



Southwest Ranches Town Council

REGULAR MEETING

Agenda of December 11, 2014

REVISED

Southwest Ranches Council Chambers
7:00 PM THURSDAY

13400 Griffin Road
Southwest Ranches, FL 33330

Mayor
Jeff Nelson

Vice-Mayor
Freddy Fisikelli

Town Council
Steve Breitreuz
Gary Jablonski
Doug McKay

Town Administrator
Andrew D. Berns

Town Financial
Administrator
Martin Sherwood, CPA CGFO

Town Attorney
Keith M. Poliakoff, J.D.

Town Clerk
Russell C. Muñiz, MMC

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

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Proclamation - Arbor Day in the Town of Southwest Ranches**

Quasi-Judicial Hearings

Please be advised that the following items on the Council agenda are quasi-judicial in nature. All witnesses who will testify on any item in this portion of the Agenda will be sworn. Participants who are members of the general public need not be sworn and will not be subject to cross-examination if they are not sworn. However, the Council shall not assign un-sworn testimony the same weight or credibility as sworn testimony in its deliberations.

The applicant has the burden of proof. After the applicant's concluding remarks, the hearing will be closed and no additional testimony, material or argument will be allowed unless the Council chooses to request additional testimony. The members of the Town Council will then deliberate.

All evidence relied upon by reasonably prudent persons in the conduct of their affairs may be considered in these proceedings, regardless of whether such evidence would be admissible in a court. Hearsay evidence may supplement or explain other evidence, but shall not alone support a conclusion unless it would be admissible over objection in court. The material in the Town Council agenda will be considered as evidence without authentication.

Anyone representing an organization must present written evidence of his or her authority to speak on behalf of the organization in regard to the matter under consideration. Each person who appears during a public hearing shall identify himself or herself and give their address, and if appearing on behalf of an organization state the name and mailing address of the organization. The Council may, on its own motion or at the request of any person, continue the hearing to a fixed date, time and place.

No notice shall be required if a hearing is continued to a fixed date, time and place. Any Applicant shall have the right to request and be granted one continuance; however, all subsequent continuance shall be granted at the discretion of the Council and only upon good cause shown.

4. **Waiver of Plat** – Consideration of Waiver of Plat Application WP-009-14. Fernando & Daryl Portela, owners; Pulice Land Surveyors, Inc., petitioner, to subdivide a 5 acre parcel to create 2 lots of 2.55 and 2.45 acres respectively. Property generally located on the west side of James B. Pirtle Avenue (SW 127th Ave), approximately 1,000 feet north of Stirling Road, within the Rural Ranches Zoning District, which allows one dwelling unit per 2 net acres. Legally described as a portion of Tracts 59 and 60 in Section 35, Township 50 South, Range 40 East, according to the FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No. 1, recorded in Plat Book 2, Page 17, of the Public Records of Dade County, Florida; lying within the East one-half (1/2) of the East one-half (1/2) of the North one-half (1/2) of the Southwest one-quarter (1/4) of the Southeast one-quarter (1/4) of said Section 35, less therefrom the North 257.17 feet, as

measured along the East line of said Southwest one-quarter (1/4); said lands situate, lying and being in Broward County, Florida.

End of Quasi-Judicial Items

5. Public Comment

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

6. Board Reports

7. Council Member Comments

8. Legal Comments

9. Administration Comments

10. Ordinance – 2nd Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REPEALING ARTICLE 155 ENTITLED "ADMINISTRATIVE FARM CLAIM DETERMINATIONS", OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE IN ITS ENTIRETY, AND REPLACING IT WITH A NEW ARTICLE 155 ENTITLED "NON-COMMERCIAL FARM SPECIAL EXCEPTIONS"; AMENDING ARTICLE 10 "DEFINITION OF TERMS", SECTION 010-030 TO CREATE A NEW DEFINITION FOR "FARM" AND TO PROVIDE A DEFINITION FOR A "NON-COMMERCIAL FARM"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading – October 23, 2014} **(Tabled from November 13, 2014)**

11. Ordinance – 2nd Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN'S UNIFIED LAND DEVELOPMENT CODE TO DISTINGUISH BETWEEN FARMS AND NONCOMMERCIAL FARMS AND APPLICABLE REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading – October 23, 2014} **(Tabled from November 13, 2014)**

12. Ordinance – 1st Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING OBJECTIVES AND POLICIES WITHIN SEVERAL ELEMENTS OF THE ADOPTED TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN PERTAINING TO BROWARD COUNTY LAND USE PLAN ("BCLUP") CONSISTENCY REQUIREMENTS, INTERGOVERNMENTAL COORDINATION, AND LOCAL STREET CONNECTIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Requires a Supermajority Vote – Second Reading Will Be Held At a Later Date}**

13. **Resolution** – 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.
14. **Resolution** – 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.
15. **Resolution** – 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.
16. **Resolution** – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE RECREATION, FORESTRY, AND NATURAL RESOURCES ADVISORY BOARD (RFNRAB); RATIFYING THE BOARD'S PURPOSE AND OBJECTIVES; AUTHORIZING TOWN COUNCIL MEMBERS TO ADMINISTRATIVELY APPOINT BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.
17. **Resolution** – 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.
18. **Resolution** – 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.
19. **Resolution** – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REPEALING RESOLUTION NO. 2007-023 CONCERNING THE TOWN'S ADVISORY COMMITTEE/BOARD POLICY; CREATING A NEW TOWN ADVISORY COMMITTEE/BOARD POLICY; AUTHORIZING THE TOWN ADMINISTRATOR TO IMPLEMENT THE NEW POLICY; AND PROVIDING AN EFFECTIVE DATE.
20. **Resolution** – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT TO PURCHASE LAW ENFORCEMENT EQUIPMENT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO TRANSMIT THE APPLICATION AND ENTER INTO AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

21. Discussion – Town Administrator/ Town Financial Administrator Annual Review**22. Approval of Minutes**

- a.** Minutes for October 23, 2014 – Regular Meeting
- b.** Minutes for October 23, 2014 – Sole Purpose Meeting
- c.** Minutes for November 6, 2014 – Special Meeting (SWRVFD)
- d.** Minutes for November 13, 2014 – Regular Meeting

23. 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.



Town of Southwest Ranches
13400 Griffin Road
Southwest Ranches, FL 33330
(954) 434-0008 Town Hall
(954) 434-1490 Fax
www.southwestranches.org

Town Council
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Freddy Fisikelli, *Vice Mayor*
Steve Breitzkreuz, *Council Member*
Gary Jablonski, *Council Member*
Doug McKay, *Council Member*

Andrew Berns, *Town Administrator*
Keith Poliakoff, *Town Attorney*
Martin Sherwood, *Town Financial Administrator*
Russell Muñiz, *Town Clerk*

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

FROM: December Lauretano-Haines,
Parks Recreation and Open Space Coordinator

THROUGH: Andy Berns, Town Administrator

DATE: November 18, 2014

SUBJECT: PROCLAIMING ARBOR DAY IN THE TOWN OF SOUTHWEST RANCHES

Summary

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

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".

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 Event.

The Town is about to enter our 9th year as a designated Tree City USA. This status has proven helpful in favorable weighting of our applications for tree planting and maintenance grants.

