

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

Thursday 6:30 PM

January 11, 2024

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Vice Mayor David S. Kuczenski, Esq.

Council Member Jim Allbritton

Council Member Bob Hartmann

Council Member Gary Jablonski

Russell Muñiz, Town Administrator

Debra Ruesga, Town Clerk

Emil C. Lopez, Town Financial Administrator

Keith Poliakoff, Town Attorney

Special 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 6:43 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Council Member Jablonski requested "Council Member Comments" be added prior to the end of the meeting.

Next, Town Attorney Poliakoff requested a reconsideration of Ordinance 2024-004 due to scrivener's error and clarification of recommended amendments.

**Walk on Item**

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.

The following motion was made by Vice Mayor Kuczenski and 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 RECONSIDER THE ORDINANCE.**

The following motion was then made by Vice Mayor Kuczenski and 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 TABLE THE ORDINANCE TO JANUARY 25, 2024 TOWN COUNCIL MEETING.**

## **Discussion**

### **3a. Charter Officer Evaluations**

Mayor Breitkreuz opened the discussion and explained since the Town Administrator and Town Clerk's position had just been filled, there isn't a need to evaluate them for compensation. The only Charter Officer that needs to be discussed is Town Financial Administrator Emil Lopez. Mayor Breitkreuz asked Town Administrator Muñiz if he received any evaluation forms from any members of the Town Council besides his, to which Town Administrator Muñiz answered no. He did mention there were some concerns about the form. He then summarized the email that was sent to Town Council the previous day that encapsulated what was requested by Town Financial Administrator Lopez. Mayor Breitkreuz inquired if Town Administrator Muñiz was able to get information on what the average tenure was for a midrange salary of \$153,264.80 to which he answered no and he will work on getting that information. Mayor Breitkreuz opened the discussion to the Town Council for their thoughts on Town Financial Administrator Lopez's performance. He clarified that they must give feedback on items that went well and items that may need improvement. He then went on to address Town Financial Administrator Lopez to say, overall, he has done a fantastic job. He stated that he more than paid for his salary with the refinancing of a loan that ended up saving the Town money on the interest. He stated that even though former Town Financial Administrator Sherwood did a fantastic job, the transitioning from one leader to another was seamless. Council Member Hartmann stated the Town Financial Administrator has done an excellent job and he echoed Mayor Breitkreuz's sentiments. He stated the form isn't geared towards evaluating administration, he suggested for the following year to possibly have a sit-down feedback session with each of the Charter Officers to review their performance. He stated he is a tough reviewer which helps spur continual improvement. He is satisfied with Town Financial Administrator Lopez's performance and a key factor for Council Member Hartmann's approval is he always has an answer whenever a question is put to him. Council Member Allbritton stated he was very happy with Town Financial Administrator Lopez's performance. Council Member Jablonski also stated Town Financial Administrator Lopez is doing an excellent job. He spoke about his dislike of the evaluation form and explained why. One reason is the evaluation is a public record and will follow a person and evaluator for many years and he felt it could be hurtful. He stated he would not fill out the form. Vice Mayor Kuczynski was impressed with Town Financial Administrator Lopez's performance as well. He also expressed his dislike of the evaluation form. Council Member Hartmann inquired about the origin of the evaluation form. Town Administrator Muñiz explained it was a result of multiple discussions regarding the need for an evaluation tool for the Charter Officers. However, due to the Town Council's comments the evaluation form will not be utilized in the future.

Mayor Breitkreuz opened the discussion of the salary increase for Town Financial Administrator Lopez. He was concerned about the percentage amount; he was worried how that will impact staff who may not receive that large of an increase. He then wondered about the midpoint of the salary range. He wasn't sure if the experience equals the midpoint of a salary range. He wanted to ensure the Town Council can justify whatever decision they make. He stated Town Financial Administrator Lopez's performance has been stellar and has gone beyond expectations and he wouldn't have a problem going beyond a year or two required to earn a higher salary increase. Town Financial Administrator Lopez stated he has enjoyed working at the Town, he explained he has 20 years of experience and 10 - 15 years of experience working in government. He further

