

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

March 24, 2022

13400 Griffin Road

Present:

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| Mayor Steve Breitzkreuz | Andrew Berns, Town Administrator |
| Vice Mayor Gary Jablonski | Russell Muñiz, Assistant Town Administrator/Town Clerk |
| Member Jim Allbritton | Martin Sherwood, Town Financial Administrator |
| Council Member Bob Hartmann | Keith Poliakoff, Town Attorney |
| Council Member David S. Kuczenski | |

Regular Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor Breitzkreuz at 7:07 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Representative Robin Bartleman – Legislative Update

State Representative Robin Bartleman provided an update for the time she spent in Tallahassee representing the Town. She went over the appropriations received for the Town which were:

- \$479,306.00 for SW 63rd Street and SW 185th Way
- \$793,166.00 for Green Meadows Drainage Improvement
- \$409,422.00 for SW 54th Place drainage extension to Ivanhoe Canal.

She also touched on bills the Town needs to be aware of:

- HB 105 – The Town can prohibit smoking in its parks
- HB 620 - A resident can challenge any ordinance at any time and sue the Town and the ordinance stays the same. The bill puts the Town at a disadvantage.

4. Annual Comprehensive Financial Report for Fiscal Year Ended September 30, 2021

Town Financial Administrator Sherwood provided a brief explanation of the Annual Comprehensive Financial Report and introduced representatives from Keefe McCollough to present their report to the Town Council.

The following motion was made by Council Member Hartmann, seconded by Vice Mayor Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO ACCEPT THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2021.

5. District Boundary Review – Presentation of Options – Scott Burton-Rodriguez, Empire Consultants

Scott Burton-Rodriguez and Taylor Burton-Garcia presented options to the Town Council regarding the redistricting of the Town's boundaries. After much discussion, Mr. Burton-Rodriguez proposed working with Town Staff and Town Council to gain insight and possibly come up with some "what-

if" districting scenarios to which the Town Council agreed. The item would be brought back before the Town Council on April 14, 2022.

6. American Rescue Plan Act (ARPA) Funding – Project Priority List

Town Administrator Berns provided an explanation regarding the ARPA project priority list prior to the Town Council discussing the project list. He advised the project amounts are based on estimates provided by Town Staff and once the Town Council makes their selections, Town Staff will begin collecting information and costs and bring the information back to the Town Council for consideration. The Town Council then discussed the project list and the items that were agreed upon were:

- Emergency Operations Center Land Purchase
- Emergency Operations Center Design Plans
- Southwest Meadows Sanctuary Roadway, Parking and Restroom Facilities
- Dykes Road Piping
- Internet Fiber to Town Hall w/Public Wi-Fi
- Town Hall Safety Improvements
- Online Permitting/Services Kiosk – Town Share

7. Public Comment

The following members of the public addressed the Town Council: Pavitpaul Makkar and Newell Hollingsworth.

8. Board Reports

Debbie Green, Treasurer of the Schools and Education Advisory Board (SEAB), spoke about the Barn Dance and the Flamingo Flocking fundraisers and thanked everyone for their support. She also reminded the Town Council about the Unity in Diversity 5K Run/Walk happening on April 9, 2022.

9. Council Member Comments

Vice Mayor Jablonski advised the public of upcoming events in the Town such as the Rolling Oaks Easter Egg Hunt on April 2nd, the Unity in Diversity 5k Run/Walk on April 9th, and he mentioned the application for the Southwest Ranches Schools and Education Advisory Board scholarship are on the Town's website for download and submission. Vice Mayor Jablonski spoke about the Tractor Supply organization that had investigated building in the Town. It was a Quasi-Judicial matter and past council members and a mayor were speaking privately with the Tractor Supply organization. Vice Mayor Jablonski made it perfectly clear that he refused to meet with the organization. He was very concerned the discussions were not taking place within the Florida's Sunshine Law and asked Town Attorney Poliakoff what could be done to prohibit the practice and after speaking with various colleagues, Vice Mayor Jablonski asked Town Attorney Poliakoff to draft an ordinance to bring to the April 14, 2022 Town Council meeting for consideration.

