

**TOWN OF DAVIE
TOWN COUNCIL REGULAR MEETING
JULY 26, 2017**

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 Luis and Councilmembers Caletka, Hattan and Starkey. Also present were Deputy Town Administrator Lewis, Assistant Town Administrator Holste, Town Attorney Rayson and Deputy Town Clerk Esquenazi recording the meeting.

Mayor Paul requested a moment of silence in memory of Reverend Harold Taylor, who had passed away recently.

III. OPEN PUBLIC MEETING

Jaine James thanked the police department and asked for their help to determine what had happened to his mother.

Simon Abraham wanted information about what had happened to his sister.

Mark Sierens reported someone had been defacing Wolf Lake Park. He displayed photos of graffiti on the walls and said he had reported it to the ranger. He announced that this weekend, Florida SuperCon would be held at the Fort Lauderdale Convention Center. He said he had recently discovered his son has muscular dystrophy and Mr. Sierens's board game company was working with ExtraLife to provide matching donations at the SuperCon. The proceeds would be given to hospitals and to provide board games to hospitalized kids.

IV. PRESENTATIONS

1. Police Department Reaccredited by the Commission for Florida Law Enforcement Accreditation, Inc., Patrick Lynn, Town of Davie Chief of Police

Chief Lynn reported the Police Department was now re-accredited. He acknowledged the work of Angela Madias.

2. District Boundaries Review, Scott Burton, District Boundaries Consultant, The Mellgren Group

Mr. Burton said he had reviewed population changes since 2010 and reported the Town had not met the 10% threshold cited in the Town's charter to require a district boundary review. He explained that this charter language was different from the Federal American Community Survey for mid-population estimates. He advised against conducting the boundary review, but suggested examining the Town's charter and crafting a resolution addressing the source of the term "population change."

Councilmember Caletka stated this language difference had presented a quandary in the past and wished to take Mr. Burton's advice regarding the charter resolution. Mayor Paul asked Mr. Rayson to prepare a resolution to sunset the Charter Review Board, as well as letter to send appointed board members explaining the situation.

Mayor Paul pulled Item 1 from the Consent Agenda. Councilmember Caletka pulled items 10 and 38.

Vice-Mayor Luis made a motion, seconded by Councilmember Hattan to approve the Consent Agenda, less items 1, 10 and 38. In a voice vote, all voted in favor. (Motion carried 5-0)

V. APPROVAL OF CONSENT AGENDA

Proclamations

1. India Heritage Month (August 2017) & India Independence Day (August 15, 2017)

Minutes

2. May 24, 2017 Meeting Minutes (Fire Assessment Workshop)
3. June 7, 2017 Meeting Minutes (First Budget Workshop)
4. June 7, 2017 Meeting Minutes (Regular)

Resolutions

Administration

5. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID AWARDED BY THE NATIONAL JOINT POWERS ALLIANCE #051613-SYS, FOR THE PURCHASE OF FUELMASTER RELATED PRODUCTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.
6. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID AWARDED BY THE FLORIDA SHERIFFS ASSOCIATION TO USE CONTRACT #FSA16-VEH14.0 FOR PURCHASE OF CLASS FOUR, FIVE, SIX, SEVEN AND EIGHT MEDIUM AND HEAVY DUTY TRUCKS AND CHASSIS.
7. **MEMORANDUM OF UNDERSTANDING** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA APPROVING THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF MIRAMAR TO PROVIDE FOR COORDINATION AND COLLABORATION AS THE TOWN OF DAVIE CONSIDERS ITS OPTIONS FOR THE PROVISION OF WASTE DISPOSAL SERVICES FOR THE FIVE YEAR PERIOD AFTER THE INITIAL TERM OF ITS SUN-BERGERON JV AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
8. **SCRIVENER'S ERROR** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CORRECTING THE SCRIVENERS ERRORS IN TOWN OF DAVIE RESOLUTION R-2017-038; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Budget & Finance

