



Southwest Ranches Town Council

REGULAR MEETING

Agenda of December 14, 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> Jim Allbritton 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> David S. 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**
3. **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.
4. **Board Reports**
5. **Council Member Comments**
6. **Legal Comments**
7. **Administration Comments**

Ordinance - 2nd Reading

8. **AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING SECTION 9-5 OF CHAPTER 9 ENTITLED "NOISE" OF THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES, TO AMEND THE LIST OF EXEMPTIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. {Approved on First Reading on November 16, 2023}**
9. **AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 35, "CONDITIONAL USES," SECTION 035-080, "INDOOR AND OUTDOOR ASSEMBLY IN RURAL AND AGRICULTURAL DISTRICTS," TO AMEND THE LIST OF EXEMPTIONS; PROVIDING FOR SEVERABILITY AND**

PROVIDING AN EFFECTIVE DATE. {Approved on First Reading - November 16, 2023}

Resolutions

- 10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE COMPREHENSIVE PLAN ADVISORY BOARD (CPAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.**
- 11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE DRAINAGE AND INFRASTRUCTURE ADVISORY BOARD (DIAB); RESTATING THE BOARD'S PURPOSE AND OBJECTIVES; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.**
- 12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF FIRE ADVISORY BOARD (FAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.**
- 13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE PARKS, RECREATION, FORESTRY, AND NATURAL RESOURCES ADVISORY BOARD (PRFNAB); RATIFYING THE BOARD'S PURPOSE AND OBJECTIVES; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.**
- 14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE RURAL PUBLIC ARTS AND DESIGN ADVISORY BOARD (RPADAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.**
- 15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE SCHOOLS AND EDUCATION ADVISORY BOARD (SEAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.**
- 16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE TOWN ADMINISTRATOR'S SELECTION OF DEBRA RUESGA, CMC, AS THE TOWN CLERK OF THE TOWN OF SOUTHWEST RANCHES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO A CONTRACT WITH DEBRA RUESGA, WHICH ESTABLISHES THE SCOPE, COMPENSATION AND**

BENEFITS FOR THE TOWN CLERK'S SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Discussion

- 17. Creation of Zero Waste Advisory Board**
- 18. Annual Review of Charter Officials**
- 19. Town Administrator's Outgoing Comments - Andy Berns**
- 20. Town Administrator's Incoming Comments - Russell Muñiz**
- 21. Approval of Minutes**
 - a. September 14, 2023 Regular Meeting Minutes**
 - b. September 28, 2023 Regular Meeting Minutes**
- 22. 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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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*
David S. Kuczenski, Esq., *Vice Mayor*
Jim Allbritton, *Council Member*
Bob Hartmann, *Council Member*
Gary Jablonski, *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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: Noise Ordinance - Code Amendment

Recommendation

Town Council consideration for a motion to approve the ordinance on Second Reading.

Strategic Priorities

A. Sound Governance

Background

Pursuant to Ordinance 2020-006 adopted on July 9, 2020, the Town Council of the Town of Southwest Ranches created Chapter 9 of the Code of Ordinances, entitled "Noise" in order to establish standards for the acceptable levels of noise to protect the quiet enjoyment of the Town. Within this newly created Chapter 9, Section 9-5 delineated several exemptions.

One such exemption provides that noise emanating from Non-farm animals are exempt provided that they do not constitute a nuisance, as defined by the Town's Code. The term nuisance is not defined within Chapter 9 and as such, this provision has been difficult to enforce.

The Town Council finds that the amendment to the Code contained herein is in the best interest of and will reasonably protect the health, safety, and welfare of the Town's residents.

Fiscal Impact/Analysis

None.

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
Noise Ordinance Exemptions Amendment - TA Approved - Final	11/9/2023	Ordinance

ORDINANCE NO. 2024-XXX

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING SECTION 9-5 OF CHAPTER 9 ENTITLED "NOISE" OF THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES, TO AMEND THE LIST OF EXEMPTIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance 2020-006 adopted on July 9, 2020, the Town Council of the Town of Southwest Ranches created Chapter 9 of the Code of Ordinances, entitled "Noise" in order to establish standards for the acceptable levels of noise to protect the quiet enjoyment of the Town; and

WHEREAS, within this newly created Chapter 9, Section 9-5 delineated several exemptions; and

WHEREAS, one such exemption provides that noise emanating from Non-farm animals are exempt provided that they do not constitute a nuisance, as defined by the Town's Code; and

WHEREAS, the term nuisance is not defined within Chapter 9 and as such, this provision has been difficult to enforce; and

WHEREAS, the Town Council finds that the amendment to the Code contained herein is in the best interest of and will reasonably protect the health, safety, and welfare of the Town's residents.

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

SECTION 1. Recitals. The above recitals are true, correct and incorporated herein by reference.

SECTION 2. Amendment. Chapter 9, Section 9-5 "Exemptions" of the Code of Ordinances of the Town is hereby amended as follows:

Sec. 9-5. - *Exemptions.*

The provisions of section 9-3 shall not apply at any time to:

- (1) Motor vehicles legally operating on a public right-of-way;
- (2) The unamplified human voice;

- (3) Any noise generated by new products or interstate motor and rail carrier vehicles to the extent that local regulation of noise levels of such new products and interstate motor and rail carrier vehicles has been preempted by the Noise Control Act of 1972 (49 U. S. C. Section 4901 et seq.) or other applicable federal laws or regulations;
- (4) Farming equipment;
- (5) Any noise generated by the movement of aircraft in accordance with or pursuant to applicable federal laws or regulations;
- (6) Maintenance and installation of public service utilities;
- (7) Noise generated for the purpose of alerting persons to the existence of an emergency or noise generated in the performance of emergency work;
- (8) Any noise generated by any noncommercial public speaking and public assembly activities conducted on any public space or public right-of-way pursuant to lawful authority; and
- (9) Any noise generated by the operation or testing of engines, landscaping equipment, generators, pumps, mechanical equipment, construction tools, emergency equipment or similar noises that are common to residential properties;
- (10) Refuse collection;
- (11) Construction in accordance with the construction hours set forth in the Town Code;
- (12) Any noise generated on a Town owned property, which is authorized by the Town;
- (13) Any noise generated by the Town or by a Town event;
- (14) Farm animals;
- ~~(15) Non farm animals provided that they do not constitute a nuisance, as defined by the Town's Code; and~~
- ~~(16)~~(15) Home workshops in accordance with the construction hours set forth in the Town Code; and Any special event that has been approved by the

Town.

~~(17)~~(16) Any special event that has been approved by the Town.

SECTION 3. Severability. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word hereof be declared unconstitutional or invalid, the invalidity thereof shall not affect the validity of any of the remaining portions of this Ordinance.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its 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 _____

[Signatures on Next Page]

Steve Breitkreuz, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney

1001.2407.01



Town of Southwest Ranches
13400 Griffin Road
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Town Council
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Bob Hartmann, *Council Member*
Gary Jablonski, *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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: Outdoor Gatherings - Code Amendment

Recommendation

Town Council consideration for a motion to approve the ordinance on Second Reading.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

A. Sound Governance

Background

The ULDC establishes a definition for a permissible assembly within Section 035-080(D) and provides for a permit process, subject to Town approval, to allow for assemblies that exceed the intended standards. The Town has received numerous complaints from residents relating to indoor and outdoor assemblies disturbing their quality of life, and impacting their farm animals.

The Town believes that the current regulation must be amended to better preserve and protect the Town's rural agrarian community. The Town Council finds that the amendment to the ULDC contained herein is in the best interest of and will reasonably protect the health, safety, and welfare of the Town's residents.

Fiscal Impact/Analysis

None.

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
ULDC Amendment - Assembly in Rural and Agricultural Districts - TA Approved - 2nd Reading Changes	12/7/2023	Ordinance

ORDINANCE NO. 2024-XXX

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), "ARTICLE 35, "CONDITIONAL USES," SECTION 035-080, "INDOOR AND OUTDOOR ASSEMBLY IN RURAL AND AGRICULTURAL DISTRICTS," TO AMEND THE LIST OF EXEMPTIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the ULDC establishes a definition for a permissible assembly within Section 035-080(D) and provides for a permit process, subject to Town approval, to allow for assemblies that exceed the intended standards; and

WHEREAS, the Town has received numerous complaints from residents relating to indoor and outdoor assemblies disturbing their quality of life, and impacting their farm animals; and

WHEREAS, the Town believes that the current regulation must be amended to better preserve and protect the Town's rural agrarian community;

WHEREAS, the Town Council finds that the amendment to the ULDC contained herein is in the best interest of and will reasonably protect the health, safety, and welfare of the Town's residents.

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

SECTION 1. Recitals. The above recitals are true, correct and incorporated herein by reference.

