

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 26, 2022

13400 Griffin Road

Present:

Mayor Steve Breitzkreuz

Vice Mayor Gary Jablonski

Council Member Jim Allbritton

Council Member Bob Hartmann

Andrew Berns, Town Administrator

Russell Muñiz, Assistant Town Administrator

Emil C. Lopez, Town Financial Administrator

Keith Poliakoff, Town Attorney

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 7:00 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance. A moment of silence was observed for the Uvalde Elementary School tragedy.

The following motion was made by Council Member Hartmann, seconded by Vice Mayor Jablonski and passed by a 4-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO EXCUSE COUNCIL MEMBER KUCZENSKI'S ABSENCE.

3. Legislative Update – County Commissioner Nan Rich – District 1

County Commissioner Rich stated she was happy to be re-representing a portion of Southwest Ranches again and provided a Legislative Update.

4. Redesigned Town Website – Russell Muniz

Assistant Town Administrator Muñiz provided a live presentation of the redesigned town website.

5. Public Comment

The following members of the public addressed the Town Council: Lorena Mastrarrigo and Newell Hollingsworth.

6. Board Reports

There were no Board Reports.

7. Council Member Comments

Vice Mayor Jablonski advised the public of the July 9, 2022 "HazMat at the Barn" which included shredding and prescription medication drop off. He commended Eagle Scout Bryce Taporowski for the flagpole that was erected at the Rolling Oaks Barn as his Eagle Scout project and managed to do it under budget; he then donated the excess funds to the Town. He advised Town Hall would be closed on May 30th for Memorial Day and of the upcoming June 2nd special meeting on the P3 project, which he urged attendance. Lastly, he advised the public of the upcoming DMV Flow Mobile and Broward County Property Appraiser events for June.

Council Member Hartmann thanked Mayor Breitreuz for the moment of silence surrounding the Uvalde Elementary School tragedy and spoke about his lack of comfort in the emergency response as it relates to the schools and religious communities in the Town. He did recognize his lack of knowledge of the plans that Davie Police and Fire may and probably do, have in place. He asked Town Administrator Berns to ask the Davie Police Chief to come to the Town and explain how active shooter situations would be dealt with. Town Attorney Poliakoff advised that any such meeting be done in private, since safety plans have been provided by Broward County Schools and reviewed by Police Departments. Town Administrator Berns stated it was very important to keep the school specific safety plans private, however he didn't think it would be a problem to have the Davie Police Chief come to the Town and provide an overview of how emergency situations will be handled. Council Member Hartmann then clarified he would like to meet with the Davie Police Chief just to verify there are emergency response plans in place, not to view the actual school safety plans.

Council Member Allbritton also thanked Mayor Breitreuz for the moment of silence as well. He then promoted attendance to the June Public Safety and Traffic Committee meeting. He really wished to see residents show up and see how hard the committee has worked.

Mayor Breitreuz spoke about the upcoming June 10th memorial event for Birdie Knight, who was the wife of former Council member Astor Knight. He advised he would be meeting with Carlos Martinez with Town Administrator Berns in attendance as well for transparency. Next he spoke about the road closures on Griffin Road out west that would continue to the end of the month. Lastly, he spoke about the Sunshine Ranches HOA meeting that was held the night before and one of the items brought up was the Zoning in Progress that was in place. Mayor Breitreuz inquired if the Town is at a point where that issue can be closed out or can the Town Council vote to have it closed out. He would like to be done with it. Town Attorney Poliakoff advised the Zoning in Progress was a resolution that would expire in 6 months or if the Town Council would consider an ordinance that would add a new zoning category. He then inquired what the purpose of the Zoning in Progress was to which Town Attorney Poliakoff explained that it's in place for the Town's protection.

8. Legal Comments

Town Attorney Poliakoff spoke about having County Commissioner Rich back as the Town's advocate. Next he spoke about two legal wins the Town had. The first win had to do with gate access by Franklin Academy at SW 207 Avenue. The second win had to do with home-based businesses. The Court of Appeals ruled in a landmark decision that if a home business has most of its business performed within the residence, then the residence can no longer be considered a home and therefore could be regulated under the Town's Code. Mayor Breitreuz inquired about Airbnbs and how could they be regulated and Council Member Hartmann piggybacked on the Mayor's topic and asked if a homeowner moves out of a home but leaves an employee to manage the home as it is rented out to guests, what could be done about it, to which Town Attorney Poliakoff stated the issue could be reviewed.

9. Administrative Comments

Town Administrator Berns commended the Public Works Department for obtaining the Town's CRS recertification. Next, he advised Broward County will be repainting the reflective markers in the median in front of Town Hall to make it easier to see when leaving a meeting in the evening. He then provided an update on the solid waste bid that closed May 13, 2022, and the selection committee met on May 20, 2022 to evaluate the submissions. Lastly, Town Administrator Berns spoke about the July 2, 2022 Special Meeting. He advised Town Council that he and Assistant Town Administrator Muñiz would be attending a conference in Orlando and that he would attend the meeting via phone.