9. **PROPOSED MILLAGE RATES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING THE PROPOSED MILLAGE RATES TO BE LEVIED FOR OPERATING PURPOSES AND FOR VOTED DEBT SERVICE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018.
10. **FIRE PROTECTION ASSESSMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; PROVIDING AUTHORITY, PURPOSE, AND DEFINITIONS; PROVIDING LEGISLATIVE FINDINGS; DESCRIBING THE METHOD OF ASSESSING FIRE PROTECTION ASSESSED COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE; ESTABLISHING THE ESTIMATED RATE FOR THE FIRE PROTECTION ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND

DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

11. **SOLID WASTE ASSESSMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR SOLID WASTE SERVICE ASSESSMENTS AGAINST RESIDENTIAL PROPERTY LOCATED WITHIN THE TOWN OF DAVIE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Services

12. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN FOR FY 2017/18 WHICH INCLUDES THE CDBG PROGRAM BUDGET; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE ALL NECESSARY CERTIFICATIONS AND GRANT RELATED DOCUMENTS; AUTHORIZING MINOR, NON-SUBSTANTIVE CHANGES TO THE ACTION PLAN DOCUMENTS WHICH MAY BE IDENTIFIED DURING THE REVIEW AND APPROVAL PROCESS WHICH DO NOT SIGNIFICANTLY AFFECT THE PURPOSE, SCOPE, BUDGET, OR INTENT OF THE ACTION PLAN AND AUTHORIZING SUBMISSION OF THE ACTION PLAN TO BROWARD COUNTY AND HUD; AND PROVIDE FOR AN EFFECTIVE DATE.

CRA

13. **RATIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING AND APPROVING ACCEPTANCE OF A BID AWARD RECOMMENDATION AND EXECUTION OF A CONTRACT BETWEEN THE TOWN OF DAVIE COMMUNITY REDEVELOPMENT AGENCY AND MAN-CON INCORPORATED FOR THE WESTSIDE INFRASTRUCTURE IMPROVEMENT PROJECT IN THE AMOUNT OF \$3,603,559.00 ACCORDING TO B-17-89; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Engineering

14. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #4 (FINAL) TO THE CONTRACT BETWEEN THE TOWN OF DAVIE AND WEEKLEY ASPHALT PAVING, INC. FOR THE DAVIE ROAD PHASE I ROADWAY IMPROVEMENT PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.
15. **INTERLOCAL AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE TOWN OF DAVIE AND BROWARD COUNTY FOR THE SYSTEM WIDE NPDES MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT AND TO AUTHORIZE BROWARD COUNTY TO CONDUCT SPECIFIC TECHNICAL ACTIVITIES REQUIRED BY THE FOURTH FIVE-YEAR PERMIT; AND PROVIDING FOR AN EFFECTIVE DATE.
16. **SCRIVENER'S ERROR** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,

CORRECTING A SCRIVENER'S ERROR FROM RESOLUTION R-2016-101 REMOVING ACCOUNT NUMBER 310.36.642.541.563003 AND REPLACING IT WITH CAPITAL IMPROVEMENT PROGRAM INFRASTRUCTURE DAVIE ROAD PHASE 1 ACCOUNTS TO PAY FOR THE CHANGE ORDER EXPENDITURE.

