. Rayson said he had spent the holiday with his daughter in Davie. He wished everyone a Happy New Fiscal Year.

XV. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:01 pm.

Approved _____

Mayor/Councilmember

Town Clerk