SECTION 2. Amendment. Article 35, "Conditional Uses," Section 035-080 "Indoor and Outdoor Assembly in Rural and Agricultural Districts," of the Unified Land Development Code of the Town is hereby amended as follows:

- (D) *Permissible assembly.* Assembly shall be deemed an accessory use of an occupied single-family detached residence when the assembly complies with this subsection, as follows:

1. Assembly is limited to family, friends and acquaintances of the property owner(s) and/or permanent resident(s) of the premises, and their permitted guests.
 2. In no event shall any assembly be held for profit, nor shall there be any admission fee, payment or other consideration, aside from normal congratulatory gifts, given for participation in the assembly or for use of the premises, and in no event shall any assembly be advertised or open to the general public.
 3. Amplified and non-amplified noise from the assembly shall not be audible from within an adjacent dwelling or guest house (with windows and doors closed) from 8:00 p.m. to 9:00 a.m. Monday thru Friday and 11:00 p.m. to 9:00 a.m. Saturday and Sunday. National Holiday's shall follow the Saturday and Sunday schedule. On New Year's Eve non-amplified noise shall not be audible from within an adjacent dwelling or guest house from 1:00 a.m. on New Year's Day to 9:00 a.m. In no event shall amplified noise from a permitted assembly exceed four hours in duration. This section is supplemental and is not intended to replace [Section 27](#) of the Town's Code concerning noise restrictions. The more stringent of the provisions shall apply.
 4. An assembly with amplified noise shall not occur on any parcel of land within the Town more than two (2) times in any one (1) calendar year period, and may only occur upon the proper issuance of a permit by the Town. All such assemblies shall be attended for the full duration by an owner or permanent resident of the premises.
- (E) *Permit submittal requirements.* To apply for an amplified assembly permit, a property owner or permanent resident of the premises shall submit an application to the Town no later than fifteen (15) business days prior to a proposed gathering, detailing at a minimum:
- (1) The proposed date of the gathering;
 - (2) The anticipated number of persons that will be in attendance;
 - (3) Whether there will be any live entertainment or temporary structures;
 - (4) Where the vehicles of attendees will be parked;
 - (5) The cause and extent of the amplified noise;
 - (6) The proposed hours during which the gathering will occur, which in no event can exceed four hours or extend beyond 11:00 p.m.;
 - (7) Any other information stipulated on the application form; and,
 - (8) Any fee and/or deposit that the town council may establish by resolution.
 - (9) Acknowledgement by the applicant that they shall notify all adjacent property owners by U.S. mail, or signed petition, including those directly

across a canal or roadway, at least ten (10) calendar days prior to the event.

- (10) That the applicant posts the issued permit in a conspicuous place that is visible from the street.
- (11) Acknowledgement by the property owner that they shall not allow their guests to park on the Town Right-of-Way.
- (12) In the event that an applicant desires to utilize swale parking, the Town may authorize the use of same provided that the Town finds that such parking will not create a life safety issue and provided that the resident provides the Town with insurance, as approved by the Town, listing the Town as an additional insured.

- (F) *Disposition of permit.* The town administrator shall determine whether to issue the permit or deny the permit within three (3) business days of a complete application submittal, and shall notify the applicant immediately upon such determination. Failure of the administrator to act upon a complete application within the allotted time shall constitute an approval of the application. The town administrator shall approve the application if the administrator finds that it is consistent with all of the following criteria:
 - (1) That the proposed gathering, as described on the application, will be consistent with the provisions of this section;
 - (2) That no assembly has occurred in violation of this section within two (2) years preceding the proposed gathering;
 - (3) That neither a code compliance officer nor law enforcement officer has been called to the subject property in relation to a gathering within the two (2) year period preceding the date of the proposed gathering, due to a verified complaint about unpermitted noise, parking, disorderly conduct, litter, property damage, or other similar complaint;
 - (4) That public safety will not be substantially compromised as a result of the assembly; and,
 - (5) That the frequency of recurrence, scale and character of assembly at the location has not and will not disturb the peaceful use and enjoyment of properties in the immediate area.

- (G) *Enforcement and penalty.* The code compliance department and the town's law enforcement agency are authorized to enforce the provisions of this section to the fullest extent allowed by law, including the authority to shut-down an assembly that is in violation of this section. All amplified noise that exceeds the timeframes set forth herein shall be immediately turned off by the responding officer.

(1) Upon a second violation of this section, no further amplified assemblies shall be permitted on the property for a period of two (2) years from the date of the second violation.

(H) Nothing in this section shall be construed as repealing other laws or code provisions requiring separate applications for permits, such as building or related permits. Those permits must be applied for separately and in accordance with the laws or code provisions governing those activities.

SECTION 3. Severability. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word hereof be declared unconstitutional or invalid, the invalidity thereof shall not affect the validity of any of the remaining portions of this Ordinance.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its 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 _____

[Signatures on Next Page]

Steve Breitkreuz, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney

1001.2408.01

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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*
David S. Kuczenski, Esq., *Vice Mayor*
Jim Allbritton, *Council Member*
Bob Hartmann, *Council Member*
Gary Jablonski, *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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: CPAB 2024 Renewal

Recommendation

Town Council consideration for a motion to approve the resolution.

Strategic Priorities

- A. Sound Governance
- E. Cultivate a Vibrant Community

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members.

This Resolution is necessary to extend the term of this Board's existence.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muñiz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
CPAB_2024 - TA Approved	12/4/2023	Resolution
Interested Members - CPAB	12/7/2023	Backup Material

RESOLUTION NO. 2024 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE COMPREHENSIVE PLAN ADVISORY BOARD (CPAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 8, 2001, the Town Council of the Town of Southwest Ranches, Florida adopted Resolution No. 2001-035, establishing a Comprehensive Plan Advisory Board; and

WHEREAS, on January 4, 2007, the Town Council of the Town of Southwest Ranches, Florida adopted Resolution No. 2007-023, establishing a Town Advisory Committee/Board Policy; and

WHEREAS, on December 31, 2023 the Comprehensive Plan Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

WHEREAS, the Town Council continues to see a need for the Comprehensive Plan Advisory Board; and

WHEREAS, in furtherance of the Town's adopted Advisory Committee/Board Policy, this Resolution is necessary to extend the Board's term, to redefine the Board's purpose and objectives, and to appoint or re-appoint the Board Members and Council Liaison.

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. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Comprehensive Plan Advisory Board for one (1) additional year through December 31, 2024.

Section 3. The Town Council hereby redefines the Comprehensive Plan Advisory Board's purpose and objectives as follows:

- i. To review and to provide input into the development of the Comprehensive Plan and to make recommendations to the Town Council.
- ii. To review and to provide input on any item, as may be specifically requested by the Town Council that may affect land use within the Town.
- iii. Board activities shall be accomplished in coordination with the Town Administrator. The Board shall submit, at a minimum, a quarterly report for review by the Town Administrator before presentation to the Town Council.

Section 4. All administrative and procedural requirements found in the Town's adopted Advisory Committee/Board Policy shall remain in full force and effect.

Section 5. The Town Council is hereby authorized to administratively advise the Town Administrator of its appointment for this Board, which shall be announced at a public meeting, and may be modified from time to time.

Section 6. This Resolution shall become effective immediately upon its adoption.

[Signatures on Following Page]

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

Ranches, Florida, this 14th day of December, 2023, on a motion by

_____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2425.01

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Comprehensive Plan Advisory Board

Name	Appointing Council Member	Staff Liaison	Council Liaison	# of Absences	# of Meetings Held	Interested in Remaining?
Newell Hollingsworth	Mayor Breitzkreuz	Emily McCord Aceti	Council Member Hartmann	0	9	Yes
George Morris	Vice Mayor Jablonski			0	9	No
Joseph Altschul	Council Member Allbritton			1	9	Yes
Jason Halberg	Council Member Hartmann			2	9	No
Lori Parrish	Council Member Kuczenski			2	9	Yes
At Large:						
Anna Koldys				9	9	No Response
Robert Sirota				1	9	Yes

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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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: DIAB 2024 Renewal

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- E. Cultivate a Vibrant Community

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members.

This Resolution is necessary to extend the term of this Board's existence.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
Reso - DIAB Renewal - TA Approved	12/5/2023	Resolution
Interested Members - DIAB	12/7/2023	Backup Material

RESOLUTION NO. 2024 - _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE DRAINAGE AND INFRASTRUCTURE ADVISORY BOARD (DIAB); RESTATING THE BOARD'S PURPOSE AND OBJECTIVES; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 9, 2002, the Town Council of the Town of Southwest Ranches, Florida adopted Resolution No. 2002-49, establishing a Fill and Drainage Advisory Board; and

WHEREAS, on January 4, 2007, the Town Council of the Town of Southwest Ranches, Florida adopted Resolution No. 2007-023, establishing a Town Advisory Committee/Board Policy; and

WHEREAS, on December 31, 2023, the Drainage and Infrastructure Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

WHEREAS, the Town continues to see a need for the Drainage and Infrastructure Advisory Board; and

WHEREAS, in furtherance of the Town's adopted Advisory Committee/Board Policy, this Resolution is necessary to extend the Board's term, to redefine the Board's purpose and objectives, and to appoint or re-appoint the Board Members and Council Liaison.

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. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Drainage and Infrastructure Advisory Board for one (1) additional year through December 31, 2024.

Section 3. The Town Council hereby redefines the Drainage and Infrastructure Advisory Board’s purpose and objectives as follows:

- i. To provide input into the development of policies and procedures concerning filling, excavating, and clearing of lands within the Town.
- ii. To provide input into any necessary revisions related to the tertiary drainage plan and to provide input into the prioritization of necessary drainage improvements within the Town.
- iii. To provide input into the development of policies and procedures concerning the Town’s infrastructure.
- iv. To solicit input from residents of the Town concerning drainage and other infrastructure-related improvements.
- v. Board activities shall be accomplished in coordination with the Town Administrator. The Board shall submit, at a minimum, a quarterly report for review by the Town Administrator before presentation to the Town Council.

Section 4. All administrative and procedural requirements found in the Town’s adopted Advisory Committee/Board Policy shall remain in full force and effect.

Section 5. The Town Council is hereby authorized to administratively advise the Town Administrator of its appointment for this Board, which shall be announced at public meeting, and may be modified from time to time.

Section 6. This Resolution shall become effective immediately upon its adoption.