Fire

17. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID AWARDED BY NATIONAL JOINT POWERS ALLIANCE (NJPA) TO MOORE MEDICAL, ON BEHALF OF THE NJPA COOPERATIVE BID #080614-MML, FOR THE PROCUREMENT OF DURABLE MEDICAL GOODS, FIRST AID AND SAFETY RELATED SUPPLIES, EQUIPMENT AND SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.
18. **CONTRACT AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ACCEPTING CONTRACT AMENDMENT NO. 2 BETWEEN TOWN OF DAVIE AND ADVANCED DATA PROCESSING, INC. (ADPI), A SUBSIDIARY OF INTERMEDIX CORPORATION, TO TRANSFER TO A NEW ELECTRONIC PATIENT CARE REPORTING (EPCR) SOFTWARE SOLUTION FOR OUR STATE MANDATED REPORTS AND BILLING COLLECTION AND RENEW THE AGREEMENT TERM WITH NO CHANGES IN PRICING THROUGH SEPTEMBER 30, 2021 AND PROVIDING FOR AN EFFECTIVE DATE.
19. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE CONTRACT EXTENSION OF BID 15-102 FOR DAVIE FIRE RESCUE DEPARTMENT UNIFORMS FROM GOLD NUGGET UNIFORM D/B/A ARGO UNIFORM CO. AND PROVIDING FOR AN EFFECTIVE DATE.
20. **MATCHING GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ACCEPTANCE OF \$100,000 IN GRANT FUNDING FROM THE FLORIDA DEPARTMENT OF HEALTH (FDOH) EMERGENCY MEDICAL SERVICES (EMS) MATCHING GRANT PROGRAM FOR THE PURCHASE OF POWER LOAD COT FASTENER SYSTEMS AND POWER PRO XT COTS, WITH REQUIRED MATCHING FUNDS OF \$33,333 FROM THE FIRE GRANT EXPENSE ACCOUNT; AND AUTHORIZING THE PURCHASE AND INSTALLATION OF THE IDENTIFIED EQUIPMENT.(see related item)
21. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN TO PIGGY-BACK THE SEMINOLE COUNTY BID #IFB-602336-15/TLR FOR THE PURCHASE OF THREE (3) POWER LOAD COT FASTENER SYSTEMS AND FOUR (4) POWER PRO XT COTS FROM STRYKER CORPORATION, FUNDING FROM THE FLORIDA DEPARTMENT OF HEALTH (FDOH) EMS MATCHING GRANT PROGRAM FROM THE FIRE GRANT EXPENSE ACCOUNT NOT TO EXCEED \$133,333. (see related item)
22. **MATCHING GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPLICATION ACCEPTANCE \$97,491 FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY 2016 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM TO IMPLEMENT A WELLNESS/FITNESS PROGRAM FOR THE DAVIE FIRE RESCUE DEPARTMENT WITH REQUIRED MATCHING FUNDS OF

\$9,749 FOR A TOTAL PROJECT COST OF \$107,240.

23. **MATCHING GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ACCEPTANCE OF \$19,000 IN GRANT FUNDING FROM BROWARD COUNTY BY WAY OF THE FLORIDA DEPARTMENT OF HEALTH (FDOH) EMERGENCY MEDICAL SERVICES (EMS) COUNTY MATCHING GRANT PROGRAM FOR TOWN OF DAVIE FIRE RESCUE DEPARTMENT PERSONNEL TRAVEL EXPENSES AND SUPPLIES TO THE RESUSCITATION ACADEMY, WITH NO REQUIRED MATCHING FUNDS OF THE TOWN OF DAVIE AND PAYMENT DIRECT TO THE VENDOR.

Human Resources

24. **HOLIDAY SCHEDULE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING FISCAL YEAR 2017-2018 HOLIDAY SCHEDULE AND OTHER OBSERVED HOLIDAYS FOR NON-REPRESENTED EMPLOYEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Parks and Recreations

25. **FEE SCHEDULE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REVISING CERTAIN FEE SCHEDULES FOR VARIOUS DEPARTMENT OF PARKS, RECREATION AND CULTURAL ARTS PROGRAMS AND ACTIVITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Planning and Zoning

26. **ZONING IN PROGRESS EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXTENDING THE TERM OF A "PLANNING AND ZONING IN PROGRESS" PURSUANT TO CHAPTER 12, ARTICLE X, DIVISION 5, OF THE TOWN CODE, RELATED TO THE CULTIVATION, PRODUCTION, DISTRIBUTION AND SALE OF MARIJUANA (CANNABIS), INCLUDING MARIJUANA DISPENSARIES AND MARIJUANA TREATMENT CENTERS; AND PROVIDING FOR AN EFFECTIVE DATE.