explained why he chose the midpoint salary range. He wanted to be fair to the Town as well as himself. Council Member Jablonski spoke about the midrange amount of \$153,264.80 and how he didn't like the odd number. He preferred round figures. He inquired if it was too early to make a proposal, to which Mayor Breitzkreuz asked him to wait until the rest of Town Council had a chance to speak. Mayor Breitzkreuz then asked Council Member Jablonski what his thoughts were on the number, whether it was higher or lower, without making a formal proposal. Council Member Jablonski then stated he would like to give Town Financial Administrator Lopez \$150,000 plus a \$5,000 bonus. Council Member Hartmann spoke about his experience with different salary study consultants and his preference would be to hire people with a salary range, usually at the lower end, which gives the employee an opportunity to grow. He has never used a midpoint as a number to get to. He has never given more than a 5% raise. They are generally between 3% - 5% and it seems extraordinary to award a 9% raise. He liked Council Member Jablonski's suggestion of rounding up his salary a little bit, but he isn't too sure about adding a bonus. He didn't support a 9% salary increase. Council Member Hartmann also requested for the upcoming year to include the total compensation package of the Charter Officer. Council Member Allbritton stated he has never dealt with salary amounts as he is seeing although he had never worked in the public sector. He also stated that he understands government salaries are what they are and he can get behind it if everyone else does. He says Town Financial Administrator Lopez is worth it. Vice Mayor Kuczenski stated he would give Town Financial Administrator Lopez what he asked for as he believes he has earned it. Mayor Breitzkreuz ran the numbers and the amount of \$150,000 is about a 7.3% increase which is substantial. He has personally never been a proponent of a bonus unless it was tied to a specific project. Further discussion ensued regarding the final salary increase with Mayor Breitzkreuz offering \$152,500 or \$153,000, a more even and regular number and Council Member Jablonski offering \$155,000. Council Member Hartmann argued that the salary increases as opposed to a bonus would follow to the next year and then the next increase would be on top of the previous year's increase. Mayor Breitzkreuz stated that is the argument for giving the increase. He believed the reward for doing an exceptional job is an increase in salary, not a bonus. Council Member Jablonski stated employee retention is paramount, especially for a small town.

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

**MOTION: TO APPROVE A SALARY INCREASE OF \$155,000 FOR TOWN FINANCIAL ADMINISTRATOR EMIL LOPEZ RETROACTIVE TO JANUARY 1, 2024.**

**3b. Retirement Contribution from the Town for Charter Officers**

Town Administrator Muñiz provided history regarding the 12% to 15% Town contribution to the Charter Officer's retirement fund. A discussion ensued and questions were asked and answered. Town Attorney Poliakoff advised Town Financial Administrator Lopez that even though the increase was previously budgeted and approved, a Budget Amendment is required to pull the funds from the contingency fund balance and move it into the correct category.

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

**MOTION: TO APPROVE THE TOWN'S CONTRIBUTION TO THE CHARTER OFFICER'S RETIREMENT FUND FROM 12% TO 15% RETROACTIVE TO JANUARY 1, 2024.**

Town Attorney Poliakoff advised a resolution will be created to reflect the increase from 12% to 15% of the Town's contribution to all Charter Officer's retirement funds as well as the budget amendment for the increase. He also advised a resolution will be created for Town Financial Administrator's salary increase.

Town Administrator Muñiz offered his gratitude to the Mayor and Town Council for their consideration to the items voted on and then clarified the evaluation process going forward. The Town Council will first meet with the Charter Officers individually and then carry the discussions forward to a meeting such as the Special Meeting. Council Member Hartmann requested meeting with the Charter Officers monthly.

