



Southwest Ranches Town Council

REGULAR MEETING
Agenda of October 12, 2023

Southwest Ranches Council Chambers
7:00 PM Thursday

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u> Steve Breitreuz	<u>Town Council</u> Bob Hartmann Gary Jablonski	<u>Town Administrator</u> Andrew D. Berns, MPA	<u>Town Attorney</u> Keith M. Poliakoff, J.D.
<u>Vice Mayor</u> Jim Allbritton	David Kuczenski, Esq.	<u>Town Financial Administrator</u> Emil C. Lopez, CPM	<u>Assistant Town Administrator/Town Clerk</u> Russell C. Muniz, MPA

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance**

Presentations

- 3. Marty Kiar, Broward County Property Appraiser**
- 4. Proclamation - Zero Waste Month - October 2023**
- 5. Public Comment**

- All Speakers are limited to 3 minutes.
- Public Comment will last for 30 minutes.
- All comments must be on non-agenda items.
- All Speakers must fill out a request card prior to speaking.
- All Speakers must state first name, last name, and mailing address.
- Speakers will be called in the order the request cards were received.
- Request cards will only be received until the first five minutes of public comment have concluded.

- 6. Board Reports**
- 7. Council Member Comments**
- 8. Legal Comments**
- 9. Administration Comments**

Ordinance - 1st Reading

- 10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE INSTALLATION OF WATER AND SEWER LINES WITHIN THE TOWN'S RIGHTS OF WAY; REQUIRING UTILITY PROVIDERS TO SEEK TOWN CONSENT BEFORE WORKING IN THE TOWN'S RIGHT OF WAY; REQUIRING UTILITY PROVIDERS TO ABIDE BY THE TOWN'S CONDITIONS OF APPROVAL PRIOR TO**

INITIATING ANY WORK; ESTABLISHING BASELINE REQUIREMENTS FOR APPROVAL; REQUIRING A PROPERTY OWNER TO OBTAIN A PERMIT FROM THE TOWN IF THEY ARE BRINGING WATER AND/OR SEWER TO THEIR PROPERTY; REQUIRING A PROPERTY OWNER TO SPECIFICALLY ACKNOWLEDGE AS PART OF THE PERMIT THAT THE PUBLIC UTILITY CANNOT BE ACTIVATED UNLESS THE TOWN'S PERMIT HAS BEEN APPROVED AND FINALED; REQUIRING ANY CONTRACTOR TO CERTIFY THAT THE PUBLIC UTILITY CANNOT BE ACTIVATED UNTIL THE TOWN'S PERMIT HAS BEEN APPROVED AND FINALED; ENABLING PROPERTY OWNERS TO RECUPERATE THEIR INVESTMENT FOR THE EXTENSION OF WATER AND/OR SEWER LINES; PROVIDING FOR PENALTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION IN THE TOWN'S CODE; AND PROVIDING FOR AN EFFECTIVE DATE. {Second Reading to be held on October 26, 2023}

Resolutions

11. A RESOLUTION OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ESTABLISHING A POLICY AND RATE SCHEDULE OF REASONABLE FEES FOR THE REGISTRATION OF VACATION RENTALS PURSUANT TO ARTICLE 45 SECTION 045-030 OF THE TOWN OF SOUTHWEST RANCHES' UNIFIED LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN INCREASE TO PURCHASE ORDER 23-026 TO CAP GOVERNMENT, INC IN THE AMOUNT OF SIXTY-SEVEN THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS AND FIFTY CENTS (\$67,813.50) FOR ENGINEERING AND CERTIFIED FLOODPLAIN MANAGER (CFM) SERVICES; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2022-2023 TOWN BUDGET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY, TO EXECUTE THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.
13. Approval of Minutes
 - a. August 15, 2023 Budget Workshop Minutes
 - b. August 24, 2023 Special Meeting Minutes
 - c. August 24, 2023 Regular Meeting Minutes

14. Adjournment

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 A 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.

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**PROCLAMATION
Zero Waste Month**

WHEREAS, the health of our environment, economy, and society is essential for our current and future generations; and

WHEREAS, wasting depletes the health of our communities by excessive consumption of resources, water and energy, removing those resources from future potential; and

WHEREAS, wasting creates direct and indirect negative effects to our communities by emissions to air, water and land; and

WHEREAS, Zero Waste is a goal that is ethical, economical, efficient and visionary, to guide people in changing their lifestyles and practices to emulate sustainable natural cycles, where all discarded materials are designed to become resources for others to use; and

WHEREAS, Zero Waste means designing and managing products and processes to systematically avoid and eliminate the volume and toxicity of waste and materials, conserve and recover all resources, and not burn or bury them; and

WHEREAS, implementing Zero Waste will eliminate all discharges to land, water or air that are a threat to planetary, human, animal or plant health; and

WHEREAS, actions taken towards Zero Waste will have the added benefits of reducing greenhouse gas emissions, saving money, and advancing community goals for health, safety, economic vitality, energy independence, and quality of life; and

WHEREAS, the Town of Southwest Ranches supports this collaborative effort bringing awareness to the need for local solutions to the pivotal issues facing our planet and community members to work towards positive change.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Town Council of the Town of Southwest Ranches, do hereby proclaim October, 2023 as Zero Waste Month, bringing the community together in action for a healthy, clean, and sustainable Town.

Dated this 12th day of October, 2023

STEVE BREITKREUZ, MAYOR

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Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Steve Breitkreuz, *Mayor*
Jim Allbritton, *Vice Mayor*
Bob Hartmann, *Council Member*
Gary Jablonski, *Council Member*
David Kuczenski, Esq., *Council Member*

Andrew D. Berns, MPA, *Town Administrator*
Keith M. Poliakoff, JD, *Town Attorney*
Russell Muniz, MPA, *Assistant Town Administrator/Town Clerk*
Emil C. Lopez, CPM, *Town Financial Administrator*

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Andrew D. Berns, Town Administrator
FROM: Keith Poliakoff, Town Attorney
DATE: 10/12/2023
SUBJECT: Public Utility Ordinance

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- D. Improved Infrastructure

Background

As the Town matures, more and more property owners are bringing water and/or sewer to service their properties from municipal utilities. On several occasions, the public utility has failed to perform the installation to the Town's standards, nor has a Town permit relating to such work been applied for.

On several occasions, the public utility has been activated without notice to the Town and without an approved final inspection obtained of the Town's permit. The Town desires to oversee the installation and activation of utilities within its Right of Way and to provide a mechanism for an owner to recuperate their investment for the extension of water and/or sewer lines to their property.

The enactment of this ordinance will ensure that such installation meets the Town's engineering standards for the installation of public utilities within the Town's right of way; and to ensure the health, safety, and welfare of the Town's residents.

Fiscal Impact/Analysis

None.

Staff Contact:

Keith Poliakoff, Town Attorney

ATTACHMENTS:

Description	Upload Date	Type
Public Utility Ordinance - TA Approved	10/4/2023	Ordinance

ORDINANCE 2023 - XXX

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE INSTALLATION OF WATER AND SEWER LINES WITHIN THE TOWN'S RIGHTS OF WAY; REQUIRING UTILITY PROVIDERS TO SEEK TOWN CONSENT BEFORE WORKING IN THE TOWN'S RIGHT OF WAY; REQUIRING UTILITY PROVIDERS TO ABIDE BY THE TOWN'S CONDITIONS OF APPROVAL PRIOR TO INITIATING ANY WORK; ESTABLISHING BASELINE REQUIREMENTS FOR APPROVAL; REQUIRING A PROPERTY OWNER TO OBTAIN A PERMIT FROM THE TOWN IF THEY ARE BRINGING WATER AND/OR SEWER TO THEIR PROPERTY; REQUIRING A PROPERTY OWNER TO SPECIFICALLY ACKNOWLEDGE AS PART OF THE PERMIT THAT THE PUBLIC UTILITY CANNOT BE ACTIVATED UNLESS THE TOWN'S PERMIT HAS BEEN APPROVED AND FINALED; REQUIRING ANY CONTRACTOR TO CERTIFY THAT THE PUBLIC UTILITY CANNOT BE ACTIVATED UNTIL THE TOWN'S PERMIT HAS BEEN APPROVED AND FINALED; ENABLING PROPERTY OWNERS TO RECUPERATE THEIR INVESTMENT FOR THE EXTENSION OF WATER AND/OR SEWER LINES; PROVIDING FOR PENALTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION IN THE TOWN'S CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, as the Town matures, more and more property owners are bringing water and/or sewer to service their properties; and

WHEREAS, on several occasions, the public utility has failed to perform the installation to the Town's standards; and

WHEREAS, on several occasions, the public utility has been installed without the Town issuing a permit relating to such work; and

WHEREAS, on several occasions, the public utility has been activated without notice to the Town and without an approved final inspection obtained of the Town's permit; and

WHEREAS, the Town desires to oversee the installation and activation of utilities within its Right of Way; and

WHEREAS, the Town desires to provide a mechanism for an owner to recuperate their investment for the extension of water and/or sewer lines to their property; and

WHEREAS, to ensure that such installation meets the Town's engineering standards, and to ensure the health, safety, and welfare of the Town's residents, it is necessary to enact regulations to ensure the proper installation of public utilities within the Town's right of way;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

SECTION 1: Recitals adopted. That foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of the Ordinance.

