

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

September 23, 2021

13400 Griffin Road

Present:

Mayor Steve Breitreuz

Andrew Berns, Town Administrator

Vice Mayor Bob Hartmann

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Jim Allbritton

Martin D. Sherwood, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Council Member David S. Kuczenski

Regular Meeting of the Town Council of Southwest Ranches was held 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor Breitreuz at 7:30 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Quasi-Judicial Hearings

3. Resolution Approving Waiver of Plat No. WP-30-21

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-30-21 TO SUBDIVIDE 4.136 ACRES OF PROPERTY INTO TWO LOTS OF 2.0 NET ACRES EACH; GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE LURAY ROAD AND HOLATEE TRAIL INTERSECTION; LEGALLY DESCRIBED AS THE NORTH ONE HALF OF TRACT 48, LESS THE WEST 40 FEET AND LESS THE NORTH 40 FEET FOR ROADS, OF THE SUBDIVISION OF SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF "EVERGLADES SUGAR AND LAND CO.", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 39 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION WITH THE FOLLOWING STIPULATIONS ADDED:

- **Recordation of an easement agreement approved by the Town Attorney as to form, granting ingress and egress rights to proposed tract "A" and providing for maintenance of the improvements within the easement.**
- **Renters must be out of the home within 120 days from approval (meeting date on 09/23/2021).**
- **Existing house must be homesteaded in the names of the current owners within 18 months of approval (meeting date 09/23/2021).**

- **Once construction of second home is complete, homestead exemption must be obtained within 12 months from date of Certificate of Occupancy.**
- **There shall be no sale or transfer of either parcel within 48 months of the date that both parcels have been occupied (which will be the date that both parcels are homesteaded).**

4. Public Comment

There were no public speakers.

5. Board Reports

There were no Board Reports.

6. Council Member Comments

Council Member Jablonski spoke about upcoming events in the Town, such as the Country Estates Park Entrance contest, the Holiday Lights decoration contest, Broward County Property Appraiser outreach, the Southwest Ranches Parks Foundation Annual Car Show and Chili Fest. He thanked Town Administrator Berns, Assistant Town Administrator Muñiz, Town Financial Administrator Sherwood and Town Controller Rich Strum for the outstanding job they did on the budget. Council Member Jablonski then mentioned the presentation he is working on with Assistant Town Administrator Muñiz regarding fill permits.

Vice Mayor Hartmann reminded the public about attending the Broward Water Leader's Academy and he is excited to learn some new things. He then spoke about Broward Days occurring January 17-January 20, 2022. He would like to attend and mentioned it to the Town Council about attending as well. Town Administrator Berns then asked who would be attending Broward Days, Mayor Breitzkreuz, Vice Mayor Hartmann, Council Member Jablonski and Council Member Allbritton all confirmed they would like to attend. Council Member Kuczenski indicated he might be able to attend but was unsure.

Council Member Kuczenski spoke about Robin Ditzian's mother Carolyn was undergoing serious surgery and everyone to keep her in their thoughts. He thanked the Comprehensive Plan Advisory Board for their items that passed and thanked Town Financial Administrator Sherwood and Town Controller Rich Strum for their great work on the budget. Council Member Kuczenski closed his comments by mentioning the bid deadlines are approaching for the drainage projects, Country Estates project and road resurfacings in Sunshine Ranches.

Council Member Allbritton spoke about the amount of deaths in the United States at the time of the meeting due to COVID-19. He urged everyone to be safe, mask up and take precautions to get a handle on it. He thanked Town Administrator Berns for his help in creating the Public Safety and Traffic Committee. It will run for six months starting in January and sunset in June. Council Member Allbritton then asked his fellow Council Members to each nominate a committee member. He indicated his excitement to start brainstorming ways to slow down traffic, divert cut through traffic, and maybe stop crimes.

Mayor Breitreuz thanked Council Member Allbritton for his committee creation and asked Town Administrator Berns if he could review the committee/advisory board applications that have been submitted in the last couple of years. He thanked the Comprehensive Plan Advisory Board for their hard work and spoke about the commitment he and the Town Council made to protect the rural lifestyle of the Town and was excited to see it coming to fruition. Mayor Breitreuz spoke about Broward Days and the opportunity to speak to individuals while he is there to remind them of the importance of the Town's legislative items.

7. Legal Comments

Town Attorney Poliakoff reminded the Town Council to wear masks while in Tallahassee. He then spoke on the Shade Session that was held and a settlement was agreed upon. Town Attorney Poliakoff spoke about the upcoming Town of Southwest Ranches versus the City of Pembroke Pines litigation regarding the CCA Property on October 7, 2021. Just in case the City of Pembroke Pines would like to reach a settlement prior to the court date, Town Attorney Poliakoff would like to hold a shade session to discuss with the Town Council. Due to some Council Member's previous commitments, the date for the shade session was set for Sunday, October 3, 2021 at 6:00 PM.

8. Administration Comments

Town Administrator Berns spoke about his meeting with City of Pembroke Pines City Manager Charles Dodge. He was hopeful they may be able to come to some agreement.