Police

27. **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 AUGUST 14, 2017 AND CONCLUDING ON JUNE 7, 2018 PROVIDING SEVEN (7) LAW ENFORCEMENT SCHOOL RESOURCE SCHOOL OFFICERS (SRO) TO SERVE AT THE BROWARD COUNTY SCHOOLS WITHIN THE TOWN OF DAVIE FOR THE 2017/2018 BROWARD COUNTY SCHOOL YEAR.
28. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE FLORIDA, TO ACCEPT THE BID FROM ALLIGATOR ALLEY HARLEY-DAVIDSON TO LEASE SIX (6) HARLEY-DAVIDSON POLICE MOTORCYCLES UNDER A TWO YEAR LEASE AGREEMENT FOR THE POLICE DEPARTMENT.
29. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE EXPENDITURE OF \$44,870.00 FOR A THREE YEAR MAINTENANCE AND

SUPPORT AGREEMENT WITH MORPHOTRAK, LLC, A SOLE SOURCE PROVIDER FOR THE MOTOROLA PRINTRAK LATENT FINGERPRINTING STATION EQUIPMENT FOR THE POLICE DEPARTMENT INVESTIGATIONS BUREAU.

30. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE PURCHASE OF BALLISTIC PROTECTIVE PRODUCTS, FROM GL DISTRIBUTORS INC., A STATE CONTRACTOR IN AN AMOUNT TO EXCEED \$25,000.00 USING STATE CONTRACT 46151504-NASPO-17-ACS FOR THE POLICE DEPARTMENT.

Public Works

31. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID AWARDED BY THE NATIONAL JOINT POWERS ALLIANCE (NJPA) TO W.W. POLYGON BY PORTERCORP, ON BEHALF OF NJPA AND ITS CURRENT MEMBERS RFP #030117 FOR RECREATION AND PLAYGROUND EQUIPMENT, ACCESSORIES, AND SUPPLIES AS NEEDED AT VARIOUS TOWN PARKS AND FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.
32. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE NEGOTIATED CONTRACT WITH IMPERIAL ELECTRICAL, INC. FOR STREET AND BALLFIELD LIGHTING REPAIR SERVICES FROM RFP B-17-68 AND PROVIDING FOR AN EFFECTIVE DATE.
33. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ACCEPT THE BID RECOMMENDATION FOR SUMMER RAIN AQUATIC COMPANY AS THE PRIMARY VENDOR AND LAKE AND WETLAND MANAGEMENT, INC. AS THE BACKUP VENDOR FOR AQUATIC UNDERWATER AND FLOATING VEGETATION CONTROL SERVICES AND PROVIDING FOR AN EFFECTIVE DATE.
34. **MEMORANDUM OF UNDERSTANDING** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) FOR A TERM OF FIVE (5) YEARS WITH THE SOUTH FLORIDA EDUCATIONAL CENTER (SFEC) AND THE UNIVERSITY OF FLORIDA FOR THE USE OF THE TOWN'S STREET LIGHT POLES ON COLLEGE AVENUE TO DISPLAY BANNERS PER THE ATTACHED GUIDELINES AND APPLICATION AND PROVIDING FOR AN EFFECTIVE DATE.

Purchasing

35. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO SIGN AN INTERLOCAL AGREEMENT HOUSTON-GALVESTON AREA COUNCIL (HGAC) COOPERATIVE TO PROVIDE THE TOWN ACCESS TO UTILIZE NATIONAL PRICE AGREEMENTS THAT HAVE BEEN COMPETITIVELY BID THROUGH THE PUBLIC PROCUREMENT PROCESS.
36. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE TWO TOP RANKED PROPOSERS BERGERON EMERGENCY SERVICES, INC. AND ASHBRIIT, INC. IN ACCORDANCE WITH RFP# B-17-57 DISASTER DEBRIS

MANAGEMENT AND REMOVAL SERVICES AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AGREEMENTS FOR SUCH SERVICES.

37. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE NUMBER ONE RANKED PROPOSER WITT O'BRIENS, INC. IN ACCORDANCE WITH RFP#B-17-58 DISASTER DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

Town Attorney

38. **AGREEMENT AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE EIGHTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN OF DAVIE AND AMERICAN TRAFFIC SOLUTIONS, INC. FOR THE RED LIGHT CAMERA SAFETY INTERSECTION PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE. (**tabled from June 7, 2017**)

Utilities

39. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE BID FROM SUNSTATE METER & SUPPLY, INC. AS A SINGLE SOURCE SUPPLIER OF T-10, HP TURBINE METERS AND E-CODER REGISTERS FOR AUTOMATED METER READING.
40. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE BID FROM THE MACK COMPANY AS A SOLE SOURCE SUPPLIER OF PARTS AND MAINTENANCE SERVICES FOR THE ABC BELT CONVEYOR AT SYSTEM II WASTEWATER TREATMENT PLANT. (WWTP) (3500 NW 76 AVENUE)
41. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE CONTRACT AWARDED THROUGH A BID BY THE NATIONAL JOINT POWER ALLIANCE (NJPA), CONTRACT #091615-URI.

Quasi-Judicial Consent

42. **Business Tax Receipt, 1-877-Junk-Squad, LLC** (10501 South Camelot Circle, Zoned A-1).
43. **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, MEMORIALIZING THE ACCEPTANCE OF A DEED OF CONSERVATION EASEMENT TO THE DAVIE AREA LAND TRUST INC.; TO GRANT A PERPETUAL CONSERVATION EASEMENT ASSOCIATED WITH THE TEMPLE VIEW ESTATES DEVELOPMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (Generally located east of 154th Avenue and south of Southwest 36th Street zoned Open Space Overlay District) (**see related items 44 & 45**)
44. **DEVELOPER'S AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO THE SECOND AMENDED DEVELOPERS AGREEMENT WITH CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

AND DESERET HOLDINGS, LLC, TO MEMORIALIZE CONDITIONS OF THE PROJECT KNOWN AS "TEMPLE VIEW ESTATES"; AND TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA17-013 **Temple View Estates**, zoned Open Space Overlay and CF) (see related items 43 & 45)

45. **Site Plan SP 17-132, Temple View Estates** (3801 SW 154th Avenue, zoned Open Space Design Overlay). (see related items #43 & 44)
46. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE NON-VEHICULAR ACCESS LINE (NVAL) OPENING ON THE PLAT KNOWN AS "CASEYCO COMMERCE CENTER" AND PROVIDING AN EFFECTIVE DATE. (DG 17-105, **Caseyco**, zoned CC) (see related items #47, 48 & 49)
47. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "CASEYCO COMMERCE CENTER", AND PROVIDING AN EFFECTIVE DATE. (DG 16-226, **Caseyco**) (see related items #46, 48 & 49)
48. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE FINDING OF ADEQUACY DATE ON THE PLAT KNOWN AS "CASEYCO COMMERCE CENTER", AND PROVIDING AN EFFECTIVE DATE. (DG 17-104, **Caseyco**, zoned CC) (see related items #46, 47 & 49)
49. **Site Plan SP 16-226, Caseyco** (southwest corner of State Road 84 and Bright Road, zoned CC). (see related items #46, 47 & 48)
50. **Site Plan SP16-156, Rick Case** (located between I-75 and Weston Road, north of SW 36th St., with off-site stormwater management area located east of I-75). (see related items 57 & 59)
51. **Waiver V17-130, Stonebrook Estates**, 3000 W. Stonebrook Circle (Estate "E" District)

VI. DISCUSSION OF CONSENT AGENDA ITEMS

1. India Heritage Month (August 2017) & India Independence Day (August 15, 2017)

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

Mayor Paul read the proclamation and presented it to Dr. Sajan Kurian.