SECTION 2: A section of the Town's Code entitled Installation of Public Utilities Within the Town's Right of Way shall be added as follows:

Installation of Public Utilities Within the Town's Right of Way

As it solely relates to this section, a Public Utility shall be defined as an entity that maintains and provides water and/or sewer to residents of the Town of Southwest Ranches.

It shall be a violation of the Town's Code for a Public Utility to install water and/or sewer service within the Town's Right of Way without the explicit written consent of the Town, which consent may be unreasonably denied. The Town may require conditions or approval for such work, and such work shall only be permitted to commence if the Public Utility agrees to the Town's conditions for the performance of such work. The Town may establish baseline requirements for such work. The Town may establish the location of the lines and shall require that the lines must be designed to provide connection points for all properties that the lines pass. The Town's Right of Way shall be restored as specifically required by the Town. In addition, the Public Utility shall install hydrants and other equipment as may be required by the Town. No permit shall be issued by a Public Utility unless and until such permit has been specifically reviewed and approved by the Town. The Public Utility shall not close its permit, or activate such service, unless specifically approved by the Town.

Any Public Utility providing water and/or sewer service in the Town shall obtain Town Council approval before such service may be extended throughout the Town.

Any property owner seeking service from a Public Utility that will require work to be performed in the Town's Right of Way shall obtain a permit from the Town prior to the

initiation of such work. The property owner shall initial a section of the permit application that will specifically state that "The Public Utility shall not be activated until the Town's permit has been approved and final inspection obtained."

Any contractor obtaining a permit for the installation of a Public Utility within the Town's Right of Way, shall initial a section of the permit application that will specifically state that "The Public Utility shall not be activated until the Town's permit has been approved and final inspection obtained."

Penalty

A violation of this section shall be deemed to cause irreparable or irreversible harm. Any contractor who violates this section shall be reported by the Town to the State's Department of Business and Professional Regulation.

Extension of Public Utilities

Prior to the extension of a Public Utility, a property owner shall send notice to all property owners within two hundred and fifty (250) feet of such extension to advise of the work to be performed. The property owner may request Town approval to seek future proportionate reimbursement for the extension of the Public Utility. In determining whether such future proportionate reimbursement is appropriate, the Town shall consider the cost and the scope of the service area. In the event that the Town determines, in its sole opinion, that seeking future proportionate reimbursement is appropriate, following the completion of the job the property owner shall provide the Town with a complete breakdown of cost including certified invoices and certified payment records and other related documents. The Town, in its sole discretion, shall determine if the cost is reasonable and within industry guidelines. If the Town does not find the cost to be reasonable and within industry guidelines, the Town shall apply an industry accepted cost estimate, in accordance with the standards of the Florida Building Code, as may be amended from time to time. Upon the Town's acceptance of same, or the application of an industry accepted cost estimate, the Town shall determine which properties could directly benefit by connecting to the Public Utility. The Town will then total the amount paid and shall divide that number by the number of properties that could directly benefit by connection to the Public Utility, including the property owner. Once that number is established, prior to the issuance of a permit to a new user, provided that the property owner or their heir still resides at the property, the Town shall collect an amount equal to that number and shall remit such payment to the initial property owner within thirty (30) days from the receipt of same. In the event that the property or their heir no longer resides at the property, no reimbursement shall be made. Once payment is made by a connecting property, no further payment shall be required from that connecting property, even if that connecting property is legally subdivided at a later date. In no event may a property owner be reimbursed more than the cost determined by the Town, less the property owner's proportional share.

SECTION 3. Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 4. Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions or this Ordinance.

SECTION 5. Codification. The Town Clerk shall cause this Ordinance to be codified as a part of the Town's ULDC during the next codification update cycle.

SECTION 6. Effective Date. This Ordinance shall take effect immediately upon passage and adoption.

PASSED ON FIRST READING this ____ day of ____, 2023 on a motion made by ____ and seconded by ____.

PASSED ON SECOND READING this ____ day of ____, 2023 on a motion made by ____ and seconded by ____.

Breitkreuz _____
Allbritton _____
Hartmann _____
Jablonski _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.198.01



Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL 33330-
2628

(954) 434-0008 Town Hall
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Town Council
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Jim Allbritton, Vice Mayor
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David Kuczenski, Esq., Council Member

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Russell Muniz, MPA, Assistant Town Administrator/Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitreuz and Town Council
VIA: Andrew D. Berns, Town Administrator
FROM: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 10/12/2023
SUBJECT: Vacation Rental Policy

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

A. Sound Governance

Background

On September 28, 2023, the Town Council approved Ordinance 2023-008 amending the Unified Land Development Code (ULDC) Article 45 Section 045-030 by creating a Subsection entitled Vacation Rentals.

A vacation rental packet, attached hereto as Exhibit "A", includes an application for a vacation rental owner to apply for the applicable Town permit and associated fees to be issued a vacation rental license.

Fiscal Impact/Analysis

Provides for a \$500 vacation rental registration fee.

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
Vacation Rental Policy Fee Resolution - TA Approved	10/4/2023	Resolution
Vacation Rental Policy & Packet	10/5/2023	Exhibit

RESOLUTION NO. 2023 - XXX

A RESOLUTION OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ESTABLISHING A POLICY AND RATE SCHEDULE OF REASONABLE FEES FOR THE REGISTRATION OF VACATION RENTALS PURSUANT TO ARTICLE 45 SECTION 045-030 OF THE TOWN OF SOUTHWEST RANCHES' UNIFIED LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 28, 2023, the Town Council approved Ordinance 2023-008 amending the Unified Land Development Code (ULDC) Article 45 Section 045-030 by creating a Subsection entitled Vacation Rentals; and

WHEREAS, a vacation rental packet, attached hereto as Exhibit "A", includes an application for an applicant to qualify for a vacation rental license; and

WHEREAS, Ordinance No. 2023-008, provides that reasonable fees for registration, to compensate for administrative expenses, shall be adopted by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, THAT:

Section 1. Recitals adopted. That foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of the Resolution.

Section 2. The Town Council hereby approves the vacation rental policy and registration fees, as attached hereto as Exhibit "A", which is incorporated herein by reference.

Section 3. Conflict. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 4. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, it is the intent of the Town Council that such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application and, to this end, the provisions of this Resolution are declared severable.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 12th day of October 2023, on a motion

by _____ and seconded by _____.

Breitkreuz _____
Allbritton _____
Hartmann _____
Jablonski _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, J.D., Town Attorney
1001.2386.01

EXHIBIT A

VACATION RENTAL INFORMATION PACKET

TOWN OF SOUTHWEST RANCHES CODE ENFORCEMENT
DEPARTMENT 13400 GRIFFIN ROAD SOUTHWEST
RANCHES, FLORIDA 33330

FY 2024



Town of Southwest Ranches Vacation Rental Registration Application FY 2024

Return Completed Application and Fee To:
Code Compliance Department
13400 Griffin Road
Southwest Ranches, FL 33328
954-434-0008 Tel.
954-434-1490 Fax
ZoningInfo@southwestranches.org

Application #: _____ **Date** _____

Check all that Apply:

- New Application
- Renewal
- Modification to Property
- Assign/Change Responsible Party

Website Advertising: URL _____

Federal ID # _____

Property Owner _____ Mailing Address _____

Contact phone and email _____

Property Address _____ Parcel ID # _____

PROPERTY INFORMATION				
Vacation Rental Address:				
Landline Phone #:				
Zoning District:		Swimming Pool:		Hot Tub:
# Paved Parking Spaces On Property (excluding street):		Square Footage of Living Area Under Air, Excluding Garage:		

# Bedrooms in Residence:		Maximum Occupancy Requested:	
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OWNER / AGENT INFORMATION			
Name:			
Mailing Address:			
Primary Phone:		Secondary Phone:	
Email address:			
Responsible Party:	<input type="checkbox"/> Yes		<input type="checkbox"/> No

The Responsible party must be available 24/7 and be able to immediately address and take affirmative action within one (1) hour of being contacted. A responsible party must be assigned below if the property owner is unable to meet this requirement. Failure to respond shall result in a violation of this agreement to operate, and subject the owner to a fine for each violation of up to \$500.00 minimum per violation.

