



Southwest Ranches Town Council

REGULAR MEETING
Agenda of January 25, 2024

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> Russell C. Muniz, MBA, 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> Debra M. Ruesga, CMC

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

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

Presentations

3. **Proclamation - Southwest Ranches Arbor Day**
4. **Rural Arts Advisory Board Presentation to Laura Warren**
5. **FPL Hardening Project Update**
6. **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.

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

Ordinance - 2nd Reading

11. **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. {Tabled from January 11, ,2024}

Resolutions

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH C DANNER, LLC FOR POLICE CIVILIAN COORDINATOR SERVICES; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2023-2024 TOWN BUDGET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF SUNRISE PROVIDING WATER SERVICE TO 5556 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.
14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF SUNRISE PROVIDING WATER SERVICE TO 14100 STIRLING 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.
15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CREATING THE “ZERO WASTE ADVISORY BOARD”, FOR THE PURPOSE OF ADVISING THE TOWN COUNCIL ON ENVIRONMENTAL SAFETY CONCERNS AND ISSUES AS IT PERTAINS TO THE HEALTH, SAFETY, AND WELL-BEING OF THE ENVIRONMENT AND THE TOWN’S RESIDENTS; PROVIDING FOR THE BOARD’S GOALS, OBJECTIVES, AND LIMITATIONS; PROVIDING FOR THE APPOINTMENT OF BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.
16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REINSTATING THE “PUBLIC SAFETY AND TRAFFIC COMMITTEE” FOR A SIX-MONTH PERIOD, FOR THE PURPOSE OF ADVISING THE TOWN COUNCIL OF PUBLIC SAFETY AND TRAFFIC RELATED ISSUES; PROVIDING FOR THE BOARD’S GOALS, OBJECTIVES, AND LIMITATIONS; PROVIDING FOR THE APPOINTMENT OF BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

Discussion

17. Annual Review of Charter Officials (Tabled from December 14, 2024)

18. Park Policy Discussion

19. Approval of Minutes

- a. **October 12, 2023 Regular Meeting Minutes**
- b. **October 26, 2023 Regular Meeting Minutes**
- c. **November 16, 2023 Regular Meeting Minutes**
- d. **December 12, 2023 Ethics Training Meeting Minutes**
- e. **December 14, 2023 Regular Meeting Minutes**

20. 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 Breitzkreuz, Mayor
David Kuczenski, Vice Mayor
Jim Allbritton, Council Member
Bob Hartmann, Council Member
Gary Jablonski, Council Member

Russell Muniz, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Debra Ruesga, Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitzkreuz and Town Council

THRU: Russell Muniz, Town Administrator

FROM: December Lauretano-Haines
Parks Recreation and Open Space Manager

DATE: December 19, 2023

SUBJECT: **2023-2024 Arbor Day Proclamation**

Recommendation

This proclamation re-establishing the third Friday in January as Southwest Ranches' Arbor Day for 2023 and 2024 and encouraging residents to observe Southwest Ranches Arbor Day in January is offered for your consideration and approval.

Strategic Priorities

This item supports the following strategic priorities as identified in the Town's adopted strategic plan.

- B. Enhanced Resource Management
- E. Cultivate a vibrant community

Background

In December 2007, the Town Council issued a proclamation that every third Friday in January be recognized as Arbor Day in the Town of Southwest Ranches. This proclamation was part of the Town's original application to become a designated "Tree City, USA". Annual recertification requires that the Town renew its commitment to the goals of the Tree City USA program with public outreach events, and community education on the importance of trees, as well as an annual proclamation.

Fiscal Impact/Analysis

In our annual application for recertification of the Tree City USA designation, the Town is required to annually observe Arbor Day by way of a proclamation and community Arbor Day events.

The Town is working to complete our 17th and 18th years as a designated Tree City USA. This status has proven helpful in favorable weighting of our applications for tree planting and maintenance grants.

The Town's observances of Southwest Ranches Arbor Day incur minimal expense annually – generally below \$400 each year. These expenses are coded from the General Fund, Executive Department, Town Events line item, which has a budget of twenty-five, six hundred and one dollars (\$25,601.00) dedicated for promotional activities and Town events.

Staff Contact:

December Lauretano-Haines, Parks Recreation and Open Space Manager

WHEREAS, in 1872, Sterling Morton Proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, is now observed throughout the Nation and the world, and

WHEREAS in accordance with the Policies and Goals of the Town of Southwest Ranches' Comprehensive Plan, Adopted May 8, 2003, the Town set forth measurable objectives for the protection and enhancement of critical ecological systems integral to South Florida's and the Town's natural environment, including the maintenance and improvement of Air Quality by increasing tree coverage in the Town and by meeting the standards to become recognized by the National Arbor Day Foundation as a "Tree City USA," and

WHEREAS, On December 20, 2007, Southwest Ranches was recognized as a Tree City USA, and

WHEREAS, continuing to meet the standards for designation as a Tree City USA provides direction for management of the Town's tree resources, encourages public education about tree care, and promotes a sense of pride in the community, and

WHEREAS, Southwest Ranches has continued to meet all standards and requirements for continuing designation as Tree City USA, and will be recognized in 2023 and 2024 for its seventeenth and eighteenth consecutive years, and

WHEREAS, annual proclamation of Arbor Day in Southwest Ranches is a requirement for continuing recognition as Tree City USA, and

WHEREAS trees reduce the erosion of topsoil, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS trees in our Town increase property values, enhance the economic vitality of business areas, and beautify our community

NOW, THEREFORE, BE IT PROCLAIMED BY the Town Council of the Town of Southwest Ranches that annually, the third Friday in January shall be recognized as Arbor Day in the Town of Southwest Ranches. Further the Council urges all citizens to celebrate Arbor Day, to support efforts to protect our tree resources, and to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 25th day of January, 2024

Mayor Steve Breitkreuz

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

Russell C. Muniz, MBA, MPA, *Town Administrator*
Keith M. Poliakoff, JD, *Town Attorney*
Debra M. Ruesga, *Town Clerk*
Emil C. Lopez, CPM, *Town Financial Administrator*

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell C. Muñoz, Town Administrator
FROM: Debra Ruesga, Town Clerk
DATE: 1/25/2024
SUBJECT: Outdoor Gatherings - Code Amendment

Recommendation

Town Council reconsideration 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
ORD 2024-004 Outdoor Assembly Reconsideration	1/22/2024	Ordinance

ORDINANCE NO. 2024-004

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~~ Sunday thru Thursday and 11:00 p.m. to 9:00 a.m. ~~Saturday and Sunday~~ Friday and Saturday. National Holidays 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 a~~ Assembly of thirty (30) or more persons at any one time 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, unless the town issues a permit pursuant to subsections (D) and (E) below. All such assemblies shall be attended for the full duration by an owner or permanent resident of the premises. ~~At least ten (10) business days prior to such assembly, the property owner or permanent resident of the premises shall notify the town in writing of the time and date of the assembly, the purpose of the assembly, and the approximate duration of the assembly.~~
 5. ~~Notwithstanding paragraph (4), no permit or notice shall be required for an emergency assembly such as a gathering for friends and family after a funeral service.~~
- (E) *Permit submittal requirements.* To apply for an amplified assembly permit, In the event that a property owner or permanent resident of the premises resident desires to exceed the occurrence limitations set forth in paragraph (C)(4) above, the property owner or a permanent resident of the property

Commented [DR1]: Per Town Attorney - Scrivener's Error, Should Read "National Holidays shall follow the Friday and Saturday schedule"

shall submit an application ~~to the Town form~~ 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;
- ~~(4)~~(5) The cause and extent of the amplified noise;
- ~~(5)~~(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.;
- ~~(6)~~(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.
- ~~(7)~~(11) Acknowledgement by the property owner that they shall not allow their guests to park on the Town Right-of-Way.
- ~~(8)~~(12) In the event that an applicant desires to utilize the 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 ~~one-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 ~~one 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;

Commented [DR2]: Staff Requesting change to five (5) business days.

- (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.

~~(G)~~

- (1) Upon a second violation of this section, no further amplified assemblies ~~of greater than thirty (30) persons at any one time~~ shall be permitted on the property for a period of one 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.

[Signatures on Next Page]

PASSED ON FIRST READING this 16th day of November, 2023 on a motion made by Council Member Jablonski and seconded by Vice Mayor Kuczenski.

PASSED ON SECOND READING this__ day of __, 2024 on a motion made by _____ and seconded by _ .

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

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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Bob Hartmann, Council Member
Gary Jablonski, Council Member

Russell C. Muniz, MBA, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Debra M. Ruesga, CMC Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell Muniz, Town Administrator
FROM: Debra Ruesga, Town Clerk
DATE: 1/25/2024
SUBJECT: First Modification to Police Liaison Cheryl Danner's Contract

Recommendation

Town Council consideration for a motion to approve the resolution.

Strategic Priorities

- A. Sound Governance
- C. Reliable Public Safety

Background

On May 13, 2021, pursuant to Resolution No. 2021-052, the Town Council approved an agreement with C Danner, LLC to provide police civilian coordinator services.

During the term of the agreement C Danner, LLC has taken on additional responsibilities including crime analysis and reporting for police personnel to present at HOA meetings, creation of reports that detail citations issued by council district and performed research to assist in the creation of Town policies.

The Police Civilian Coordinator budget has not increased over the past two years, meanwhile, the level of service provided to the Town over this period has increased substantially.

The Town desires to amend its Agreement with C Danner, LLC to increase C Danner's compensation, as specifically set forth herein, to accomplish the aforementioned goals. Additionally, the amendment includes an annual increase, subject to budget approval of 4%, in

accordance with the Town's internal payment processing guidelines.

Fiscal Impact/Analysis

The annual contract amount is going from \$40,000 (FY23) to \$45,000 (FY24). The new contract amount shall be paid in monthly installments in the amount of Three Thousand Seven Hundred and Fifty Dollars and Zero Cents (\$ 3,750.00). The contract calls for an annual increase of 4%, subject to budget approval.

The Town agreement with C Danner, LLC, is included in the FY24 budget (GL 001-3000-521-34100 Other Contractual Services) and is funded thru the General Fund (Millage).