Dr. Kurian thanked the Town and announced that they would celebrate Indian Independence Day at Mahatma Gandhi Square on August 15 at 6 p.m.

10. FIRE PROTECTION ASSESSMENT

Councilmember Starkey made a motion, seconded by Vice-Mayor Luis to approve. In a voice vote, with Councilmember Caletka dissenting, all voted in favor. (Motion carried 4-1)

38. AGREEMENT AMENDMENT - AMERICAN TRAFFIC SOLUTIONS, INC.

Councilmember Caletka explained he had pulled this item because the contract term was for more than one year. He recalled research data he had presented showing that there had been an increase in the number of drivers speeding through intersections prior to a red light and getting t-boned

once in the intersection. He acknowledged that this was controversial and said he always tried to discourage Council from moving forward with things that were controversial.

Mayor Paul stated these were improved cameras and all would be located on the State Road 7 corridor. She noted the cameras had been helpful not just in deterring red light running but also in solving crimes.

Councilmember Starkey said she supported this because it was revenue neutral and would allow them to have fewer Police officers on the street. She noted that 70% of those receiving tickets were non-Davie residents and the recidivism rate was less than 4%.

Vice-Mayor Luis felt the Town had the best red light program, but admitted he did not like the idea and did not support it.

Councilmember Hattan stated this new equipment would provide much clearer images.

Mr. Rayson stated American Traffic Solutions was providing digital upgrades.

Councilmember Hattan made a motion, seconded by Councilmember Starkey to approve. In a voice vote, with Councilmember Caletka and Vice-Mayor Luis dissenting, all voted in favor. (Motion carried 3-2)

VII. PUBLIC HEARING

Resolution

52. **CIP AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE FOURTH 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.

Mayor Paul was pleased that this would address 70 Avenue and flood repair issues.

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 - no; Councilmember Starkey - yes. (Motion carried 4-1).

Ordinance (Second & Final Reading)

53. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 7, ARTICLE I, SECTION 3.1 CODE OF ORDINANCES TITLED, "SALE OF SPARKLERS AND FIREWORKS", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. **{Approved on first reading on June 7, 2017. In a roll call vote: Mayor Paul - yes; Vice-Mayor Luis - yes; Councilmember Caletka - excused; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion carried 4-0)}**

Mr. Rayson read the ordinance by title.

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

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

First Readings (Second & Final Readings to be held on August 2, 2017)

54. **BUDGET AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2017; PROVIDING FOR SEVERABILITY; AND

PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rayson read the ordinance by title and announced the second reading would be held on August 2, 2017.

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

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

55. CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, PERTAINING TO HISTORIC PRESERVATION; AMENDING CHAPTER 12, LAND DEVELOPMENT CODE, ARTICLE IV, DISTRICT PERFORMANCE STANDARDS AND CAPACITY ANALYSIS, AND ARTICLE XIII, SPECIAL PLANNING AREAS AND DISTRICTS; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. (Code Amendment (ZBTXT17-096 Historic Preservation)

Mayor Paul announced the second reading would be held on August 2, 2017.

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.

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).

56. CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, LAND DEVELOPMENT CODE: ARTICLE XIII, SPECIAL PLANNING AREAS AND DISTRICTS, DIVISION 11, REGIONAL ACTIVITY CENTER DISTRICTS, SEC. 12-438.28, STREET SECTIONS, PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Paul announced the second reading would be held on August 2, 2017.

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 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).