Council Member Hartmann thanked the Schools and Education Advisory Board for putting the Barn Dance together and stated it was a great event. He announced the grand opening event of the Farmer's Market on March 19th and encouraged the public to attend. Next, he spoke about an issue that is happening throughout the Town regarding the paved private roads and potholes. He

then clarified the difference between a Town road and a private road regarding upkeep and repair. Town roads fall under the Town's responsibility and private roads are the resident's responsibility. He brought up a possible solution which is to have Code Enforcement place this in their proactive items, meaning since Code Enforcement already patrols the Town, if they come across an issue with a road, private or Town, they would notify the responsible party and work on a resolution. It will also allow residents to call in and notify Code Enforcement of a pothole and not have to leave their name as a complainant. Town Council weighed in and agreed with Council Member Hartmann's suggestion.

Council Member Allbritton thanked State Representative Bartleman for providing legislative updates. He advised that phase two (2) of the current Green Meadows drainage project is finishing up, the sod is being laid and the swales were being cleaned. He attended the Broward League of Cities Director's meeting and the main subject was about Tallahassee and Home Rule being attacked. He announced he will be attending the Broward County Water Board meeting and as he was reviewing the agenda, he noticed that septic tanks were a topic. He stated he thought Broward County was pushing hard to get rid of septic tanks. He announced the Rural Public Arts Advisory Board photo contest and the Green Meadows Association Zoom meeting approaching.

Council Member Kuczenski spoke about complaints from Sunshine Ranches residents about a damaged guardrail and the parts are on order and on their way, the Bonaventure Bridge designated equestrian pass-through is being worked on and he is hoping to have stanchions to help designate the area and make it safe for horses and pedestrians. He has been in contact with Weston Mayor Peggy Brown who also supports the equestrian pass-through. He advised WastePro had some delays in Sunshine Ranches and the bulk should be picked up very soon. He advised the residents about selling items on social media to be safe and never meet at their place of residence. The Transportation, Surface, Drainage, Ongoing Rehabilitation (TSDOR) road paving projects are moving forward, and he advised the residents if they notice any problems or defects to contact Town Hall and it will get put on a list to be repaired. Next, he spoke about election signs on vacant lots and he would like to put some regulations in place as the owner of the lot may not even know the sign is on the property, as well as putting out election signs way before the 60 days legal prior to election day. He spoke about a resident's claim of a Town vendor knocking out all his electric and damaged his appliances and the delays he is facing. Lastly, he spoke about Senate Bill 620 which allows businesses to possibly sue the municipalities for loss of revenue and he wondered what types of businesses would be included.

Mayor Breitzkreuz spoke about the Farmer's Market, and he heard a lot of great things and can't wait to attend.

10. Legal Comments

Town Attorney Poliakoff spoke about the redistricting process and clarified why they would review the boundary lines prior to developments being built. He spoke about meeting with MG3 about the P3 and felt it went very well as well as with Akai Estates and their item has been put on the agenda. He stated Vice Mayor Jablonski had some questions regarding advisory boards and parliamentary procedure and advised to please contact him and he will respond immediately. He addressed Council Member Kuczenski's statements about campaign signage and stated his office

was looking into the issue. Town Attorney Poliakoff then spoke about House Bill 620 and that the final version of it may not impact the Town as much as when it was originally written.

11. Administrative Comments

There were no Town Administrator comments.