Staff Contact:

Russell C. Muñiz, MBA, MPA /Town Administrator

ATTACHMENTS:

Description	Upload Date	Type
Resolution - C Danner LLC Resolution with agreement TA Approved	1/19/2024	Resolution
Exhibit "A" Police Civilian Coordination Services	1/18/2024	Exhibit

RESOLUTION NO. 2024 - XXX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH C DANNER, LLC FOR POLICE CIVILIAN COORDINATOR SERVICES; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2023-2024 TOWN BUDGET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 13, 2021, pursuant to Resolution No. 2021-052, the Town Council approved an agreement with C Danner, LLC to provide police civilian coordinator services; and

WHEREAS, during the term of the agreement C Danner, LLC has taken on additional responsibilities including crime analysis and reporting for police personnel to present at HOA meetings, creation of reports that detail citations issued by council district, and performed research to assist in the creation of Town policies; and

WHEREAS, the Police Civilian Coordinator budget has not increased over the past two years although the level of service provided to the Town over this period has increased substantially; and

WHEREAS, the Town desires to amend its Agreement with C Danner, LLC to increase C Danner's compensation, as specifically set forth herein, to accomplish the aforementioned goals.

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

SECTION 1. ADOPTION OF RECITALS. The foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. The Town Council hereby approves the First Amendment to the Agreement with C Danner, LLC as specifically delineated in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 3. The Town Council hereby authorizes the Mayor, Town Administrator, and Town Attorney to enter into the amendment in substantially the same form as that attached hereto as Exhibit "A" and to make such modifications, additions and/or deletions which they deem necessary to effectuate the intent of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, This 25th day of January, 2024 on a motion by _____, seconded by

_____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra Ruesga, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.2024.01

EXHIBIT "A"

FIRST AMENDMENT TO THE AGREEMENT

THIS FIRST AMENDMENT TO THE AGREEMENT entered into as of the 25th day of January, 2024 between the Town of Southwest Ranches, a municipal corporation of the State of Florida (the "Town") and C Danner, LLC, a corporation of the State of Florida ("Consultant"), for the purpose of amending the Agreement between the Town and Consultant dated May 13, 2021 (the "Original Agreement").

WITNESSETH:

WHEREAS, on May 13, 2021, pursuant to Resolution No. 2021-052, the Town Council approved an agreement with C Danner, LLC ("DANNER") to provide Police Civilian Coordinator Services to the Town of Southwest Ranches ("Town"); and

WHEREAS, the Town and DANNER desire to modify its Agreement to increase DANNER's compensation, as specifically stated herein, to recognize additional responsibilities assigned and incentivize longevity, prevent employee turnover, and account for the increased cost of living attributable to the current economic climate.

WHEREAS, this First Amendment to the Agreement seeks to effectuate the agreement of both parties as specifically described herein.

NOW, THEREFORE, for and in consideration of the premises and for Ten Dollars (\$10.00) and for other good and valuable consideration the receipt and sufficiency whereof is hereby acknowledged, the parties hereto agree that the Original Agreement shall be amended as follows:

1. The foregoing recitals are true and correct.
2. Section 2.1 of Article 2 "Scope of Services" shall be amended to read as follows:
 - 2.1 C. Danner, LLC agrees to provide Police Civilian Coordinator Services pursuant to the expanded list of responsibilities enumerated in Exhibit "A" attached (hereinafter referred to as "Scope of Services", "Services", or "Work").
3. Section 4.1 of Article 4 "Compensation" shall be amended to read as follows:
 - 4.1 C DANNER, LLC shall provide Police Civilian Coordinator Services, as described in Exhibit "A", to the TOWN for an Annual Fee of Forty-Five Thousand Dollars and Zero Cents (\$ 45,000.00), which shall be paid in monthly installments in the amount of Three Thousand Seven Hundred

and Fifty Dollars and Zero Cents (\$ 3,750.00) with an annual increase, subject to budget approval of 4%, in accordance with the Town's internal payment processing guidelines.

4. All other terms and conditions not modified herein shall remain of full force and effect and binding upon the parties.

IN WITNESS WHEREOF, this Modification is accepted and executed as of this 25th day of January, 2024.

TOWN OF SOUTHWEST RANCHES

C DANNER, LLC

Steve Breitkreuz, Mayor

Cheryl Danner, Manager

Attest:

Debra Ruesga, Town Clerk

Approved as to form and correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2024.01

EXHIBIT "A"

POLICE CIVILIAN COORDINATOR SERVICES

- Handle walk-in police related issues
- Draft police reports & answers basic law enforcement questions
- Serve as a liaison between the residents and the Town of Davie Police Department
- Provide weekly reports to the Town
- Fingerprint services
- Pull and print Town police reports
- Assist Town at Board and Council Meetings, as needed
- Coordinate Davie Police attendance at Council and Code Enforcement meetings
- Operate Davie Police radio to transmit and to receive messages
- Route non-emergency calls for service placed to Town Hall
- Operate Davie Police computer system, copiers, and other office equipment
- Access criminal database and Department of Motor Vehicle Records
- VIN identification
- Respond to resident calls within twenty-four (24) business hours
- Issue Parking Tickets when requested
- Keep track of and create spreadsheet for every citation written in SWR during a monthly period.
- Monitor the SWR calendar each month to notify and request officers be present at all Advisory Board meetings.
- Research and document all crime trends/ statistics that occur in the town and provide for Detectives and Community Oriented Police Officers to present at HOA meetings.
- Update and maintain the police link on the town website and provide links to the necessary Davie Police website, vacation extra watches, non-emergency info, records, etc.
- Other duties that may be assigned by the TOWN from time to time

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Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell Muniz, Town Administrator
FROM: Emily Aceti, Community Services Manager
DATE: 1/25/2024
SUBJECT: Sunrise Water Agreement: 5556 Hancock Road

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

A. Sound Governance

D. Improved Infrastructure

Background

Nathan Finkel (“Owner”) is the owner of a property lying within the Town of Southwest Ranches at 5556 Hancock Road. The Owner is desirous of obtaining water services for the property; however, water services are not available from the Town of Southwest Ranches. The City of Sunrise, a neighboring municipality, has water services and is willing to provide said services to the Owner.

The proposed Resolution states no objection to the City of Sunrise providing water services to 5556 Hancock Road, provided that no further expansion of service shall be permitted without the explicit written consent of the Town.

As a condition, and in consideration, of this Resolution being adopted, the Owner agrees that they shall solely be responsible for all costs of connecting to the water facilities from the City of Sunrise, including all ongoing costs of water and maintenance of the utility connections.

Fiscal Impact/Analysis

None.

Staff Contact:

Rod Ley, P.E., Public Works Director

ATTACHMENTS:

Description	Upload Date	Type
Resolution - 5556 Hancock Road Water Services - TA Approved	1/19/2024	Resolution
5556 Hancock Road Sunrise Water Agreement	1/19/2024	Agreement

RESOLUTION NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF SUNRISE PROVIDING WATER SERVICE TO 5556 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.

WHEREAS, Nathan Finkel ("Owner"), has real property in the Town of Southwest Ranches, as described in Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, Owner is desirous of obtaining water services for the property, however, water services are not available from the Town of Southwest Ranches; and

WHEREAS, the City of Sunrise, a neighboring municipality, has capacity to provide this home with water services, and is willing to provide such services to the Owner; and

WHEREAS, the Owner is desirous of obtaining water services from the City of Sunrise, and has requested the Town's consent for the connection; and

WHEREAS, the Town of Southwest Ranches consents to the connection provided that no further expansion of service occurs without the specific written consent of the Town; and

WHEREAS, Owner agrees that he shall solely be responsible for all costs of connecting to the water facilities from the City of Sunrise, including all ongoing costs of water and maintenance of the utility connections, and that the installation will be performed in strict accordance with the Town's specifications.

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

Section 1: Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2: The Town of Southwest Ranches, Florida hereby consents to the City of Sunrise providing water services to 5556 Hancock Road, provided that no further expansion of service shall be permitted without the explicit written consent of the Town. A Town permit shall be obtained for the installation, which shall be constructed in strict accordance with the Town's specifications.

Section 3. A certified copy of this Resolution shall be provided to the City of Sunrise.

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

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 25th day of January, 2024 on a motion by

_____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra M. Ruesga, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.2024.02

WATER AGREEMENT

FOR SINGLE-FAMILY HOMEOWNER

FOR: Nathan Finkel
(NAME OF OWNER)

LOCATION: 5556 Hancock Rd.

THIS AGREEMENT effective this ____ day of _____, 20____, made and entered into by and between:

The Town of Southwest Ranches, a municipal corporation of the State of Florida, hereinafter referred to as the "TOWN," and Nathan Finkel, an individual with a property address of 5556 Hancock Road - , hereinafter referred to as the "OWNER." TOWN and OWNER may hereinafter be collectively referred to as the "Parties."

WITNESSETH:

WHEREAS, OWNER controls certain real property in Broward County, Florida, as shown and described in Exhibit "A" attached hereto and made a part of hereof; and all references made in this Agreement to PROPERTY shall refer specifically to OWNER'S PROPERTY described in Exhibit "A" attached; and

WHEREAS, the PROPERTY is located in the TOWN; and

WHEREAS, OWNER desires to procure water service from the City of Sunrise for the PROPERTY; and

WHEREAS, Section 180.19, F.S., authorizes a municipality to provide water service outside of its corporate limits and in another municipality, subject to the terms and conditions as may be agreed upon between such municipalities and the owner of the property receiving such service; and

WHEREAS, the Parties desire to enter into an agreement setting forth the mutual understandings and undertaking regarding the furnishing of said water services for the PROPERTY; and

WHEREAS, the Town Council has approved this Agreement and has authorized the proper Town officials to execute this Agreement by motion passed at a regular Council meeting on _____, 20_____.

NOW, THEREFORE, in consideration of the mutual covenants and undertakings of TOWN and OWNER and other good and valuable considerations, these parties covenant and agree with each other as follows:

PART I - DEFINITIONS

- A. The term OWNER shall refer to the Contracting Party in this Agreement who has an ownership interest in the PROPERTY.

- B. The term PROPERTY refers to the real property described in Exhibit “A” attached to and incorporated into this Agreement.

PART II. - MUTUAL COVENANTS

A. TOWN NOT LIABLE FOR OWNER’S OR CONSUMER’S PROPERTY

TOWN shall not be liable or responsible for maintenance or operation of any pipes, pipelines, valves, fixtures or equipment on any of the properties of the customers, consumers or users on OWNER’S PROPERTY or water service lines within granted easements to utility provider pursuant to this Agreement.

B. EFFECTIVE DATE

Unless otherwise specified in this Agreement, this Agreement shall not be binding until fully executed, but once executed, it shall have a retroactive effect commencing from the date of the Town Council Meeting at which it was approved.