Quasi-Judicial Public Hearing Items
Ordinance (Second & Final Reading)

57. REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION ZB16-185 RICK CASE, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM AGRICULTURAL (AG) DISTRICT TO BUSINESS PARK (BP) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (located between Weston Road and I-75, just north of SW 36th street, currently zoned Agricultural (AG) District). {Approved on first reading on February 1, 2017. 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) (see related items 50 & 59)

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

Mayor Paul opened the public hearing portion of the meeting.

Bill Laystrom, attorney for the applicants, thanked the Town and staff for all their help.

As no one else 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).

Resolutions

58. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION V17-042 RUSSO, AND PROVIDING AN EFFECTIVE DATE. Variance V17-042 **Russo** (west side of Hiatus Road between SW 16 St. and SW 20 St., zoned R-1). (**tabled from June 7, 2017**)

Mr. Rayson confirmed that all parties had waived the quasi-judicial procedure and 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.

Vice-Mayor Luis said he did not support this because it was not a good fit for the neighborhood and no neighbors supported it. He asked the rest of Council not to support it.

David Quigley, Planning and Zoning Manager, explained that the parcels along Hiatus Road were less than 3,500 square feet due to a right-of-way taking and these parcels did not qualify as non-conforming because they were in the same ownership over the years. The applicant wanted the variance to be able to construct two homes instead of the one that would be allowed by the square footage. Vice-Mayor Luis believed the owner was “dividing this up for a spec home.”

Vice-Mayor Luis made a motion, seconded by Councilmember Caletka to deny the variance request. 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).

59. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION V16-224 RICK CASE; AND PROVIDING AN EFFECTIVE DATE. (V16-224 **Rick Case**, 3490-3550 Weston Road, BP zoning proposed) (**see related items 50 & 57**)

Mr. Rayson confirmed that all parties had waived the quasi-judicial procedure and 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).

VIII. APPOINTMENTS

60. Committee/Board Vacancies & Appointments

None

IX. COMMITTEE RECOMMENDATIONS

None

X. OLD BUSINESS

61. Medical Marijuana Ordinance, John C. Rayson, Town Attorney

Mr. Rayson reported the State Legislature had passed a law regarding dispensaries. He distributed a map of pharmacies in the Town and said the new law allowed a municipality to “deny having any medical marijuana dispensaries in their municipality, but if, on the other hand, they accept them, they are treated as pharmacies and you may not limit the number of them which may come into Town.” He asked council to direct him regarding an ordinance he would draft. Mr. Rayson believed the State Legislature had been cynical in making this rule because they had not supported the constitutional amendment.

Mayor Paul said she supported medical marijuana but felt the proliferation of the pharmacies would be difficult to handle. If they denied any pharmacies, she said they could allow them later if the Legislature came up with a better plan. Councilmember Starkey agreed with Mayor Paul and was disappointed with the State Legislature.

Councilmember Caletka said there was a trend with states that started with legalizing medical marijuana and in two to four years legalized recreational marijuana. He imagined a scenario in the future when medical marijuana pharmacies became dispensaries for medical and recreational marijuana and the Town could lose franchise fees from the recreational sales because the dispensaries were already set up.

Vice-Mayor Luis remarked on the number of existing pharmacies in Town and said he agreed with the rest of council to not allow the medical marijuana pharmacies for now.

Mr. Rayson agreed to return to council with an ordinance.

XI. NEW BUSINESS

None

XII. SCHEDULE OF NEXT MEETING

62. Establish time for CIP and Community Endowment Workshops (August 2, 2017 at 5:00 and 5:45 PM)

63. Scheduling of Stormwater Workshop (September 13, 2017 at 3:30 PM)

Council agreed to these dates and times.

XIII. MAYOR/COUNCILMEMBER’S COMMENTS

MAYOR PAUL

NOTE FROM KITTY PREZIOSI. Mayor Paul had received a note from Ms. Preziosi regarding the Generation to Generation initiative thanking Mayor Paul for her proclamation.

