

RESOLUTION NO. 2025-012

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA REQUESTING THAT THE MAYOR AND THE TOWN CLERK THROUGH THIS RESOLUTION AUTHENTICATE THE ELECTORATE'S APPROVAL OF FIVE CHARTER AMENDMENTS; DIRECTING THE TOWN CLERK TO INCORPORATE THE APPROVED CHARTER AMENDMENTS INTO THE TOWN'S CHARTER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 5, 2024 the Town's electorate approved five amendments to the Town's Charter; and

WHEREAS, pursuant to Section 4.07(a) of the Town's Charter the Mayor and the Town Clerk must authenticate the Charter Amendments to reflect the approval of the electorate; and

WHEREAS, this Resolution is necessary to document the authentication of the Charter Amendments in accordance with the Town's requirements.

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 Broward County Supervisor of Elections will certify the results of the November 18, 2024, election, as follows:

SOUTHWEST RANCHES AMENDMENT # 1
CORPORATE EXISTANCE & OATH OF OFFICE
YES/SI/WI 3,775 84.91%
NO/NO/NON 671 15.09%

SOUTHWEST RANCHES AMENDMENT # 2
COMMENCEMENT OF TERMS
YES/SI/WI 3,938 88.41%
NO/NO/NON 516 11.59%

SOUTHWEST RANCHES AMENDMENT # 3

RESULTS OF THE ELECTION

YES/SI/WI 3,747 85.28%

NO/NO/NON 647 14.72%

SOUTHWEST RANCHES AMENDMENT # 4

TRANSITION

YES/SI/WI 3,206 74.75%

NO/NO/NON 1,083 25.25%

SOUTHWEST RANCHES AMENDMENT # 5

TRANSITION

YES/SI/WI 3,511 81.44%

NO/NO/NON 800 18.56%

Section 3. The Mayor and the Town Clerk are hereby requested to authenticate the electorate's approval of amending the following sections of the Town's Charter as follows:

1. Section 1.01– Corporate existence.

In order to preserve, protect, promote, and ~~to~~ enhance the quality of life and the rural residential, agricultural, and equestrian character of Southwest Ranches, a municipal corporation known as Town of Southwest Ranches (the "Town") is hereby created pursuant to the Constitution of the State of Florida (the "State"). The corporate existence of the Town shall commence upon the adoption of this Charter by the electorate pursuant to [former] section 9.01 of this charter.

2. Article V. – Quasi-Judicial.

(a) All land use and quasi-judicial items require the unanimous vote of the entire Council. All five (5) members of the council shall be required to vote on all land use and quasi-judicial items. All voting shall be by roll call.

(b) Proactive Code Enforcement It shall require the affirmative vote of all five (5) members of the council to add items onto the Town's proactive code enforcement list.

3. Section 6.01(h) – Oath.

All elected officers, before entering upon their duties, shall take and subscribe to the following oath of office:

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida, and the Charter of the Town of Southwest Ranches; and will protect the rural residential, agricultural, and equestrian character of the Town; that I am duly qualified to hold office under the Constitution of the State and the Charter of the Town of Southwest Ranches; and that I will well and faithfully perform the duties of (Mayor or Council member) upon which I am now about to enter. (So help me God.)

4. Section 6.01(g) – Commencement of Terms.

The term of office of any elected official shall commence immediately after the certification of the election results.

5. Section 7.02(c) – Results of the election.

If at least sixty (60) percent of the qualified electors voting on a proposed amendment votes for its adoption, it shall be considered adopted upon certification of the election results. If conflicting amendments are adopted at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

6. ARTICLE IX - Transition.

ARTICLE IX – ~~Transition~~ Assessments and Taxation.

Section 9.01 – Creation and establishment of Town.

For the purpose of compliance with Florida Statutes relating to assessment and collection of ad valorem taxes, the Town is hereby created and established effective June 6, 2000.

~~Section 9.02. – Temporary nature of Article.~~

~~The following sections of this Article are inserted solely for the purpose of effecting the incorporation of the Town and the transition to a new municipal government. Each section of this Article shall automatically, and without further vote or act of the electors of the Town, become ineffective and no longer a part of this Charter at such time as the implementation of such section has been accomplished.~~

~~Section 9.03. — Interim adoption of codes and ordinances.~~

~~Until otherwise modified or replaced by this Charter or the Council, all codes, ordinances, and resolutions of Broward County, Florida, in effect on the day of adoption of this Charter shall, to the extent applicable to the Town, remain in force and effect as municipal codes, ordinances, and resolutions of the Town. Until otherwise determined by the Council, said codes, ordinances, and resolutions shall be applied, interpreted, and implemented by the Town in a manner consistent with established policies of Broward County on the date of this Charter.~~

~~Section 9.04. — Taxes and fees.~~

~~Until otherwise modified by the Council, all municipal taxes and fees imposed within the Town boundaries by the County as the municipal government for unincorporated Broward County, which taxes and fees are in effect on the date of adoption of this Charter, shall continue at the same rate and on the same conditions as if those taxes and fees had been adopted and assessed by the Town.~~

~~Section 9.05. — State shared revenues.~~

~~The Town shall be entitled to participate in all shared revenue programs of the State, effective immediately on the date of incorporation. The provisions of F.S. § 218.23, shall be waived for the purpose of eligibility to receive revenue sharing from the date of incorporation through the end of the State fiscal year 2001-2002. The provisions of F.S. § 218.26(3), shall be waived for the fiscal year 2001-2002, and the apportionment factors for the municipalities and counties shall be recalculated pursuant to F.S. § 218.245. The initial population estimates for calculating eligibility for shared revenues shall be determined by the University of Florida Bureau of Economic and Business Research as of the effective date of this Charter. Should the bureau be unable to provide an appropriate population estimate, the initial population for calculating eligibility for shared revenues shall be established at the level of 9,000.~~