C. SYSTEM ON CONSUMER’S PROPERTY TO BE KEPT IN GOOD WORKING CONDITION

Each consumer of water service on OWNER’S PROPERTY shall keep all water pipes, service lines, connections and necessary fixtures and equipment on the premises occupied by said consumer, and within the interior lines of the lot occupied by the consumer in good order and condition.

Service shall not commence on OWNER’S PROPERTY without the explicit written consent of the Town.

D. SEVERABILITY

If and section, subsection, sentence, clause, phrase or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining hereof.

E. RECORDING OF AGREEMENT

The provisions of this Agreement shall run with the land and be binding upon and inure to the benefits of successors to title to the property. This Agreement shall be recorded by OWNER among the Public Records of Broward County, Florida, for the particular purpose of placing all owners or occupants of properties in OWNER’S PROPERTY connected to or to be connected to said water systems upon notice of each and every one of the provisions herein contained to the same extent and with the same force and effect as if said owners and occupants had joined with the parties to this Agreement in the execution thereof; and the acquisition or occupancy of real PROPERTY in OWNER’S PROPERTY connected to or to be connected to said water systems shall be deemed

conclusive evidence of the fact that the said owners or occupants have consented to and accepted the Agreement herein contained and have become bound thereby.

The parties agree that in the event that it becomes necessary for any party to this Agreement to litigate in order to enforce its rights under the terms of this Agreement, then, and in that event, the prevailing party shall be entitled to receive from the non-prevailing party reasonable Attorney's fees and the costs of such litigation, including appellate proceedings.

PART III - NOTICE

Whenever either party desires to give notice to the other, it shall be given by written notice, sent by prepaid certified United States mail, with return receipt requested, addressed to the party for whom it is intended, at the place specified as the place for giving of notice, which shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the request, the parties designate the following as the respective places for the giving of notice:

FOR THE OWNER

Nathan Finkel

5556 Hancock Road

Southwest Ranches, FL 33330

FOR THE TOWN OF SOUTHWEST RANCHES

Keith Poliakoff

13400 Griffin Road

Southwest Ranches, FL 33330

Notice so addressed and sent by prepaid certified mail, with return receipt requested, shall be deemed given when it shall have been so deposited in the United States mail.

PART IV - ADDITIONAL PROVISIONS

A. EXHIBITS

The following exhibits are attached, as part of this Agreement and are incorporated into this Agreement:

EXHIBIT "A" – Legal Description of PROPERTY

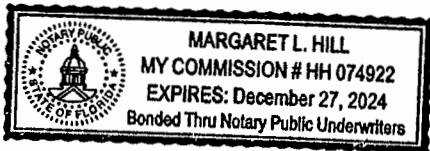
IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

STATE OF FLORIDA)
COUNTY OF BROWARD) SS

BEFORE ME personally appeared Nathan Finkel to me well known and known to me to be the person (s) described in and who executed the foregoing instrument, and acknowledged to and before me that Natha Finkel executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 10 day of January, 20 24
Margaret L. Hill
NOTARY PUBLIC STATE OF FLORIDA

My commission expires:



OWNER

BY: [Signature]
DATE: 1/10/24

STATE OF FLORIDA)
COUNTY OF BROWARD)

BEFORE ME personally appeared _____ to me well known and known to me to be the person(s) described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 20 ____.

NOTARY PUBLIC STATE OF FLORIDA

My commission expires:

Signed, sealed and delivered
in the presence of:

THE TOWN OF SOUTHWEST RANCHES

ATTEST:

BY: _____
MAYOR _____
DATE: _____

TOWN CLERK

Approved as to legal form:

TOWN ATTORNEY

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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

Russell C. Muniz, MBA, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Debra M. Ruesga, CMC Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell Muniz, Town Administrator
FROM: Emily Aceti, Community Services Manager
DATE: 1/25/2024
SUBJECT: Sunrise Water Agreement: 14100 Stirling Road

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

A. Sound Governance

D. Improved Infrastructure

Background

Rudy M. Ortiz (“Owner”) is the owner of a property lying within the Town of Southwest Ranches at 14100 Stirling Road. The Owner is desirous of obtaining water services for the property; however, water services are not available from the Town of Southwest Ranches. The City of Sunrise, a neighboring municipality, has water services and is willing to provide said services to the Owner.

The proposed Resolution states no objection to the City of Sunrise providing water services to 14100 Stirling Road, provided that no further expansion of service shall be permitted without the explicit written consent of the Town.

As a condition, and in consideration, of this Resolution being adopted, the Owner agrees that

they shall solely be responsible for all costs of connecting to the water facilities from the City of Sunrise, including all ongoing costs of water and maintenance of the utility connections.

Fiscal Impact/Analysis

None.

Staff Contact:

Rod Ley, P.E., Public Works Director

ATTACHMENTS:

Description	Upload Date	Type
Resolution - 14100 Stirling Road Water Service - TA Approved	1/19/2024	Resolution
14100 Stirling Road Water Agreement	1/19/2024	Agreement

RESOLUTION NO.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF SUNRISE PROVIDING WATER SERVICE TO 14100 STIRLING 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.

WHEREAS, Rudy M. Ortiz ("Owner"), has real property in the Town of Southwest Ranches, as described in Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, Owner is desirous of obtaining water services for the property, however, water services are not available from the Town of Southwest Ranches; and

WHEREAS, the City of Sunrise, a neighboring municipality, has capacity to provide this home with water services, and is willing to provide such services to the Owner; and

WHEREAS, the Owner is desirous of obtaining water services from the City of Sunrise, and has requested the Town's consent for the connection; and

WHEREAS, the Town of Southwest Ranches consents to the connection provided that no further expansion of service occurs without the specific written consent of the Town; and

WHEREAS, Owner agrees that he shall solely be responsible for all costs of connecting to the water facilities from the City of Sunrise, including all ongoing costs of water and maintenance of the utility connections, and that the installation will be performed in strict accordance with the Town's specifications.

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

Section 1: Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2: The Town of Southwest Ranches, Florida hereby consents to the City of Sunrise providing water services to 14100 Stirling Road, provided that no further expansion of service shall be permitted without the explicit written consent of the Town. A Town permit shall be obtained for the installation, which shall be constructed in strict accordance with the Town's specifications.

Section 3. A certified copy of this Resolution shall be provided to the City of Sunrise.

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

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 25th day of January, 2024 on a motion by

_____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra M. Ruesga, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.2024.03

WATER AGREEMENT

FOR SINGLE-FAMILY HOMEOWNER

FOR: Rudy M. Ortiz _____
(NAME OF OWNER)

LOCATION: 14100 Stirling Road, Southwest Ranches, FL 33030

THIS AGREEMENT effective this ____ day of _____, 20____, made and entered into by and between:

The Town of Southwest Ranches, a municipal corporation of the State of Florida, hereinafter referred to as the “TOWN,” and **Rudy M. Ortiz**, an individual with a property address of **14100 Stirling Road, Southwest Ranches, FL 33330**, hereinafter referred to as the “OWNER.” TOWN and OWNER may hereinafter be collectively referred to as the “Parties.”

WITNESSETH:

WHEREAS, OWNER controls certain real property in Broward County, Florida, as shown and described in Exhibit “A” attached hereto and made a part of hereof; and all references made in this Agreement to PROPERTY shall refer specifically to OWNER’S PROPERTY described in Exhibit “A” attached; and

WHEREAS, the PROPERTY is located in the TOWN; and

WHEREAS, OWNER desires to procure water service from the City of Sunrise for the PROPERTY; and

WHEREAS, Section 180.19, F.S., authorizes a municipality to provide water service outside of its corporate limits and in another municipality, subject to the terms and conditions as may be agreed upon between such municipalities and the owner of the property receiving such service; and

WHEREAS, the Parties desire to enter into an agreement setting forth the mutual understandings and undertaking regarding the furnishing of said water services for the PROPERTY; and

WHEREAS, the Town Council has approved this Agreement and has authorized the proper Town officials to execute this Agreement by motion passed at a regular Council meeting on _____, 20____.

NOW, THEREFORE, in consideration of the mutual covenants and undertakings of TOWN and OWNER and other good and valuable considerations, these parties covenant and agree with each other as follows:

PART I - DEFINITIONS

- A. The term OWNER shall refer to the Contracting Party in this Agreement who has an ownership interest in the PROPERTY.

- B. The term PROPERTY refers to the real property described in Exhibit “A” attached to and incorporated into this Agreement.

PART II. - MUTUAL COVENANTS

A. TOWN NOT LIABLE FOR OWNER’S OR CONSUMER’S PROPERTY

TOWN shall not be liable or responsible for maintenance or operation of any pipes, pipelines, valves, fixtures or equipment on any of the properties of the customers, consumers or users on OWNER’S PROPERTY or water service lines within granted easements to utility provider pursuant to this Agreement.

B. EFFECTIVE DATE

Unless otherwise specified in this Agreement, this Agreement shall not be binding until fully executed, but once executed, it shall have a retroactive effect commencing from the date of the Town Council Meeting at which it was approved.

C. SYSTEM ON CONSUMER’S PROPERTY TO BE KEPT IN GOOD WORKING CONDITION

Each consumer of water service on OWNER’S PROPERTY shall keep all water pipes, service lines, connections and necessary fixtures and equipment on the premises occupied by said consumer, and within the interior lines of the lot occupied by the consumer in good order and condition.

Service shall not commence on OWNER’S PROPERTY without the explicit written consent of the Town.

D. SEVERABILITY

If and section, subsection, sentence, clause, phrase or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining hereof.

E. RECORDING OF AGREEMENT

The provisions of this Agreement shall run with the land and be binding upon and inure to the benefits of successors to title to the property. This Agreement shall be recorded by OWNER among the Public Records of Broward County, Florida, for the particular purpose of placing all owners or occupants of properties in OWNER’S PROPERTY connected to or to be connected to said water systems upon notice of each and every one of the provisions herein contained to the same extent and with the same force and effect as if said owners and occupants had joined with the parties to this Agreement in the execution thereof; and the acquisition or occupancy of real PROPERTY in OWNER’S PROPERTY connected to or to be connected to said water systems shall be deemed conclusive evidence

of the fact that the said owners or occupants have consented to and accepted the Agreement herein contained and have become bound thereby.

The parties agree that in the event that it becomes necessary for any party to this Agreement to litigate in order to enforce its rights under the terms of this Agreement, then, and in that event, the prevailing party shall be entitled to receive from the non-prevailing party reasonable Attorney’s fees and the costs of such litigation, including appellate proceedings.