Budget Impact

The Town's observance of Arbor Day celebrations incurs minimal expense annually – generally below \$400 per event. These expenses are coded from the General Fund, Executive Department, Town Events line item, which has a budget of seventeen thousand, five hundred dollars (\$17,500.00) dedicated for promotional activities and Town events.

Staff Impact

The Parks, Recreation and Open Space Coordinator plans and organizes 2 Arbor Day events per year, one at Southwest Ranches Arbor Day (January) and one at National Arbor Day (April). Staff is coordinating the planning and outreach for 2015, to include an educational presentation at Hawke's Bluff Elementary School by the Town's Events Team lead by the Town's Arborist. Together, both of these events require less than 40 hours (1 week) per staff member of planning and execution time. Therefore, staff impact associated with the Arbor Day events is minimal.

Recommendation

This item has been placed on the agenda for the Town Council's review and consideration.

Staff Contact

December Lauretano-Haines, Parks Recreation and Open Space Coordinator

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 2015 for its ninth consecutive year, 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 11th day of December, 2014

Mayor Jeff Nelson

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**TOWN OF SOUTHWEST RANCHES
TOWN COUNCIL AGENDA REPORT**

December 11, 2014

SUBJECT: Waiver of Plat application WP-009-14

LOCATION: Generally located on the west side of James B. Pirtle Avenue (SW 127th Av), approximately 1,000 feet north of Stirling Road

APPLICANT: Fernando and Daryl Portela

LAND USE PLAN DESIGNATION: Rural Ranch

ZONING: RR – Rural Ranches

PUBLIC NOTICE: Legal notice in newspaper, sign posting, mail notice

EXHIBITS: Staff Report, survey, aerial photograph, notification map and mailing label list

BACKGROUND AND ANALYSIS

The subject property ("Property") is located approximately 1,000 feet north of Stirling Road, on the west side of James B. Pirtle Avenue (an extension of SW 127th Avenue). The Property is comprised of two (2) contiguous parcels of land under the same ownership, which together total five (5) gross acres and 4.62 net acres. The north parcel is 1.95 gross acres in area and the south parcel is 3.05 gross acres in area. The gross acreage includes the west 25 feet of James B. Pirtle Avenue, which is situated within the Property along its east side. The Property has a land use plan designation of Rural Ranch and is zoned RR, Rural Ranches, both of which allow residential development at 1 unit per 2 net acres, or 1 unit per 2.5 gross acres. The north parcel is developed with a 1,407 square-foot barn, and the south parcel is developed with a 4,397 square-foot single-family home.

The applicants are seeking approval to move the common property line between the two (2) parcels approximately 80 feet to the south in order that both lots will contain 2.0 net acres and therefore conform with the minimum lot size requirement of the Rural Ranches designation. The application proposes Lot A (south parcel) to contain 2.36 net acres, and Lot B (north parcel), to contain 2.27 net acres. The net acreage is exclusive of James B. Pirtle Avenue, which is partly situated within the property. Both parcels will exceed the minimum width requirement of 125 feet, and will satisfy the minimum lot area requirement. Both parcels will continue to have direct access from James B. Pirtle Avenue.

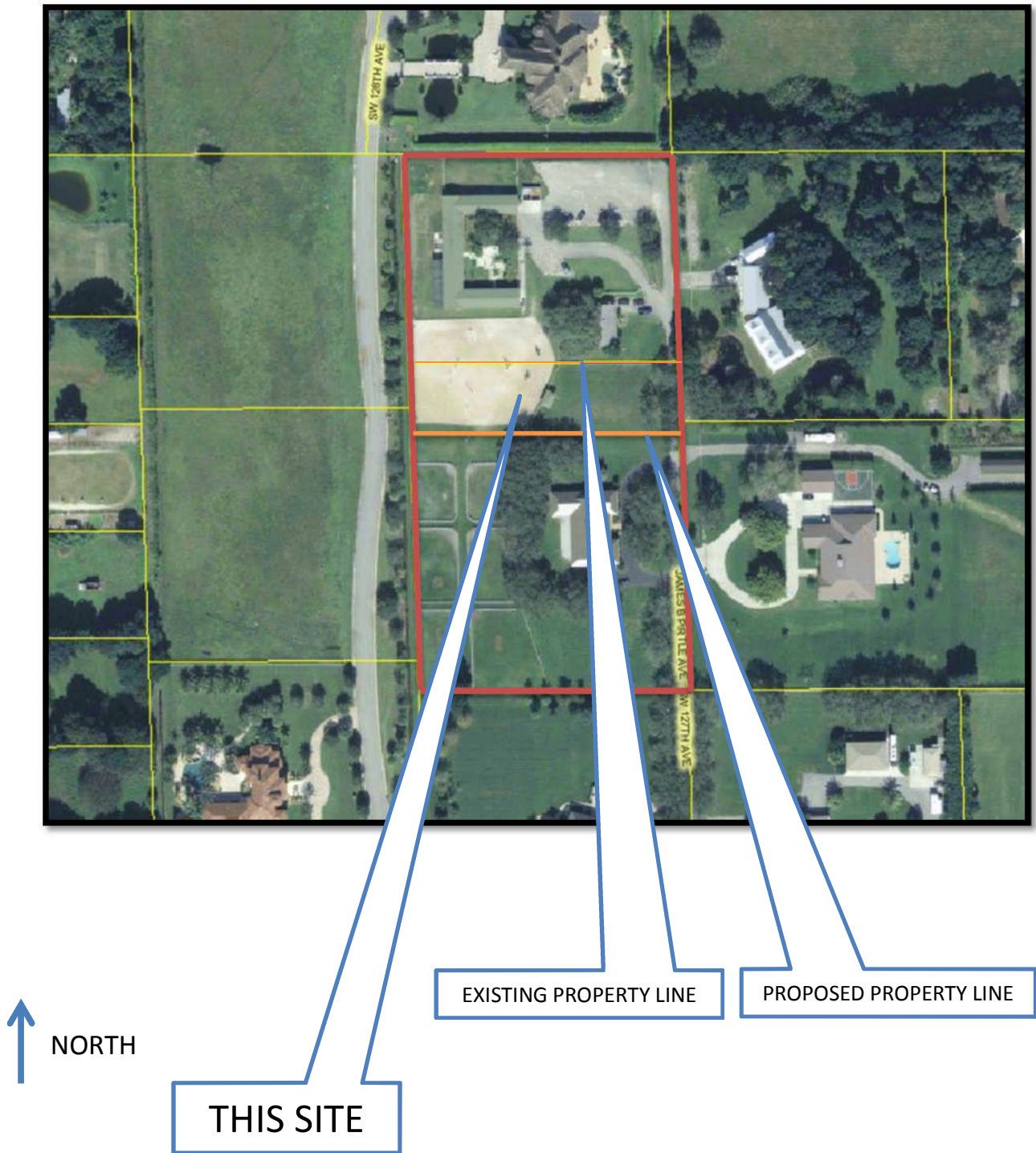
Central Broward Water Control District does not review this type of application; its approval will be required if a building permit is pulled for the construction of any additional structure on either parcel. Likewise, any additional engineering requirements will be assessed when building/drainage plans are submitted for either parcel. Dedication of an equestrian trail is not required pursuant to the Trails Master Plan. The petitioner has provided the School Capacity Availability Determination (SCAD) from Broward County as part of the application.

