



**TOWN OF DAVIE
REGULAR MEETING
OCTOBER 18, 2017**

I. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:31 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 (by phone), Hattan and Starkey. Also present were Town Administrator Lemack, Assistant Town Administrator Holste, Deputy Town Administrator Lewis, Town Attorney Rayson and Town Clerk Roig recording the meeting.

III. PRESENTATIONS

1. Office of the Inspector General (OIG) Report, Richard J. Lemack, Town Administrator

Mr. Lemack provided a presentation regarding the report of the Town's fixed assets and the Town's response. He said the OIG had commended the Town's efforts to improve controls and praised IT Department.

Councilmember Starkey noted that only three of the items the OIG identified as missing from the inventory were actually required to be in the tracking system. She commended staff for listening to the OIG and enacting new policies and implementing a new software program.

2. Hurricane Irma Update

Mr. Lemack provided an update on debris removal. The estimated amount collected had been revised up to 350,000 cubic yards, and their goal was still to complete a first pass by October 30, 2017. They had already removed 233,000 cubic yards. 125 of 170 private roadway HOAs had completed the Right of Entry forms and staff was working to secure the remainder. They had received 150 Right of Entry forms from private roadways not in an HOA.

Mr. Lemack informed everyone that debris from the Florida Department of Environmental Protection debris removal site at SW 121 Avenue and 26 Street was being removed for burning. He said they were working with the State to change the site selection process to include Town approval but he was unsure how successful this would be. Moving forward, they would evaluate other operational methodologies to minimize impacts to residential communities.

Mr. Lemack reported costs had increased from \$10 million to \$14 million, due to the additional cubic yardage and \$1.5 million for repairs to the Town's infrastructure. The Town's estimated out of pocket expenses would be from \$2.1 million to \$5 million.

Mr. Lemack said all of the communications he had received were praise, not criticism. He thanked Public Works staff for their incredible work.

Mayor Paul asked that the Town's website be updated more often and Mr. Holste agreed.

Mr. Lemack informed Vice-Mayor Luis that most of the debris on the debris removal site was from Davie but some was also from Oakland Park and Dania Beach.

Councilmember Starkey had noticed that large root balls were still in swales and Mr. Lemack said they would be removed on the second pass. Osdel Larrea, Public Works Director, explained that the Town would collect the root stems intact. Once everything was removed, they would repair sidewalks, and he noted that this was potentially reimbursable from FEMA.

Councilmember Starkey recalled that at the 9/13 meeting she had been opposed to immediately picking up debris from private communities because she wanted to have a plan and a

budget. She asked if staff had completed the cost assessment from all private communities. Mr. Larrea stated staff from the Engineering Department had documented every community's needs and loaded the data into GIS. Mr. Larrea explained that they were keeping the debris removal from private areas separate from debris removal from public areas, per FEMA reimbursement rules.

Mayor Paul had attended the FEMA meeting and remarked it had been enlightening. She said the Town was documenting everything to comply with FEMA guidelines.

Mayor Paul pulled items 1 and 2 from the Consent Agenda.

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

IV. APPROVAL OF CONSENT AGENDA

Proclamations

1. Red Ribbon Week (October 23 - 31, 2017)
2. Domestic Violence Awareness Month (October, 2017)

Minutes

3. September 13, 2017 Meeting Minutes (Special Assessments Hearing)
4. September 13, 2017 Meeting Minutes (First Budget Hearing)
5. September 13, 2017 Meeting Minutes (Regular)

Building

6. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH COMCAST FOR CUSTOMER WIFI SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Community Services

7. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE NEGOTIATED CONTRACT WITH LIMOUSINES OF SOUTH FLORIDA, INC. DBA LSF SHUTTLE, INC. FOR COMMUNITY BUS SERVICES FROM RFP B-17-160 AND PROVIDING FOR AN EFFECTIVE DATE.

Engineering

8. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #2 TO THE CONTRACT BETWEEN THE TOWN OF DAVIE AND WEEKLEY ASPHALT PAVING, INC. FOR THE DAVIE ROAD PHASE II ROADWAY IMPROVEMENT PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.
9. **UTILITY EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE UTILITY AND INGRESS/EGRESS EASEMENT FROM KENNEDY HOMES, LLC FOR OSPREY PRESERVE AND TO ACCEPT CLOSEOUT DOCUMENTS INCLUDING UTILITIES BILL OF SALE, GENERAL RELEASE OF LIEN AND OPINION OF TITLE AND PROVIDING FOR AN EFFECTIVE DATE.