[Signatures on Following Page]

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

Ranches, Florida, this 14th day of December, 2023, on a motion by

_____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2424.01

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Drainage and Infrastructure Advisory Board

Name	Appointing Council Member	Staff Liaison	Council Liaison	# of Absences	# of Meetings Held	Interested in Remaining?
James Starkweather	Mayor Breitkreuz	Rod Ley	Council Member Allbritton	0	9	Yes
Yardiel Fuentes	Vice Mayor Jablonski			4	9	Yes
Lee Lester	Council Member Allbritton			0	9	Yes
Kirk Hobson-Garcia	Council Member Hartmann			2	9	Yes
Ed Gonzalez	Council Member Kuczenski			1	9	Yes
At Large:						
Bryon Houghtaling				5	9	Yes
George Morris				0	9	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*
David S. Kuczenski, Esq., *Vice Mayor*
Jim Allbritton, *Council Member*
Bob Hartmann, *Council Member*
Gary Jablonski, *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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: FAB 2024 Renewal

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- E. Cultivate a Vibrant Community

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members.

This Resolution is necessary to extend the term of this Board's existence.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
RESO - FAB 2024 Renewal - TA Approved	12/5/2023	Resolution
Interested Members - FAB	12/7/2023	Backup Material

RESOLUTION NO. 2024 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF FIRE ADVISORY BOARD (FAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 4, 2007, the Town Council of the Town of Southwest Ranches, Florida adopted Resolution No. 2007-023, establishing a Town Advisory Committee/Board Policy; and

WHEREAS, on August 9, 2012, the Town Council adopted Resolution 2012-64, establishing a Fire Advisory Board to advise on matters relating to the Town's Fire and EMS Services; and

WHEREAS, on December 31, 2023, the Fire Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

WHEREAS, the Town Council continues to see a need for the Fire Advisory Board; and

WHEREAS, in furtherance of the Town's adopted Advisory Committee/Board Policy, this Resolution is necessary to extend the Board's term, to redefine the Board's purpose and objectives, and to appoint or re-appoint the Board Members and Council Liaison.

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. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Fire Advisory Board for one (1) additional year.

Section 3. The Town Council hereby redefines the Fire Advisory Board's purpose and objectives as follows:

- i. To advise the Council of fire and ems related issues.
- ii. To analyze the needs of the Volunteer Fire Department.
- iii. To analyze the Volunteer Fire Department's use of funds.

- iv. The Town Staff Liaison shall serve as the conduit to provide the Fire Advisory Board with any information required to perform its services delineated herein.
- v. A Fire Advisory Board Member shall not hold themselves out, in anyway, as being on the Board of Directors of the Volunteer Fire Department, or as an agent of the Town.
- vi. The Fire Advisory Board shall meet as directed by the Town Council.

Section 4. All administrative and procedural requirements found in the Town's adopted Advisory Committee/Board Policy shall remain in full force and effect.

Section 5. The Town Council is hereby authorized to administratively advise the Town Administrator of its appointment for this Board, which shall be announced at a public meeting, and may be modified from time to time.

Section 6. Effective Date. This Resolution shall be effective immediately upon its passage.

[Signatures on Following Page]

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 14th day of December, 2023, on a motion by

_____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2420.01

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Fire Advisory Board

Name	Appointing Council Member	Staff Liaison	Council Liaison	# of Absences	# of Meetings Held	Interested in Remaining?
Vince Lombardi	Mayor Breitzkreuz	Richard Strum	Council Member Hartmann	0	7	Yes
Jeff Kastner	Vice Mayor Jablonski			2	7	Yes
Jeff Strickland	Council Member Allbritton			2	7	Yes
Mike Fisikelli	Council Member Hartmann			3	7	Yes
Tina Spires	Council Member Kuczenski			2	7	Yes
At Large:						
Matthew Amundson				4	7	Yes
Gary Harrington				1	7	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*
David S. Kuczenski, Esq., *Vice Mayor*
Jim Allbritton, *Council Member*
Bob Hartmann, *Council Member*
Gary Jablonski, *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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: RFNRAB 2024 Renewal

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- E. Cultivate a Vibrant Community

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members.

This Resolution is necessary to extend the term of this Board's existence.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
RESO - RFNRAB 2024 Renewal - TA Approved	12/5/2023	Resolution
Interested Members - Parks	12/7/2023	Backup Material

RESOLUTION NO. 2024 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE PARKS, RECREATION, FORESTRY, AND NATURAL RESOURCES ADVISORY BOARD (PRFNAB); RATIFYING THE BOARD'S PURPOSE AND OBJECTIVES; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 11, 2003, the Town Council approved Resolution No. 2004-20, establishing the Friends of the Parks Advisory Board; and

WHEREAS, on January 4, 2007, the Town Council of the Town of Southwest Ranches, Florida adopted Resolution No. 2007-023, establishing a Town Advisory Committee/Board Policy; and

WHEREAS, on January 11, 2007, the Town Council approved Resolution No. 2007-026, changing the name of the Friends of the Parks Advisory Board to the Recreation, Forestry, and Natural Resources Advisory Board; and

WHEREAS, on December 31, 2023, the Parks, Recreation, Forestry, and Natural Resources Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

WHEREAS, the Town Council continues to see a need for the Recreation, Forestry, and Natural Resources Advisory Board; and

WHEREAS, in furtherance of the Town's adopted Advisory Committee/Board Policy, this Resolution is necessary to extend the Board's term, to ratify the Board's purpose and objectives, and to appoint or re-appoint the Board Members and Council Liaison.

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. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Parks, Recreation, Forestry, and Natural Resources Advisory Board for one (1) additional year through December 31, 2024.

Section 3. The Town Council hereby ratifies the Parks, Recreation, Forestry, and Natural Resources Advisory Board's purpose and objectives as follows:

- i. To provide input into the coordination of plans for the acquisition, funding, design, development, operation, maintenance and regulation of parks within the Town.
- ii. To provide input into those multipurpose trails within the Town.
- iii. To provide input into matters of forestry and natural resources, including but not limited to tree canopy maintenance, management, and protection; water conservation; preservation, and protection of the environment; and protection of wildlife.
- iv. To solicit input from residents of the Town concerning matters concerning recreational spaces, forestry, and natural resources.
- v. Board activities shall be accomplished in coordination with the Town Administrator. The Board shall submit, at a minimum, a quarterly report for review by the Town Administrator before presentation to the Town Council.

Section 4. All administrative and procedural requirements found in the Town's adopted Advisory Committee/Board Policy shall remain in full force and effect.

Section 5. The Town Council is hereby authorized to administratively advise the Town Administrator of its appointment for this Board, which shall be announced at a public meeting, and may be modified from time to time.

Section 6. This Resolution shall become effective immediately upon its adoption.

[Signatures on Following Page]

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

Ranches, Florida, this 14th day of December, 2023, on a motion by

_____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2421.01

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Parks, Recreation, Forestry, and Natural Resources Advisory Board						
Name	Appointing Council Member	Staff Liaison	Council Liaison	# of Absences	# of Meetings Held	Interested in Remaining?
Christine Brownlow	Mayor Breittkreuz	December Lauretano-Haines	Vice Mayor Jablonski	2	6	Yes
Debra Goff-Rose	Vice Mayor Jablonski			1	6	Yes
Dena Butler	Council Member Allbritton			0	6	Yes
Debbie Green	Council Member Hartmann			0	6	Yes
Catalina Stubbe	Council Member Kuczynski			3	6	No
At Large:						
Wendi Halberg				1	6	No
Laurie Morse				0	6	Yes
Honorary Member:						
Aster Knight						
Mary Gay Chaples						

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Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL
33330-2628
(954) 434-0008 Town Hall
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Town Council
Steve Breitkreuz, *Mayor*
David S. Kuczenski, Esq., *Vice Mayor*
Jim Allbritton, *Council Member*
Bob Hartmann, *Council Member*
Gary Jablonski, *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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: RPADAB 2024 Renewal

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- E. Cultivate a Vibrant Community

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members.

This Resolution is necessary to extend the term of this Board's existence.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
RESO RPADAB 2024 - TA Approved	12/5/2023	Resolution
Interested Members - RPA	12/7/2023	Backup Material

RESOLUTION NO. 2024 –

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE RURAL PUBLIC ARTS AND DESIGN ADVISORY BOARD (RPADAB); RESTATING THE BOARD’S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 13, 2003, the Town Council of the Town of Southwest Ranches, Florida adopted Resolution No. 2003-34, establishing a Rural Public Arts and Design Advisory Board; and

WHEREAS, on January 4, 2007, the Town Council adopted Resolution No. 2007-023, establishing a Town Advisory Committee/Board Policy; and

WHEREAS, on December 31, 2023, the Rural Public Arts and Design Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

WHEREAS, the Town Council continues to see a need for the Rural Public Arts and Design Advisory Board; and

WHEREAS, in furtherance of the Town’s adopted Advisory Committee/Board Policy, this Resolution is necessary to extend the Board's term, to redefine the Board's purpose and objectives, and to appoint or re-appoint the Board Members and Council Liaison.

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. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Rural Public Arts and Design Advisory Board for one (1) additional year through December 31, 2024.

Section 3. The Town Council hereby redefines the Rural Public Arts and Design Advisory Board’s purpose and objectives as follows:

- i. To provide input into the development of a rural sense of place including rural signage identification for the Town and review of public arts and design grants as they become available.
- ii. To review all public arts and design grant applications, to establish a review process to recommend vendors, to involve residents in the process, and to make recommendations to the Town Council.
- iii. Board activities shall be accomplished in coordination with the Town Administrator. The Board shall submit, at a minimum, a quarterly report for review by the Town Administrator before presentation to the Town Council.