RESPONSIBLE PARTY CONTACT INFORMATION (If Other than Owner/Agent)			
Name:			
Mailing Address:			
Primary Phone:		Secondary Phone:	
Email:			

Signature of the applicant (owner/agent or responsible party) grants authorization to the Town of Southwest Ranches staff to inspect the premises of the vacation rental unit(s) prior to the issuance of the Certificate of Compliance and at any other time after issuance of certificate concerning compliance with the Subsection of Section 045-030 of the Unified Land Development Code pertaining to Vacation Rentals. Signature also certifies that the owner/responsible party has read and examined this application and knows that the same is true and correct.

Applicant Name (Please Print): _____

Applicant Signature: _____ Date: _____

Please ensure that all items listed below are submitted with the application. Failure to provide these items, including the registration/application fee, will result in a delay of the application review process. During review, if information is missing, the applicant will be notified of the deficiency, and be allowed

fifteen (15) days to provide any missing information. Copies of all State of Florida and Broward County licenses/certificates are required.

NOTE: RENEWALS only require the Vacation Rental Application/Affidavit of Compliance, required fees, and current State and County licenses, if no material changes have occurred. A material change includes corporate structure, and corporate officer changes, mailing addresses and any contact information revisions, such as e-mail addresses, web addresses, and landline / cell phone numbers.

REQUIRED DOCUMENTS	YES	NO
Vacation Rental Registration Application and Affidavit of Compliance.		
Agent Authorization, if applicable.		
Proof of Property Ownership (BCPA.net)		
Corporate Documents (Sunbiz.org)		
Vacation Rental: An exterior sketch of the facility. The sketch shall show and identify all sheds, structures, pools, spas, hot tubs, fencing, and recreational uses, including areas provided for off-street parking. For purposes of the sketch, off-street parking spaces shall be delineated so as to enable a fixed count of the number of spaces provided. At the option of the Vacation Rental Owner, such sketch may be hand drawn and need not be professionally prepared, but must show dimensions.		
Vacation Rental: An interior building sketch by floor. A building sketch by floor, showing a floor layout identifying all bedrooms, other rooms, exits, hallways, stairways, and safety equipment as applicable. At the option of the Vacation Rental Owner, such sketch may be hand drawn, and need not be professionally prepared, but must show accurate dimensions and points of ingress/egress.		
Licensure with the Florida Department of Business and Professional Regulation for a transient public lodging establishment, vacation rental.		
License with the Florida Department of Revenue for sales and development tax collection. If no such certificate or account, provide name of entity through which taxes will be remitted.		
Broward County Tourist Development Tax Number Document.		
Disabled Veteran Exemption: If you are a Disabled Veteran seeking an Exemption, we require documentation to verify your exemption. Please provide us with a copy of your DD214 form as proof of honorable discharge along with documentation that you are a disabled veteran.		
HOA approval, if applicable		
Proof of vacation rental home insurance.		
Application Fee.		

Affidavit of Compliance

Before me, _____ and _____ personally
Owner Responsible Party

appeared after being duly sworn state he/she personally knows the facts stated herein.

1. As of the date this affidavit is signed, I am the known owner, a person who is a principal of an entity, and/or the responsible party of the residence located in the Town of Southwest Ranches, Florida.
2. On _____, I submitted or authorized an application for the registration of a residence as a vacation rental and request for a **Certificate of Compliance** to the Town of Southwest Ranches.
3. I hereby certify that the Vacation Rental is in compliance with the provisions of the subsection of Section 045-030 of the Unified Land Development Code pertaining to Vacation Rentals and other applicable local, state, and federal laws, regulations, and standards to include, but not be limited to Chapter 509, Florida Statutes, and Rules, Chapter 61C and 69A, Florida Administrative Code, and will continue to operate within those guidelines including but not limited to the following:

Vacation Rental Compliance Requirements and Standards

1. **Licensing:** Obtain and maintain Broward County Business Tax Receipt (if applicable), Florida Department of Revenue certificate of registration for purposes of collecting and remitting tourist development taxes, sales surtaxes and transient rental taxes, Broward County for Tourist Development Tax; and Department of Business and Professional Regulation license as a transient public lodging establishment.
2. **Local Telephone Service:** At least one landline telephone with the ability to call 911 shall be available in the main level common area in the vacation rental. The number must be registered with Broward County Emergency Management to receive emergency notifications and the Town of Southwest Ranches for the purpose of receiving boil water alerts.
3. **Fees:** Yearly and parts thereof, per vacation rental registration matrix. Fees are non-refundable. The only acceptable form of payment is cashier check or money order.

Vacation Rental Registration Full Year Fee (Includes 2 initial safety inspections)	\$500.00
Non-Owner Occupied Vacation Rental Renewal Registration Fee	\$450.00
Owner Occupied Vacation Rental Renewal Registration Fee	\$400.00
Code Compliance Inspection, Building Safety Inspection, Re-Inspection, or Missed Inspection Fee (Assessed for each inspection)	\$100.00
Late Registration and Renewal Fee	\$75.00
Transfer Rental Agent Fee (Responsible party only)	\$50.00

4. **Interior Posting:** In each Vacation Rental, there shall be provided, in a prominent location on the inside of the Vacation Rental, the following written information:
- The official street address and landline telephone phone number of the Vacation Rental.
 - The name, address, and phone number of the Vacation Rental Owner or Responsible Party as applicable.
 - The owner acknowledges the maximum occupancy of the Vacation Rental as determined and must provide a notice to visitors of the Vacation Rental who shall comply with the subsection of Section 045-030 of the Unified Land Development Code pertaining to Vacation Rentals.
 - The owner acknowledges the maximum number of vehicles allowed to park at the Vacation Rental, as included in the exterior sketch of the location of the paved off-street parking, and must provide a notice to visitors of the Vacation Rental who shall comply the subsection of Section 045-030 of the Unified Land Development Code pertaining to Vacation Rentals.
 - Telephone numbers for Southwest Ranches Police and Fire Departments: **Emergency 911** telephone for Police and Fire Departments; **Non-emergency telephone 954-764-4357** for Police and Fire Departments.
 - Notice of the need to respect the peace and quiet of neighborhood residents in compliance with Noise code in Chapter 15, Town of Southwest Ranches Code of Ordinances, and Nuisance regulations in Code section 12-33(U). A statement shall specifically provide that occupants shall be prohibited from making excessive or boisterous noise inside or outside of any residential dwelling unit at all times.
 - **Emergency evacuation instructions** shall be posted in a conspicuous place in a vacation rental, next to the interior door of each bedroom, and the exterior doors exiting the Vacation Rental; a legible copy of a building evacuation map shall be a minimum size, 8-1/2" by 11".
5. **Parking:** All vehicles associated with the Vacation Rental must be parked in compliance with the Town of Southwest Ranches Code of Ordinances. All vehicles associated with the vacation rental must be parked within a designated paved parking space, pre-approved temporary parking accommodations, or a driveway located on the subject property. There shall be no sidewalk, on street, grass parking, or encroachment upon neighboring property. Parking of trailers, boats, and recreational vehicles at Vacation Rentals shall be in accordance with the Town of Southwest Ranches Code of Ordinances.
6. **Property Owner/Agent/Responsible Party:**
- Availability. Every Vacation Rental Owner or Responsible Party, as applicable, shall be available by phone at the listed phone number 24-hours a day, seven days a week to respond to police, fire, code enforcement, or other emergency personnel requests. The Responsible Party shall promptly respond to complaints regarding conduct or behavior of Vacation Rental occupants or alleged violations of these regulations. The Responsible

Party must have authority to immediately address and take affirmative action, within one (1) hour of notice from the Town, on violations concerning life-safety, noise, and parking violations.