PART III - NOTICE

Whenever either party desires to give notice to the other, it shall be given by written notice, sent by prepaid certified United States mail, with return receipt requested, addressed to the party for whom it is intended, at the place specified as the place for giving of notice, which shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the request, the parties designate the following as the respective places for the giving of notice:

FOR THE OWNER
Rudy M. Ortiz
880 SW 145 Ave
Suite 106
Pembroke Pines, FL 33027

FOR THE TOWN OF SOUTHWEST RANCHES

Notice so addressed and sent by prepaid certified mail, with return receipt requested, shall be deemed given when it shall have been so deposited in the United States mail.

PART IV - ADDITIONAL PROVISIONS

A. EXHIBITS

The following exhibits are attached, as part of this Agreement and are incorporated into this Agreement:

EXHIBIT “A” – Legal Description of PROPERTY

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

STATE OF FLORIDA)
COUNTY OF BROWARD) SS

BEFORE ME personally appeared Rudy M. Ortiz to me well known and known to me to be the person (s) described in and who executed the foregoing instrument, and acknowledged to and before me that Rudy M. Ortiz executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 10 day of January, 20 24.

Thalia Andrea Duque
NOTARY PUBLIC STATE OF FLORIDA

My commission expires: November 20, 2027



OWNER
BY: Rudy M. Ortiz
DATE: 1/10/24

STATE OF FLORIDA)
COUNTY OF BROWARD)

BEFORE ME personally appeared _____ to me well known and known to me to be the person(s) described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 20 _____.

NOTARY PUBLIC STATE OF FLORIDA

My commission expires:

Signed, sealed and delivered
in the presence of:

THE TOWN OF SOUTHWEST RANCHES

ATTEST:

TOWN CLERK

BY: _____
MAYOR _____
DATE: _____

Approved as to legal form:

TOWN ATTORNEY



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*

Russell C. Muniz, MBA, MPA, *Town Administrator*
Keith M. Poliakoff, JD, *Town Attorney*
Debra M. Ruesga, CMC *Town Clerk*
Emil C. Lopez, CPM, *Town Financial Administrator*

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell C. Muñoz, Town Administrator
FROM: Debra Ruesga, Town Clerk
DATE: 1/25/2024
SUBJECT: Creation of Zero Waste Advisory Board

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- D. Improved Infrastructure
- E. Cultivate a Vibrant Community

Background

Pursuant to Section 1.04 of the Town's Charter, the Town Council has the ability to create committees and boards.

In response to the Town Council's desire for community involvement and insight into creating a safe and clean environment for all residents of the Town, human and animal, the Town Council desires to create a Zero Waste Advisory Board. The purpose of the Board is to chart a path towards zero waste by reducing the amount of waste disposed in landfills, promote waste prevention and reuse of materials.

This Resolution is necessary to comply with the Town Council's adopted Committee/Board

Policy.

Fiscal Impact/Analysis

N/A

Staff Contact:

Debra Ruesga/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
Resolution - Creation of the Zero Waste Advisory Board - TA Approved	1/19/2024	Resolution

RESOLUTION NO. 2024 - _____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CREATING THE "ZERO WASTE ADVISORY BOARD", FOR THE PURPOSE OF ADVISING THE TOWN COUNCIL ON ENVIRONMENTAL SAFETY CONCERNS AND ISSUES AS IT PERTAINS TO THE HEALTH, SAFETY, AND WELL-BEING OF THE ENVIRONMENT AND THE TOWN'S RESIDENTS; PROVIDING FOR THE BOARD'S GOALS, OBJECTIVES, AND LIMITATIONS; PROVIDING FOR THE APPOINTMENT OF BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 1.04 of the Town's Charter, the Town Council has the ability to create committees and boards; and

WHEREAS, in response to the Town Council's desire for community involvement and insight into creating a safe and clean environment for all residents of the Town, human and animal, the Town Council desires to create a Zero Waste Advisory Board; and

WHEREAS, the purpose of the Board is to chart a path towards zero waste by reducing the amount of waste disposed in landfills, promote waste prevention and reuse of materials.

WHEREAS, this Resolution is necessary to comply with the Town Council's adopted Committee/Board Policy.

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 creates the "Zero Waste Advisory Board."

Section 3: The Zero Waste Advisory Board shall have the following goals, objectives, and limitations:

- i. To chart a path towards zero waste by reducing the amount of waste disposed in landfills, promote waste prevention and reuse of materials.

- ii. The Town Staff Liaison shall serve as the conduit to provide the Zero Waste Advisory Board with any information required to perform its services delineated herein.
- iii. A Zero Waste Advisory Board Member shall not hold themselves out, in any way, as an agent of the Town.

Section 4: The Board shall be composed of five (5) volunteers, a Council Liaison, and a Staff Liaison. The Mayor, Vice-Mayor and each Council Member shall each appoint one (1) Board Member. Each Member shall serve during his term at the pleasure of the Council Member who appointed him/her to the board. The membership of the Board shall be selected from interested residents.

Section 5: The Council shall announce its Board Member appointments and the Council Liaison at a public meeting, in accordance with the Town's policy concerning Board appointments.

Section 6: The Zero Waste Advisory Board shall be governed in accordance with Resolution No. 2007-023, as may be amended from time to time. The Board shall meet as often as the Board deems necessary. The Board shall submit, at a minimum, quarterly reports for review by the Town Administrator, which will be presented to the Town Council.

Section 7: 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 25th day of January, 2024, on a motion by _____

and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra Ruesga, CMC/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2024.06

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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

Russell C. Muniz, MBA, MPA, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Debra M. Ruesga, CMC Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitkreuz and Town Council
VIA: Russell C. Muñoz, Town Administrator
FROM: Debra Ruesga, Town Clerk
DATE: 1/25/2024
SUBJECT: Reinstatement of the Public Safety and Traffic Committee

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- C. Reliable Public Safety

Background

Pursuant to Section 1.04 of the Town's Charter, the Town Council has the ability to create committees and boards.

On December 16, 2021, pursuant to Resolution No. 2022-025, in response to the Town Council's desire for community involvement and insight into increasing safety on the Town's roadways, the Town Council created the Public Safety and Traffic Committee; and

The Town Council wishes to reinstate the Public Safety and Traffic Committee for a six-month period to review and incorporate any updates that may have occurred since the committee last met; and

This Resolution is necessary to comply with the Town Council's adopted Committee/Board Policy.

Fiscal Impact/Analysis

N/A

Staff Contact:

Debra Ruesga/Town Clerk

ATTACHMENTS:

Description	Upload Date	Type
Resolution - Resinstatement of the Public Safety and Traffic Committee - TA Approved	1/19/2024	Resolution

RESOLUTION NO. 2024 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REINSTATING THE "PUBLIC SAFETY AND TRAFFIC COMMITTEE" FOR A SIX MONTH PERIOD, FOR THE PURPOSE OF ADVISING THE TOWN COUNCIL OF PUBLIC SAFETY AND TRAFFIC RELATED ISSUES; PROVIDING FOR THE BOARD'S GOALS, OBJECTIVES, AND LIMITATIONS; PROVIDING FOR THE APPOINTMENT OF BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 1.04 of the Town's Charter, the Town Council has the ability to create committees and boards; and

WHEREAS, on December 16, 2021, pursuant to Resolution No. 2022-025, in response to the Town Council's desire for community involvement and insight into increasing safety on the Town's roadways, the Town Council created the Public Safety and Traffic Committee; and

WHEREAS, The Town Council wishes to reinstate the Public Safety and Traffic Committee for a six month period to review and incorporate any updates that may have occurred since the committee last met; and

WHEREAS, this Resolution is necessary to comply with the Town Council's adopted Committee/Board Policy.

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 reinstates the "Public Safety and Traffic Committee" for a sixth month period.

Section 3: The Public Safety and Traffic Committee shall have the following goals, objectives, and limitations:

- i. To advise the Council of public safety concerns on the Town's roadways, with an emphasis on traffic calming measures to reduce instances of speeding and cut through traffic.

- ii. The Town Staff Liaison shall serve as the conduit to provide the Public Safety and Traffic Committee with any information required to perform its services delineated herein.
- iii. A Public Safety and Traffic Committee Member shall not hold themselves out, in anyway, as being a representative of the Davie Police Department, or as an agent of the Town.

Section 4: The Committee shall be composed of five (5) volunteers, a Council Liaison, and a Staff Liaison. The Mayor, Vice-Mayor and each Council Member shall each appoint one (1) Board Member. Each Member shall serve during his term at the pleasure of the Council Member who appointed him/her to the board. The membership of the Board shall be selected from interested residents. The Board Members shall serve for a six month term from January 2024 through June 2024.

Section 5: The Council shall announce its Board Member appointments and the Council Liaison at a public meeting, in accordance with the Town's policy concerning Board appointments.

Section 6: The Public Safety and Traffic Committee shall be governed in accordance with Resolution No. 2007-023, as may be amended from time to time. The Committee shall meet as often as the Committee deems necessary. The Committee shall submit, at a minimum, quarterly reports for review by the Town Administrator, which will be presented to the Town Council.

Section 7: 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 25th day of January, 2024, on a motion by _____ and seconded by _____.

Breitkreuz _____
Kuczenski _____
Allbritton _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra Ruesga, CMC/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
1001.2024.05

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REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

October 12, 2023

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Andrew Berns, Town Administrator

Vice Mayor Jim Allbritton

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Bob Hartmann

Emil C. Lopez, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Council Member David S. Kuczenski

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 7:02 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance. A moment of silence was observed for the loss of Council Member Kuczenski's mother as well as the tragedy that occurred in Israel.

Mayor Breitkreuz welcomed Broward County Property Appraiser Marty Kiar to the podium and congratulated him on becoming the President of the Florida Property Appraiser's Association.

3. Presentation – Marty Kiar, Broward County Property Appraiser

Broward County Property Appraiser Marty Kiar spoke a little about what his objectives are as the new president of the Florida Property Appraiser's Association. He praised the Town and its staff for all the word work they do, then congratulated Andy on his retirement, congratulated Russell on his promotion and stated what a great job Town Attorney Poliakoff does for the Town and its residents. He spoke about the functions of Property Appraiser's Office and all the resources available to the residents of Broward County.

4. Proclamation – Zero Waste Month – October 2023

The Town presented a proclamation on behalf of Zero Waste Month.