Ordinance – 2nd Reading

12. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING, CLOSING AND ABANDONING PLATTED AND UNPLATTED PORTIONS OF AKAI DRIVE, SW 49TH STREET AND ASSOCIATED TURN LANE AND TURNAROUND EASEMENTS WITHIN THE TARA PLAT, RECORDED IN PLAT BOOK 162, PAGE 20 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; ACCEPTING THE GRANT OF AN INGRESS/EGRESS, DRAINAGE AND UTILITY EASEMENT IN PLACE OF THE ABANDONED PLATTED RIGHT-OF-WAY AND UNPLATTED INGRESS/EGRESS EASEMENT FOR AKAI DRIVE; ACCEPTING THE GRANT OF A RECREATIONAL TRAIL EASEMENT; AUTHORIZING THE PREPARATION AND EXECUTION OF EFFECTUATING DOCUMENTS; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (APPLICATION NO. VC-31-22). **{Approved on First Reading February 24, 2022}**

An initial motion to approve was made by Council Member Hartmann and seconded by Vice Mayor Jablonski. At that point, Town Attorney Poliakoff stepped in and advised of some improvements to the initial plan Akai was agreeing to make. Once the discussion was complete the original motion and second to approve was withdrawn and a new motion and second was made.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitreuz voting yes.

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING WITH THE FOLLOWING STIPULATIONS: MODIFY THE FRONT ENTRANCE TO ACCOMMODATE THE HORSE TRAIL FROM AKAI DRIVE TO THE CORNER OF THE INTERSECTION OF BONAVENTURE BOULEVARD AND GRIFFIN ROAD WITH A MINIMUM OF A 10 FOOT TRAIL EASEMENT AND WITH ALL THE ACOMPANYING FEATURES AT THE DIFFERENT SITES, 49th STREET, 184th AVENUE AND GRIFFIN ROAD ALONG WITH TRAIL SIGNAGE TO BE INCORPORATED INTO THE MASTER PLAN.

Ordinance – 1st Reading

13. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 10, ENTITLED, "DEFINITION OF TERMS" TO REVISE THE DEFINITION OF THE TERM, "NET ACRE" TO EXCLUDE CERTAIN SURFACE WATER MANAGEMENT AREAS AND DRAINAGE EASEMENTS; AMENDING ARTICLE 45 ENTITLED, "AGRICULTURAL AND RURAL DISTRICTS," SECTION 045-070 "MINIMUM PLOT SIZE AND DIMENSIONS" TO PROVIDE FOR LOTS MADE NONCONFORMING BY THIS ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING

FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {STAFF REQUESTING A TABLING TO APRIL 14, 2024}

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Kuczenski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO TABLE ITEM TO THE APRIL 14, 2022, TOWN COUNCIL REGULAR MEETING.

Discussion

14. AUTHORIZING THE TOWN TO TRANSMIT TO THE COUNTY A DELEGATION REQUEST TO AMEND THE FORMER CCA PROPERTY PLAT NOTE FROM 2,500 BED CORRECTIONAL INSTITUTE TO 530,600 SQUARE FEET OF INDUSTRIAL USE.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO AUTHORIZE THE TOWN ATTORNEY TO SEEK PLAT NOTE AMENDMENTS.

15. Approval of Minutes

- a. February 10, 2022 Regular Meeting**
- b. February 24, 2022 Regular Meeting**

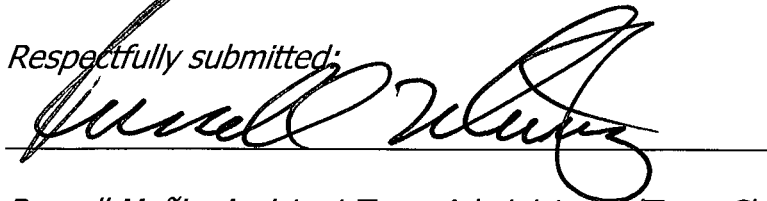
The following motion was made by Vice Mayor Jablonski, seconded by Council Member Allbritton and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE FEBRUARY 10 & FEBRUARY 24, 2022 REGULAR MEETING MINUTES.

16. Adjournment

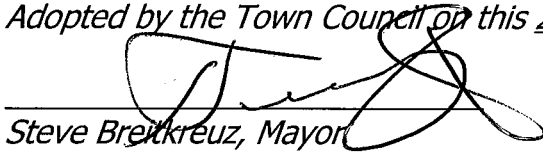
Meeting was adjourned at 10:18 p.m.

Respectfully submitted;



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 28th day of April, 2022.



Steve Breikreuz, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.