Council Member Jablonski advised he had a few items he wanted to discuss. First, he wanted to mention there were citations that were written by Davie Police Department in the Town of Southwest Ranches that become Code Enforcement cases. In those instances, Davie Police Department becomes the complainant. He would like the officer who wrote the citation to appear as the complainant at the Code Hearings. Council Member Hartmann inquired about any logistical issues as well as is it covered in the Town's contract with Davie PD. Town Administrator Muñiz advised that their appearance is covered in their contract with the Town. Council Member Jablonski emailed Town Administrator Muñiz Form 6 instructions from the Florida League of Cities and asked that he email to the remainder of the Town Council. He then spoke about the meeting with the Town of Sunrise regarding providing water to the Town of Southwest Ranches. Town Attorney Poliakoff provided background information on how the meeting came to be. The Town and the City of Sunrise had originally met about 4 years ago and then talks stalled. Former Town Administrator Berns had set up the meeting between the Town and the City of Sunrise prior to his leaving to start the discussions again, providing for the future need of municipal water. Mayor Breitreuz was very disappointed that he had no idea the discussions were happening. He requested to see the presentation from the City of Sunrise. He also felt Southwest Ranches is in a unique position, and he would like to bring in the City of Pembroke Pines to see what they have to offer. He wanted to make sure to get the very best deal for the Town's residents. Town Attorney Poliakoff mentioned that Town Administrator Muñiz received a call after his meeting with the City of Sunrise to find out if any decisions had been made to which he advised he no decisions had

been made. Town Attorney Poliakoff followed up by saying both the City of Sunrise and the City of Pembroke Pines want to cover the west side of the Town for water services. Council Member Allbritton expressed concern about the water services hurting the Town's chances at defeating the incinerator. Town Attorney Poliakoff stated he also received a call from Cooper City Commissioner Ryan Shrouder about teaming up in helping to expand Wheelabrator off 441 and the Florida Turnpike. Vice Mayor Kuczenski asked about the water being offered by Cooper City and should there be a moratorium on no more water from Cooper City. Town Attorney Poliakoff stated they cannot do that to their residents. Council Member Hartmann stated he has a real problem with bringing in municipal water and preferred the Town's wells.

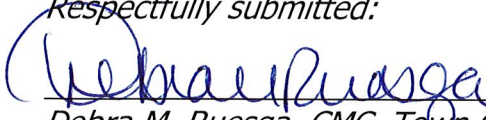
Vice Mayor Kuczenski inquired about the Neighborhood Safety Grant and if it is still available. Town Administrator Muñiz advised the Town does have the Grant, however only \$8,000 was budgeted this fiscal year. Vice Mayor Kuczenski stated Sunshine Ranches also has need of the Grant. Mayor Breitreuz stated they should combine all the projects in one discussion and be able to allocate appropriately. Town Attorney Poliakoff advised he also wanted to look at the requests as well to make sure there aren't any improprieties. Vice Mayor Kuczenski spoke about a concern about the Comprehensive Plan Advisory Board (CPAB). He wanted to bring the CPAB back down to 5 members. A discussion ensued about the number of members on the Boards. Council Member Hartmann requested the Advisory Boards meet on a set schedule to ensure a better chance of obtaining a quorum. Mayor Breitreuz spoke about an article he read about the problems within Advisory Boards and suggested to hold a Citizen's Orientation Class to teach residents the structure of the Town and get an introduction into each of the Advisory Boards. Town Council could be there one night and after a few weeks residents would have a better idea about the workings of the Town. Vice Mayor Kuczenski requested to have a Town Garage Sale and a Halloween decoration contest. Town Administrator Muñiz advised that previously the Town didn't have much interest in it and Mayor Breitreuz elaborated on how the residents loved the garage sale the first day, but after a few weeks when an influx of people were driving through the Town, catalytic converters were being stolen amongst other crimes, and the residents weren't happy about the rise in crime shortly after the garage sale.

Town Administrator Muñiz handed out the list of appointed Advisory Board members and Council Member Hartmann requested that Robert Sirota be moved from an At-Large member to a regular full member of the CPAB.

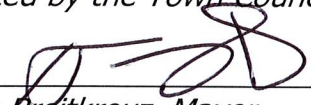
**4. Adjournment**

Meeting was adjourned at 8:42 p.m.

*Respectfully submitted:*

  
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*Debra M. Ruesga, CMC, Town Clerk*

*Adopted by the Town Council on this 22<sup>nd</sup> day of February, 2024.*

  
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*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.