5. Public Comment

The following members of the public addressed the Town Council: Bill Byrd, Ed Flores, Rick Cormier, Michael Cardenas, David Rivera, Gay Chaples, Jim Laskey, John Garate, and Newell Hollingsworth.

6. Board Reports

Debbie Green shared an update of the Zero Waste Task Force, provided flyers and advised the public how to get involved. George Morris, chair of the Drainage and Infrastructure Advisory Board provided updates from the September 19th advisory board meeting. He then spoke on behalf of the Southwest Ranches Parks Foundation and provided information on the upcoming events, such as the Southwest Ranches Country Fair as well as the Chili Cookoff. He spoke about a conversation he had with Mayor Breitkreuz regarding the invasive trees that are invading the landscape buffer at the Southwest Meadows Sanctuary and are taking over the growth of the native trees. He mentioned maybe the Town could put out a bid to clear out the invasive growth. He would like the park to be seen from Griffin Road by its residents.

7. Council Member Comments

Council Member Jablonski spoke about the upcoming events happening in the Town such as the Rolling Oaks Civic Association Halloween at the Barn, the 6th Annual Holiday Lights Contest and the DMV Flow Mobile. He then addressed a resident and asked him to provide him his phone number so they can speak during the week regarding his issue.

Council Member Kuczenski provided the latest traffic citation statistics he received from the Davie Police Department. He advised the residents to let their landscapers know to lock their trucks as there has been property stolen from the trucks. He spoke about the Schott Center 5K that occurred the previous weekend and advised there had been a request for future 5K's to provide access for property owners so they aren't blocked in during the run. He spoke about the Zero Waste Task Force and how to get the word out to more people. He suggested possibly creating a Tik Tok video as it is a widely popular platform at the moment. He also inquired about having the Town create a composting area as it ties in to the Zero Waste initiative. He spoke about the violence in Israel by Hamas and directed the Deputy Town Clerk to read his resolution into the record. Mayor Breitkreuz asked if the resolution can be read as the new Item 10 of the agenda to which Council Member Kuczenski and the rest of the Town Council agreed.

Council Member Hartmann spoke about the Zero Waste Task Force meeting and the discussion was mainly about talking to their neighbors. He advised that education is the key and advised that a flyer was available on the back desk of Council Chambers which has information on the proposed incinerator as well as contact information for the task force. He then advised the next Zero Waste Task Force meeting would be November 8, 2023.

Vice Mayor Allbritton advised he heard a lot of things during public comment that he wasn't aware of and like Council Member Jablonski, he will research the issues mentioned and find out what is going on. He then thanked the Town residents as well as the residents from the surrounding municipalities for coming out to the Zero Waste Task Force meetings to help fight the proposed Waste to Energy Plant. He spoke about Broward County's elaborate plan for resiliency for climate change. Broward County leads the state in their commitment to climate change and they have received close to \$220 million dollars in grants to fight sea level rise when the heavy rains bring flooding to the area as well as saltwater intrusion. He spoke about the Town's Stormwater Master Plan and what a great team the Town has in securing Federal, State and local grants to assist with Town projects. Lastly, Vice Mayor Allbritton advised if a resident would like a mobile speed sign placed in a certain location, to give him a call and he will have it placed.

Mayor Breitkreuz thanked the public for attending the Town Council Meeting and bringing their concerns to the Town. He then welcomed former Mayor Doug McKay to the meeting. Mayor Breitkreuz stated he would also like to speak with the resident in response to his comments during public comment. He stated he wanted to set the record straight, as there were some misconceptions that were spoken about and get to the bottom of the issue so it can be addressed. He doesn't like to see the division between agricultural and residential property uses. He stated the Town needs both and wants to see them work together because they all bring something to the table. He addressed the Noise Ordinance which hasn't been amended in four or five years. He also wanted to advise the public that no policy has been changed regarding proactive Code

Enforcement. He again stressed that he would like to get together with the residents and discuss the issues that are occurring. Lastly, he mentioned the discussion that was held between himself and George Morris regarding the invasive landscape out at the Southwest Meadows Sanctuary. He thanked Town Attorney Poliakoff for his relief efforts to the victims of the crisis in Israel and then he asked Town Attorney for an update on future Town Administrator Muñiz's contract as he would like it wrapped up in November.

8. Legal Comments

Town Attorney Poliakoff met with Town Council individually regarding future Town Administrator Muñiz's contract to see where they are at regarding salary and other contract items. Future Town Administrator Muñiz sent Town Attorney Poliakoff Town Administrator Berns' contract along with his thoughts and he will have it for the November Town Council Meeting. Town Attorney Poliakoff expressed his condolences to Council Member Kuczenski for the loss of his mother and he also expressed his condolences to City of Hollywood Mayor Josh Levy for the loss of his family members during the terrorist attack on Israel. He then spoke about assisting numerous families in getting their family members home from Israel with the help of El Al Airlines and other individuals.

9. Administration Comments

Town Administrator Berns spoke about Council Member Kuczenski's comments on composting. He advised a member of the public who had provided some information and the Town is in the process of setting up a staff level meeting to explore its viability. He also spoke about the comments made regarding the Schott Center 5K walk and the resident that was unfortunately inconvenienced. He wanted it known that a note has been made to address the issue with Davie Police Department for the next Schott Center 5K.

At this time, Mayor Breitkreutz requested to hear Council Member Kuczenski's walk on resolution, which was added as item number 10 and remaining items renumbered after.

Walk on Resolution

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUPPORTING THE PEOPLE OF THE STATE OF ISRAEL AMIDST THEIR ONGOING FIGHT AGAINST TERRORISM, DENOUNCING THE BRUTAL AND UNPROVOKED ACTIONS OF THE MILITANT GROUP HAMAS, AND URGING THE UNITED STATES FEDERAL GOVERNMENT AND ITS ALLIES TO TAKE SUBSTANTIVE ACTION TO DENOUNCE AND CONDEMN THESE TERRORIST ACTS; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

Ordinances – 1st Reading

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE INSTALLATION OF WATER AND SEWER LINES WITHIN THE TOWN'S RIGHTS OF WAY; REQUIRING UTILITY PROVIDERS TO SEEK TOWN CONSENT BEFORE WORKING IN THE TOWN'S RIGHT OF WAY; REQUIRING UTILITY PROVIDERS TO ABIDE BY THE TOWN'S CONDITIONS OF APPROVAL PRIOR TO INITIATING ANY WORK; ESTABLISHING BASELINE REQUIREMENTS FOR APPROVAL; REQUIRING A PROPERTY OWNER TO OBTAIN A PERMIT FROM THE TOWN IF THEY ARE BRINGING WATER AND/OR SEWER TO THEIR PROPERTY; REQUIRING A PROPERTY OWNER TO SPECIFICALLY ACKNOWLEDGE AS PART OF THE PERMIT THAT THE PUBLIC UTILITY CANNOT BE ACTIVATED UNLESS THE TOWN'S PERMIT HAS BEEN APPROVED AND FINALED; REQUIRING ANY CONTRACTOR TO CERTIFY THAT THE PUBLIC UTILITY CANNOT BE ACTIVATED UNTIL THE TOWN'S PERMIT HAS BEEN APPROVED AND FINALED; ENABLING PROPERTY OWNERS TO RECUPERATE THEIR INVESTMENT FOR THE EXTENSION OF WATER AND/OR SEWER LINES; PROVIDING FOR PENALTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION IN THE TOWN'S CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **{Second Reading to be held on October 26, 2023}**

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

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.

Resolutions

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

The following motion was made by Council Member Jablonski and 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 Breitzkreuz voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

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

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Allbritton 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 RESOLUTION.

14. Approval of Minutes

- a. August 15, 2023 Budget Workshop Minutes**
- b. August 24, 2023 Special Meeting Minutes**
- c. August 24, 2023 Regular Meeting Minutes**

The following motion was made by Council Member Hartmann and seconded by Council Member Jablonski 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 AUGUST 15, 2023 BUDGET WORKSHOP MINUTES, THE AUGUST 24, 2023 SPECIAL MEETING MINUTES AND THE AUGUST 24, 2023 REGULAR MEETING MINUTES.

15. Adjournment

Meeting was adjourned at 9:04 p.m.

Respectfully submitted:

Debra M. Ruesga, CMC/Town Clerk

Adopted by the Town Council on this 25th day of January, 2024

Steve Breitreuz, 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.

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REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

October 26, 2023

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Vice Mayor Jim Allbritton

Council Member Bob Hartmann

Council Member Gary Jablonski

Council Member David S. Kuczenski

Andrew Berns, Town Administrator

Debra Ruesga, Deputy Town Clerk

Emil C. Lopez, Town Financial Administrator

Richard Dewitt, Assistant Town Attorney

Regular Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor Breitkreuz at 7:00 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance. Council Member Kuczenski attended the meeting via telephone.

3. Proclamation – Diwali – October 2023

The Town presented a proclamation honoring the Festival of Diwali.

4. Public Comment

The following members of the public addressed the Town Council: Rick Cormier and John Garate.

5. Board Reports

Debbie Green spoke on behalf of the Zero-Waste Broward Task Force. Debbie Green reminded everyone of the importance of keeping the community informed of the incinerator possibly being built on the property near Sheridan Street and U.S. Highway 27, in response to the state mandate of reaching 75% recycling. She described the Solid Waste Disposal and Recycling Materials Processing Authority, in terms of its responsibilities and that Mayor Breitkreuz is an alternate on the Board and on the executive committee. She informed Council of the email zerowastebrowardtf@gmail.com and Facebook page "Broward Clean Air", that were developed to get more community members involved, as a grassroots movement, to steer towards zero-waste instead of incineration.

6. Council Member Comments

Council Member Jablonski addressed not being able to attend certain HOA meetings. He asked the HOAs to work together on their scheduling so there is not a conflict of two meetings in one night, so Council may attend both meetings. He verified with Debbie Green the Zero-Waste Task force meeting would be on November 8th at 7p.m. at Town Hall. He spoke about upcoming events within the Town such as the Halloween event at the Barn on October 28th from 6 to 9 p.m., the Hazmat event at the Barn on January 6th from 10 a.m. to 2 p.m., and the Holiday Lights Contest with the deadline to enter December 1st, the judging occurring December 5th, and the awards presented by Mr. and Mrs. Claus on December 7th. He reminded everyone during the months of November, December, and January, there is only one meeting per month as scheduled, and the next Council meeting will be November 16th. He also spoke about other Town Events such as the

DMV FLOW mobile event at Town Hall November 22nd, and the Town Hall closures scheduled November 10th for Veteran's Day and November 23rd and 24th for Thanksgiving.

