

**TOWN OF DAVIE
REGULAR MEETING
SEPTEMBER 7, 2016**

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

III. OPEN PUBLIC MEETING

Bob Breeden, Willow Grove Homeowners' Association President, said residents of Saddle Bridge had been pushing up the plastic gates and using the emergency exit/entrance instead of the correct entrance/exit to the community during the recent construction. This had been addressed by the Town but Mr. Breeden said the development intended to put the plastic arm back and he feared the problem would recur. He asked the Town to require the development to make the barrier an emergency fence that residents could not circumvent. Mr. Lemack confirmed he would look into this issue.

Valerie Pellegrini said the lake on the wetland preserve behind her home was being overtaken by overgrowth. She asked the Town to clear the overgrowth to save the lake.

Inna Maor, District Director of Arts for All, announced that her organization provided art instruction to everyone and said she was excited about her school, located in Cooper City. She asked for the Town's support to provide opportunities to young artists and invited people to donate.

Eliot Dempsey, Prestige Club of Southwest Broward, described the club's efforts to aid South Florida children with life-altering diseases and conditions. He encouraged everyone to visit their website: www.PrestigeClub.org and look them up on Facebook.

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

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

IV. PRESENTATIONS

1. June 2016 SPIRIT Winner and Nominees, Anita Reid, Public Relations Coordinator and Leona Henry, Public Relations Assistant

Ms. Henry showed video highlights of the SPIRIT Award Celebration and the end of summer Grill and Chili event. Ms. Henry listed the nominees: Craig Albertini; Ron Bolton; Daryl Cotton; Stanly Ebanks; Leona Henry; Carol Menke; Arlene Miaris; Nelsa Pagan; Virginia Marie Sargent; Alan Weinthal. The winner, Irene DeGroot, received the award.

V. APPROVAL OF CONSENT AGENDA

Proclamations

1. Hunger Action Month (September 2016)
2. Payroll Week (Week of September 5-9, 2016)

Minutes

3. July 27, 2016 Meeting Minutes (Second Budget Workshop)
4. July 27, 2016 Meeting Minutes (Regular)
5. August 3, 2016 Meeting Minutes (CIP Workshop)

6. August 3, 2016 Meeting Minutes (Community Endowment Workshop)
7. August 3, 2016 Meeting Minutes (Regular)
8. August 17, 2016 Meeting Minutes (Surtax Projects Workshop)
9. August 17, 2016 Meeting Minutes (Regular)

Resolutions

Administration

10. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPLICATION OF \$100,000 IN GRANT FUNDING FROM THE NATIONAL ENDOWMENT OF THE ARTS OUR TOWN GRANT PROGRAM FOR A PUBLIC ART PROJECT AT THE RODEO ARENA ENTRANCE AND ON THE RODEO GROUNDS AND PROVIDING 1:1 MATCHING FUNDS OF \$100,000.
11. **PROFESSIONAL SERVICES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN COUNCIL TO CONTINUE WITH THE OPTION TO UTILIZE FRANK COSTOYA ARCHITECT, P.A. FOR PROFESSIONAL ARCHITECTURAL SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

CRA

12. **RATIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA APPROVING THE RATIFICATION OF DESIGN AND CONSTRUCTION OBSERVATION SERVICES AS DEFINED IN TASK ORDER #04 WITH AECOM TECHNICAL SERVICES, INC. FOR IMPROVEMENTS TO DAVIE ROAD FROM JUST SOUTH OF ORANGE DRIVE TO JUST SOUTH OF SW 39TH STREET IN THE AMOUNT OF \$337,535; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Human Resources

13. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO RETAIN THE LEGAL SERVICES OF PAUL T. RYDER, JR., P.A. FOR LABOR AND EMPLOYMENT LAW MATTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
14. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT BETWEEN THE TOWN OF DAVIE AND GOVERNMENTJOBS.COM, INC. (D/B/A NEOGOV) FOR INSIGHT ONLINE EMPLOYMENT APPLICATION PRODUCT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
15. **RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF UNITED HEALTHCARE AS THE TOWN'S GROUP MEDICAL INSURANCE THIRD PARTY ADMINISTRATOR IN ACCORDANCE WITH THE ATTACHED OFFER CONFIRMATION LETTER.
16. **RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING PROPERTY/CASUALTY AND LIABILITY INSURANCE PREMIUMS FOR TOWN OF