Section 4. All administrative and procedural requirements found in the Town's adopted Advisory Committee/Board Policy shall remain in full force and effect.

Section 5. The Town Council is hereby authorized to administratively advise the Town Administrator of its appointment for this Board, which shall be announced at a public meeting, and may be modified from time to time.

Section 6. This Resolution shall become effective immediately upon its adoption.

[Signatures on Following Page]

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

Ranches, Florida, this 14th day of December, 2023, on a motion by

_____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2422.01

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Rural Public Arts and Design Advisory Board						
Name	Appointing Council Member	Staff Liaison	Council Liaison	# of Absences	# of Meetings Held	Interested in Remaining?
Barbara Gonzalez	Mayor Breitreuz	Susan Kutz	Council Member Kuczenski	2	8	yes
Rose Allbritton	Vice Mayor Jablonski			0	8	yes
Sage Cimetta	Council Member Allbritton			0	8	yes
Laurie Morse	Council Member Hartmann			0	8	yes
Wendi Halberg	Council Member Kuczenski			1	8	no
At Large:						
Robert Sirota				2	8	yes

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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*
David S. Kuczenski, Esq., *Vice Mayor*
Jim Allbritton, *Council Member*
Bob Hartmann, *Council Member*
Gary Jablonski, *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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: SEAB 2024 Renewal

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- E. Cultivate a Vibrant Community

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members.

This Resolution is necessary to extend the term of this Board's existence.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
RESO_-_SEAB_2024 -TA Approved	12/5/2023	Resolution
Interested Members - SEAB	12/8/2023	Exhibit

RESOLUTION NO. 2024 - _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE SCHOOLS AND EDUCATION ADVISORY BOARD (SEAB); RESTATING THE BOARD'S SCOPE; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 4, 2007, the Town Council of the Town of Southwest Ranches, Florida adopted Resolution No. 2007-023, establishing a Town Advisory Committee/Board Policy; and

WHEREAS, also on January 4, 2007, the Town Council adopted Resolution No. 2007-028, establishing a Schools and Education Advisory Board; and

WHEREAS, on December 31, 2023, the Schools and Education Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

WHEREAS, the Town Council continues to see a need for the Schools and Education Advisory Board; and

WHEREAS, in furtherance of the Town's adopted Advisory Committee/Board Policy, this Resolution is necessary to extend the Board's term, to redefine the Board's purpose and objectives, and to appoint or re-appoint the Board Members and Council Liaison.

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. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Schools and Education Advisory Board for one (1) additional year through December 31, 2024.

Section 3. The Town Council hereby redefines the Schools and Education Advisory Board's purpose and objectives as follows:

- i. To advise the Council of any school and educational issues related to the Town.

- ii. To regularly attend the necessary Broward County School Board and other school-related meetings to monitor issues affecting the residents of the Town.
- iii. To provide input regarding educational programs for the development of the students within the community.
- iv. To provide input into the development of policies, procedures, and programs concerning any school or educational issues concerning the Town.
- iii. To solicit and to obtain input from the residents of the Town concerning school-related or other education-related issues.
- iv. To develop, to implement, and to monitor, with the assistance of the Town Administrator, a Town educational scholarship fund.
- v. Board activities shall be accomplished in coordination with the Town Administrator. The Board shall submit, at a minimum, a quarterly report for review by the Town Administrator before presentation to the Town Council.

Section 4. All administrative and procedural requirements found in the Town's adopted Advisory Committee/Board Policy shall remain in full force and effect.

Section 5. The Town Council is hereby authorized to administratively advise the Town Administrator of its appointment for this Board, which shall be announced at a public meeting, and may be modified from time to time.

Section 6. This Resolution shall become effective immediately upon its adoption.

[Signatures on Following Page]

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

Ranches, Florida, this 14th day of December, 2023, on a motion by _____

_____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2423.01

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Schools Education Advisory Board						
Name	Appointing Council Member	Staff Liaison	Council Liaison	# of Absences	# of Meetings Held	Interested in Remaining?
Page Giacin	Mayor Breitreuz	Debra Ruesga	Mayor Brietkreuz	3	5	No
Jennifer Montgomery	Vice Mayor Jablonski			0	5	Yes
Christina Brownlow	Council Member Allbritton			1	5	Yes
Debbie Green	Council Member Hartmann			0	5	Yes
Kathy Sullivan	Council Member Kuczenski			0	5	Yes
At Large:						
Francesca Case				2	5	Yes
Priscilla Prado Stroze				4	5	Yes
Selena Hodgers				1		Yes

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Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL
33330-2628
(954) 434-0008 Town Hall
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Town Council
Steve Breitkreuz, *Mayor*
David S. Kuczenski, Esq., *Vice Mayor*
Jim Allbritton, *Council Member*
Bob Hartmann, *Council Member*
Gary Jablonski, *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: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 12/14/2023
SUBJECT: Selection of Debra Ruesga as Town Clerk

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 August 24, 2023, Town Administrator Andrew Berns announced his retirement from the Town effective December 15, 2023. On August 24, 2023, the Town Council discussed the steps to replace Andrew Berns. On November 16, 2023, Town Council approved Resolution No. 2024-015 appointing its current Assistant Town Administrator/Town Clerk Russell Muniz as the Town's next Town Administrator.

In accordance with Article II, Section 5(a) of the Florida Constitution's dual office holding requirements, Russell Muñiz must officially resign as Town Clerk on December 15, 2023. Furthermore, in accordance with Section 3.06 of the Town's Charter, the Town Administrator shall appoint a Town Clerk, subject to the approval by the majority of the Council.

This Resolution seeks to comply with the provisions of the Florida Constitution, and the

Town's Charter by approving the Town Administrator's selection of Debra M. Ruesga, CMC for the position of Town Clerk, and approval of her employment agreement.

Fiscal Impact/Analysis

Yes. 001-1400-512-12100 Regular Salaries & Wages Account.

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
Resolution - Town Clerk Appointent	12/7/2023	Resolution
Town Clerk Agreement - Debra Ruesga - TA Approved	12/8/2023	Agreement

RESOLUTION NO. 2024 - XXX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE TOWN ADMINISTRATOR'S SELECTION OF DEBRA M. RUESGA, CMC, AS THE TOWN CLERK OF THE TOWN OF SOUTHWEST RANCHES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT WITH DEBRA M. RUESGA, WHICH ESTABLISHES THE SCOPE, COMPENSATION AND BENEFITS FOR THE TOWN CLERK'S SERVICES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 24, 2023, Town Administrator Andrew Berns announced his retirement from the Town effective December 15, 2023; and

WHEREAS, on August 24, 2023, the Town Council discussed the steps to replace Andrew Berns; and

WHEREAS, on November 16, 2023, Town Council approved Resolution No. 2024-015 appointing its current Assistant Town Administrator/Town Clerk Russell Muniz as the Town's next Town Administrator; and

WHEREAS, in accordance with Article II, Section 5(a) of the Florida Constitution's dual office holding requirements, Russell Muñiz must officially resign as Town Clerk on December 15, 2023 at 12:59 p.m.

WHEREAS, in accordance with Section 3.06 of the Town's Charter, the Town Administrator shall appoint a Town Clerk, subject to the approval by the majority of the Council; and

WHEREAS, this Resolution seeks to comply with the provisions of the Florida Constitution, and the Town's Charter by approving the Town Administrator's selection of Debra M. Ruesga, CMC for the position of Town Clerk, and approval of her employment agreement.

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 the Town Administrator's selection of Debra M. Ruesga, CMC, as the Town Clerk of the Town of Southwest Ranches.

Section 3: The Town Council hereby authorizes the Mayor, Town Administrator, and Town Attorney to enter into an agreement with Debra M. Ruesga, CMC in substantially the same form as that attached hereto and incorporated herein by reference as Exhibit "A", which establishes the scope, compensation and benefits for the Town Clerk's services, and to make such modifications, additions, and/or deletions which they deem necessary and proper to effectuate the intent of this Resolution.

Section 4: This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 14th day of December, 2023 on a motion by _____ and seconded by _____.

Breitkreuz	_____	Ayes	_____
Kuczenski	_____	Nays	_____
Allbritton	_____	Absent	_____
Hartmann	_____		
Jablonski	_____		

Steve Breitkreuz, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, Town Attorney
1001.2426.01

AGREEMENT
BETWEEN
THE TOWN OF SOUTHWEST RANCHES
AND
DEBRA M. RUESGA, CMC

This AGREEMENT (the "Agreement") entered into this 14th day of December, 2023, between the TOWN OF SOUTHWEST RANCHES, a Florida municipal corporation created and existing under the laws of the State of Florida, (the "Town"), and DEBRA M. RUESGA, an individual ("Clerk").

WHEREAS, Section 3.06 of the Town's Charter provides for the Administrator's appointment of a Town Clerk subject to the approval by the majority of the Town Council; and

WHEREAS, the office of the Town Clerk has the responsibility to give notice of Council meeting, shall keep minutes of the municipality's proceedings, and shall perform such other duties as the Council or Clerk may prescribe from time to time; and

WHEREAS, the Town Clerk is also the Town's official records custodian, and as such is responsible for maintaining all of the Town's records in accordance with the statutory requirements; and

WHEREAS, The Town desires to employ the services of Debra M. Ruesga as Town Clerk of the Town of Southwest Ranches, to fulfill the responsibilities of the office as specified in the Town Charter, the Town's Code, and as specified by the Town Council and the Town Administrator; and

WHEREAS, Clerk desires to accept employment as Town Clerk of the Town of Southwest Ranches; and

WHEREAS, Town and Clerk wish to formalize the terms of appointment as Town Clerk.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1) Employment.