RECOMMENDATION

1. The Council could choose to deny this application finding that the applicant has failed to show by competent substantial evidence that they have met the requirements of the ULDC.
2. The Council could table this item to seek additional information.
3. The Council could choose to approve this item finding that the applicant has shown by competent substantial evidence that they have met the requirements of the ULDC, with a condition such as:
 - a. Applicant shall pay to the Town of Southwest Ranches an amount equal to the total expenses incurred by the Town in the processing and finalizing of this application. This includes, but may not be limited to, expenses for engineering, planning, legal, advertising, 5 percent administrative fee, and any related expenses that the Town has or will incur as a direct cost of this application.

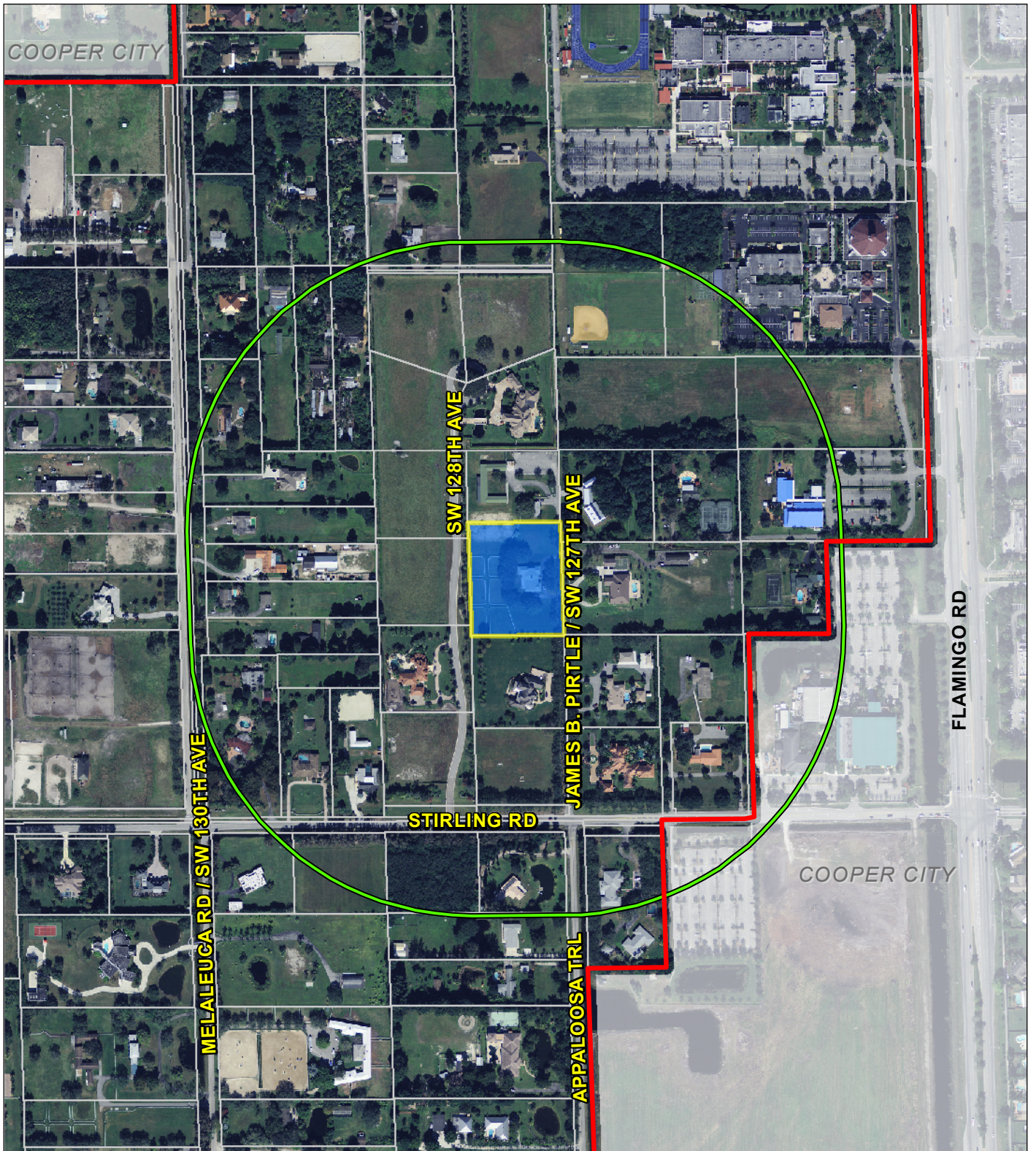
TOWN OF SOUTHWEST RANCHES

Waiver of Plat application WP-009-14



TOWN OF SOUTHWEST RANCHES

WP-009-14 5801 James B. Pirtle Avenue



Town Boundary



Subject Site



Parcel Boundaries



1,000 Foot Buffer

1 inch = 500 feet

0 200 400 800 Feet



December 11, 2014
Mailed on December 2, 2014

PLEASE TAKE NOTICE OF A QUASI-JUDICIAL PUBLIC HEARING THAT WILL BE CONDUCTED TO CONSIDER A WAIVER OF PLAT APPLICATION THAT HAS BEEN FILED. INFORMATION IS AS FOLLOWS:

Applicant: Fernando & Daryl Portela

Location: Generally located on the west side of James B. Pirtle Avenue (an extension of SW 127th Avenue), approximately one-thousand feet north of Stirling Road

Application: WP-009-14

Request: The applicant is seeking approval for the re-subdivision of 5 acres into two parcels of 2.55 and 2.45 acres each

This matter will be considered by the Town of Southwest Ranches Town Council at an advertised public hearing that will be conducted as follows:

Date: Thursday, December 11th, 2014

Location of Hearing: Southwest Ranches Town Hall Council Chambers
13400 Griffin Road
Southwest Ranches, FL 33330

Time: 7:00 p.m.

Applications and backup material shall be available for inspection at the Town Clerk's office one (1) week prior to the meeting, within normal business hours. The Public may appear and be heard at the meeting, subject to proper rules of conduct. The hearing may be continued from time to time as necessary. Any written comments filed with the Town will be entered into the record. Any decision made by the Town Council may be appealed; appeal of the Town Council's decision shall be by petition for Writ of Certiorari to the circuit court pursuant to the Florida Rules of Civil Procedure, within thirty (30) days of the rendition of the Town Council's findings. Any person who decides to appeal a decision made at the public hearing is advised they will need a record of the proceedings and accordingly, may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk at (954) 434-0008 at least twenty-four (24) hours in advance of the public hearing to request such accommodation.