- Responsible Party Changes. A Vacation Rental Owner may change his or her designation of a Responsible Party temporarily, up to thirty (30) cumulative days during any consecutive twelve (12) month period, or permanently; however, there shall only be one designated Responsible Party for each vacation rental property at any given time. To change the designated Agent or Responsible Party, the Vacation Rental Owner shall notify the Town in writing including all information required by the subsection of Section 045-030 of the Unified Land Development Code pertaining to Vacation Rentals, along with a signed affidavit from the new Responsible Party acknowledging and agreeing to serve in this capacity and perform the duties required by the Town Code of Ordinances.

7. Sexual Offenders:

A Vacation Rental Owner or Responsible Party is responsible for ensuring sexual offenders/predators as defined in § 775.21, § 943.0435, § 944.607, or § 985.4815 register at the Broward County Sheriff's office and the Town of Davie Police Department following the process set forth in § 775.21, 48 hours prior to arrival at a vacation rental, regardless of the length of stay. A Vacation Rental Owner and/or Responsible Party shall comply with Florida Law, Chapter 775.215, as amended from time to time, pertaining to the distance separation of homes with a sexual offender/predator residing within the Vacation Rental and any business, school, child care facility, park, playground, or other places where children regularly congregate.

The Vacation Rental Owner or Responsible Party shall inquire prior to check-in if any guest at the Vacation Rental is a sexual offender/predator as defined in §775.21, §943.0435, §944.607, or §985.4815. If any guest of a Vacation Rental is a sexual offender/predator as defined in §775.21, §943.0435, §944.607, or §985.4815, the operator shall immediately notify the Town of Davie Police Department.

Failure to comply with this section shall result in the revocation of the Vacation Rental Registration for the Vacation Rental and other enforcement provisions outlined in the subsection of Section 045-030 of the Unified Land Development Code pertaining to Vacation Rentals.

8. Changes or Alteration to the Property or Operation:

An amendment of a Vacation Rental Registration Application and Affidavit of Compliance shall be required, with payment of the appropriate building permit or administrative review fees, in the event that changes, including but not limited to the following examples, are proposed for the Vacation Rental:

- (1) An increase in the number of bedrooms in the Vacation Rental.
- (2) An increase or decrease in the number of parking spaces or a change in the location of parking spaces for the Vacation Rental.
- (3) A change in the designated Responsible Party.

- (4) The installation of outdoor playground or sports equipment, exterior lighting, or camera systems.

A change of ownership shall require a new application and all required documents must be submitted to the Town, including the appropriate fees.

The remainder of this page is left blank.

I hereby acknowledge that the approval of this Certificate of Compliance shall in no way permit any activity contrary to the Town of Southwest Ranches Code, or any activity that would constitute a nuisance under state or local law. I understand and acknowledge that the approval for use of this residence as a vacation rental is based on my representations to Town of Southwest Ranches staff and does not in any way constitute an evaluation or determination of legal or legal non-conforming status of the improvements on this site. I further acknowledge that it is my responsibility, as property owner and/or responsible party, to ensure that the conduct of this vacation rental is not contrary to any ordinance, code, or restriction which may govern the property on which the vacation rental will be conducted, which property address is referenced above. I acknowledge that any misrepresentation made by me or by my agent in applying for this certificate may render the certificate invalid and approvals void.

I hereby certify that the information contained herein and included with this application is accurate.

Property Owner/Agent Name (Please Print): _____

Signature: _____ Date: _____

THE FOREGOING APPLICATION was sworn and subscribed before me by means of

Physical presence, or Online notarization this ____ day of _____, 20__,
by _____, who is personally known to me or has produced
Property Owner/Agent _____ as identification.

Signature of Notary Public

(Print Notary Name)

My Commission Expires: _____

Commission No.: _____

Responsible Party Name (Please Print): _____

Signature: _____ Date: _____

THE FOREGOING APPLICATION was sworn and subscribed before me by means of

Physical presence, or Online notarization this ____ day of _____, 20__,
by _____, who is personally known to me or has produced
Responsible Party _____

_____ as identification.

Signature of Notary Public

(Print Notary Name)

My Commission Expires: _____

Commission No.: _____



Town of Southwest Ranches
Vacation Rental
Certificate of Compliance

FY 2024

VACATION RENTAL REGISTRATION NO. _____

Owner Name _____

Telephone Number _____

E-Mail Address _____

Responsible Party Name _____

Telephone Number _____

E-Mail Address _____

Vacation Rental Address _____

Other _____

MAXIMUM OCCUPANCY _____

NOTE TO OWNER: PLEASE POST THE CURRENT CERTIFICATE OF COMPLIANCE ON OR NEAR THE MAIN ENTRANCE DOOR. ANNUAL RENEWALS OF THE VACATION RENTAL LICENSE ARE DUE BEFORE SEPTEMBER 30th OF THE CURRENT YEAR.

TO BE COMPLETED BY THE TOWN:	
Code Enforcement _____	Approval Date _____
Administration _____	Approval Date _____

Djs/22



**Town of Southwest Ranches
Vacation Rental
Registration No. _____
FY 2024**

Notification and Prohibitions Declaration

The operation of this Vacation Rental and the issuance of a Town of Southwest Ranches permit to operate shall require strict adherence at all times to the prohibition of all unlawful activity, including but not limited to code violations of Noise (DJ, Music, Bass, Vehicle, etc.) that proceeds beyond the VR real property boundaries, Guest Capacity exceeding Maximum Occupancy, Vehicular traffic and improper parking, and Unapproved special events, including all activities that create nuisance conditions that disturb the peace and quiet of the neighborhood. The Vacation Rental guests shall exhibit at all times the required conduct and decorum that respects the peace and quiet of neighborhood residents.

All relevant sections of the Town code shall be complied with at all times, including but not limited to Noise codes, Parking regulations, and the Nuisance code. The legal ramifications of failing to comply shall be enforceable against the property owner, agent, and responsible party. The enforcement action may include irreversible and other Code enforcement fines, and Police Department intervention resulting in closure, suspension, or revocation of a Vacation Rental permit to operate.

The failure to maintain compliance with the Town's Vacation Rental Ordinance will result in the immediate notification of the Vacation Rental owner/agent/responsible party of the non-compliant activity. The VR owner and responsible party hereby ensure that the conduct of Vacation Rental guests shall be subject to their supervision at all times, and a copy of this Notification and Prohibitions Declaration shall be provided to guests by posting in a conspicuous place in the Vacation Rental. Any guests that fail to comply with this declaration shall be subject to immediate removal from a Vacation Rental by the owner or responsible party.

Owner Signature _____ Date _____

Responsible Party _____ Date _____

Address _____

Djs/22

TOWN OF SOUTHWEST RANCHES
VACATION RENTALS: CODES AND REGULATIONS

1. **TOWN OF SOUTHWEST RANCHES VACATION RENTAL CODE**
https://library.municode.com/fl/southwest_ranches/codes/code_of_ordinances?nodeId=PTIIIUNLADECO_SP2DIREUSYABUHE_ART45AGRUDI_S045-030GEPR
2. **SOLID WASTE REGULATIONS—PICK-UP DATES & REQUIREMENTS:**
<https://www.SouthwestRanches-fl.gov/740/Trash-Bulk-Pickup-Recycling>
3. **NOISE REGULATIONS: TOWN CODE CHAPTER 15**
https://library.municode.com/fl/SouthwestRanches/codes/code_of_ordinances?nodeId=PTIICOOR_CH15NO
4. **TRAILERS, BOATS, RECREATIONAL VEHICLES CHAPTER 12-33**
https://library.municode.com/fl/SouthwestRanches/codes/code_of_ordinances?nodeId=PTIICOOR_CH12LADECO_ARTIIISRE_DIV2GERE_S12-33GERE
5. **SWIMMING POOL SAFETY ACT FS CH. 515 REQUIREMENTS**
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0500-0599/0515/0515.html
6. **DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION**
<http://www.myfloridalicense.com/dbpr>
7. **BROWARD COUNTY TOURIST DEVELOPMENT**
<https://www.broward.org/RecordsTaxesTreasury/TaxesFees/Pages/TouristDevelopmentTaxes.aspx>
8. **FLORIDA DEPARTMENT OF REVENUE**
<https://floridarevenue.com/taxes/Pages/default.aspx>
9. **SMOKE AND CARBON MONOXIDE (CO) DETECTION AND NOTIFICATION SYSTEM WITHIN THE VACATION RENTAL UNIT SHALL BE INTERCONNECTED, HARD-WIRED OR BATTERY POWERED, PROFESSIONALLY INSTALLED, AND PROFESSIONALLY MONITORED.**
10. **A PORTABLE, MULTI-PURPOSE DRY CHEMICAL 2A10BC FIRE EXTINGUISHER SHALL BE INSTALLED, INSPECTED AND MAINTAINED IN ACCORDANCE WITH NFPA 10 AND ACCESSIBLE AT EACH FLOOR / LEVEL OF THE UNIT.**

HOMEOWNERS ASSOCIATION AFFIDAVIT

- I, (Owner / Agent) _____, acknowledge that if this Vacation Rental Property is located within a Homeowners Association, the property may be subject to additional regulations not enforced by the Town of Southwest Ranches . I further understand the approval of this Vacation Rental Application by the Town does not exempt me from any other regulations enforced by the Homeowners Association.