Council Member Kuczenski apologized that he could not attend this meeting in person and thanked everyone for their sentiments expressed with the passing of his mother. He discussed his reporting on the traffic citations done within Town for the last few months. He directed Administration to work with the Davie Police Department to focus on the interior roads of the Town to try and reduce speeding for the residents and focus less on the exterior roads. He thanked Debbie Green, Richard Ramcharitar, and Marianne Allen for their efforts with the Zero-Waste Task Force and for keeping the community informed on the issue.

Council Member Hartmann discussed the upcoming ROCA Halloween event for the Town and encouraged everyone to attend. He stated it is a safe event for the kids and a fun event for the entire family. He also agreed with Council Member Kuczenski on the traffic enforcement needing to be more focused on interior roads, instead of exterior, and would like to see more enforcement of stopping at stop signs in certain areas, including along Griffin Road. He thanked Debbie Green and Richard Ramcharitar on the efforts of educating people about the incinerator and the Zero-Waste Task Force and discussed the importance of keeping everyone informed regarding it.

Vice Mayor Allbritton spoke about the Halloween event and stressed to everyone to get there before 6 p.m. if they are setting up to hand out candy. He said the road closes at 6 p.m. when the event starts, and they will not be able to get in. He discussed attending a conference at the Broward Performing Arts Center with Debbie Green and Richard Ramcharitar regarding Solid Waste. It was attended by approximately 120 people from Broward, Dade, and Monroe counties, working on the issue of solid waste. He thanked them for attending with him and for their efforts with the Zero-Waste Task Force.

Mayor Breitzkreuz discussed attending a meeting with Town Administrator Andy Berns and representatives from the South Florida Wildlife Center. The meeting was about establishing a location for the Wildlife Center on the Broward County School Board Property on Sheridan Street. He believed having the Center move there would be a good fit for the deed restricted property and for the Town. Council Member Jablonski asked if they would be requiring the entire 32 acres of the property, and Mayor Breitzkreuz replied the organization would probably only need 5 acres. He stated that this was a preliminary discussion and that more talks would be needed before any action was taken but wanted residents and Council to be informed of the situation.

7. Legal Comments

Assistant Town Attorney Dewitt had no comments.

8. Administration Comments

Town Administrator Berns advised the Council he has contacted Broward County regarding the Wildlife Center and is waiting for a response from them. He also stated he has spoken to the past

and present road captains of the Davie Police Department regarding traffic enforcement on the interior roads and would continue to work with them on that issue.

Ordinance – 2nd Reading

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE INSTALLATION OF WATER AND SEWER LINES WITHIN THE TOWN'S RIGHTS OF WAY; REQUIRING UTILITY PROVIDERS TO SEEK TOWN CONSENT BEFORE WORKING IN THE TOWN'S RIGHT OF WAY; REQUIRING UTILITY PROVIDERS TO ABIDE BY THE TOWN'S CONDITIONS OF APPROVAL PRIOR TO INITIATING ANY WORK; ESTABLISHING BASELINE REQUIREMENTS FOR APPROVAL; REQUIRING A PROPERTY OWNER TO OBTAIN A PERMIT FROM THE TOWN IF THEY ARE BRINGING WATER AND/OR SEWER TO THEIR PROPERTY; REQUIRING A PROPERTY OWNER TO SPECIFICALLY ACKNOWLEDGE AS PART OF THE PERMIT THAT THE PUBLIC UTILITY CANNOT BE ACTIVATED UNLESS THE TOWN'S PERMIT HAS BEEN APPROVED AND FINALED; REQUIRING ANY CONTRACTOR TO CERTIFY THAT THE PUBLIC UTILITY CANNOT BE ACTIVATED UNTIL THE TOWN'S PERMIT HAS BEEN APPROVED AND FINALED; ENABLING PROPERTY OWNERS TO RECUPERATE THEIR INVESTMENT FOR THE EXTENSION OF WATER AND/OR SEWER LINES; PROVIDING FOR PENALTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION IN THE TOWN'S CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading October 12, 2023}**

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

Ordinance - 1st Reading

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING SECTION 085-070 OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE OF ORDINANCES PERTAINING TO MAXIMUM ALLOWABLE FILL ELEVATIONS AND THE REMOVAL OF ILLEGAL FILL; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, seconded by Council Member 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 AS AMENDED BY CHANGING SECTION 2, LETTER G, BY REPLACING 48 HOURS WITH 5 BUSINESS DAYS

AND BY ADDING THE LANGUAGE "LEVEL 1 FILL PERMITS TO BE EXEMPT FROM THIS SECTION".

Resolutions

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENTERING INTO AN AGREEMENT WITH THE BROWARD COUNTY SUPERVISOR OF ELECTIONS FOR MUNICIPAL ELECTIONS SERVICES; AUTHORIZING THE MAYOR, 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 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 RESOLUTION.

Discussion

12. Discussion - Barbara Herrera – WM

Barbara Herrera of Waste Management (WM) spoke to the Council regarding the disposal and processing component rate adjustment. She stated as part of the contract, WM must notify the Town of the processing component rate adjustment in May, and the disposal rate adjustment in July. However, due to an internal error the Town was not notified of the disposal component rate adjustment during that period. She met with Assistant Town Administrator Muñiz on November 7th, regarding the matter and was presenting it to Council for approval of payment. She said the difference of the amount would be an increase of \$1.66 per household, an adjustment of \$4,430.96 per month. She stated that because the error was the fault of the company, they would not bill the payment retroactively and requested 11 months' worth of payment, totaling \$48,740.56. When asked she stated WM would be billing the Town for both components in May, to avoid this error again.

Council Member Jablonski expressed concerns about this type of mistake occurring and asked what WM plans on doing to avoid this happening again. He suggested because WM was at fault, the Town and WM should reach a compromise on the payment and be billed from January 01, 2024, to receive approximately a 20% discount.

Vice Mayor Allbritton stated that if the payments were not made now, WM would bill the Town in the future for the unpaid funds. He said this equated to "pay it now or pay it later".

Council Member Hartmann discussed that because of the late timing of the bill, the Town could not properly put the information on the TRIM notices. He also clarified that the rate change amounts were based on Consumer Price Index, and the Town could expect these types of increases every year.

Council Member Kuczenski asked about the Solid Waste Reserves and received clarification those funds were held in case of emergency conditions, such as hurricanes or other natural disasters. He expressed that his concerns were similar to Vice Mayor Allbritton's concerns that if WM was not paid now, the Town would still be billed for the balance in the future.

Mayor Breitzkreuz stated as per the contract signed with WM the rate adjustments were based on CPI and that the company was due the monies owed, it was just a matter of when the payment should be made. He said that WM has acknowledged the mistake and is willing to only charge 11 months of fees as a penalty, due to that mistake. He believed that the Town and WM have a good partnership and it was a mistake by a business partner, and they are doing their best to correct it.

The Town Council also discussed partnering with WM on the zero-waste initiative and developing strategies on how to increase recycling in the Town. Council Member Hartmann, Assistant Town Administrator Muñiz, and Ms. Herrera had a few meetings since August discussing the issue and would meet in the future on the issue.

Town Administrator Berns advised Council the Finance department would prefer the payment of \$48,740.56, as a one-time lump sum payment from the reserves, due to auditing reasons.

Town Administration was instructed by Council to prepare a resolution to pay WM \$48,740, from Reserve Funds, for the 11 months of disposal component rate adjustment.

13. Approval of Minutes

- a. September 14, 2023 1st Budget Hearing Minutes
- b. September 28, 2023 2nd Budget Hearing Minutes

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

MOTION: TO APPROVE THE SEPTEMBER 14, 2023 FIRST BUDGET HEARING, AND SEPTEMBER 28, 2023 SECOND BUDGET HEARING MINUTES.

14. Adjournment

Meeting was adjourned at 8:23 p.m.

Respectfully submitted:

Debra M. Ruesga, Town Clerk

Adopted by the Town Council on this 25th day of January, 2024.

Steve Breitzkreuz, Mayor

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

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

November 16, 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 8:06 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance. Council Member Kuczenski attended the meeting via telephone.

3. Selection of Vice Mayor

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPOINTING COUNCIL MEMBER _____ AS THE NEW VICE MAYOR OF THE TOWN OF SOUTHWEST RANCHES; 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 Breitkreuz voting yes.

MOTION: TO APPOINT COUNCIL MEMBER DAVID S. KUCZENSKI AS VICE MAYOR AND APPROVE THE RESOLUTION.

4. Public Comment

The following members of the public addressed the Town Council: Geoff Cohen, Lori Parrish, John Garate, Mary Michel, Ed Gonzalez, Neesla Carter, and Debbie Green.

Mayor Breitkreuz addressed some of the issues raised during public comment. He discussed how the Town has addressed the drainage issues and that the Town is designed for private properties to provide stormwater retention prior to offsite discharge. He spoke about the issues with potholes and how the Town works with its vendors to address them. He also clarified that the Town cannot change the rulings of the Special Magistrate on Code issues and that if there are issues with that, residents should speak to Code Enforcement.

5. Board Reports

George Morris spoke on behalf of the Drainage Board. He discussed how residences and areas in the Town are designed to retain water, but the Drainage Board is always looking for ways to address the drainage issue and improve on it. He spoke about the October 17th Board meeting, and the Green Meadows Phase 2 Project Public Meeting. He stated it was a positive meeting and there was input from the residents. He said the Board is trying to work more with the residents regarding notifications and how to handle projects that affect neighborhoods. He stated the

November and December meetings will be cancelled due to the holidays. He also informed Council he would be stepping down from the Board.

George Morris also spoke on behalf of the Southwest Ranches Parks Foundation. He discussed the upcoming carnival and said the event will begin January 11th, 2024, through Monday January 15th, 2024. He stated the hours were going to be different this year as the carnival would open earlier in the day and close earlier at night. He thanked Council and the Town of Davie for providing a stage for the entertainment. He stated there would be many updates in the next couple of months and said he would provide them to Council, post them in the Town newsletter, and provided the website www.swrcountryfair.com as a source of information. He spoke about the upcoming Chili Cook-Off and Car Show, happening on December 9th, at Rolling Oaks Equestrian Park. He also informed Council that he would be stepping down from the Comprehensive Plan Advisory Board as well.