FOR THE TOWN OF SOUTHWEST RANCHES,
ELIZABETH TSOUROUKDISSIAN
THE MELLGREN PLANNING GROUP
Phone: (954) 475-3070, ext. 803

TOWN OF SOUTHWEST RANCHES

Waiver of Plat application WP-009-14



THIS SITE



NORTH

FOLIO	NAME 1
504035010135	5741 SW 127 AVENUE LLC
514002010080	AHMAD,SHAHABUDEEN & DOMINIQUE
504035150060	ALONSO,ARMANDO
514002010051	ANDRADE,MARIANO & CLAUDIA XUE
504035010061	ARBOLEDA,ARTURO E & BRENDA L
504035040010	ARCHDIOCESE OF MIAMI - ST. MARK CHURCH
504035010056	ARIN,ESRA
504035010132	ARIN,ESRA
504035010160	BARTHOLF,R W & CAROL O
514002010052	BLAIR,MARY ANN H/E & OLIVER ANDREW ET AL
504035010057	BRACKEN,MILDRED C
504035010059	DISBERGEN,GERRIT
504035010051	ENGLISH,JENNIFER A
514002010062	EVERGLADES SUGAR & LAND CO LLC
504035130020	FAHIMIPOUR,MEHRDAD & COTY
504035150040	FERNANDEZ,FRANCISCO M & GONZALEZ-FERNANDEZ, ODALIS P
504035010028	FRENCH,RICHARD D & KAREN R
504035150050	GAM LAND INVESTMENTS LLC
504035130030	GEARY,MICHAEL S & LAURA V
504035010221	HAY,SCOTT ALAN
504035010190	JENKS,JONATHAN E
504035150020	JENSEN,DAMARIS & STEVE
504035010170	KIMELMAN,ROSEMARIE H/E & MARCEL
504035150080	KRUTCHIK,JONATHAN A & TAMMY
504035010231	LOPEZ,JENNIFER N
504035010134	MCCARTNEY,SHELDON W H/E & SANDRA L
504035010131	MEARS,ALBERT C SR
504035010130	MILLER,RICHARD
504035010140	MILLER,RICHARD
504035030020	NEW HORIZON UNITED METHODIST CHURCH INC.
504035010550	PEACEFUL HAVEN RANCH GROUP HOME INC.
504035010062	PELLEGRINO,ELLE & ROBERT J
504035010027	PORTELA,FERNANDO & DARYL
504035010133	RATLIFF,BARBARA H/E & TODD
504035010054	RHODES,PAMELA SEGAL H/E & JACOB
504035010019	ROBLES,GLADYS
504035010058	SAWH,DAVE & PRADEEP
514002020010	SHERIDAN HOUSE INC
504035150090	TOWN OF SOUTHWEST RANCHES
504035010063	VOLUNTEER REALTY CO
504035130010	WINNER,STEVEN A & NANCY B

ADDRESS	CITY, STATE, ZIP
5801 SW 127 AVE	SOUTHWEST RANCHES, FL 33330
6951 NW 109 AVE	MIAMI, FL 33178
1704 SW 142 AVE	FORT LAUDERDALE, FL 33325
6001 APPALOOSA TRL	SOUTHWEST RANCHES, FL 33330
5920 SW 127 AVE	SOUTHWEST RANCHES, FL 33330
9401 BISCAYNE BLVD	MIAMI SHORES, FL 33138
4157 IMPERIAL WAY	PROVO UT84604
12901 STIRLING ROAD	SOUTHWEST RANCHES, FL 33330
5702 SW 130 AVE	SOUTHWEST RANCHES, FL 33330
6011 SW 127 AVE	SOUTHWEST RANCHES, FL 33330
12951 STIRLING ROAD	SOUTHWEST RANCHES, FL 33330
12401 SW 58 ST	SOUTHWEST RANCHES, FL 33330
5810 SW 130 AVE	SOUTHWEST RANCHES, FL 33330
5361 NW 110 AVE	MIAMI, FL 33178
1826 SW 195 AVE	MIRAMAR, FL 33029
14011 NW 13 ST	PEMBROKE PINES, FL 33028
5950 JAMES B PIRTLE AVE	SOUTHWEST RANCHES, FL 33330
2700 DAVIE RD	DAVIE, FL 33314
5990 JAMES B PIRTLE AVE	SOUTHWEST RANCHES, FL 33330
12751 SW 56 ST	SOUTHWEST RANCHES, FL 33330
12851 SW 56 ST	SOUTHWEST RANCHES, FL 33330
5925 SW 128 AVE	SOUTHWEST RANCHES, FL 33330
12990 SW 56 ST	SOUTHWEST RANCHES, FL 33330
5780 SW 128 AVE	SOUTHWEST RANCHES, FL 33330
5742 SW 130 AVE	SOUTHWEST RANCHES, FL 33330
5790 SW 130 AVE	SOUTHWEST RANCHES, FL 33330
5740 SW 130 AVE	SOUTHWEST RANCHES, FL 33330
12850 SW 56 ST	SOUTHWEST RANCHES, FL 33330
5700 SW 130 AVE	SOUTHWEST RANCHES, FL 33330
5741 S FLAMINGO ROAD	SOUTHWEST RANCHES, FL 33330
12601 STIRLING ROAD	SOUTHWEST RANCHES, FL 33330
5750 SW 127 AVE	SOUTHWEST RANCHES, FL 33330
5801 JAMES B PIRTLE AVE	SOUTHWEST RANCHES, FL 33330
5800 SW 130 AVE	SOUTHWEST RANCHES, FL 33330
12851 STIRLING ROAD	SOUTHWEST RANCHES, FL 33330
5750 SW 130 AVE	SOUTHWEST RANCHES, FL 33330
12475 SW 58 ST	SOUTHWEST RANCHES, FL 33330
1700 S FLAMINGO RD	DAVIE, FL 33325
13400 GRIFFIN RD	SOUTHWEST RANCHES, FL 33330
4900 DAVIE ROAD	DAVIE, FL 33314
5951 JAMES B PIRTLE	SOUTHWEST RANCHES, FL 33330



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

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

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Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

TOWN COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Council

THRU: Andy Berns, Town Administrator

FROM: Jeff Katims, AICP, CNU-A, Assistant Town Planner

DATE: October 16, 2014

SUBJECT:

- 1. Ordinance amending the Land Development Code to create a “Noncommercial Farm” use classification and associated regulations.**
- 2. Ordinance amending the Land Development Code to establish procedures for granting zoning relief to Noncommercial Farms.**

RECOMMENDATION

Consideration of the proposed ordinance on first reading.

ISSUE

A change in state law eliminated exemptions from zoning and building code requirements that many agricultural properties in the Town previously enjoyed. The intent of the proposed ordinances is to provide a measure of relief to properties that were previously classified as “farms” under state law, as well as new, noncommercial (i.e. hobby farm) agricultural endeavors.

BACKGROUND

In July, 2013 the Florida Legislature narrowed the definition of “farm” to exclude agricultural operations that do not have an agricultural property tax exemption from the county property appraiser. The effect of this change in state law is that many agricultural properties in Southwest Ranches no longer qualify as farms. The legislature made no provision for grandfathering nonresidential farm structures (“farm structures”) that were built legally under the state zoning preemption for farms, yet are now declassified as farms and no longer exempt from zoning. As a result, many agricultural properties have structures that are illegal because they do

not comply with one or more of the Town's zoning regulations. Additionally, property owners who wish to engage in small-scale agricultural activities for personal purposes (hobby farms) may be limited in their pursuit by zoning restrictions such as minimum setback requirements and maximum plot coverage and height restrictions.

ANALYSIS

Staff has proposed two ordinances to address the changes in state law. The first ordinance creates a new use classification called "noncommercial farms", which are hobby farms and other agricultural uses that do not qualify for a property tax exemption. The ordinance amends each provision in the land development code that applies to farming in order to clarify whether the regulation applies to AG-exempt commercial farms ("farms") or to noncommercial farms. The table on the following page identifies how the various farm-related provisions would be amended by the two proposed ordinances. It is noted that the Land Development Code, as currently written, mostly treats farms as a single category of use, but does make distinctions in some cases between farms that are agriculturally exempt from property taxes and those with only the more liberally issued Town farm designation.