- I, (Owner / Agent) _____, attest the Vacation Rental Property is not located within a Homeowners Association.

Property Owner/Agent Name (Please Print): _____

Signature: _____ Date: _____

THE HOME OWNERS ASSOCIATION AFFIDAVIT was sworn and subscribed before me by means of Physical presence, or Online notarization this ____ day of _____, 20__, by _____, who is personally known to me or has produced Property Owner/Agent _____ as identification.

Signature of Notary Public

(Print Notary Name)

My Commission Expires: _____

Commission No.: _____

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Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL 33330-2628

(954) 434-0008 Town Hall
(954) 434-1490 Fax

Town Council
Steve Breitkreuz, Mayor
Jim Allbritton, Vice Mayor
Bob Hartmann, Council Member
Gary Jablonski, Council Member
David Kuczenski, Esq., Council Member

Andrew D. Berns, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muniz, MPA, Assistant Town Administrator/Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Andrew Berns, Town Administrator
FROM: Emily Aceti, Community Services Manager
DATE: 10/12/2023
SUBJECT: Budget Amendment for Engineering and Certified Floodplain Manager Services

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- B. Enhanced Resource Management

Background

To fill the void of the vacant Engineer I position, the Town of Southwest Ranches began utilizing CAP Government, Inc. to provide Engineering and Certified Floodplain Manager (CFM) services on a time and material basis at a rate of \$110 per hour in November 2022. The essence of this work was to review and inspect engineering permits.

On November 9, 2022, the Town issued PO 23-026 for a not-to-exceed amount of \$24,999. The Town received the following invoices:

Invoice Date	Invoice Number	Amount
December 28, 2022	0012349	\$5,775.00
January 16, 2023	0012454	\$4,290.00
February 20, 2023	0012599	\$2,090.00

March 20, 2023	0012756	\$1,485.00
April 12, 2023	0012927	\$687.50
May 23, 2023	0013133	\$8,690.00
TOTAL		\$23,017.50

The Town then received invoice number 0013373 on June 21st totaling \$42,130 amending the costs for services, which due to an accounting error, were not billed previously. The Public Works/Engineering Department has reviewed the amended invoice for completeness and accuracy and believes the costs to be reasonable and customary for the work performed.

CAP Government, Inc. continued to provide these services until August 7th when Town staff resumed the review. The summary of these additional invoices is below.

Invoice Date	Invoice Number	Amount
June 21, 2023	0013373	\$42,130.00
June 21, 2023	0013372	\$ 9,185.00
July 7, 2023	0013491	\$ 9,680.00
August 23, 2023	0013752	\$ 6,930.00
September 22, 2023	0013876	\$ 1,870.00
TOTAL		\$69,795.00

The vacancy in the Engineer I position from 7/25/2022 to 3/31/2023 provided a savings to the Town in budgeted personnel expense of \$58,473. Please note that the Town collected \$58,675.52 in engineering permit fees from November 9, 2022 to August 7, 2023 as part of our cost recovery model, which will help defray the cost incurred.

Fiscal Impact/Analysis

The total cost for CAP Government, Inc. to provide these services from November 2022 to August 2023 was \$92,812.50. The original Purchase Order was for \$24,999.

Therefore, a budget amendment utilizing unassigned fund balance (reserves) is required in the amount of \$67,813.50 (\$92,812.50- \$24,999) as follows:

TRANSPORTATION FUND

Expenditure Increase:

Professional Services/Studies/Surveys (101-5100-541-31010) \$67,813.50

Revenues Increase:

Transfer from General Fund (101-0000-381-38101) \$67,813.50

GENERAL FUND

Revenues Increase:

Appropriated Fund Balance (001-0000-399-39900) \$67,813.50

Expenditure Increase:

Transfer to Transportation Fund (001-3900-581-91101) \$67,813.50

Staff Contact:

Rod Ley, P.E., Public Works Director

Emil C. Lopez, Town Financial Administrator

ATTACHMENTS:

Description	Upload Date	Type
Resolution - TA Approved	10/4/2023	Resolution

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RESOLUTION NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN INCREASE TO PURCHASE ORDER 23-026 TO CAP GOVERNMENT, INC IN THE AMOUNT OF SIXTY-SEVEN THOUSAND EIGHT HUNDRED THIRTEEN DOLLARS AND FIFTY CENTS (\$67,813.50) FOR ENGINEERING AND CERTIFIED FLOODPLAIN MANAGER (CFM) SERVICES; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2022-2023 TOWN BUDGET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY, TO EXECUTE THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches has an agreement with CAP Government, Inc. for building permitting review; and

WHEREAS, to fill the void of the vacant Engineer I position, the Town began utilizing CAP Government, Inc. to provide Engineering and Certified Floodplain Manager services on a time and material basis at a rate of \$110 per hour in November 2022; and

WHEREAS, the essence of this work is to review and inspect engineering permits; and

WHEREAS, on November 9, 2022, the Town issued PO 23-026 for a not-to-exceed amount of \$24,999; and

WHEREAS, additional funds totaling Sixty-Seven Thousand Eight Hundred Thirteen Dollars and Fifty Cents (\$67,813.50) are required; and

WHEREAS, a budget amendment utilizing unassigned fund balance (reserves) is required to complete the project in Fiscal Year 2022-2023; and

WHEREAS, the Town of Southwest Ranches desires to increase the Purchase Order under the terms and conditions set forth hereinafter.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. The above-referenced recitals are true and correct and are incorporated herein by reference.

Section 2. The Town Council hereby approves an increase to Purchase Order 23-026 to CAP Government, Inc. in the amount of Sixty-Seven Thousand Eight Hundred

Thirteen Dollars and Fifty Cents (\$67,813.50) for Engineering and Certified Floodplain Manager (CFM) services in substantially the same form as that attached hereto as Exhibit "A."

Section 3. The Town Council hereby approves a budget amendment utilizing unassigned Fund balance (Reserves) to the Fiscal Year 2022-2023 Town Budget as follows:

TRANSPORTATION FUND

Expenditure Increase:

Professional Services/Studies/Surveys (101-5100-541-31010) \$67,813.50

Revenues Increase:

Transfer from General Fund (101-0000-381-38101) \$67,813.50

GENERAL FUND

Revenues Increase:

Appropriated Fund Balance (001-0000-399-39900) \$67,813.50

Expenditure Increase:

Transfer to Transportation Fund (001-3900-581-91101) \$67,813.50

Section 4. The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to execute a Purchase Order and to sign any and all documents which are necessary and proper to effectuate the intent of this Resolution.

Section 5. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this _____ day of _____ 2023 on a motion by

_____ and seconded by _____.

Breitkreuz _____
 Allbritton _____
 Hartmann _____
 Jablonski _____
 Kuczenski _____

Ayes _____
 Nays _____
 Absent _____
 Abstaining _____

 Steve Breitkreuz, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney

1001.2385.01

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BUDGET WORKSHOP MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

August 15, 2023

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Andrew Berns, Town Administrator

Vice Mayor Jim Allbritton

Russell Muniz, Assistant Town Administrator/Town Clerk

Council Member Bob Hartmann

Emil C. Lopez, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Council Member David S. Kuczenski, Esq.