Town hereby agrees to employ Debra M. Ruesga, CMC, as Town Clerk of the Town of Southwest Ranches to perform the duties specified in the Charter of the Town of

Southwest Ranches (the "Charter"), as may be amended from time to time, the Town's Code, as may be amended from time to time, and to perform other legally permissible and proper duties and functions as the Council and Town Administrator shall assign from time to time, including but not limited to those duties customarily performed by municipal clerks in the state of Florida. Clerk shall devote her full-time professional employment to the Town of Southwest Ranches and will not accept any outside employment without the express knowledge and consent of the Town Administrator and the Town Council (the "Council"), which must be obtained at a public meeting and may be unreasonably withheld. The Clerk shall perform her duties under this Agreement, in accordance with the standards and duties as set forth in the Charter and the Town Code, as may be amended from time to time, and in conformity with the Florida Association of City Clerks Code of Ethics, as may be amended from time to time.

2) Term.

A) Clerk shall serve as Town Clerk commencing on December 15, 2023 without definite term and shall continue until termination, in accordance with Section 3.06 of the Town's Charter, and as delineated in Section 4 below.

B) Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Administrator and Council to terminate the services of Clerk at any time, subject only to the provisions set forth in Section 4 of this Agreement.

C) Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of Clerk to resign at any time from her position, subject only to the provisions set forth in Section 5 of this Agreement.

3) Salary.

Town agrees to pay Clerk for her services rendered hereto based on an initial annual salary of Eighty-Nine Thousand Five Hundred Dollars (\$89,500.00), payable in accordance with the Town's standard payroll procedures. Town may, at its own option, increase the base salary and/or benefits of the Clerk in such amounts and to such extent as the Council may determine that is desirable to do so.

4) Termination and Severance Pay.

A. In the event Clerk is terminated from the Town's employment without cause within the first 365 days of employment, Clerk shall be entitled to a Severance Benefit equal to ten (10) days of the Clerk's then current salary.

B. In the event Clerk is terminated from the Town's employment without cause after the first 365 days of employment, and provided that the Clerk is willing and able to perform her duties under this Agreement, then in that event, Town agrees to pay Clerk

a Severance Benefit of forty-five (45) days of the Clerk's then current salary payable in two equal installments. The first installment shall be paid on the date Clerk ceases to perform services for the Town, and the second installment shall be paid ninety (90) days thereafter.

D. In the event Clerk is terminated from the Town's employment with cause for one of the acts enumerated below, Town and Clerk agree that Clerk shall receive no Severance Benefit.

The following acts shall give rise to termination with cause:

1. The elimination of the position of Town Clerk.
2. Any reassignment of Clerk by the Council to another position, without change to benefits or pay, which is not accepted by Clerk.
3. Having been adjudicated guilty in a court of competent jurisdiction of a felony
4. A willful breach of any of the provisions contained within this Agreement.

5) Resignation.

A. Unless both parties agree in writing to the contrary, with the exception of resignation for sudden illness of Clerk or her immediate family, Clerk may resign by providing the Town with a minimum of sixty (60) days written notice.

B. In the event that proper notice is given and Clerk has worked for the Town for a total of one thousand and ninety five (1095) days, Town agrees that Clerk shall also be compensated for all accrued paid time off calculated based upon the Clerk's then current salary.

6) Professional Development.

A. The Town may pay the reasonable registration and travel expenses of the Clerk for appropriate professional and official travel, meetings, and occasions adequate to continue the professional development of the Clerk, and to adequately pursue necessary official and other functions of the Town. The Town may pay the reasonable costs for registration and travel expenses relating to the Clerk's attendance at appropriate annual meetings, including but not limited to, the Florida Association of City Clerks (FACC), Broward County Municipal Clerk's Association (BCMCA), the International Institute of Municipal Clerks (IIMC) and Florida Records Management Association (FRMA). All such professional development expenses shall be subject to prior Council approval, which shall be included within the Town's budget.

B. The Town may provide in the annual budget a reasonable amount to help pay for appropriate annual dues for professional association memberships directly related to the Clerk's function at the Town.

7) Paid Time Off.

Commencing January 1, 2024, Clerk shall be allowed to take twenty-five (25) paid time off days per calendar year. Annual paid time off shall be calculated commencing on January 1 each year and terminating on December 31. Any days not utilized by December 31 shall be lost and shall not transfer to the next year. Further, Clerk shall not receive any additional compensation for days not utilized. Paid time off shall include sick, personal, and vacation days. Any days missed in excess of the paid time off days may be taken without compensation, provided Clerk receives the formal approval of the Town Administrator.

8) Equipment and Staff

The Town shall provide to the Clerk and shall pay all charges related with a desktop and laptop computer and shall provide the Clerk with any other reasonably appropriate office supplies, material, and equipment with which to conduct the business of the Town.

9) Survivors' Benefits.

In the event of the death of the Clerk, her surviving spouse or dependents shall be entitled to payment of all of her unused paid time off days based on the Town Clerk's then current salary.

10) Benefit Participation.

The Clerk shall be entitled to receive any additional benefits or may participate in any programs provided to other employees of the Town, at the option, and sole cost and expense, of the Clerk.

11) Indemnification.

To the extent permitted by law, the Town shall defend, save harmless, and indemnify the Clerk against any action, claim, demand or other legal action, whether groundless or otherwise arising directly or indirectly out of the Clerk's duties or position with the Town. The aforesaid indemnification only applies to the extent that the costs, expenses or damages exceed monies covered by insurance. Notwithstanding the aforesaid, Town shall not be obligated to indemnify or save harmless Clerk from claims

of any nature arising out of the malfeasance of Clerk, her agents or employees, intentional torts, or from injury or property damage caused by the intentional misconduct of Clerk, its agents or employees. This indemnification provision shall survive the termination of this Agreement.

12) Hours of Operation.

The Clerk is expected to be readily available during all business hours and at all Council meetings/workshops. Further, Clerk shall be readily available when requested by the Town Administrator to attend Board and Committee Meetings.

13) Town Holidays.

The Town shall be closed in accordance with the Town's annual holiday schedule, which is established in December of each year by the Town Council.

14) Ownership Rights

Clerk agrees that all documents, programs, work product and documentation (hereinafter referred to as "Documentation") prepared by Clerk pursuant to this Agreement shall be the property of the Town, and Clerk hereby assigns all of that Documentation to the Town. All work performed by Clerk shall be deemed to be "work made for hire".

15) Nondiscrimination & Public Entity Crime Act

A. Clerk shall not unlawfully discriminate against any person in its operations and activities or in its use or expenditure of funds in fulfilling its obligations under this Agreement. Clerk shall affirmatively comply with all applicable provisions of the Americans with Disabilities Act (ADA) in the course of providing any services, including Titles I and II of the ADA (regarding nondiscrimination on the basis of disability), and all applicable regulations, guidelines, and standards. In addition, Clerk shall take affirmative steps to ensure nondiscrimination in employment against disabled persons.

B. Clerk's decisions regarding the delivery of services under this Agreement shall be made without regard to or consideration of race, age, religion, color, gender, sexual orientation, national origin.

C. Public Entity Crime Act. Clerk represents that the execution of this Agreement will not violate the Public Entity Crime Act (Section 287.133, Florida Statutes), which essentially provides that a person or affiliate who is a contractor, consultant or other provider and who has been placed on the convicted vendor list following a conviction for

a Public Entity Crime may not submit a bid on a contract to provide any goods or services to Town, may not submit a bid on a contract with Town for the construction or repair of a public building or public work, may not submit bids on leases of real property to Town, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with Town, and may not transact any business with Town in excess of the threshold amount provided in Section 287.017, Florida Statutes, for category two purchases for a period of thirty six (36) months from the date of being placed on the convicted vendor list. Violation of this section shall result in termination of this Agreement and recovery of all monies paid hereto, and may result in debarment from Town's competitive procurement activities. In addition to the foregoing, Clerk further represents that there has been no determination, based on an audit, that he committed an act defined by Section 287.133, Florida Statutes, as a "public entity crime" and that he has not been formally charged with committing an act defined as a "public entity crime" regardless of the amount of money involved or whether Clerk has been placed on the convicted vendor list. Clerk shall execute the attached Non-Collusive Affidavit as evidence of compliance with the requirements of paragraph (2)(a) of Section 287.133, Florida Statutes, governing Public Entity Crimes.

16) Entire Agreement.

This Agreement incorporates and includes all prior negotiations and understandings applicable to the matters contained herein. The parties agree that this Agreement constitutes the entire understanding and agreement between the parties and supersedes previous Agreements and representations whether written or oral.

17) Construction.

This Agreement has been a joint effort of the parties, and the resulting documents, solely as a matter of judicial construction, shall not be construed more severely against one of the parties than the other.

18) Further Assurances.

Town and Clerk agree to execute, acknowledge, and deliver, and cause to be done, executed, acknowledged, and delivered, all such further documents and perform such acts as shall be requested of it to carry out this Agreement and give effect hereto solely consistent with applicable Federal, State and local laws, rules or regulations. Accordingly, without in any manner limiting the specific rights and obligations set forth in this Agreement, the parties declare their intention to cooperate with each other in effecting the terms of this Agreement.

19) Counterparts.

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which shall constitute the same Agreement.

20) No Amendment or Waiver.

This Agreement may not be changed, altered or modified except by an instrument in writing signed by all parties hereto, with the same formality and of equal dignity as the execution of this Agreement.

21) Severability.

In the event any term or provision of this Agreement shall be determined by appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or be construed to be in full force and effect. In case any one or more of the provisions of this Agreement shall be determined by appropriate judicial authority to be invalid, illegal or unenforceable in any respect, the validity of the remaining provisions of this Agreement shall be in no way affected, prejudiced, or disturbed thereby.