The second ordinance repeals Article 155 and replaces it in its entirety with a new Article 155. The existing Article 155 establishes the procedures for making town farm determinations and granting waivers to nonresidential farm structures for setbacks, plot coverage and height when necessary for farming. The proposed replacement provisions are geared strictly toward noncommercial farms, since the town's farm determination program is no longer applicable under state law. The new provisions establish procedures and criteria for granting "special exceptions" (waivers) to allow noncommercial, nonresidential farm structures to encroach into required yards, exceed plot coverage limitations or exceed height limits if, and only if, the town administrator (for requests that don't exceed a 10% waiver) or town council (for requests that exceed a 10% waiver) find that the applicable code requirement would unduly limit a bona fide agricultural activity if the special exception were not granted. All special exceptions would become null and void if the property changes ownership and the new owner does not apply for a special exception; if the structure is converted to a nonagricultural use; and if the agricultural use of the property ceases for a period of 60 days.

The second ordinance also provides a grandfathering procedure for agricultural structures that were not built in compliance with zoning regulations, but were exempt from same at the time because they were on property classified as a farm under state law. The grandfathering will expire under the same conditions that would cause a special exception to expire. Both special exceptions for new agricultural structures and the grandfathering provisions for existing structures require that the property owner execute and record a deed restriction that acknowledges the terms under which the relief will become null.

Fiscal Impact N/A

Staff Contact Jeff Katims, AICP, CNU-A, Assistant Town Planner

Summary of Changes Proposed by the Two Farm Ordinances

Code Section	Existing Regulation	Proposed Change
015-80(A)	General reference to exceptions in code for properties with town farm designation.	[HOUSEKEEPING] Deletes reference to town farm designation, leaving only the term “farm”.
015-80(B)	This provision was added by the “roof eaves” ordinance. Requires property owners with nonconforming “farm” structures due to the loss of Farm Act protection to execute a deed restriction limiting the building to agricultural use only.	Coordinates this provision with the proposed deed restriction requirements in Article 155.
015-90(B)	References “town farm designation.”	[HOUSEKEEPING] Eliminates the reference to town farm designation.
045-30(D)(6)	Allows one truck body as an accessory structure on plots with a town farm designation but no AG exemption.	Deleted in its entirety. **An alternative would be to allow them by special exception of the council only per the proposed procedures in Article 155.
045-30(J)(1)	Allows farms to display and sell crops and plants grown onsite.	Clarifies that this applies both farms and noncommercial farms.
045-30(J)(2)	Allows nurseries to display and sell accessory items (tools, mulch, etc.).	Limits display and sales of such items to nurseries that are farms only.
045-30(L)	Exempts farmland from landscape code requirements.	Clarifies that both agricultural portions of both farms and noncommercial farms are exempt from landscape code requirements.
045-80(A)(3)	Allows farms to apply for waiver of plot coverage limitation.	Clarifies that noncommercial farms can apply for such a waiver. **Same change made to 060-70(A)(1) for noncommercial farms in the CF District**
045-90	Allows farms to apply for waiver of height limitation.	Clarifies that noncommercial farms can apply for such a waiver. .**Same change made to 060-80 for noncommercial farms in the CF District**
045-100(A)-(C)	Allows farms to apply for waiver of setback requirements.	Clarifies that noncommercial farms can apply for such a waiver. **Same change made to 060-020(G)(6) for noncommercial farms in the CF District**
070-50(D)(3)	Exempts signs on farms from permits	Limits the exemption to signs that pertain to farm activities, and extends the exemption to noncommercial farms provided building code does not require a permit.
070-90(A)	Establishes permitted farm sign specifications	Establishes separate permitted sign specifications for noncommercial farms.
010-30	Defines “farm”	[HOUSEKEEPING] Updates statutory reference and deletes reference to town farm determination.
010-30		Defines “noncommercial farm”
Article 155	Establishes procedures for granting town farm designations, and for granting zoning waivers for farm structures.	Repeals Article 155 in its entirety and replaces it with procedures for granting special exceptions (waivers) for noncommercial farm structures, and addresses the disposition of structures on lots that used to be farms under state law, but are no longer, and which do not comply with zoning regulations.

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WHEREAS, in 2013 the Florida Legislature adopted HB 203, which helped to the term “farm” and helped to clarify the rights of farms under F.S. Section 0; and

WHEREAS, the Town Council believes that this Ordinance is in the best interest of the health, safety, and welfare of its residents.

Section 1. Article 155 entitled “Administrative Farm Claim Determinations” shall be repealed in its entirety and shall be replaced as follows:

Sec. 155-010. Applicability.

Page 17

Sec. 155-020. Administrative Non-commercial Farm Special Exception Procedure

- (A) In the event that the owner of a property containing a non-commercial farm seeks a special exception to deviate ten percent (10%) or less from the Town's Unified Land Development Code requirements, such special exception may be approved administratively by the town administrator provided that the applicant has demonstrated by competent substantial evidence that the administrative special exception is warranted as set forth in Sec. 155-030 below
- (B) Applications for an administrative special exception shall be made to the town administrator. There shall be no fee for the application.
- (C) The town administrator shall review the application and any supporting documents to determine, in a quasi-judicial capacity, whether the applicant has demonstrated by competent substantial evidence that the criteria set forth in Sec. 155-030 has been satisfied and that an administrative special exception is warranted. Within twenty (20) business days after the receipt of a complete and sufficient application, the town administrator shall either grant the application or respond to the applicant in writing the reason or reasons for denial. The decision shall be mailed by U.S. Mail to the address indicated on the application, return receipt requested. Copies of the town administrator's decision shall be provided to the town council and to the town attorney. All approvals shall be placed into recordable form and shall only be valid upon satisfaction of the requirements set forth in Section (E) below.
- (D) If the applicant disagrees with the decision of the town administrator, the applicant may file a non-administrative special exception for review by the town council as set forth in Section 155-040 below. The town administrator's decision shall be made part of the record.
- (E) If the applicant is granted an administrative special exception, such special exception shall remain valid until any of the following conditions occur: property ownership changes; the agricultural use of a building or structure, for which a special exception is granted, is converted to a nonagricultural use; or the noncommercial farm activity ceases for sixty (60) days or more. Upon any of the preceding occurrences, the administrative special exception shall be deemed to be immediately revoked, and the improvements that were the subject of the special exception shall be in violation of the chapter until they are brought into compliance with the height, setback, and/or plot coverage standards from which the special exception was granted. The property owner shall execute a deed restriction acknowledging the terms of this subsection, in a form and format approved by the town attorney, which shall be recorded, at the applicant's expense, in the Public Records of Broward County Florida, prior to receiving the administrative special exception. In the event that the town administrator approves a setback reduction, the reduced side shall have a buffer consisting of an opaque fence or wall, hedge or berm to a minimum height of six (6) feet.

Sec. 155-030. Criteria for Administrative Non-commercial Farm Special Exception

1 (A) To grant an administrative non-commercial farm special exception, the town
2 administrator must find that the applicant has demonstrated by competent
3 substantial evidence that it satisfies the following criteria:

4 (1) The application relates to a "non-commercial farm", as defined by Section 010-030
5 of the Town's Unified Land Development Code.