Fiscal Year 2024 Budget Workshop 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 Breitkreuz at 7:00 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Presentation – Proposed Fiscal Year 2023-2024 Budget

Mayor Breitkreuz opened the workshop by thanking members of the public and staff for attending, then turned it over to Town Administrator Berns. Town Administrator Berns advised the meeting was the next step in the budget process and that the preliminary rates had been set to meet the TRIM requirements. He also stated the meeting would provide more in-depth knowledge regarding the proposed millage, fire and solid waste assessments, and the overall budget. He thanked the Council, the Assistant Town Administrator, the Financial Administrator, Finance Staff, and Southwest Ranches Staff for their hard work in putting the budget together. He then turned the meeting over to Town Finance Director Lopez for the presentation.

Town Financial Administrator Lopez and Town Controller Rich Strum presented the PowerPoint presentation summarizing the proposed Fiscal Year 2023-2024 Budget.

Mayor Breitkreuz opened the floor to public comment after the presentation, then turned it over to Council Member Jablonski after public comment closed.

Council Member Jablonski opened with requesting the funding for the project for the twelve flashing speed signs be removed from the general fund that affects the millage rate and to be taken from the "forfeiture fund". Council Member Hartmann questioned the effectiveness of the speed signs compared to their annual cost and would like to meet with the Town Public Works Department later for more information on the data the signs provide. After further discussion, Council agreed to using the funds from the "forfeiture fund" to purchase the signs. He then discussed removing the funds in the amount of \$17,850 for the surface material replenishment at Country Estates Park, due to it being purchased this year as part of the project for the canopy structure at the park. He then recommended that the funds allocated for the Volunteer Fire Department apparatus gear be removed from the budget and be processed through budget adjustments. He wanted the gear to be purchased as needed and individually, instead of in bulk. Mayor Breitkreuz opposed the idea and stated that the if the items were not needed, they should be removed from the budget and that even if the items were purchased on an as needed basis,

they would still need to be budgeted as part of the Town's financial plan. Mayor Breitkreuz stated the Council could make the decisions later to purchase the items if they were needed or not but that it would be best to have the funds in the budget. Vice Mayor Allbritton raised the question of the lifespan of the equipment and what happens to the equipment afterwards. Mayor Breitkreuz stated that the average lifespan was about eight years, but the Town buys a portion of the equipment each year instead of all at once. It was decided to leave the funds in the account. Council Member Jablonski then brought up the new position of Parks and Recreation Coordinator and the salary of \$67,630. He believed the position is premature and that the parks should be developed more before the position is created, and that a defined job description is needed. Mayor Breitkreuz asked Council Member Jablonski if he could interject on the topic because he asked for the position to be created. He then explained that the position was initially going to be a part time position as a program director for the parks. The position was intended to focus on creating programs for the Town's residents that are currently not available in the Town but are part of other municipalities in the local area. Mayor Breitkreuz said the position will create programs such as youth sports leagues and programs for seniors to promote a stronger bond within the community. He stated the position became a full-time position after speaking with the Town Administration and it recommended making it a full-time position with a dual role. Part of the time the position would be working on creating and managing programs and the rest of their time working on assisting the PROS Manager with the maintenance and upkeep of the parks. He stated that the position would have a clear and defined job description and that the person hired should have the background as stated. Council Member Jablonski was looking forward to seeing the plan but would like to see the parks developed more before hiring the person.

Council Member Hartmann spoke next regarding the zero-waste initiative and hiring a lobbyist that will be able to assist the Town with dealing with Broward County. He brought up the point that the Town needs to be the leader on this initiative and promote recycling in addition to hiring a lobbyist. Town Attorney Poliakoff advised that the estimated cost for a county lobbyist would be \$35,000. He also said the Town could investigate the options of hiring multiple lobbyists and splitting the costs with other local municipalities. Council Member Hartmann raised the issue of the fees for the Waste Authority being paid and what the amount would be for the Town. Town Administrator Berns answered that the fee is based on population size and the fee was estimated at \$10,000. Mayor Breitkreuz checked with Town Financial Administrator Lopez if the items were in the budget, but they were not. After discussing the two items, the Council decided to include the \$10,000 fee for Solid Waste Authority membership fee but did not include the \$35,000 lobbyist fee.

Mayor Breitkreuz recommended that instead of lowering the fire fees this year to keep them at the same rate as this year's rate. He stated that to help cover the future costs the excess monies could be kept in the reserves to help offset the cost in the future. Town Administrator Berns interjected that when the preliminary rates set for TRIM the fire fee was set at the maximum amount of \$758 so the Town could not go higher than that. Council Member Jablonski stated that he would like to try and keep the fees as low as possible to offset the increase in the other fees but understood Mayor Breitkreuz's concerns. Mayor Breitkreuz next discussed the issue of TSDOR

and the fact that it only had the amount of \$295,000 in it. He wanted to raise the amount to \$450,000, which was established as the minimum amount in the past, to be able to complete road projects in the Town. Council Member Jablonski recommended the \$155,000 amount could be taken from the "forfeiture fund". Vice Mayor Allbritton voiced the concern that TSDOR is an ongoing project and that taking the funds from the "forfeiture fund" may not be something that can be done in the future. Mayor Breitzkreuz acknowledged the issue and stated that we should adjust accordingly in the future. Mayor Breitzkreuz then went on to state that he was proud of the Administration and Legal Team for the work they did on the Emergency Services contract and keeping the cost per capita down to such a level. He also stated that the services provided by the Town of Davie and the personnel are the best in the County.

Council Member Hartmann brought up the subject of the lobbyist again and asked Town Attorney Poliakoff for further information on the matter. Town Attorney Poliakoff explained that having a "sole topic lobbyist" would be advantageous to the Town. The lobbyist would be able to dedicate the time and energy needed to monitor all agendas, attend all meetings, etc., regarding the zero-waste issue. He stated that the fee would be as a monthly flat rate and terminable at any time. He also added that even after adding the additional funds to the TSDOR line item does not mean that all the funds would be used. Mayor Breitzkreuz advised the Town Financial Administrator Lopez to add the funds for the lobbyist.

Town Financial Administrator Lopez then asked for clarity on some of the items discussed. The first item was raising the fire assessment rate to \$758 instead of \$733. He stated if the Town raised the rate to \$758 the Town would still be able to save an estimated \$110 for the reserves fund. He then clarified that the monies saved would not offset the millage rate, only add to the Town's savings. His second item was informing Council that if the funds requested to be used from the "unassigned fund balance" were used, there would be a balance of roughly \$159,000 left in the fund. He also recommended not using savings funds for operational expenses, so next year these items and amounts would be considered when calculating the millage rate.

Town Attorney Poliakoff stated for the record that the "forfeiture fund" mentioned by Council during the meeting is "general fund revenue" that is collected through Code Enforcement, and that there is no separate fund designated as "forfeiture fund".

Council Member Hartmann asked Town Administrator Berns if there were any additional personnel positions other than the Parks and Recreation Coordinator being added to the budget. Town Administrator Berns answered that no other positions were added.

4. Adjournment

Meeting was adjourned at 8:34 p.m.

Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 12th day of October, 2023.

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.

**SPECIAL MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida**

Thursday 6:45 PM

August 24, 2023

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Andrew Berns, Town Administrator

Vice Mayor Jim Allbritton

Russell Muniz, Assistant Town Administrator/Town Clerk

Council Member Bob Hartmann

Emil C. Lopez, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Council Member David S. Kuczenski, Esq.

Special 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 Breitkreuz at 6:46 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Resolutions

3. A RESOLUTION OF THE TOWN COUNCIL OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO PREPARE AND TO SUBMIT A GRANT APPLICATION TO THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) TO HELP FUND PARK DEVELOPMENT WITHIN THE TOWN'S SOUTHWEST MEADOWS SANCTUARY PARK IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00) WITH AN EQUAL TOWN MATCH; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO ANY ALL AGREEMENTS NECESSARY AND PROPER TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

4. Adjournment

Meeting was adjourned at 6:48 p.m.