22) Professional Assurances.

Clerk shall perform all services under this Agreement in accordance with the highest standard of care used by similar professional municipal Clerks in Broward County, Florida, under similar circumstances and shall exercise a reasonable degree of skill and care, as determined by the degree of skill and care ordinarily employed by other of the same profession. Clerk represents that she has the knowledge and skills, either by training, experience, education, or a combination thereof, to adequately and competently perform the duties, obligations, and services set forth herein in a skillful and respectable manner.

23) Notice.

Whenever either party desires to give notice unto the other, such notice must be in writing, sent by certified United States Mail, postage prepaid, receipt requested, or by hand-delivery with a request for a written receipt of acknowledgment of delivery, addressed to the party for whom it is intended at the place last specified. The place for giving notice shall remain the same as set forth herein until changed in writing in the manner provided in this section. For the present the parties designate the following as the respective places for giving of notice:

For TOWN:

Town of Southwest Ranches
Attn: Andrew D. Berns, Town Administrator
13400 Griffin Road
Southwest Ranches, FL 33330

And

Town Attorney
Attn: Keith Poliakoff, Esq.
200 S. Andrews Avenue
Suite 601
Ft. Lauderdale, FL 33301

For Clerk:

Debra M. Ruesga, CMC
Address to be Kept on File

Or such other address as the parties may designate to each other in writing from time-to-time.

24) Resolution of Disputes.

In an effort to prevent litigation, the parties shall endeavor to resolve any and all claims arising from this Agreement by mediation. A request for mediation shall be filed, in writing, with the other party to the Agreement. To the extent litigation is permitted under this Agreement, the request for mediation shall be made prior to the filing of a

legal or equitable proceeding, which shall not be filed prior to the outcome of mediation which will be completed within sixty (60) consecutive calendar days from the date a request for mediation is submitted to the other party unless the parties agree to an extension. The statute of limitations of any claim shall be tolled from the date mediation is requested until completed. To the extent the parties cannot mutually select a mediator, within fifteen (15) consecutive calendar days, from the date a request for mediation has been submitted, either party can request the American Arbitration Association to appoint a mediator with experience to serve as mediator. The mediator selected to serve shall be certified by the Florida Supreme Court. The mediation shall be conducted in Broward County, Florida

25) Applicable Law & Venue; Waiver of Jury Trial.

This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Florida. Any controversies or legal problems arising out of this Agreement and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the exclusive jurisdiction and venue of an appropriate Court of competent jurisdiction in the Seventeenth Judicial Circuit of Broward County, Florida.

BY ENTERING INTO THIS AGREEMENT, CLERK AND TOWN HEREBY EXPRESSLY WAIVE ANY RIGHTS EITHER PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO, OR ARISING OUT OF, THIS AGREEMENT.

26) Enforcement; Attorney's Fees.

The Town and Clerk are the beneficiaries of this Agreement and as such, may enforce this Agreement by action at law or in equity. In the event of any litigation between the Town and Clerk resulting from and/or arising out of this Agreement, it is hereby acknowledged and agreed that the prevailing party shall be entitled to recover any and all reasonable attorney's fees and costs from the non-prevailing party in any such litigation, including attorneys' fees and costs incurred at the trial level and on appeal.

27) Compliance with Laws.

Clerk shall comply with all federal, state, and local laws, codes, ordinances, rules and regulations in performing her duties, responsibilities, and obligations pursuant to this Agreement.

28) Personnel Manual & Town Policies.

Clerk hereby affirms that Clerk has received, has reviewed, and has accepted all of the terms and conditions delineated in the Town's Personnel Manual, Administrative

Policies, as well as the probationary period contained in Clerk's conditional offer. Clerk also agrees to abide by any and all amendments that may be made to same.

Miscellaneous

A. **Materiality and Waiver of Breach:** Clerk and Town agree that each requirement, duty, and obligation set forth herein is substantial and important to the formation of this Agreement and, therefore, is a material term hereof.

Either party's failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach and shall not be construed to be a modification of the terms of this Agreement.

B. Clerk warrants and represents that he has not employed or retained any company or person, to solicit or secure this Agreement and that he has not paid or agreed to pay any person, company, corporation, individual or firm, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement. For a breach or violation of this provision, Town shall have the right to terminate this Agreement without liability and, at its discretion, to deduct from the Agreement price or otherwise recover the full amount of such fee, commission, percentage, gift or consideration.

C. With the exception of what has been set forth in Section 1 above, Clerk warrants and represents that by December 15, 2023, Clerk's sole employer shall be the Town of Southwest Ranches. Clerk further warrants and represents that he will disclose any conflict of interest, perceived or otherwise, with any current or future vendor or employee that may be hired by the Town.

D. **Drug-Free Workplace.** Clerk shall endeavor to maintain a drug-free workplace and shall institute a drug-free workplace policy.

E. **Headings.** Headings are for convenience of reference only and shall not be considered in any interpretation of this Agreement.

F. **Truth-in-Negotiation Certificate.** Signature of this Agreement by Clerk shall act as the execution of a truth-in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation of this Agreement are accurate, complete, and current at the time of contracting.

IN WITNESS OF THE FOREGOING, the parties have set their hands and seal the day and year first written above.

TOWN OF SOUTHWEST RANCHES

Town Clerk

Steve Breitzkreuz, Mayor

Debra M. Ruesga, CMC

Andrew D. Berns, Town Administrator

Approved as to form:

Keith M. Poliakoff, Town Attorney
1001.2426.01

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REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:30 PM

September 14, 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

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 7:35 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Public Comment

The following members of the public addressed the Town Council: Marianne Allen, Wes Clark, Tim Wilder, John Steven Garate, Kenneth Farkas, Iris Siple, Newell Hollingsworth.

4. Board Reports

Marianne Allen and Richard Ramcharitar spoke on behalf of the Zero-Waste Task Force. They advised Council about attending several meetings regarding incinerators in both Broward and Miami-Dade Counties. They attended a meeting in Pembroke Pines and stated the residents in attendance were strongly opposed to the incinerator. They attended a meeting in Doral and stated the residents there were opposed to having an incinerator in the area, and they also planned on working with the groups in Miami Dade County to try and prevent the incinerator there. Lastly, they attended the Miami-Dade County Commission meeting. The Miami-Dade County Commission informed attendees that Miami-Dade County would be working with Broward County on a regional plan for incinerators.

Debbie Green also spoke on behalf of the Zero-Waste task force. She stated one of the main ideas of the task force was to educate the public on zero waste. She provided the email zerowastebrowardtf@gmail.com for anyone interested in supporting the group and/or wanting more information on zero-waste.

Mayor Breitkreuz responded to the public comments regarding zero waste. He explained Council is one hundred percent behind zero waste, and that is the path the Town is trying to take for the future. He stated that anything the Town does regarding the ILA is to remove the incinerator as an option. He appreciated the comments from Iris Siple and said he was pleased with Council and Town residents for their efforts regarding zero waste. He said the Town has been working on zero-waste for several months and believes the Town is leading the initiative, and that he is proud of that. He stated that installing an incinerator is a disservice to future generations. He said the Town is staying in the ILA and believes that having that vote as part of the ILA is the way to change their goals towards zero-waste. He stated the people having the argument of "being in the ILA" or "not in the ILA" is a distraction and the focus should be on working together for a

solution that is zero-waste. He spoke about the importance of the committees that exist, or are being created, that are focused on zero-waste and people should be getting involved with the committees. Council Member Kuczenski asked Mayor Breitreuz what the consequences would be if the ILA disbanded. Mayor Breitreuz responded that he was not sure, but he believed the County would automatically build the incinerator with no regard as to what the neighboring municipalities want to happen.

5. Council Member Comments

Council Member Kuczenski thanked everyone for attending the meeting and wished everyone a Happy Rosh Hashanah. He provided information about upcoming events for the Town including the Town Halloween party at Rolling Oaks Barn on October 28th and about the hay bale decorating contest. He also discussed the December Holiday Lights Contest with the entry deadline being December 1st, the judging beginning December 5th, and the awards given out December 7th. He also provided Council with the traffic citation statistics throughout the Town for the month of August.

Council Member Jablonski spoke about upcoming events within the Town such as Hazmat at the Barn on September 23rd, the DMV FLOW Mobile on September 27th at Town Hall. He also verified the next Zero Waste Task Force meeting was scheduled for October 11th at Town Hall.

Vice Mayor Allbritton stated he attended the Broward League of Cities meeting and they discussed the use of phosphogypsum being used to construct roads. He informed the League the Town would be presenting a Resolution against the use of phosphogypsum in the roads within Town limits and provided copies of it to members to be used as a template for their municipalities. He believes that the Town is the front runner on this topic and hopes other municipalities will use our efforts as an example. He spoke about the permanent traffic sign being installed on 186th Avenue, and its reporting capabilities. He said the information provided by the sign, and future signs planned to be installed around Town, could help the Davie Police Department slow traffic around Town. He also discussed the topics of the Broward County Water Board meeting that he attended. He said the County passed a resolution stating that realtors selling properties in Broward County must disclose if the property is on septic tank or connected to sewer. He said the Board conducted a study that the groundwater level is rising, and in response to the study submitted a proposal to Broward County that may require homes built in the future be at a higher elevation. He said this may have an effect on Town residents as current homeowners may need to build bigger berms around their properties to prevent the flooding of their properties. Lastly, he spoke about attending the City of Miramar's 22nd 9-11 dedication. He said the City was able to obtain two 12ft long steel beams from the World Trade Center and build a monument with them. He said it was attended by many dignitaries from local municipalities, as well as the State, and it was a very moving and enlightening ceremony. He encouraged everyone to visit Miramar's Regional Park to see the 9-11 dedication, as well as the dedication for veterans located next to it.