Ordinance - 2nd Reading

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN ("WSFWP") AND ADOPTING IMPLEMENTING AMENDMENTS TO THE GOALS, OBJECTIVES AND POLICIES OF THE UTILITIES ELEMENT AND CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL OF THE TEN-YEAR WSFWP AND RELATED COMPREHENSIVE PLAN AMENDMENTS TO REVIEWING AGENCIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-3) {Approved on First Reading - January 28, 2021}{TABLED FROM SEPTEMBER 13, 2021}

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 45, "AGRICULTURAL AND RURAL DISTRICTS," SECTION 045-030, "GENERAL PROVISIONS" TO REGULATE THE LOCATION OF NEW BUSINESSES ENGAGED IN COMMERCIAL RETAIL SALES OF PLANTS ON PLOTS AND PORTIONS OF PLOTS THAT ARE NOT FARMS (NO AGRICULTURAL PROPERTY TAX CLASSIFICATION) AND TO PROVIDE FOR NONCONFORMING USES; PROVIDING

FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading - September 13, 2021}**

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 45, "AGRICULTURAL AND RURAL DISTRICTS," 045-030, "GENERAL PROVISIONS" BY CREATING SUBSECTION (X) TO PROHIBIT THE CONVERSION OF A SINGLE-FAMILY DWELLING FOR NONRESIDENTIAL USE WITHOUT FIRST OBTAINING A SPECIAL EXCEPTION USE PERMIT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading - September 13, 2021}**

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

Ordinance - 1st Reading

12. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY ADDING A NEW PROPERTY RIGHTS ELEMENT; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND OTHER REVIEW AGENCIES DEFINED IN F.S. 163.3184(1)(C); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-22-2)

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

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.

13. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE DEFINITION OF GUEST HOUSE IN THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-22-1)

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

MOTION: TO DENY THE ORDINANCE ON FIRST READING.

14. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 45, "AGRICULTURAL AND RURAL DISTRICTS," SECTION 045-030, "GENERAL PROVISIONS," TO AUTHORIZE GUEST HOMES OF THE SAME SIZE ON ALL PLOTS OF 35,000 SQUARE FEET AND LARGER; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO DENY THE ORDINANCE ON FIRST READING.

15. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING, CLOSING AND ABANDONING A PORTION OF UNIMPROVED ROAD EASEMENT RECORDED IN O.R. BOOK 19831, PAGE 475 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA BEING A PORTION OF TRACT 64 IN SECTION 34, TOWNSHIP 50 SOUTH, RANGE 39 EAST, "EVERGLADES LAND COMPANY'S SUBDIVISION," ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, SAID LANDS LYING AND BEING IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA; GENERALLY DESCRIBED AS A PORTION OF SW 54TH PLACE BETWEEN SW 207 TERRACE AND SW 208 LANE AND A PORTION OF SW 207 TERRACE EXTENDING APPROXIMATELY 650 FEET NORTH OF SW 54 PLACE; AUTHORIZING THE PREPARATION AND EXECUTION OF EFFECTUATING DOCUMENTS; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (APPLICATION NO. VC-30-21)

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

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING WITH THE FOLLOWING CONDITIONS:

- **Petitioner to dedicate a minimum 10-foot drainage easement in place of the vacated road easement along 54h place.**
- **Petitioner to dedicate 15 feet for Right-of-Way on 54th Place.**

16. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING, CLOSING AND ABANDONING A PORTION OF UNIMPROVED 49 STREET RIGHT-OF-WAY

RECORDED IN O.R. BOOK 38262, PAGE 1888 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA BEING A PORTION OF PARCEL "B," ALDERMAN PARCELS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 172, PAGE 12 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; GENERALLY DESCRIBED AS A PORTION OF SW 49 STREET EXTENDING 330 FEET ON EITHER SIDE OF SW 192 TERRACE; AUTHORIZING THE PREPARATION AND EXECUTION OF EFFECTUATING DOCUMENTS; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (APPLICATION NO. VC-29-21)

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

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING WITH THE FOLLOWING STIPULATION:

- **Prior to second reading, petitioner will execute a deed restriction prohibiting a second home from being constructed on any part of the property.**

Resolutions

17. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF COOPER CITY PROVIDING WATER SERVICES TO 6200 STALLION WAY, A SINGLE FAMILY HOME LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING THAT NO FURTHER EXPANSION OF SERVICE SHALL BE PERMITTED WITHOUT THE EXPLICIT WRITTEN CONSENT OF THE TOWN; PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF COOPER CITY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

18. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER TO ARC ELECTRIC, INC. IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS AND ZERO CENTS (\$15,000.00) TO PURCHASE AND INSTALL A SCHOOL ZONE FLASHING BEACON ON SW 172ND AVENUE, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE ORDER; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2021 ADOPTED BUDGET; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

19. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENTERING INTO AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR COOPERATIVE FIRE, RESCUE, EMERGENCY MEDICAL SERVICES, AND SPECIAL OPERATIONS RESPONSE THROUGH AUTOMATIC AID AND CLOSEST UNIT RESPONSE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY, TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

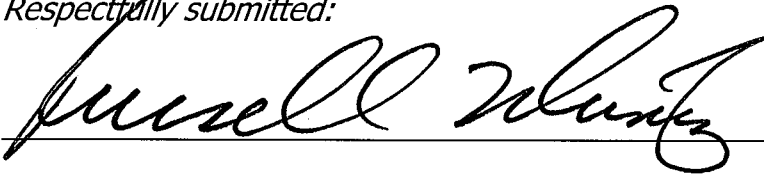
The following motion was made by Council Member Jablonski, seconded by Council Member Allbritton and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitkreuz voting Yes.

MOTION: TO APPROVE THE RESOLUTION

20. Adjournment

Meeting was adjourned at 9:27 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 18th day of November 2021



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.