Fire

10. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT FROM THE 2017-2018 VOLUNTEER FLORIDA COMMUNITY EMERGENCY RESPONSE TEAM (CERT) SUBGRANT PROGRAM FOR \$7,000 TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT, COMMUNICATIONS EQUIPMENT, MEDICAL SUPPLIES, AND OPERATIONAL EQUIPMENT FOR THE DAVIE CERT TEAM, AUTHORIZING ITS ACCEPTANCE; AND PROVIDING FOR AN EFFECTIVE DATE WITH NO REQUIREMENT FOR MATCHING FUNDS.
11. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT FROM THE 2017-2018 VOLUNTEER FLORIDA CITIZEN CORPS (CC) SUBGRANT PROGRAM OF \$7,000 FOR THE PURCHASE OF EQUIPMENT FOR THE DAVIE FIRE RESCUE YOUTH/CADET PROGRAM, AUTHORIZING ITS ACCEPTANCE; AND PROVIDING FOR AN EFFECTIVE DATE WITH NO REQUIREMENT FOR MATCHING FUNDS.

Public Works

12. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING BID # B-17-168 TO WEEKLEY ASPHALT PAVING, INC. FOR THE SW 148TH AVENUE IMPROVEMENT PROJECT AND PROVIDING FOR AN EFFECTIVE DATE.
13. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO APPROVE CHANGE ORDER #2 AUTHORIZING DEANGELO BROTHERS, LLC, TO MAINTAIN ALL INTERCONNECTING PONDS AT THE DAVIE GOLF AND COUNTRY CLUB FOR ONE ADDITIONAL YEAR AT A COST OF \$46,200 AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney

14. **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AN EASEMENT, ASSOCIATED WITH THE WESTSIDE INFRASTRUCTURE IMPROVEMENTS PROJECT, FOR UTILITY AND COMMUNICATION LINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

15. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE EMERGENCY RENTAL OF A 1,000 KW GENERATOR FOR THE SYSTEM II WASTEWATER TREATMENT PLANT (WWTP) AND SYSTEM III WATER TREATMENT PLANT (WTP) (3500 NW 76 AVENUE).

V. DISCUSSION OF CONSENT AGENDA ITEMS

1. Red Ribbon Week (October 23 - 31, 2017)

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

Vice-Mayor Luis read the proclamation and Mayor Paul presented it to Melissa Sauer from South Florida Young Marines.

2. Domestic Violence Awareness Month (October, 2017)

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

Councilmember Starkey read the proclamation and Mayor Paul presented it to Thelma Lopez from Women in Distress.

VI. PUBLIC HEARING

16. EMERGENCY ORDINANCE - AN EMERGENCY ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, RELATING TO POST-HURRICANE IRMA DISASTER DEBRIS COLLECTION; PROVIDING FOR DECLARATION OF FINDINGS AND INTENT; PROVIDING FOR REMOVAL OF DISASTER DEBRIS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rayson read the ordinance by title. Mayor Paul stated this was an emergency ordinance pursuant to Florida Statute Section 166.041 and Town of Davie Code Section 7K6. The ordinance required only one first and final reading and must have a super majority.

Mayor Paul opened the public hearing portion of the meeting.

Mark Sierens said some private road debris was not being collected at the same time as nearby public roads. Mayor Paul advised him to speak to Mr. Larrea.

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

Councilmember Starkey 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).

Ordinances - First Readings (Second and final readings to be held on November 1, 2017)

17. POLICE PENSION PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE POLICE PENSION PLAN ADOPTING THE PENSION PROVISIONS OF THE 2016 - 2019 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN AND FOP LODGE 100; ADOPTING A NEW SECTION 3.8 OF THE PLAN ESTABLISHING A SHARE PLAN AS REQUIRED BY SECTION 185.35, FLA.STAT.; AMENDING SECTION 4.3.1 TO ADDRESS THE EFFECTS OF BENEFIT LIMITS UNDER SECTION 415 OF THE INTERNAL REVENUE CODE; AMENDING SECTION 4.3.5(c) TO CREATE TERMINAL LEAVE ACCOUNTS FOR THE RECEIPT OF ACCUMULATED LEAVE; AMENDING SECTIONS 4.3.7 TO PROVIDE FOR THE CREATION OF A SELF-DIRECTED DROP OPTION; AMENDING SECTION 7.1(b) TO PROVIDE FOR THE MUTUALLY AGREED USE OF PREMIUM TAX REVENUES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Paul announced that the second public hearing would be held on November 1, 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 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).

18. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING CHAPTER 12, ARTICLE V, SECTION 80.2, CODE OF ORDINANCES TITLED, " LIFE SAFETY REQUIREMENTS FOR GROUP HOMES"; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rayson read the ordinance by title.

Mayor Paul announced that the second public hearing would be held on November 1, 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.

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).

19. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ARTICLE III, SECTION 34, CODE OF ORDINANCES TITLED, "STANDARDS FOR SPECIFIC USES", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. (see related items #20, 21 & 22)

Mayor Paul reminded everyone that items 19-22 were related.

Mr. Rayson read the ordinance by title.

Mayor Paul announced that the second public hearing would be held on November 1, 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 Mayor Paul 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).

20. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ARTICLE III, CODE OF ORDINANCES TITLED, "USE REGULATIONS", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. (see related items #19, 21 & 22)

Mr. Rayson read the ordinance by title.

Mayor Paul announced that the second public hearing would be held on November 1, 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).

21. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ARTICLE III, SECTION 2.1, CODE OF ORDINANCES TITLED, "APPLICABILITY", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. (see related items #19, 20 & 22)

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 Mayor Paul 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).

22. **REPEAL** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, REPEALING ORDINANCE 2017-019, THE TEMPORARY MORATORIUM ON THE SUBMITTAL, CONSIDERATION, AND APPROVAL OF BUILDING PERMITS AND DEVELOPMENT APPLICATIONS OF ANY KIND INVOLVING THE ESTABLISHMENT OF MARIJUANA (CANNABIS) DISPENSARIES OR MEDICAL MARIJUANA (CANNABIS) TREATMENT CENTERS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (see related items #19, 20 & 21)

Mr. Rayson read the ordinance by title.

Mayor Paul announced that the second public hearing would be held on November 1, 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).

Quasi-Judicial Public Hearing

23. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V17-160 SHEVCHENKO, AND PROVIDING AN EFFECTIVE DATE (located at 14675 Via Tivoli Court, zoned R-5).

Mr. Rayson reported all parties had waived 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 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).

VII. APPOINTMENTS

24. Committee/Board Vacancies & Appointments
None.

VIII. COMMITTEE RECOMMENDATIONS

None.

IX. OLD BUSINESS

None.

X. NEW BUSINESS

None.

XI. SCHEDULE OF NEXT MEETING

Upcoming Meetings:

November 1, 2017 - Private Partnership Workshop, 4:30 PM

November 1, 2017 - Town Council Meeting, 6:30 PM

November 15, 2017- Town Council Meeting, **CANCELLED**

December 6, 2017 - Town Council Solid Waste Workshop, 5:00 PM

December 6, 2017 - Town Council Meeting, 6:30 PM

December 20, 2017 - Town Council Meeting, **CANCELLED**

XII. MAYOR/COUNCILMEMBER'S COMMENTS

MAYOR PAUL

CODE CHANGES. Mayor Paul had spoken with Mr. Quigley and he agreed they could work with Central Broward Water Control District on changes.

FIRE/RESCUE GRADUATION. Mayor Paul said the ceremony was very nice. She noted there were two women in the class.

FEMA MEETING. Mayor Paul said they had provided FEMA with a lot of input.

MARLBORO ESTATES HURRICANE POWER LOSS. Mayor Paul said this pocket of houses, and a few others, had experienced extended power outages after Hurricane Irma. She would forward a letter and petition to FPL from those residents asking why their homes had not been put on the Fire Station grid, as the rest of the community had.

MEETING ATTIRE. Mayor Paul reminded everyone that they should don western wear for the November 1 meeting in honor of the Southeast Circuit Rodeo on November 9 - 11.