Ordinance – 1st Reading

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUBMITTING TO REFERENDUM AMENDMENTS TO THE TOWN'S CHARTER; PROPOSING THE FOLLOWING AMENDMENTS TO BE CONSIDERED ON THE NOVEMBER 1, 2022 GENERAL ELECTION BALLOT: TO AMEND ARTICLE II "TOWN COUNCIL" SECTION 2.04 (a) TO AMEND THE RESIDENCY REQUIREMENT FOR THE TOWN'S MAYOR; TO AMEND ARTICLE II "TOWN COUNCIL" SECTION 2.06 (c) TO CLARIFY HOW TOWN COUNCIL VACANCIES ARE FILLED; AND TO AMEND ARTICLE VII "CHARTER AMENDMENTS" SECTION 7.03 TO APPOINT A CHARTER REVIEW COMMITTEE EVERY TEN (10) YEARS FOLLOWING THE PUBLICATION OF THE CENSUS; DIRECTING THE TOWN CLERK TO PROVIDE FOR A NOTICE OF ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH THE STATE OF FLORIDA ELECTION CODE; SUBMITTING THE REFERENDUM TO THE QUALIFIED VOTERS OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, FOR THE 2022 GENERAL ELECTION; PROVIDING THAT SUCH REFERENDUM, IF ADOPTED, SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. **{Second Reading to be held - June 9, 2022}**

The following motion was made by Council Member Hartmann, seconded by Vice Mayor Allbritton and passed by a 3-1 roll call vote. The vote was as follows: Council Member Allbritton voting no, and Council Member Hartmann, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING TO INCLUDE THE FOLLOWING; "SUBJECT TO FORFEIT SALARY IF APPOINTMENT IS NOT MADE BY THE 91st DAY".

Resolutions

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CORRECTING RESOLUTION NO. 2022-045 BY CLARIFYING AND CORRECTING THAT ONLY FOURTEEN THOUSAND FOUR HUNDRED AND FIFTY-FIVE DOLLARS AND ZERO CENTS (\$14,455.00) WAS NEEDED TO ISSUE THE PURCHASE ORDER FOR THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) PROGRAM STUDY; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Hartmann and passed by a 4-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ACCEPTING AND APPROVING AN AGREEMENT WITH BROWARD COUNTY TO RECEIVE FORTY-THREE THOUSAND DOLLARS AND ZERO CENTS (\$43,000.00) OF SURTAX FUNDING TO COMPLETE THE GREEN MEADOWS DRAINAGE IMPROVEMENTS (SWRA-022) AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY, TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Hartmann and passed by a 4-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PIGGYBACK AGREEMENT WITH CROWN CASTLE FIBER, LLC FOR DEDICATED INTERNET ACCESS SERVICES (DIA); AUTHORIZING A BUDGET AMENDMENT; AND AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY DOCUMENTS NECESSARY TO EFFECTUATE THIS AGREEMENT AND ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED FORTY-NINE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$49,500.00); AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Hartmann and passed by a 4-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

**MOTION: TO APPROVE THE RESOLUTION WITH THE FOLLOWING MODIFICATION:
TO CORRECT THE ACCOUNT NUMBER, OBJECT CODE FROM 63900 TO 61100.**

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PIGGYBACK AGREEMENT WITH 8X8, INC. FOR VOICE OVER INTERNET PROTOCOL (VOIP) TELEPHONE SERVICE; AUTHORIZING A BUDGET AMENDMENT; AND AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THIS AGREEMENT FOR A PERIOD OF THIRTY-EIGHT MONTHS AND ISSUE A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED SIXTY-FIVE THOUSAND FOUR HUNDRED AND FORTY-ONE DOLLARS AND THIRTY-ONE CENTS (\$65,441.31); AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Hartmann, seconded by Vice Mayor Jablonski and passed by a 4-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Vice Mayor Jablonski and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

15. Approval of Minutes

a. April 28, 2022 Regular Meeting

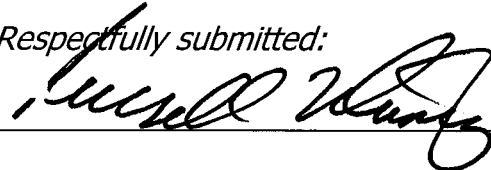
The following motion was made by Vice Mayor Jablonski, seconded by Council Member Hartmann and passed by a 4-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Vice Mayor Jablonski and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE APRIL 28, 2022 REGULAR MEETING MINUTES.

16. Adjournment

Meeting was adjourned at 9:02 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 11th day of August, 2022.



Steve Breitkreuz, 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.