6 (2) The Town's ULDC inordinately prohibits, restricts, or limits a generally accepted
7 farming practice;

8 (3) That the administrative special exception proposed is the minimum that will make
9 possible the reasonable use of the property as a non-commercial farm;

10 (4) That the granting of the administrative special exception will not negatively impact
11 the neighboring properties.

12 **Sec. 155-040. Non-commercial Farm Special Exception Procedure**

13 (A) In the event that the owner of a property that contains a non-commercial farm seeks
14 a special exception to deviate more than ten percent (10%) from the Town's Unified
15 Land Development Code requirements, or in the event that an administrative non-
16 commercial farm special exception has been denied, a special exception may be
17 approved by the town council, in a quasi-judicial capacity, provided that the
18 applicant has demonstrated by competent substantial evidence that the special
19 exception is warranted as set forth in Sec. 155-50 below.

20 (B) Applications for a special exception shall be made to the town administrator. The
21 town administrator shall confirm the sufficiency of all applications within ten (10)
22 business days of receipt. Completed applications will be scheduled to be heard at
23 the next available regularly scheduled council meeting as a quasi-judicial item.
24 There shall be no cost for the application, however the applicant shall reimburse the
25 Town its cost for advertising the item. In the event that the town has other public
26 hearing items on the agenda, the applicant shall solely pay the amount necessary
27 to cover the cost of the additional copy. In the event that there are no public hearing
28 items on an the agenda, the applicant shall have the option of paying the full cost
29 of the advertisement or waiting for the next regularly scheduled council meeting
30 containing advertised public hearing items.

31 (C) The application shall be heard in accordance with the town's rules for quasi-
32 judicial procedures. The town council shall review the application, supporting
33 documents, and testimony received to determine whether the applicant has
34 demonstrated by competent substantial evidence that the criteria set forth in Sec.
35 155-050 has been satisfied and that an administrative special exception is
36 warranted. The town council may deny the special exception, may approve the
37 special exception, may approve the special exception with conditions, or it may table
38 the item in order to obtain additional information. All final decisions of the town
39 council shall be recorded, at the applicants expense, in the Public Records of
40 Broward County, Florida. All approvals or approvals with conditions shall only be
41 valid upon satisfaction of the requirements set forth in Section (D) below.

- (D) If the applicant is granted a special exception or a special exception with conditions, such special exception shall remain valid until any of the following conditions occur: property ownership changes; the agricultural use of a building or structure, for which a special exception is granted, is converted to a nonagricultural use; or the noncommercial farm activity ceases for sixty (60) days or more. Upon any of the preceding occurrences, the administrative special exception shall be deemed to be immediately revoked, and the improvements that were the subject of the special exception shall be in violation of the chapter until they are brought into compliance with the height, setback, and/or plot coverage standards from which the special exception was granted. The property owner shall execute a deed restriction acknowledging the terms of this subsection, in a form and format approved by the town attorney, which shall be recorded, at the applicant's expense, in the Public Records of Broward County Florida, prior to receiving the special exception. In the event that the town council approves a setback reduction, the reduced side shall have a buffer consisting of an opaque fence or wall, hedge or berm to a minimum height of six (6) feet.

Sec. 155-050. Criteria for Non-commercial Farm Special Exception

- (A) To grant a non-commercial farm special exception, the Town Council must find that the applicant has demonstrated by competent substantial evidence that it satisfies the following criteria:
- (1) The application relates to a "non-commercial farm", as defined by Section 010-030 of the Town's Unified Land Development Code; and
 - (2) The Town's ULDC inordinately prohibits, restricts, or limits a generally accepted farming practice; and
 - (3) That the administrative special exception proposed is the minimum that will make possible the reasonable use of the property as a non-commercial farm; and,
 - (4) That the granting of the administrative special exception will not negatively impact the neighboring properties.

Sec. 155-060. Denial of Non-commercial Farm Special Exceptions & Appeals

- (A) Whenever the town council has taken action to reject a non-commercial farm special exception, the town council shall not consider any further requests for a non-commercial farm on any part of the same property for a period of twelve (12) months from the date of such action (or date of any final court order denying the non-commercial farm special exception).
- (B) An appeal from a decision of the town council shall be as provided by law.

Sec. 155-070. Existing structures.

- (A) Any nonresidential farm building or farm structure on a non-commercial farm that had obtained a town farm certification and/or was constructed pursuant to Section

604.50, Florida Statutes, prior to July 1, 2013, which nonresidential farm building or farm structure is not in compliance with ULDC regulations governing plot coverage, height or setbacks, shall enjoy relief from such regulations without the need to apply for a special exception, subject to the requirements in subsections (B) and (C).

(B) In order to qualify for such relief, the property owner shall submit information to the town administrator on a standard form to be prepared by the town administrator, as to the farm buildings and farm structures for which relief is required, and the extent of noncompliance with the ULDC requirements, and shall execute a deed restriction acknowledging the terms of subsection (C) by June 30, 2015. The deed restriction shall be in a form and format approved by the town attorney, which shall be recorded, at the applicant's expense, in the Public Records of Broward County Florida. Failure of a property owner to comply with the requirements of this subsection shall cause any noncompliant nonresidential farm building or farm structure on a non-commercial farm, to be in violation of the ULDC.

(C) Upon compliance with subsection (B), relief from plot coverage, height and/or setback requirements shall remain in effect until there is a change in property ownership, the agricultural use of the building or structure changes to a nonagricultural use, or the non-commercial farm activity ceases for sixty (60) days or more. Upon any of the preceding occurrences, the improvements that were the subject of the ULDC relief shall be in violation of the chapter until they are brought into compliance with the applicable ULDC height, setback, and/or plot coverage regulations.

Section 2. Article 10 of the Town's Unified Land Development Code entitled "Definition of Terms", Section 010-030 shall be amended as follows (new text is underlined and deleted text is stricken):

. . . .

Farm. The term "farm" means the land, buildings, structures, support facilities, machinery, and other appurtenances used in the production of farm and agricultural products when such land is classified agricultural pursuant to F.S. § 193.461(3)(b), as may be amended from time to time, ~~or has been determined to be a farm pursuant to administrative determination by the town administrator, or a final determination of the town council in accordance with article 155, "Administrative Farm Claim Determinations."~~

Non-commercial Farm. The term "non-commercial farm" means the use of a property for bona fide agricultural purposes, that fails to meet the requirements of F.S. § 193.461(3)(b), as may be amended from time to time.

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

Section 4. Severability. If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portions hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstances(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

Section 5. Inclusion in Code. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made part of the Town of Southwest Ranches Unified Land Development Code; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 23rd day of October, 2014 on a motion by Council Member Breitkreuz and seconded by Council Member Fisikelli.

PASSED AND ADOPTED ON SECOND READING this ____ day of _____, 2014 on a motion by _____ and seconded by _____.

Nelson	_____	Ayes	_____
Breitkreuz	_____	Nays	_____
Fisikelli	_____	Absent	_____
Jablonski	_____		
McKay	_____		

[Signatures on next page]

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Jeff Nelson, Mayor

ATTEST:

Russell Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, 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
Jeff Nelson, Mayor
Gary Jablonski, Vice Mayor
Steve Breitzkreuz, Council Member
Freddy Fisikelli, Council Member
Doug McKay, Council Member

Andy Berns, Town Administrator
Keith M. Poliakoff, Town Attorney
Russell Muniz, CMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

TOWN COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Council

THRU: Andy Berns, Town Administrator

FROM: Jeff Katims, AICP, CNU-A, Assistant Town Planner

DATE: October 16, 2014

SUBJECT:

- 1. Ordinance amending the Land Development Code to create a “Noncommercial Farm” use classification and associated regulations.**
- 2. Ordinance amending the Land Development Code to establish procedures for granting zoning relief to Noncommercial Farms.**

RECOMMENDATION

Consideration of the proposed ordinance on first reading.