~~Section 9.06. — Gas tax revenues.~~

~~Notwithstanding the requirements of F.S. § 336.025, to the contrary, the Town shall be entitled to receive local option gas tax revenues beginning October 1, 2000. These revenues shall be distributed in accordance with the interlocal agreement with Broward County.~~

~~Section 9.07. — Shared revenues.~~

~~Broward County shall distribute to the Town, from taxes, franchise fees, and ad valorem taxes, revenues collected within the municipal boundaries of the Town. This calculation shall be based upon a population projection of 9,000 in anticipation of the year 2000 census.~~

Section 4. The Town Clerk is hereby directed to incorporate the approved Charter Amendments into the Town's Charter.

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

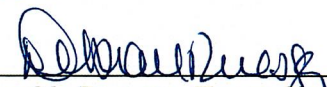
PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 21 day of November, 2024 on a motion by Chris Kuczynski and seconded by Tom Hartmann.

Breitkreuz	<u>Yes</u>
Kuczynski	<u>Yes</u>
Allbritton	<u>N/A</u>
Hartmann	<u>Yes</u>
Jablonski	<u>Yes</u>

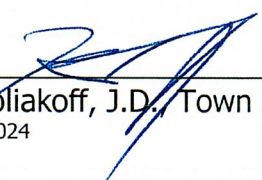
Ayes	<u>4</u>
Nays	<u>0</u>
Absent	<u>1</u>
Abstaining	<u>0</u>


Steve Breitkreuz, Mayor

ATTEST:


Debra M. Ruesga, Town Clerk

Approved as to Form and Correctness:


Keith Poliakoff, J.D., Town Attorney
1001.100.2024

SUMMARY REPT-GROUP DETAIL

2024 GENERAL ELECTION
NOVEMBER 5, 2024
BROWARD COUNTY, FLORIDA

REPORT-EL45A

PAGE 001

RUN DATE:11/18/24 09:54 AM

TOTAL VOTES % ED AV EV PV

Southwest Ranches, Mayor, At-Large

(VOTE FOR) 1

(WITH 4 OF 4 PRECINCTS COUNTED)

Steve Breitzkreuz	3,022	66.53	630	765	1,626	1
Lori Parrish	1,520	33.47	352	415	753	0
Over Votes	2		0	0	2	0
Under Votes	293		74	58	161	0

Southwest Ranches, Commissioner, District 3

(VOTE FOR) 1

(WITH 4 OF 4 PRECINCTS COUNTED)

Jim Allbritton.	2,725	66.51	573	789	1,363	0
John Steven Garate	1,372	33.49	316	313	742	1
Over Votes	5		1	0	4	0
Under Votes	735		166	136	433	0

Southwest Ranches, Commissioner, District 4

(VOTE FOR) 1

(WITH 4 OF 4 PRECINCTS COUNTED)

David Scott Kuczenski	2,533	59.14	487	730	1,315	1
Doug McKay	1,750	40.86	449	397	904	0
Over Votes	4		1	0	3	0
Under Votes	550		119	111	320	0

Southwest Ranches, Question 1

(VOTE FOR) 1

(WITH 4 OF 4 PRECINCTS COUNTED)

YES	3,775	84.91	848	934	1,993	0
NO.	671	15.09	117	211	342	1
Over Votes	4		2	0	2	0
Under Votes	380		89	88	203	0

Southwest Ranches, Question 2

(VOTE FOR) 1

(WITH 4 OF 4 PRECINCTS COUNTED)

YES	3,938	88.41	852	1,013	2,072	1
NO.	516	11.59	112	132	272	0
Over Votes	2		0	0	2	0
Under Votes	374		92	88	194	0

Southwest Ranches, Question 3

(VOTE FOR) 1

(WITH 4 OF 4 PRECINCTS COUNTED)

YES	3,747	85.28	826	964	1,956	1
NO.	647	14.72	125	164	358	0
Over Votes	4		0	0	4	0
Under Votes	432		105	105	222	0

RUN DATE:11/18/24 10:00 AM

	TOTAL VOTES	%	ED	AV	EV	PV
--	-------------	---	----	----	----	----

Southwest Ranches, Question 4

(VOTE FOR) 1

(WITH 4 OF 4 PRECINCTS COUNTED)

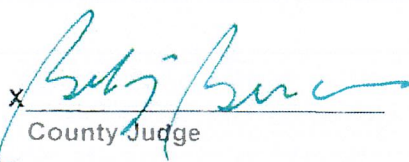
YES	3,206	74.75	655	833	1,717	1
NO.	1,083	25.25	273	269	541	0
Over Votes	3		0	0	3	0
Under Votes	538		128	131	279	0

Southwest Ranches, Question 5

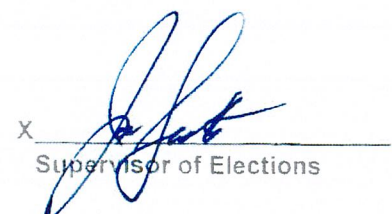
(VOTE FOR) 1

(WITH 4 OF 4 PRECINCTS COUNTED)

YES	3,511	81.44	749	887	1,874	1
NO.	800	18.56	192	220	388	0
Over Votes	1		0	0	1	0
Under Votes	518		115	126	277	0

X 
County Judge

X 
County Commissioner

X 
Supervisor of Elections