Debbie Green spoke on behalf of the Zero-Waste Broward Task Force. She spoke about the Task Force meeting that was held last week and that approximately 70 people attended with 30 people volunteering for committees. She stated the next Broward Solid Waste Authority meeting was scheduled for Monday, November 20th, at 9:00 a.m. at the City of Hollywood City Hall building. She spoke about being at the Farmer's Market and collecting emails from patrons to help spread information regarding the incinerator. She also provided the Task Force email, zerowastebrowardtf@gmail.com, and encouraged everyone to like their Facebook page, "Broward Clean Air", for more information.

6. Council Member Comments

Council Member Jablonski congratulated Vice Mayor Kucenski on becoming the Vice Mayor. He spoke about upcoming events within the Town such Town Hall being closed November 23rd and 24th due to the Thanksgiving Holiday. He spoke about the DMV FLOW Mobile event being cancelled for November, and that entry to the December Holiday Lights Contest was still open, and the next HAZMAT at the Barn would be on January 6th. with the entry deadline being December 1st and the judging beginning December 5th. He verified with Debbie Green the next Zero-Waste Task Force meeting would be on December 13th. He suggested Council should think about putting the question of making the Code Enforcement Department "fully proactive" on the ballot for next year's election to better understand the wants of the residents. He believes the voter turnout next year would be higher than 2022 election year and would provide a high sampling of the Town, and Council could discuss the results to determine if the Town should move forward with a "fully proactive" Code Enforcement Department.

Council Member Allbritton discussed having Workshop meetings to discuss the topic of "proactive" and "reactive" Code Department early next year. He stated he wanted to have a Workshop for Council to discuss the issue and then have another for members of the public to discuss it with Council further. After discussion, it was decided the best approach would be to have a Workshop meeting for the public to raise their opinions on what type of code enforcement the Town should

use, and then another Workshop meeting after for Council to decide on how to move forward with the issue.

Council Member Hartmann spoke about the Town's Advisory Boards and their importance to the Town. He said at next month's meeting Council would be reinstating the Boards and appointing members to them. He discussed the amount of rain the Town has had over the last few days and the issues of water retention that have happened because of it. He stated the 27 inches of rain in 40 hours was not a normal event and under normal circumstances and the Town's drainage design worked well. He said the Town has no control over draining the local canals, that was controlled by South Florida Water Management. He asked residents to be patient as this was not a normal occurrence, and encouraged everyone to read the article he wrote in the DRW regarding drainage and how to maintain your property.

Vice Mayor Kuczenski spoke about the Holiday Lights Contest with the deadline to enter December 1st, the judging by the Rural Arts and Design Advisory Board occurring December 5th, and the awards presented by Mr. and Mrs. Claus on December 7th. He discussed the Town having a new vendor for removing dead animals from public areas. He talked about the dark skies ordinance and how some of the provisions of the Code were not enforceable. He said he would like consensus from Council to have the Comprehensive Plan Advisory Board review the Code on that item, as well as others, to ensure all the provisions in the Code are correct and enforceable. Council agreed that should be done. He stated that he would like to start the Town yard/garage sale again and that it was a great event to meet your neighbors. He informed Council that he has received numerous complaints regarding the Special Magistrate, and listed the various complaints received from residents. He suggested it was time the Town looked for a replacement for the Magistrate. Council agreed the Town should replace the Magistrate and Town Attorney Poliakoff advised the Town is in the procurement process of obtaining a new Magistrate and it was approximately 85% complete.

Mayor Breikreuz discussed the South Florida Wildlife Center and meeting with Broward County School Board Member Torey Alston. He stated the item would be added to the School Board Agenda and the process now must go through all the formal approvals. He believes the Wildlife Center is a great fit for the Town and said that he spoke to Senator Nan Rich about it, and she was excited about it as well. He brought an idea to Council about addressing animals and properties that are flooded during severe rainstorms. He suggested adding fill to designated areas to properties to raise them, so the animals are safer. He asked Council to consider adding that to the fill permits but thought the idea should be thought out more before coming forward. He provided an update on the Emergency Operations Center being planned out west. He stated the Town was close to finalizing the price and getting the deal finished and said Administration and the Fire Advisory Board are doing great work to get the matter completed. He spoke about the upcoming Board process and encouraged anyone that wanted to be on a Board to put in their application. He spoke about the incinerator and thanked Debbie Green and Richard Ramcharitar for their efforts in educating the community on the issue. He said the next executive meeting for the Broward Solid Waste Authority would be on Monday the 20th, at Hollywood City Hall. He stated

it was important for people to attend because it was an opportunity for the public to voice their opinions to the executive board. Lastly, he discussed visiting and touring the incinerator in Palm Beach County. He encouraged people to visit, if given the opportunity, but said that incineration was still not the option for the future. He stated that it was educational and having more knowledge on the topic could only help the zero-waste cause.

Debbie Green was recognized to speak again to Council and asked Council to consider developing a Zero Waste Advisory Board for the Town. Council discussed the issue and decided it may be something to develop in the future.

7. Legal Comments

Town Attorney Keith Poliakoff had no comments.

8. Administration Comments

Town Administrator Berns thanked Town of Davie Town Administrator Rick Lemack and the Town of Davie Public Safety Administration for their presentation, which occurred during the earlier LPA meeting, honoring him and his service to the Town. He recognized resident Newell Hollingsworth for attending the Town Council meetings during his tenure. He thanked him for attending the meetings and said his dedication to the Town was a reminder that the actions of Council and Town Staff does matters to the residents.

Ordinance – 2nd Reading

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING SECTION 085-070 OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE OF ORDINANCES PERTAINING TO MAXIMUM ALLOWABLE FILL ELEVATIONS AND THE REMOVAL OF ILLEGAL FILL; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading October 26, 2023}

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

Ordinance – 1st Reading

10. 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. {Second Reading to be held on December 14, 2023}

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

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING AS AMENDED BY ADDING LANGUAGE TO REQUIRE EVENT INSURANCE.

11. 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. **{Second Reading to be held on December 14, 2023}**

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

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.

Resolutions

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING A ONE-TIME RATE ADJUSTMENT IN THE AMOUNT OF FORTY-EIGHT THOUSAND SEVEN HUNDRED AND FORTY DOLLARS AND FIFTY-SIX CENTS (\$48,740.56) TO WASTE MANAGEMENT ("WM") FROM SOLID WASTE FUND BALANCE, WHICH REPRESENTS DISPOSAL AND PROCESSING COMPONENTS FOR SOLID WASTE AND RECYCLING TONNAGES NOT PREVIOUSLY BILLED; AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA TERMINATING AND RELEASING THE MOSES PALMYRA UNITY OF TITLE AGREEMENT, AS RECORDED IN PLAT BOOK 172, PAGE 127 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Kuczenski, seconded by Council Member Jablonski, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, 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 A PURCHASE ORDER IN THE AMOUNT OF EIGHTY THOUSAND DOLLARS AND ZERO CENTS (\$80,000.00) WITH CRAVEN THOMPSON AND ASSOCIATES, INC. FOR SURVEYING SERVICES FOR THE NEXT PHASE OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS THAT INCLUDES HOLATEE TRAIL FROM STIRLING ROAD TO EAST PALOMINO DRIVE, HUNTER LANE, SW 134TH AVENUE, AND LURAY ROAD; AUTHORIZING THE EXECUTION OF THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF FIFTY-ONE THOUSAND THREE HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$51,350.00) WITH KIMLEY HORN AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES FOR THE NEXT PHASE OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS THAT INCLUDES HOLATEE TRAIL FROM STIRLING ROAD TO E. PALOMINO DRIVE, HUNTER LANE, SW 134TH AVENUE, AND LURAY ROAD; AUTHORIZING THE EXECUTION OF THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) TO CRAVEN THOMPSON AND ASSOCIATES, INC. FOR SURVEYING SERVICES FOR THE NEXT PHASE OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS THAT INCLUDES STIRLING ROAD (DYKES ROAD TO SW 166TH AVENUE) AND SW 166TH AVENUE SIDE STREETS: SW 61ST STREET, SW 62ND STREET, SW 63RD MANOR, SW 64TH STREET, AND SW 69TH STREET; AUTHORIZING THE EXECUTION OF THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

17. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) WITH KIMLEY HORN AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES FOR THE NEXT PHASE OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS THAT INCLUDES STIRLING ROAD (DYKES ROAD TO SW 166TH AVENUE) AND SW 166TH AVENUE SIDE STREETS: SW 61ST STREET, SW 62ND STREET, SW 63RD MANOR, SW 64TH STREET, AND SW 69TH STREET; AUTHORIZING THE EXECUTION OF THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

18. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, PIGGYBACKING OFF OF THE FLORIDA SHERIFFS ASSOCIATION CONTRACT # FSA23-VEL31.0, AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO GARBER CHRYSLER DODGE TRUCK, INC. IN AN AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND DOLLARS AND ZERO CENTS \$55,000.00 TO PURCHASE A NEW MULTI-PURPOSE VEHICLE FOR THE TOWN; AND PROVIDING FOR 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 Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION

19. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2024; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

20. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN COUNCIL MEETING SCHEDULE FOR THE CALENDAR YEAR 2024; AND PROVIDING FOR 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 Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION

21. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AN AGREEMENT WITH 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 Hartmann, seconded by Vice Mayor Kuczenski, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION

22. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A YEAR END BUDGET ADJUSTMENT FOR THE FISCAL YEAR 2022-2023 BUDGET; AND PROVIDING FOR 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 Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION

23. Adjournment

Meeting was adjourned at 10:10 p.m.

Respectfully submitted:

Debra M. Ruesga, Town Clerk

Adopted by the Town Council on this 25th day of January, 2024.

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.

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**ETHICS TRAINING MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida**

Tuesday 5:00 PM

December 12, 2023

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Andrew Berns, Town Administrator

Vice Mayor David S. Kuczenski

Russell Muniz, Assistant Town Administrator/Town Clerk

Council Member Jim Allbritton

Emil C. Lopez, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

The Ethics Training meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Grand Oaks Conference Room. The meeting, having been properly noticed, was called to order by Mayor Breitkreuz at 5:09 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance. Council Member Hartmann was absent.

Town Attorney Poliakoff explained the Broward County Ethics Code for Elected Officials required four hours of annual ethics training. As no breaks would be taken, he anticipated that the training would take approximately two hours to complete but count as the full number of training hours required. Town Attorney Poliakoff utilized the PowerPoint presentation from the Broward Office of Inspector General's website to complete the training.

23. Adjournment

Meeting was adjourned at 7:10 p.m.

Respectfully submitted:

Debra M. Ruesga, CMC/Town Clerk

Adopted by the Town Council on this 25th day of January, 2024.