DAVIE AND DAVIE COMMUNITY REDEVELOPMENT AGENCY AND AUTHORIZING STAFF TO MAKE THE EXPENDITURES DURING FY2017 TO RISK MANAGEMENT, INC. D/B/A PUBLIC RISK INSURANCE AGENCY (PRIA), PREFERRED GOVERNMENT CLAIMS SERVICES (PGCS), AND PREFERRED GOVERNMENT INSURANCE TRUST (PGIT); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

17. **RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF UNUM TO SERVE AS THE TOWN'S GROUP SHORT AND LONG TERM DISABILITY CARRIER IN ACCORDANCE WITH THE ATTACHED RENEWAL OFFER LETTER; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Parks & Recreation

18. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE A FOURTH EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND SPORTS SPECIALIST, SAM GULLA, AND PROVIDING FOR AN EFFECTIVE DATE.

19. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT RENEWAL FOR ONE ADDITIONAL YEAR WITH BROWARD COUNTY UMPIRES ASSOCIATION TO PROVIDE SPORTS OFFICIATING SERVICES FOR THE TOWN'S ADULT SOFTBALL PROGRAM.

20. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT RENEWAL FOR ONE ADDITIONAL YEAR WITH SUPERSPORTS OF BROWARD COUNTY, INC., TO PROVIDE SPORTS OFFICIATING SERVICES FOR THE TOWN'S YOUTH BASKETBALL AND FLAG FOOTBALL SPORTS PROGRAMS.

21. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION FOR ONE ADDITIONAL YEAR WITH EAGLE EYE OFFICIATING, LLC., TO PROVIDE SPORTS OFFICIATING SERVICES FOR THE TOWN'S YOUTH SOCCER, AND BASEBALL SPORTS PROGRAMS.

Public Works

22. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT EXTENSION WITH LAKE THERAPY, INC. FOR ATHLETIC FIELD WEED AND PEST CONTROL SERVICES FROM RESOLUTION R-2013-146 AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney

23. **LETTER OF INTENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ACCEPTING A LETTER OF INTENT FROM NOB HILL PARTNERS, LLC., A FLORIDA LIMITED LIABILITY COMPANY, TO PURCHASE THE TOWN'S NEIGHBORHOOD SERVICE CENTER, LOCATED AT 4700 SOUTHWEST 64

AVENUE, DAVIE, FLORIDA, FOLIO NUMBER 5041-26-03-0050; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

24. **AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING RESOLUTION R2010-63, APPROVING THE TOWN OF DAVIE POTABLE WATER BACKFLOW CONNECTION APPLICATION/PERMIT AND HOLD HARMLESS AGREEMENT, PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Quasi-Judicial Consent Item

25. **Site Plan SP15-135, Sun-Recycling 14** (located at 3250 SW 50th Ave., zoned M-4 County).

VI. DISCUSSION OF CONSENT AGENDA ITEMS

1. Hunger Action Month (September 2016)

Councilmember Starkey read the proclamation and presented it to Tom Vinciguerra, Hope Outreach.

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

2. Payroll Week (Week of September 5-9, 2016)

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

Councilmember Caletka read the proclamation

Bill Ackerman, Budget and Finance Director, thanked Council on behalf of the payroll employees.

VII. PUBLIC HEARING

Resolutions

26. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND APPROPRIATE TOWN OFFICIALS TO EXECUTE AN AGREEMENT FOR PURCHASE AND SALE WITH BETH ROBERTS, BRYANT ROBERTS AND DAVID ROBERTS FOR THE PURCHASE OF 1.95 ACRES AT 4400 SW 61 AVENUE; 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.

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).

27. **CAPITAL IMPROVEMENT PROGRAM** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING 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.

Councilmember Starkey disliked the electronic billboards on Davie Road and the golf course and said these types of billboards often malfunctioned. She also felt the Davie Golf and Country Club clubhouse should be larger for the anticipated events there. She wanted to consider making the country club's adjacent open area a parking lot.

Councilmember Caletka thought the electronic billboards were too distracting to drivers and could present liability issues for the Town. Mayor Paul thought the billboards at the rodeo arena would help advertise the events. She said the country club development should be undertaken in phases. Mr. Lemack agreed with Mayor Paul that the electronic billboard kept everyone aware of upcoming events. He said the signs would not contain moving images, just announcements.