Council Member Hartmann discussed a meeting he attended with the Assistant Town Administrator and Waste Management (WM) regarding WM's recycling capabilities. He discussed

WM does a large amount of recycling around the country and the Town wants to work with them to increase its own recycling. He stated the one-year cycle with WM is approaching and a report will be available showing the percentage of garbage, recycling, and bulk trash done within the Town. He would like to work with WM on creating a program to increase the percentage of recycling done within the Town. He spoke about how the easiest way to not have an incinerator placed near the Town is to raise the percentage of recycling in the County to 75%, and that it could be done here as it has been done in Europe and in other parts of the country. He spoke about the Zero-Waste Task Force meeting held on September 13th at Town Hall. He said the meeting went well with residents from other municipalities attending and working towards not having an incinerator placed out west. He reminded everyone that the Zero-Waste Task Force meetings are held at Town Hall the second Wednesday of each month.

Mayor Breitkreuz spoke about a recent meeting with some of the leaders of local municipalities on various subjects including zero waste, and that it was a very productive meeting and that he was encouraged by the progress with everything. He said there was also discussion about having a multi-use trail going across I-75 along Stirling Road. He stated there was a strong endorsement of it from the Town of Davie, and that he asked Town Administration to pursue the creation of the trail. He said that there are many steps in the process including approval from the State but with the backing of local municipalities, the process would be easier. He distributed a letter addressed to the Mayor of Miami-Dade County, from the Town, to inform him the Town is in favor of a zero-waste solution not an incinerator solution. He also proposed the Town create a formal resolution opposing the incinerator in Miami-Dade County, and that it be sent to the Mayor of Miami-Dade County as well. He stated that he was proud of all of the work that everyone is doing in regards to the zero-waste issue and thanked them for all of their help.

6. Legal Comments

Town Attorney Keith Poliakoff advised Council the Florida Department of Transportation District Four Representative Gerry O'Reilly retired and the district is now represented by Steve Braun.

7. Administration Comments

Town Administrator Berns had no comments.

Ordinance – 2nd Reading

8. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 90, "SUBDIVISION DESIGN AND ACCESS STANDARDS," SECTION 090-080, "ACCESS TO DEVELOPMENT," TO MODIFY STANDARDS FOR CERTAIN INGRESS/EGRESS EASEMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading – February 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.

9. 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. **{Approved on First Reading – August 24, 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.

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," 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. **{Approved on First Reading – August 24, 2023}**

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 Breitreuz 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"), 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. **{Approved on First Reading – August 24, 2023}**

The following motion was made by Vice Mayor Allbritton, 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 ORDINANCE ON SECOND READING.

Ordinance – 1st Reading

12. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING SECTION 090-100 OF THE UNIFIED LAND DEVELOPMENT CODE (ULDC) ENTITLED ROADWAY CAPACITY, CONSTRUCTION AND DESIGN STANDARDS; PROHIBITING THE USE OF PHOSPHOGYPSUM TO CREATE OR REPAIR TOWN OR PRIVATE ROADS; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Kuczenski, 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 Breitkreuz voting yes.

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.

Resolutions

13. A RESOLUTION OF THE TOWN COUNCIL OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO PREPARE AND TO SUBMIT A GRANT APPLICATION TO THE RESILIENT FLORIDA PROGRAM TO HELP FUND A VULNERABILITY AND SEA LEVEL RISE ASSESSMENT IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00); 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 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 Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH HUURR HOMES LLC IN THE AMOUNT OF SEVEN HUNDRED FORTY-SEVEN THOUSAND SEVEN HUNDRED SIX DOLLARS AND NINETY-FIVE CENTS (\$747,706.95) TO COMPLETE THE SW 63RD STREET AND SW 185TH WAY DRAINAGE IMPROVEMENT PROJECT; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2022-2023

TOWN BUDGET; 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 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 RESOLUTION.

15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE SELECTION OF ASSISTANT TOWN ADMINISTRATOR RUSSELL MUÑIZ FOR THE POSITION OF TOWN ADMINISTRATOR; DIRECTING THE TOWN ATTORNEY TO NEGOTIATE AN AGREEMENT WITH ASSISTANT TOWN ADMINISTRATOR RUSSELL MUÑIZ FOR THE POSITION OF TOWN ADMINISTRATOR, WHICH ESTABLISHES THE SCOPE, COMPENSATION AND BENEFITS FOR HIS SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE AGREEMENT; 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 Breitreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PIGGYBACK OF FLORIDA NASPO VALUEPOINT CONTRACT (FL # 43220000-NASPO-19-ACS) FOR THE ISSUANCE OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED THIRTY-FIVE THOUSAND FOUR HUNDRED SEVENTY-FOUR DOLLARS AND FIFTY CENTS (\$35,474.50) TO PRESIDIO, INC. FOR CISCO NETWORK SWITCHES; APPROVING A FY 2022-2023 BUDGET AMENDMENT FROM THE GENERAL FUND; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE 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 Breitreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

Discussion

17. Code Enforcement: Enhanced Proactive Items

Mayor Breitreuz advised that Council had requested the discussion with Code Director Julio Medina regarding changing code enforcement items to proactive. He stated that historically the

Town has been focused more on reactive than proactive enforcement but because of changes to the laws, this has become difficult. He said that by moving certain items to proactive enforcement may prevent issues of neighbors reporting on one another and causing issues between them. He asked Code Director Julio Medina to discuss the code issues that are proactive in the Town now, and which issues may be best if moved to proactive in the future.

Code Director Julio Medina discussed that the following items were enforced proactively: Bulk trash (over the size limits or placed out too early); overgrown vacant lots; fill/grading, dark sky lighting; and potholes on private roads. He then described the issues that Code Enforcement sees frequently during their normal work; or items that Code Enforcement receives calls about, but residents do not file a formal complaint because they want to maintain an amicable relationship with their neighbors. The following issues were suggested by Code Enforcement to Council as items that could be changed to proactive enforcement: work done without a permit; commercial vehicles (too many or not registered to the property); tree removal without a permit; open burning without a permit; previously addressed complaints that are corrected but then become violations again at a later date. He then informed Council that some Council Members suggested other items for discussion once provided the Code Enforcement Department's list. The suggested issues were clearing of property without a permit; leniency on vegetable bulk placed out too early following a significant wind event; and shipping containers (too many on property or placed in setbacks).

Council discussed the issues listed by Code Enforcement in order of the list provided and agreed that all the items should be moved to proactive enforcement. The issue of work done without permit was further defined as construction work being done without permit. At the recommendation of Council Member Jablonski, the enforcement of commercial signage was added to the list of proactive issues.

Mayor Breitreuz asked Code Enforcement Director Julio Medina to provide feedback on what would be needed from a staffing stance to be able to enforce all these issues proactively. He suggested Code Enforcement Director Julio Medina work with Town Administrator Berns and Assistant Administrator Muñiz to develop a plan and present it to Council.

18. Approval of Minutes

a. July 13, 2023 Regular Meeting Minutes

b. July 27, 2023 Regular Meeting Minutes

c. August 10, 2023 Regular Meeting Minutes

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 as follows: Council Members Hartmann, Jablonski, Kuczenski, Vice Mayor Allbritton, and Mayor Breitreuz voting Yes.

MOTION: TO APPROVE THE JULY 13, 2023 REGULAR MEETING MINUTES, WITH THE CHANGE OF THE ROLL CALL REFLECTING MAYOR BREITKREUZ AS PRESENT AND COUNCIL MEMBER JABLONSKI AS ABSENT; AND JULY 27, 2023 REGULAR MEETING MINUTES, AND AUGUST 10, 2023 REGULAR MEETING MINUTES.

19. Adjournment

Meeting was adjourned at 10:52 p.m.