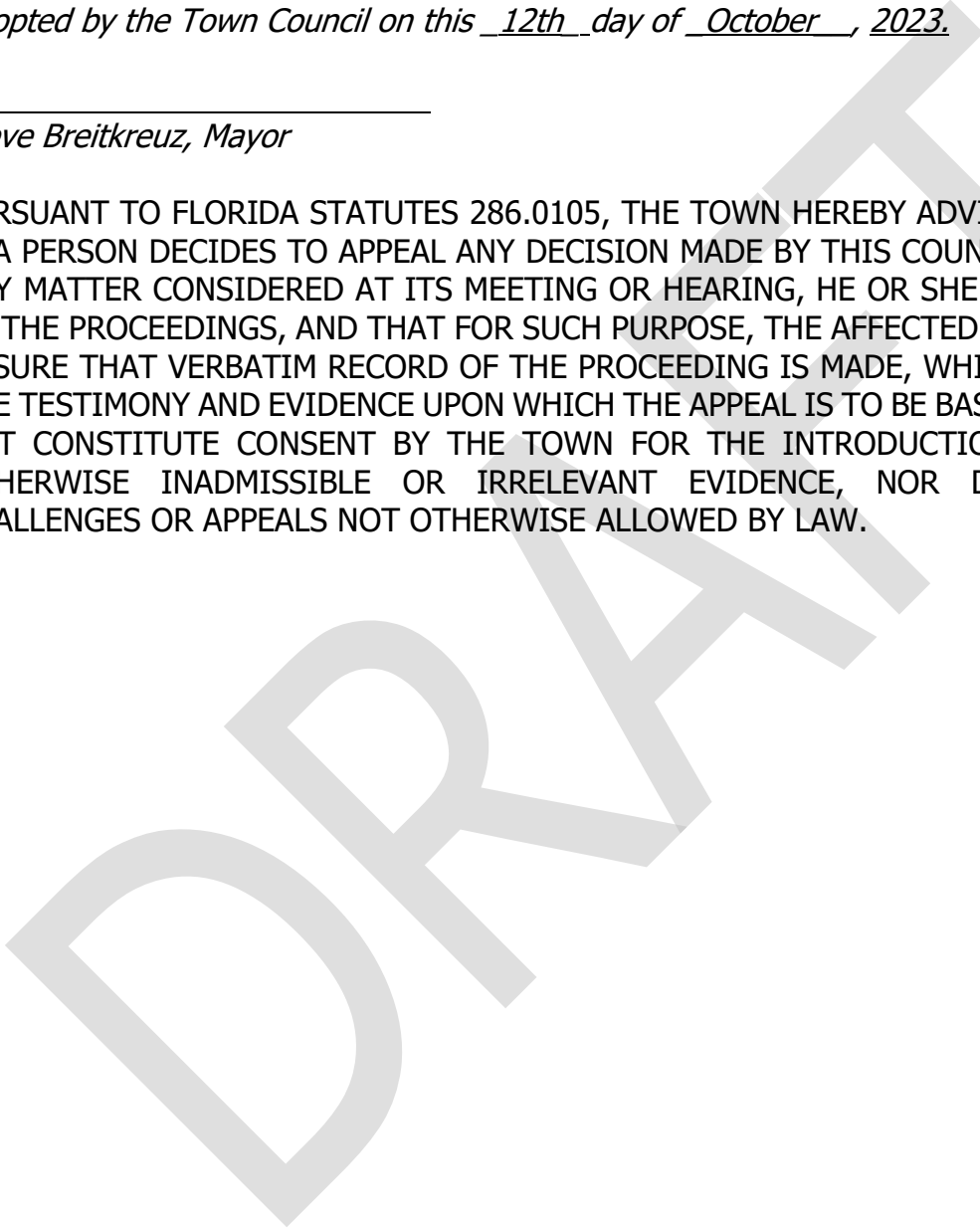
Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 12th day of October, 2023.

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.



REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

August 24, 2023

13400 Griffin Road

Present:

Mayor Steve Breitkreuz	Andy Berns, Town Administrator
Vice Mayor Jim Allbritton	Russell Muñiz, Assistant Town Administrator/Town Clerk
Council Member Bob Hartmann	Emil C. Lopez, Town Financial Administrator
Council Member Gary Jablonski	Keith Poliakoff, Town Attorney
Council Member David S. Kuczenski, Esq.	

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 Breitkreuz at 7:06 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Quasi-Judicial Hearings

3. Archbishop McCarthy High School Site Plan Modification

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. SP-83-23 BY ARCHBISHOP EDWARD A. MCCARTHY HIGH SCHOOL TO AMEND ITS SITE PLAN BY ADDING 3,418 SQUARE FEET OF PORTABLE CLASSROOMS, ADDING A NEW 16,000 SQUARE-FOOT INDOOR ATHLETIC TRAINING AND PRACTICE FACILITY, EXPANDING THE EXISTING ATHLETIC TRAINING FACILITY BY 2,500 SQUARE FEET, AND ADDING AN OUTDOOR POOL; NULLIFYING RESOLUTION NO. 2020-043, WHICH APPROVED A SITE PLAN MODIFICATION FOR FACILITIES THAT WERE NOT CONSTRUCTED; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; 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 Hartmann, Jablonski, Kuczenski, Vice Mayor Allbritton, and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION SUBJECT TO STAFF RECOMMENDATIONS.

4. Resolution Approving Application #DG-24-23

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. DG-24-23 BY ARCHBISHOP EDWARD A. MCCARTHY HIGH SCHOOL TO AMEND THE RESTRICTIVE USE NOTE FOR PARCEL "A" OF THE BROWARD CENTRAL CATHOLIC HIGH SCHOOL PLAT TO REFLECT THE CURRENT APPROVED SITE BUILDOUT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

5. Proclamation – Suicide Prevention Month – September 2023

The proclamation was read into the record.

At this point in the meeting Mayor Breitzkreuz announced there was an item to be discussed by Town Administrator Berns and turned the meeting over to him. Town Administrator Berns announced that he would be retiring in December of 2023. He stated that he loved the Town and was grateful for the opportunity to have served it. He said he had items he would like to accomplish over the next few months before he left and thanked Mayor Breitzkreuz for allowing him to make the announcement. Mayor Breitzkreuz thanked Town Administrator Berns for the work he has done, and that he has done it in a transparent way and with integrity. Vice Mayor Allbritton then asked Mayor Breitzkreuz what the process is in hiring a new Town Administrator. Mayor Breitzkreuz indicated that there were a few options available to them to hire a new Town Administrator. However, his recommendation was that Assistant Town Administrator Muniz be the next Town Administrator, but it would be up to Council to decide on how to proceed. Council Member Hartmann was also in favor of Town Administrator Muniz being hired and asked if a concurrence was needed to have Town Attorney Poliakoff draw up a contract. Town Attorney Poliakoff advised that the selection of the Town Administrator position would have to be an agenda item. Council then agreed that Assistant Town Administrator Muniz would be the correct person to be selected for the position and advised to have the item placed on the next agenda.

6. Public Comment

The following members of the public addressed the Town Council: John Steven Garate and Richard Ramcharitar.

7. Board Reports

There were no board reports.

8. Council Member Comments

Council Member Jablonski advised residents about the upcoming events for the Town; Town Hall would be closed September 4th for the Labor Day holiday, HazMat at the Barn would be September 23rd, the calendar photo contest will end September 5th, Bingo at the Barn would be September 26th, the Town Budget meetings will coincide with the September 14th and 18th Council Meetings, the DMV FLOW event will be at Town Hall on the 27th, the 6th Annual Holiday Light Contest deadline would be December 1st, and the Zero Waste Broward Task Force would be meeting on the 13th at Town Hall. He then began discussing the City of Pembroke Pines Special Meeting regarding joining the ILA with the Waste Authority and that Pembroke Pines voted not to join the ILA. He expressed his disappointment that they did not join the ILA but hoped the Town would still be able to work with them on the issue in the future. He then mentioned the possible location of the Miami Dade County Waste to Energy plant could be the old West Opa Locka Airport. He

stated that this could mean there could be two incinerators within six miles of each other right at the border of the Town.