ISSUE

A change in state law eliminated exemptions from zoning and building code requirements that many agricultural properties in the Town previously enjoyed. The intent of the proposed ordinances is to provide a measure of relief to properties that were previously classified as “farms” under state law, as well as new, noncommercial (i.e. hobby farm) agricultural endeavors.

BACKGROUND

In July, 2013 the Florida Legislature narrowed the definition of “farm” to exclude agricultural operations that do not have an agricultural property tax exemption from the county property appraiser. The effect of this change in state law is that many agricultural properties in Southwest Ranches no longer qualify as farms. The legislature made no provision for grandfathering nonresidential farm structures (“farm structures”) that were built legally under the state zoning preemption for farms, yet are now declassified as farms and no longer exempt from zoning. As a result, many agricultural properties have structures that are illegal because they do

not comply with one or more of the Town's zoning regulations. Additionally, property owners who wish to engage in small-scale agricultural activities for personal purposes (hobby farms) may be limited in their pursuit by zoning restrictions such as minimum setback requirements and maximum plot coverage and height restrictions.

ANALYSIS

Staff has proposed two ordinances to address the changes in state law. The first ordinance creates a new use classification called "noncommercial farms", which are hobby farms and other agricultural uses that do not qualify for a property tax exemption. The ordinance amends each provision in the land development code that applies to farming in order to clarify whether the regulation applies to AG-exempt commercial farms ("farms") or to noncommercial farms. The table on the following page identifies how the various farm-related provisions would be amended by the two proposed ordinances. It is noted that the Land Development Code, as currently written, mostly treats farms as a single category of use, but does make distinctions in some cases between farms that are agriculturally exempt from property taxes and those with only the more liberally issued Town farm designation.

The second ordinance repeals Article 155 and replaces it in its entirety with a new Article 155. The existing Article 155 establishes the procedures for making town farm determinations and granting waivers to nonresidential farm structures for setbacks, plot coverage and height when necessary for farming. The proposed replacement provisions are geared strictly toward noncommercial farms, since the town's farm determination program is no longer applicable under state law. The new provisions establish procedures and criteria for granting "special exceptions" (waivers) to allow noncommercial, nonresidential farm structures to encroach into required yards, exceed plot coverage limitations or exceed height limits if, and only if, the town administrator (for requests that don't exceed a 10% waiver) or town council (for requests that exceed a 10% waiver) find that the applicable code requirement would unduly limit a bona fide agricultural activity if the special exception were not granted. All special exceptions would become null and void if the property changes ownership and the new owner does not apply for a special exception; if the structure is converted to a nonagricultural use; and if the agricultural use of the property ceases for a period of 60 days.

The second ordinance also provides a grandfathering procedure for agricultural structures that were not built in compliance with zoning regulations, but were exempt from same at the time because they were on property classified as a farm under state law. The grandfathering will expire under the same conditions that would cause a special exception to expire. Both special exceptions for new agricultural structures and the grandfathering provisions for existing structures require that the property owner execute and record a deed restriction that acknowledges the terms under which the relief will become null.

Fiscal Impact N/A

Staff Contact Jeff Katims, AICP, CNU-A, Assistant Town Planner

Summary of Changes Proposed by the Two Farm Ordinances

Code Section	Existing Regulation	Proposed Change
015-80(A)	General reference to exceptions in code for properties with town farm designation.	[HOUSEKEEPING] Deletes reference to town farm designation, leaving only the term “farm”.
015-80(B)	This provision was added by the “roof eaves” ordinance. Requires property owners with nonconforming “farm” structures due to the loss of Farm Act protection to execute a deed restriction limiting the building to agricultural use only.	Coordinates this provision with the proposed deed restriction requirements in Article 155.
015-90(B)	References “town farm designation.”	[HOUSEKEEPING] Eliminates the reference to town farm designation.
045-30(D)(6)	Allows one truck body as an accessory structure on plots with a town farm designation but no AG exemption.	Deleted in its entirety. **An alternative would be to allow them by special exception of the council only per the proposed procedures in Article 155.
045-30(J)(1)	Allows farms to display and sell crops and plants grown onsite.	Clarifies that this applies both farms and noncommercial farms.
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045-100(A)-(C)	Allows farms to apply for waiver of setback requirements.	Clarifies that noncommercial farms can apply for such a waiver. **Same change made to 060-020(G)(6) for noncommercial farms in the CF District**
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070-90(A)	Establishes permitted farm sign specifications	Establishes separate permitted sign specifications for noncommercial farms.
010-30	Defines “farm”	[HOUSEKEEPING] Updates statutory reference and deletes reference to town farm determination.
010-30		Defines “noncommercial farm”
Article 155	Establishes procedures for granting town farm designations, and for granting zoning waivers for farm structures.	Repeals Article 155 in its entirety and replaces it with procedures for granting special exceptions (waivers) for noncommercial farm structures, and addresses the disposition of structures on lots that used to be farms under state law, but are no longer, and which do not comply with zoning regulations.

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AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN'S UNIFIED LAND DEVELOPMENT CODE TO DISTINGUISH BETWEEN FARMS AND NONCOMMERCIAL FARMS AND APPLICABLE REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2013 the Florida Legislature adopted HB 203, which helped to define the term “farm” and helped to clarify the rights of farms under F.S. Section 604.50; and

WHEREAS, as a result of this statutory amendment, the Town desires to amend its Unified Land Development Code ("ULDC") to be consistent with the statutory changes and to offer additional protection to "non-commercial farms" within the Town; and

WHEREAS, the Town Council believes that this Ordinance is in the best interest of the health, safety, and welfare of its residents.

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

Section 1. That article 15 of the ULDC entitled, "General provisions" is hereby amended as follows:

* * * *

Sec. 015-080. - Farms.

(A) *Generally.* Various provisions of this ULDC provide for modifications or exceptions to regulations as they apply to farms. Such modifications and exceptions apply only to plots the town has determined to be that are farms as defined in sec. 010-030. ~~pursuant to article 155, "Administrative Farm Claim Determinations."~~

(B) *Noncommercial farm buildings and structures.* In all zoning categories, any property owner erecting a noncommercial, nonresidential farm building or roofed farm structure, which is not in accordance with Section 604.50, Florida Statutes, as may be amended from time to time, that deviates from the applicable plot coverage, setback and/or height regulations of this chapter, shall comply with the procedures and requirements of Article 155, "Noncommercial farm special exceptions." ~~Any or any~~ property owner that has previously erected a nonresidential farm building or ~~roofed farm~~ structure, which is not in accordance

1 with Section 604.50, Florida Statutes, as may be amended from time to time, or
2 which no longer meets the legal requirements of Section 604.50, Florida Statutes,
3 as may be amended from time to time, is required to comply with the procedures
4 and requirements of Sec. 155-070, "Existing structures", shall, prior to the issuance
5 of any permit, and in no event later than June 30, 2015. Such compliance shall
6 include, but may not be limited to, recording a deed restriction in the Public
7 Records of Broward County, Florida, in a form and format approved by the Town
8 Attorney, restricting the use of the noncommercial, nonresidential farm buildings
9 and/or ~~roofed~~ farm structures to bona fide agricultural purposes, and
10 acknowledging the requirements as contained in Subsec. 155-070 (C) — farm
11 purposes, in accordance with Section 823.14, Florida Statutes, as may be amended
12 from time to time. Such deed restriction shall be removed in the event that the
13 noncommercial, nonresidential farm buildings and/or ~~roofed farm~~ structure has
14 been legally converted to an alternative use in accordance with this chapter.