DAVIE BELT BUCKLE SHORTAGE. Mayor Paul reported they were almost out of belt buckles and wanted to purchase more and perhaps consider a new design. She wished to consider using the proceeds to purchase ICE identification clips for horses and livestock that could be sold to residents.

SUMMER BELT BUCKLE SERIES. Mayor Paul said the series for very young children was going on now.

WAWA GRAND OPENING. Mayor Paul announced she had made the first hoagie for the opening and the ribbon cutting would take place the following day.

STOP TEXTING AND DRIVING COALITION. Mayor Paul had contacted Florida Representative Richard Stark to inform him that the Town would join the coalition.

FIRE RESCUE CERT PROGRAM. Mayor Paul reminded everyone that the program would be on August 29 at 6 p.m. at the Davie Police Department.

SURPLUS AUCTION. Mayor Paul announced the auction would be on August 19 at the Davie Arena.

COUNCILMEMBER HATTAN

THANKS TO LAURA BORGESI, TOWN CHIEF ENGINEER. Councilmember Hattan described the traffic control measures at the new WaWa and said Ms. Borgesi had done a fantastic job.

THANKS FOR THE SUPPORT. Councilmember Hattan thanked everyone who had support her after her recent knee replacement surgery.

COUNCILMEMBER CALETKA

ROADWAY STUDY. Councilmember Caletka said as soon as the study was ready, he wanted to examine it.

VOTING STATISTICS. Councilmember Caletka reported that statistics presented at the recent MPO Executive Board meeting indicated that during non-presidential elections, not only did fewer people vote, but only half of eligible voters cast a vote in areas more likely to approve a transportation surtax initiative. Despite this analysis, the Broward County intended to put a full penny surtax on the 2018 ballot.

FIRE RESCUE PRAISE. Councilmember Caletka reported they had received a letter from the Seagrists commending the Fire/Rescue Department.

E. HARRIS DREW AWARD. Councilmember Caletka announced Councilmember Starkey had been nominated for the award but the Florida League of Cities had ultimately chosen someone else.

COUNCILMEMBER STARKEY

UNITED RANCHES ADVISORY BOARD MEETING. Councilmember Starkey wished to meet with the Board in September regarding the overlays and road problems.

IDENTITY THEFT PREVENTION. Councilmember Starkey wished the Town to host a meeting regarding cybersecurity for the public.

SUNRISE PIPING PROJECT. Councilmember Starkey thanked Ms. Borgesi and Renuka Mohammed-Bajnath, Assistant Utilities Director, for following up on the project. Councilmember Starkey said she was very disappointed in the project, which had been a mess for over a year. She said the quality of the vendor was not good and she never wanted the Town to use them.

PINE ISLAND DRIVE AND ORANGE DRIVE SWALE. Councilmember Starkey said the plastic delineators were gone and people were making U-turns, cutting off traffic. Ms. Borgesi had agreed to reinstall the delineators.

PAINTED ROCKS PROJECT. Councilmember Starkey said a Forest Ridge resident was painting rocks including the text “Davie Rocks” and Councilmember Starkey thought this might be a good project for service clubs.

VICE-MAYOR LUIS

WELCOME BACK. Vice-Mayor Luis welcomed Councilmember Hattan back from her knee surgery.

DROWNING TALKS. Vice-Mayor Luis wished to invite a BSO representative to attend a council meeting to discuss drowning prevention. Councilmember Starkey said the County and Town had a “Safer by Four” drowning prevention project and Vice-Mayor Luis asked for someone to make a presentation.

XIV. TOWN ADMINISTRATOR’S COMMENTS

None.

XV. TOWN ATTORNEY’S COMMENTS

Mr. Rayson announced that he and Mr. Weinthal would attend the annual Florida Municipal Attorneys’ Seminar in St. Petersburg.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:54 p.m.

Approved _____

Mayor/Councilmember

Town Clerk