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

Ordinances - (Second & Final Readings)

28. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 25, ARTICLE V, SECTIONS 42, 43, 44, 45, 46, 47, 48, 49, AND 50, CODE OF ORDINANCES TITLED, "BACKFLOW AND CROSS CONNECTION CONTROL PROGRAM FOR THE POTABLE WATER DISTRIBUTION SYSTEM", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. {**Approved on first reading on August 17, 2016. In a roll call vote: Mayor Paul - yes; Vice-Mayor Luis - absent; Councilmember Caletka - yes; 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.

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).

29. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 4, ARTICLE I, SECTION 7, CODE OF ORDINANCES TITLED, "TOWN OF DAVIE BIRD SANCTUARY AND BIRD ROOKERY PROTECTION ACT", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. {**Approved on first reading on August 17, 2016. In a roll call vote: Mayor Paul - yes; Vice-Mayor Luis - absent; Councilmember Caletka - yes; 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.

Ana Campos, Fort Lauderdale resident, said she had been working as a private investigator on the animal cruelty case for a year. She thanked the Town for taking action against animal cruelty and noted that Davie was the epicenter of ducks being abducted and sold to restaurants and Santeria practitioners.

Don Anthony, Communications Director of the Animal Rights Foundation of South Florida, said they supported this ordinance; rounding up and slaughtering birds should never be allowed.

Mayor Paul stated Muscovy ducks were protected by the Federal Migratory Bird Act as well.

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

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

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

Ordinance First Reading (Second & Final Reading to be held on September 21, 2016)

30. RATE SCHEDULE - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN'S BUSINESS TAX RATE SCHEDULE IN ACCORDANCE WITH CHAPTER 205.0535(4) OF THE FLORIDA STATUTES, ADDING BUSINESS CATEGORY; CORRECTING SCRIVENER'S ERRORS FROM ORDINANCE 2016-12; AND PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. **(Requires a super-majority plus one vote)**

Mr. Rayson read the ordinance by title and indicated the second reading would be held on September 21.

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).

VIII. APPOINTMENTS

31. Committee/Board Vacancies & Appointments

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

No discussion.

XI. NEW BUSINESS

No discussion.

XII. SCHEDULE OF NEXT MEETING

No discussion.

XIII. MAYOR/COUNCILMEMBER'S COMMENTS

COUNCILMEMBER CALETKA

THANKS TO PUBLIC WORKS AND PARKS AND RECREATION. Councilmember Caletka thanked staff for improvements going on at Betty Booth Roberts Park and Pool.

HONEST SERVICES ORDINANCE. Councilmember Caletka wished to adopt an ordinance that would allow the Town to suspend a lobbyist who was accused of wrongdoing, including a provision for Town Council to reinstate him/her after exoneration. Council agreed Mr. Rayson should research this.

COUNCILMEMBER HATTAN

BROWARD COUNTY HOUSING COUNCIL. Councilmember Hattan announced she had been reelected as co-chair of the council

NAMING OF FIRE STATION PARK. Councilmember Hattan asked Council to consider naming the planned park for their late Fire Chief Joseph Montopoli and suggested installing firefighter-themed equipment. Council agreed.

VICE-MAYOR LUIS

DRIVERS' COURTESY TO EQUESTRIANS. Vice-Mayor Luis remarked on the courtesy he had been shown by motorists while taking a trail ride recently.

COUNCILMEMBER STARKEY

PROPOSED TALLAHASSEE/FORT LAUDERDALE JET BLUE FLIGHTS. Councilmember Starkey said Broward League of Cities representatives wanted people to pledge to use the flights so the league could estimate how many flights would be needed. The program was called "Pledge Your Support" and Councilmember Starkey asked staff to estimate the number of flights Council and staff might make.

MAYOR PAUL

BROWARD COUNTY COUNCIL FOR PROFESSIONAL FIREFIGHTERS GALA. Mayor Paul had attended the event and received the Municipal Leader of the Year award.

SALES TAX SURTAX EDUCATIONAL WORKSHOP. Mayor Paul reminded everyone that the workshop was on September 17 in Sunrise.

XIV. TOWN ADMINISTRATOR'S COMMENTS

No comments.

XV. TOWN ATTORNEY'S COMMENTS

BIRD SANCTUARY ORDINANCE. Mr. Rayson thanked Mayor Paul for her leadership on the ordinance.

XVI. ADJOURNMENT

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

Approved _____

Mayor/Councilmember

Town Clerk