HALLOWEEN HAPPENINGS. Mayor Paul announced there would be a Harvest Drive event on October 28 at Robbins Lodge. She explained that Harvest Drive educated students about volunteer work and this was their 25 anniversary. Mayor Paul commended Renee Herman for fostering this program. Boxes for canned goods and dry food donations would be on the Robbins Lodge porch.

OLD DAVIE CENTENNIAL CELEBRATION. Mayor Paul provided Mr. Lemack with the agenda from a meeting she attended with Jeff Pohlman and other Old Davie School board members listing items the school was requesting the Town assist them with for the celebration.

LETTER OF APPRECIATION. Mayor Paul stated Bonnie Dale had sent a letter thanking Chief Lynn for the police presence in Rexmere Village and Paradise Village after Hurricane Irma.

VETERANS DAY CEREMONY. Mayor Paul reminded everyone that their November 11 meeting included their Veterans Day ceremony. There would be satellite parking at the rodeo arena with shuttle service to and from the park. Handicapped parking would be available at the park.

COUNCILMEMBER HATTAN

THANKS TO MR. LARREA. Councilmember Hattan thanked Mr. Larrea and his team for their work regarding hurricane cleanup.

GUARDIAN AD LITEM. Councilmember Hattan announced she had completed her training.

READING PROGRAM. Councilmember Hattan reported that the following morning, she would be reading to kids at Davie Elementary as part of the Children's Services Council's program to get kids reading at grade level by grade three. Mayor Paul would participate at Flamingo Elementary.

JOE MONTOPOLI MEMORIAL GOLF TOURNAMENT. Councilmember Hattan remarked the tournament had been excellent and had a great turnout.

VETERANS' BREAKFAST. Councilmember Hattan said the morning's breakfast had been great and well attended. She said vets loved the comradery.

CHAMBER BREAKFAST. Councilmember Hattan reported the breakfast had been wonderful and Taste Buds had done a great job with the catering.

SUN PROBLEM UPSTAIRS. Councilmember Hattan had asked staff to explore options for blocking the sun on the west side of the upstairs room at Old Davie School.

VICE-MAYOR LUIS

26 STREET CLEANUP. Mr. Lemack informed Vice-Mayor Luis that 26 Street was scheduled for cleanup before noon on October 19.

THANKS TO STAFF AND RESIDENTS. Vice-Mayor Luis thanked staff and residents for their response and patience after the hurricane.

COUNCILMEMBER STARKEY

COLUMBUS DAY BOYS AND GIRLS CLUB GOLF TOURNAMENT. Councilmember Starkey said the tournament raised money for the clubs in Davie and had accomplished a lot.

CIRCUIT FINAL RODEO. Councilmember Starkey said this was always a lot of fun.

COMMUNITY EMERGENCY RESPONSE TEAM CLASSES. Councilmember Starkey announced graduation would be on October 24 and classes would resume in February. She encouraged the community to participate.

SEAFOOD FESTIVAL. Councilmember Starkey announced the festival would be on October 29 at the Bergeron Rodeo Arena.

FEDERAL ACTION STRIKE TEAM. Councilmember Starkey had attended the event in Washington D.C. They had met with staff of Senators Nelson and Rubio, as well as 19 congressional delegations. They had discussed FEMA, the de-obligations, callback and streamlining the process in the future. Florida delegates had met with Governor Scott and Agriculture Commissioner Adam Putnam. Regarding Federal tax reform, Councilmember Starkey said chances were that municipal bonds would be intact. Community Development Block grants and TIGER grants were not included in the Federal budget but it appeared Congress would continue to fund them.

COUNCILMEMBER CALETKA

EASTSIDE ROADWAY IMPROVEMENT MAP. Councilmember Caletka asked that the map be updated.

THANKS TO COUNCILMEMBER HATTAN. Councilmember Caletka commended Councilmember Hattan for completing the Guardian Ad Litem course and said he respected and looked up to her for continuing to give to the community.

XIII. TOWN ADMINISTRATOR’S COMMENTS

Mr. Lemack announced that the FOP had ratified the contract. He would bring the ordinance to Council at their November 1 meeting.

XIV. TOWN ATTORNEY COMMENTS

Mr. Rayson had nothing to report.

XV. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:47 p.m.

Approved _____

Mayor/Councilmember

Town Clerk