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.

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REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

December 14, 2023

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Andrew Berns, Town Administrator

Vice Mayor David S. Kuczenski

Russell Muniz, Assistant Town Administrator/Town Clerk

Council Member Jim Allbritton

Emil C. Lopez, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Regular Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor 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.

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

MOTION: TO EXCUSE COUNCIL MEMBER HARTMANN'S ABSENCE.

3. Public Comment

The following members of the public addressed the Town Council: Doug McKay, Mary Gay Chaples, Dee Schroeder, Sikh Youth Association, Richard Ramcharitar, John Garate, Diego Seavera, and Valentina Baiz.

4. Board Reports

There were no Board Reports.

5. Council Member Comments

Council Member Jablonski spoke about upcoming events within the Town such as Town Hall being closed December 22nd, 25th, and 29th, and January 1st. He said the DMV FLOW Mobile event is scheduled for December 27th, and the next HAZMAT at the Barn would be on January 6th. He also sought clarification on the Farmer's Market being closed December 23rd and 30th. He advised the Council he spoke with the Davie Police Department and with the Town Administration regarding issues with landscaping vehicles blocking roadways. He stated the landscape vehicles park on one side of the road and block that lane from being used until they are done with their work. He said the vehicles need to be either moved completely off the road into the swale areas, or into their customers driveways. He advised residents they can report the issue directly to Davie Police Department using the with the "Safer App", which can be downloaded to their phones, or call the non-emergency police line. He thanked residents George Morris, Wendy Halberg, and Jason Halberg for the time they spent serving on Town Advisory Boards. He wished Council Member Hartmann a speedy recovery and hoped he felt better. Lastly, he wished everyone "Happy Holidays".

Council Member Allbritton discussed the 7th Annual Holiday Lights Contest that happened last week. He said it was a fun event with the judging done by the Rural Public Arts and Design Board, and the trophies were handed out by Santa Claus and the Volunteer Fire Department. He thanked the Board and Susan Kutz for their work on the Contest. He spoke about attending a trip with the Broward Water and Climate Change to Green K Wetlands in Boynton Beach and to the C-51 Reservoir in Loxahatchee. He talked about the Broward League of Cities meeting that occurred in Weston. He stated the main topic was the grant funding received from the State, and the Town has received \$7 million in active funds and \$2.4 million in applications waiting to be funded. He said the Broward League of Cities requested every municipality to fight against State Senate Bill 280 regarding vacation rentals. He stated if passed the State law will override any municipal ordinances and resolutions and the Town will not be able to take any actions regarding the vacation rentals.

He discussed a letter from the South Florida Drainage District advising they are lowering the waters in anticipation of the upcoming rain. He said the letter also asks all secondary local government agencies and the 298 Special Districts to proactively monitor the rainfall to prevent major flooding. He thanked Town Administrator Berns for all the assistance that he has given him over the last three years he has been in office. Lastly, he read a satirical letter regarding red and blue Christmas lights and the dangers they cause for driving. He wished everyone Happy Holidays.

Vice Mayor Kuczenski thanked everyone for attending the meeting. He spoke about the Town Advisory Board openings and for residents to submit applications if they had an interest of serving on one of the Boards. He said the Rural Public Arts and Design Board had an opening and described the responsibilities of that Board, including the Southwest Rancher and Town Calendars. He stated the 2024 calendars are available for purchase at Town Hall. He reminded everyone that the Town is one of many religions and wished everyone Happy Holidays. He asked residents to be patient and respectful of one another during the holiday season if their neighbors are celebrating and having parties at their homes. He agreed with Council Member Jablonski on the issue of the landscaping trucks in the roads and said he receives many complaints as well. He wished Council Member Hartmann a speedy recovery from his illness. He provided traffic citation statistics for the month of May throughout the Town and thanked the Davie Police Department for their efforts in dedication to the speed enforcement in the Town. He discussed the Zero-Waste Task Force meeting and said there must be an alternative solution to the incinerator and that was recycling and zero-waste. He thanked Debbie Green and Richard Ramcharitar for their efforts with the issue and asked for people to come out and help with the zero-waste issue. He thanked Town Administrator Andy Berns for all his help and assistance through the years.

Mayor Breitzkreuz asked the Town Council for a consensus on sending the issue of the height of walls around properties to the Comprehensive Plan Advisory Board for review. He stated the current ordinance is 8 feet of height from the level of the floor of the house and gave the example that could result in a 16 foot wall surrounding the house. He discussed "Florida Treasure Hunt" which contains unclaimed property in the State of Florida, and encouraged everyone to check into it to see if they have any unclaimed funds or property. He talked about the speeding issue on

Volunteer Road and thanked Town Administrator Berns and Town Attorney Poliakoff for contacting the dealerships in the area to scale back their test drives on that road. He spoke about the test program the Town is initiating for ear plugs for horses to help with fireworks in anticipation of the New Year's Eve holiday. He stated the Town will have a limited supply of ear plugs to provide to residents, and in return for the ear plugs, residents would provide feedback to the Town on the effectiveness of the ear plugs. He spoke about having a personnel position created to assist the Assistant Town Administrator Muñiz in his new duties in the role of Town Administrator. He said that no action should be taken at the time, but it is something the Town Council should think about for the future. Council Member Jablonski interjected that he spoke to Assistant Town Administrator Muñiz, and they thought it would be best to wait a few months to have a better understanding on what qualifications would work best for the position. It was recommended to discuss the item with Assistant Town Administrator Muñiz over the next couple of months and bring the item back later. He wished Council Member Hartmann well and hoped he got better soon. He wished everyone Happy Holidays and to enjoy spending time with their families and friends during this time of year. He thanked Town Administrator Berns for everything he has done for the Town through the years. He said Town Administrator Berns came into the Town at a difficult time and he brought stability, integrity, wisdom, and knowledge, to the betterment of the Town. He also thanked Assistant Town Administrator Muñiz for the work he has done for the Town so far and is looking forward to what the future will hold under his leadership.

6. Legal Comments

Town Attorney Keith Poliakoff spoke about the Chili-Cook Off and Car Show and commended the phenomenal work the Aster Knight Foundation did in with the event. He congratulated the winner Darren Reese, Vice Mayor Kuczenski for placing second, and Assistant Town Administrator Muñiz for placing fourth. He wished everyone a happy and healthy holiday season and a happy new year. He congratulated Town Administrator Berns on his retirement and said it was a honor working with him over the years. He also advised the Council that the company Southern Strategies has changed its name to Southern Group and provided a new agreement with the correct name for signature by the Town Administrator. He asked the Council for authorization to have Town Administrator Berns sign the agreement and there were no objections.

7. Administration Comments

Town Administrator Berns advised the Council the Farmer's Market is closed during the holidays and would reopen January 6th. He thanked members of the public and the Town Council for the comments they made regarding his service and retirement.

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}

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

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING BY AMENDING SECTION D PARAGRAPH 3 TO – SUNDAY THROUGH THURSDAY 8 PM TO 9 AM, AND FRIDAY THROUGH SATURDAY 11 PM TO 9 AM.

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.

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

MOTION: TO APPROVE THE RESOLUTION AND APPOINT RENEE GREEN TO THE BOARD.

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.

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

MOTION: TO APPROVE THE RESOLUTION.

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.

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

MOTION: TO APPROVE THE RESOLUTION.

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.

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

MOTION: TO APPROVE THE RESOLUTION.

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.

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

MOTION: TO APPROVE THE RESOLUTION.

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.

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

MOTION: TO APPROVE THE RESOLUTION.

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.

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

MOTION: TO APPROVE THE RESOLUTION.

Discussion

17. Creation of Zero Waste Advisory Board

Mayor Breitkreuz thanked Debbie Green and Richard Ramcharitar for their recommendation for the creation of the Board and the work they are doing for the zero-waste initiative. Vice Mayor Kucenski talked about the importance of having the Board and the reason why he asked for the item to be a discussion item on the agenda. Town Attorney Poliakoff advised the Town Council of the differences and the restrictions of the two types of board that that provides recommendations to the Town Council, and the type of board that is a "fact finding" board. The Town Council listened to members of the public on the issue and discussed which type of board would best suit the Town's needs. The Council advised the Town Administration to prepare a Resolution for the creation of the Zero Waste Advisory Board to be brought forward at the January 25th Town Council meeting.

18. Annual Review of Charter Officials

At the request of Administration this item was tabled until the January 25, 2024, Town Council Meeting (Was there a motion/Second/Vote?)

19. Town Administrator's Outgoing Comments - Andy Berns

Town Administrator Berns thanked everyone for the retirement party and for the kind words Council expressed at the party. He stated the highlight were the positive remarks made regarding Assistant Town Administrator Muñiz and Town staff. He said these comments meant he had accomplished his job here and the Town was ready to move on to the next step forward. He read

a satirical letter with his "Top Ten Things He Would Not Miss" and said he would truly miss the people and relationships he has built in his time with the Town. He attributed all of his successes while serving the Town to one core principle, which was "I work to better the lives of the people around me". He said He stated it was an honor and a privilege to serve the Town and thanked everyone.

20. Town Administrator's Incoming Comments - Russell Muñiz

Assistant Town Administrator Muñiz thanked Mayor Breitzkreuz and the Town Council for giving him the opportunity of a lifetime as the incoming Town Administrator. He thanked Town Administrator Berns for being a great mentor and friend during the nine years they have worked together. He stated the Town has flourished under Town Administrator Berns' leadership and congratulated him on his retirement. He pledged to the residents of the Town to hear their concerns with honesty and integrity, and to work diligently to maintain the high level of service they have come to expect. He told Town staff that he respected them, thanked them for their contributions to the Town, and looked forward to the things that will be accomplished in the future. He thanked his wife and family and recognized the sacrifices they had made for his accomplishments to be possible. He wished everyone a happy holiday season and looked forward to seeing them in 2024.

MOTION: TO APPROVE THE RESOLUTION

21. Approval of Minutes

- a. September 14, 2023 Regular Meeting Minutes
- b. September 28, 2023 Regular Meeting Minutes

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

MOTION: TO APPROVE THE SEPTEMBER 14, 2023 REGULAR MEETING MINUTES AND SEPTEMBER 28, 2023 REGULAR MEETING MINUTES.

22. Adjournment

Meeting was adjourned at 8:46 p.m.

Respectfully submitted:

Debra M. Ruesga, Town Clerk

Adopted by the Town Council on this 25th day of January, 2024.

Steve Breitzkreuz, Mayor

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