Vice Mayor Allbritton thanked the residents for attending the City of Pembroke Pines Workshop Meeting regarding the incinerator issue. He said that it showed the Town residents were ready to take the initiative and be leaders in reducing waste and moving towards recycling. He also expressed his disappointment with the results of the vote by the City of Pembroke Pines not joining the ILA. He then discussed attending the "Active Assailant" training session at the Town Hall. He spoke about how beneficial the class was for him and recommended that if anyone has the opportunity of taking the class they should. Vice Mayor Allbritton then showed photos and video of the unveiling of the naming dedication of a portion of Flamingo Road to Archbishop McCarthy High School Way. He said the students of the school worked with the State of Florida to have it renamed. He thanked the school for inviting him and Assistant Town Administrator Muñiz for attending and said that the school is a great asset to the community. Lastly, he mentioned the City of Pembroke Pines would have a meeting on August 31st to discuss the ILA one last time before the September 1st deadline to join.

Council Member Kuczenski thanked everyone for attending the meeting. He discussed the Public Arts and Rural Design Board 11th Annual Photo Contest. He stated the photos are due September 5th, and they could end up in the calendar or even on the cover of the Town's newsletter, the Southwest Rancher. He also said he was very impressed with the new format of the newsletter. He then spoke about the 6th Annual December Holiday Lights contest and how wonderful and fun the contest is and was looking forward to it. He then thanked Town resident Richard Ramcharitar for his work on the zero-waste initiative and recognized Town resident Newell Hollingsworth for speaking at the City of Pembroke Pines Workshop meeting. He then expressed his admiration for Town Administrator Berns and his hard work and stated that Assistant Town Administrator Muniz is the most qualified for the position and looked forward to working with him in the future. He then began discussing a law recently passed by the State of Florida authorizing the Florida Department of Transportation to study the use of phosphogypsum in the construction of roads. He then described phosphogypsum as a waste product from the manufacturing of fertilizer that emits radon, which is a radioactive gas. He also stated phosphogypsum contains radioactive elements uranium, thorium, and radium. He stated the City of Cooper City recently passed an ordinance that prohibits contractors working within their city from using phosphogypsum in the construction of roads in Cooper City. He then asked Council if they would agree to passing a resolution like Cooper City by prohibiting the use of phosphogypsum in the construction of roads in the Town. Council Member Hartmann agreed that an ordinance should be created by the Town and added that resolutions should be sent to the County and FDOT advising the Town does not want phosphogypsum used on any County or State roads in or around the Town. Council agreed that it should be done and advised the administration to draft an ordinance.

Council Member Hartmann described his history working with Town Administrator Berns. He stated that he was impressed with Town Administrator Berns when he worked with him as a resident and even more so when he became a Council Member. He stated that over the years the relationship has grown to a friendship and thanked him for all his hard work and dedication to the Town. He then discussed the zero-waste initiative, and the meeting recently held at the Town. He

said the issue is a defining moment in the Town and local municipalities and their residents. He encouraged everyone to get involved and thought the easiest way to spread the word is through schools and getting students involved. He mentioned Key West, Orlando, and Gainesville as examples of cities in Florida that have wonderful zero-waste initiatives. He stated that the Town needs to get more messaging out regarding zero-waste and felt it should be the route taken in the future.

Mayor Breitreuz discussed how the zero-waste initiative is becoming an important issue to the Town and other municipalities. He spoke about a recent meeting with municipalities in western Broward County regarding the zero-waste topic and the exchange of ideas between them. He stated he believes the next step for the Town should be working to improve the Town's habits of recycling. He told Town Administrator Berns the Town should be working with Waste Management on options to move forward. Town Administrator Berns stated that Administration has already started moving forward with Waste Management on that topic. Council Member Hartmann interjected and thanked Mayor Breitreuz for the work he has done so far as the spokesperson for the Town on the zero-waste initiative. Mayor Breitreuz stated he appreciated Council Member Hartmann's words and that the issue is important and close to his heart.

9. Legal Comments

Town Attorney Poliakoff pointed out that because the City of Pembroke Pines elected not to be part of the ILA, the Town would be the furthest west municipality that would be directly impacted by the incinerator. He stressed the importance of being elected to the executive board of the Waste Authority, to be a part of the decision-making process.

10. Administration Comments

Town Administrator Berns thanked Council for their comments on his retirement. He then discussed providing data from the speed sign on 186th Avenue and after Mayor Breitreuz's suggestion would be collecting more data from the first week of school to compare them. He informed Council that half of Town staff has attended "Active Assailant" training, and the other half would be attending in the future. He then told Council as part of the training Town Hall would be closed to conduct an active drill. The closure would be happening soon and would be promoted and noticed so residents would be aware. He then mentioned Senator Geller's meeting and the issues BSO and the County and provided Council with information provided by Broward County in response to rumors circulating about the issue.

Ordinance – 2nd Reading

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE PERTAINING TO THE USE OF HELICOPTERS WITHIN THE TOWN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading – August 10, 2023}

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 Hartmann, Jablonski, Kuczenski, Vice Mayor Allbritton, and Mayor Breitreuz 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 TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES TO PROVIDE A NEW SECTION PERTAINING TO THE USE OF FIREWORKS WITHIN THE TOWN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

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 Breitreuz voting yes.

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING WITH THE FOLLOWING AMENDMENTS: 1) NEW YEARS EVE AND NEW YEARS DAY ARE COMBINED INTO A 48 HOUR TIME FRAME; 2) REMOVE THE WORD "SPARKLERS"; 3) FIREWORKS OF 100 DECIBELS OR LOWER SHALL BE ALLOWED WITH AN APPROVED PERMIT AND A 30 DAY NOTICE.

13. 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, "VACATION RENTALS" BY CREATING SUBSECTION (X) TO PROMULGATE RULES CONCERNING THE UTILIZATION OF SINGLE-FAMILY RESIDENCES AS VACATION RENTALS; PROVIDING FOR LICENSURE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING WITH THE FOLLOWING AMENDMENTS: 1) PROPERTY OWNER MUST PROVIDE TENANT NOTICE OF TOWN ORDINANCES CONCERNING NOISE AND GARBAGE AND RECYCLING; 2) SUBSECTION (B) UNDER REGISTRATION REQUIRED, REMOVE THE WORDS "ON OR BEFORE THE THIRTIETH (30) DAY OF SEPTEMBER" FROM THE SENTENCE, (IS THIS A DUPLICATE?); 3) REMOVE SUBSECTION (C) 16-1264 AS IT NO LONGER EXISTS.

14. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), SECTION 010-030, "TERMS DEFINED," SECTION 035-030, "HOME OFFICES," SECTION 045-050, "PERMITTED AND PROHIBITED USES," AND SECTION 070-120, "PROMOTIONAL SIGNS," PERTAINING TO HOME-BASED BUSINESSES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR 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 Hartmann, Jablonski, Kuczenski, Vice Mayor Allbritton, and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.

Resolutions

15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING A SECOND AMENDMENT TO THE REGIONAL INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF SOUTHWEST RANCHES PROVIDING FOR COOPERATIVE PARTICIPATION IN A REGIONAL PUBLIC SAFETY INTRANET; AUTHORIZING EXECUTION; 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 Hartmann, Jablonski, Kuczenski, Vice Mayor Allbritton, and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE SECOND AMENDMENT TO THE PURCHASE AND SALE AGREEMENT AND PROFIT PARTICIPATION AGREEMENT BETWEEN THE TOWN OF SOUTHWEST RANCHES AND BBX LOGISTICS PROPERTIES, LLC RELATING TO THE VACANT PARCEL OF LAND GENERALLY KNOWN AS THE CCA PROPERTY; EXTENDING DUE DILLIGENCE; CLARIFYING CERTAIN PROVISIONS IN THE AGREEMENTS; AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT AND PROFIT SHARING AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, seconded by Council Member Kuczenski, and passed by a 4-1 roll call vote. The vote was as follows: Council Member Hartmann voting no and Council Members Jablonski, Kuczenski, Vice Mayor Allbritton, and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

17. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF SUNRISE PROVIDING WATER SERVICE TO 5353 HANCOCK ROAD, REAL PROPERTY 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 SUNRISE; AND PROVIDING AN EFFECTIVE DATE.

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 Hartmann, Jablonski, Kuczenski, Vice Mayor Allbritton, and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

18. APPROVAL OF MINUTES

- a. June 29, 2023 Executive Session Minutes
- b. June 29, 2023 Special Meeting Minutes

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

MOTION: TO APPROVE THE JUNE 29, 2023 EXECUTIVE SESSION AND SPECIAL MEETING MINUTES.

19. Adjournment

Meeting was adjourned at 10:05 p.m.

Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 12th day of October, 2023.

Steve Breitzkreuz, 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.