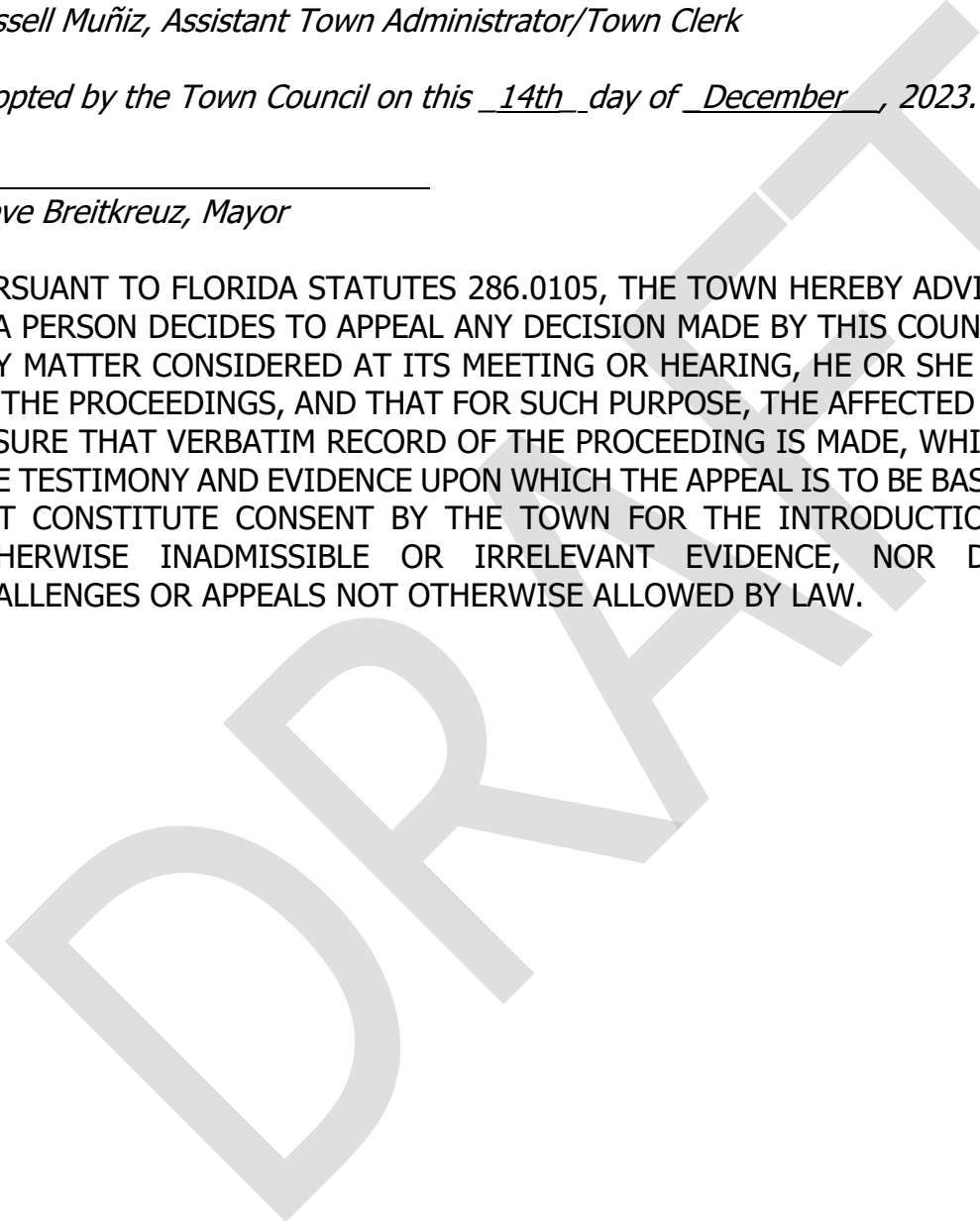
Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 14th day of December, 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

September 28, 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

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 7:01 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance. Council Member Kuczenski attended the meeting via telephone.

3. Public Comment

The following members of the public addressed the Town Council: John Garate, Mary Michel, Jim Laskey, Debbie Green, and Richard Ramcharitar.

4. Board Reports

Debbie Green and Richard Ramcharitar spoke on behalf of the Zero-Waste Broward Task Force. Debbie Green advised Council about the importance of grass roots organizations and informed Council of the committees the Task Force is developing to further help the Task Force. They stated the first Solid Waste Disposal and Recycling Materials Processing Authority meeting is scheduled for October 11th at 9:30 a.m. at the Flamingo Park Meeting Hall in Sunrise, 12855 NW 8th Street. Richard Ramcharitar discussed a meeting he attended with the Miami-Dade County's Resiliency Officer for solid waste regarding zero waste and not building an incinerator. He spoke about meeting with the CEO of a company that provides composting services in Miami-Dade County and parts of Broward County. He said there are grants available for municipalities to create composting programs in their areas and would provide more information to Town Administration and Council soon.

5. Council Member Comments

Council Member Jablonski spoke about upcoming events within the Town such as the December Holiday Lights Contest with the entry deadline being December 1st and the judging beginning December 5th. He talked about the Broward County Property Appraiser being at Town Hall on October 3rd, the next Town Council Meetings being October 12th and 26th, the DMV FLOW Mobile on October 25th, and the Rolling Oaks Halloween event on October 28th. He discussed the new format of the Town newsletter and thanked everyone for the good work they did on it and encouraged people to read it as it contains a lot of information. He addressed Council Member Kuczenski and told him that he was in everyone's thoughts and prayers during this time. He informed Council that the new recycling facility being built by Waste Management in Pembroke Pines is going to be single stream recycling and a plan for multi-stream recycling will not be

needed. He informed Council he requested, from Town Administration, a list of all municipalities in Broward County that are recycling, which may be useful for the ILA.

Council Member Hartmann discussed attending the Zero-Waste Task Force meeting and trying to become more organized. He said the Task Force met with Mike Ewall, the founder of Energy Justice Network, to assist them with organizing and committee development. He explained the Energy Justice Network was a national support network for grassroots community groups against waste industry facilities such as incinerators. He stated that one of the main recommendations was keeping the Zero-Waste Task Force from being affiliated with the Town for various reasons. He recommended to the Town and community that the Town stay separate entities and that the Council involve themselves as private citizens and not in leadership roles. He stated the Town's role should be through the Solid Waste Authority and educating other municipalities on zero waste and how to prevent the incinerator. He also spoke about working with Waste Management (WM) on developing a program for the Town to reach a benchmark of 75% recycling. He stated the Town should set goals for each year and work to obtain the goal of 75% recycling in increments. He said the Town should use the tools provided by WM to educate people and lead by example.

Vice Mayor Allbritton discussed the Broward League of Cities meeting and the election of Denise Harland as the Second Vice President to the Board. He spoke about the upcoming project drainage for Green Meadows on 54th Street. He stated there would be a public meeting on October 17th about the project and encouraged residents to attend the meeting. He talked about the Rolling Oaks Halloween event happening on October 28th. He said they need volunteers for the event, people to hand out candy, and that the hay bale contest was back again this year. He spoke about the mural painted on the wall at Founder's Park. He said Laura Warren has captured the spirit of the Town with the mural and suggested everyone go and see the mural. He spoke about the Rural Public Arts Board and the photo contest for the 2024 calendar. He stated that the selections had been made and would be in next year's calendars. He also pointed out that even if the pictures were not in the calendar, the images may be used by the Town in the future, even in the Town Newsletter. He told everyone that the speed trailers were available if residents wanted them placed in certain areas to help slow traffic and to contact himself or Town Hall for them. He discussed two incidents that occurred around the area where an individual approached a single mother and children and attempted to kidnap the children. He reminded everyone to be always vigilant and to stay safe.

Council Member Kuczenski stated that residents have contacted him asking for more traffic enforcement in the area and for speed trailers placed around Town and he said he has addressed those issues. He informed Council and residents that Schott Communities 5k would be occurring on Saturday, October 7th and there would be road closures in the Sunshine Ranches area. He spoke about incidents happening around Town where equipment is being stolen from landscaping trucks while the companies are working around Town. He suggested people speak with their landscaping companies to remain vigilant and reminded everyone to lock their vehicle at night and remove their key fobs. He thanked everyone that contacted him about his mother and thanked them for their kind words.

Mayor Breitkreuz wished the best to Council Member Kuczenski and his family during this difficult time. He stated the intent of the Town was to stay separate from organizations trying to stop the incinerator because of sunshine laws and other issues, much like an HOA. A discussion ensued between Mayor Breitkreuz, Council Member Hartmann, and Council Member Jablonski regarding keeping the task force and Town separate, with Mayor Breitkreuz concluding it was a complicated issue. He agreed that Waste Management was a great partner, with a wealth of resources that could help the Town achieve the recycling goals. He stated they would be able to get the Town where it needed to be and was behind it one hundred percent.

6. Legal Comments

Town Attorney Keith Poliakoff had no comments.

7. Administration Comments

Town Administrator Berns advised Council the Town's trial summer hours were a success and the hours were going to continue to the end of the year. He said the Town was awarded a grant from the Florida Firefighter Assistance Program allowing the Town to purchase five sets of PPE, not to exceed \$16,645, at no cost to the Town. He informed Council the legislative session in Tallahassee will move forward in January and the Town is working on submitting appropriation requests. The Town will work with Southern Group again this year because of their quality of work in the past.

Ordinance – 2nd Reading

8. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING SECTION 090-100 OF THE UNIFIED LANDDEVELOPMENT CODE (ULDC) ENTITLED ROADWAY CAPACITY, CONSTRUCTION AND DESIGN STANDARDS; PROHIBITING THE USE OF PHOSPHOGYPSUM TO CREATE OR REPAIR TOWN OR PRIVATE ROADS; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. {Approved on First Reading - September 14, 2023}

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 Breitkreuz voting yes.

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

Resolutions

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH ABSOLUTE CONSTRUCTION SERVICES, INC. IN THE AMOUNT OF FOUR HUNDRED SEVENTY-ONE THOUSAND EIGHT HUNDRED SIXTY-ONE DOLLARS AND ZERO CENTS (\$471,861.00) TO COMPLETE THE SW 54TH PLACE FROM DYKES

ROAD TO THE IVANHOE CANAL DRAINAGE IMPROVEMENT PROJECT; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2022-2023 TOWN BUDGET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY, TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Allbritton, 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 AS AMENDED BY CORRECTING THE AMOUNT IN THE RESOLUTION TO FOUR HUNDRED SIXTY-TWO THOUSAND DOLLARS AND ZERO CENTS (\$462,000).

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF SUNRISE PROVIDING WATER SERVICE TO 5301 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.

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA OPPOSING THE CREATION OF A MASS BURN FACILITY PLANT (INCINERATOR) BY MIAMI-DADE COUNTY AT OR NEAR THE BROWARD COUNTY LINE NEAR THE CITY OF MIRAMAR; FURTHER ENCOURAGING MIAMI-DADE COUNTY TO CONSIDER AND TO EXPLORE ALTERNATIVE METHODS OF DISPOSING OF SOLID WASTE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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 RESOLUTION.

12. Adjournment

Meeting was adjourned at 8:23 p.m.

Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 14th day of December, 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.