15
16 Sec. 015-090. - Prohibited accessory structures.

17 * * * *

18
19 (B) Truck bodies shall be prohibited in all zoning districts as accessory structures except
20 as provided in section 045-030(D) for ~~plots with a town farms designation and/or~~
21 classification as agricultural exempt by the county property appraiser's office, and
22 also provided that properties owned or used by the town are exempt from this
23 prohibition.

24
25 **Section 2.** That article 45 of the ULDC entitled, "Agricultural and rural districts" is
26 hereby amended as follows:

27 Sec. 045-030. - General provisions.

28 The following general requirements shall apply in all agricultural and rural districts:

29 * * * *

30 (D) *Miscellaneous storage.*

31 * * * *

32 (4) One (1) shipping container not exceeding twenty-seven hundred (2,700)
33 cubic feet capacity and nine and one-half (9½) feet in height (typically forty
34 (40) feet long and eight (8) feet wide) may be kept on a plot as an accessory
35 storage structure regardless of plot size; provided that plots with a current
36 agricultural exempt classification from the county property appraiser's office
37 are permitted a total of two (2) containers for agricultural use on a minimum

Underlined language is new and ~~stricken~~ language is deleted

five (5) net acres, and a total of three (3) containers for agricultural use on seven and one-half (7½) or more acres. Containers shall not be stacked. Shipping containers shall be subject to all required yard and setback requirements, and shall be screened from view of adjacent properties and rights-of-way.

(5) One (1) truck body may be kept on a plot with a current classification of agricultural exempt from the county property appraiser's office, as an accessory storage structure, in lieu of each shipping container permitted in subsection (D)(4) of this section, subject to all required yard and setback requirements, and provided the truck bodies are screened from the view of adjacent properties and rights-of-way. Truck bodies must be registered to the property owner of the plot upon which they are placed, except for operable semitrailers with a valid motor vehicle tag and registration that are periodically removed and replaced when new supplies are delivered.

~~(6) One (1) truck body may be kept on a plot without a classification of agricultural exempt from the county property appraiser's office, provided:~~

~~a. The plot has a current town farm designation;~~

~~b. That the truck body is used exclusively for the storage of feed accessory to the keeping, breeding or boarding of horses or other farm animals; and~~

~~c. That all of the requirements of subsection (D)(5) of this section shall apply.~~

(6)~~(7)~~ Nothing herein shall preclude the temporary storage of shipping containers or tractor trailers as an accessory use to a developed plot within the CF district, having loading dock facilities designed for semitrailer deliveries, which facility is collecting goods for the distribution to the needy or for individuals recovering from a natural disaster. Notwithstanding the aforesaid, the number of containers or trailers, in aggregate, shall not exceed five (5) at any given time. Said containers and/or trailers shall not exceed twenty-seven hundred (2,700) cubic feet capacity and nine and one-half (9½) feet in height.

(7)~~(8)~~ Nothing herein shall preclude the use of shipping containers and/or truck bodies on property owned or used by the town.

(8)~~(9)~~ All feed stored, accumulated, or kept shall be kept and stored in a rat-free and rat-proof structure or container.

* * * *

(J) Farm, plant and tree nursery on-site display and sales (commercial and noncommercial).

Underlined language is new and ~~stricken~~ language is deleted

(1) On-premise sales and display for farms and non-commercial farms are limited to crops or plants grown or cultivated on the plot where they are being sold.

(2) On-premise sales and display for nurseries that are farms are limited to plants grown or cultivated on the plot where they are being displayed or sold, and to accessory on-premise sales and display of related landscaping materials that are customarily incidental to such plant sales and display, and that are an integral part of the landscape or hardscape, or are tools used to install landscaping and hardscaping. The display of incidental landscape materials must be screened from the view of adjacent streets and properties.

a. By way of example, the following are classified as incidental materials: stepping stones, river rocks, railroad ties, ponds, mulch, topsoil, fertilizer, and tree-bracing kits.

b. By way of example, the following are not incidental materials: lawn furniture, including benches and picnic tables, gazebos, decorative fountains, statues, recreational and playground equipment, pools and hot tubs, household goods, and rugs.

* * * *

(L) *Landscaping*. Except for portions of plots used for farm or non-commercial farm operations, installation and maintenance of landscaping shall be subject to compliance with article 75, "Landscaping Requirements."

* * * *

Sec. 045-080. - Plot coverage, floor area ratio and pervious area.

(A) The combined area occupied by all buildings and roofed structures shall not exceed twenty percent (20%) of the area of a plot in A-1, A-2, and RE districts, and ten percent (10%) of the area of a plot area in the RR district less any public or private street right-of-way, except as follows:

* * * *

(3) The aforesaid limitations shall not apply to farm buildings used for growing plants, including, but not limited to, shade houses, greenhouses, and hydroponics nurseries. To the extent that a noncommercial farm applicant needs to exceed the plot coverage, the ~~farm~~ applicant must follow the review procedures set forth in article 155, "~~Administrative Farm Claim Determinations~~ Non-commercial farm special exceptions." The non-commercial farm applicant must demonstrate that the requirement prohibits, restricts, or otherwise limits a generally accepted farming practice.

* * * *

Underlined language is new and ~~stricken~~ language is deleted

1 Sec. 045-090. Height.

2 No building or structure, or part thereof, shall be erected or maintained to a height
3 exceeding thirty-five (35) feet, except as permitted by section 015-030, "Exclusions from
4 height limits," and article 40, "Telecommunications Towers and Antennas." To the extent
5 that a non-commercial farm applicant needs to exceed the maximum height, the farm
6 applicant must follow the review procedures set forth in article 155, "~~Administrative Farm~~
7 ~~Claim Determinations~~ Non-commercial farm special exceptions." The non-commercial
8 farm applicant must demonstrate that the requirement prohibits, restricts, or otherwise
9 limits a generally accepted farming practice.

10 Sec. 045-100. - Required yards.

11 All plots in agricultural and rural districts shall maintain yards for all buildings,
12 structures and accessory uses not less than the following, except as provided in section
13 015-100, "Yard encroachments":

14 (A) *Yard footage requirements for non-commercial farms.* Any building or roofed
15 structure, pen or coop or fish breeding tank used for the shelter, housing or
16 keeping of animals, birds, fowl, poultry or fish shall be subject to a fifty (50) foot
17 yard requirement, including veterinary clinics, veterinary hospitals, and kennels.
18 To the extent that a non-commercial farm applicant needs to decrease the yard,
19 the non-commercial farm applicant must follow the review procedures set forth
20 in article 155, "~~Administrative Farm Claim Determinations~~ Non-commercial farm
21 special exceptions." The noncommercial farm applicant must demonstrate that
22 the requirement prohibits, restricts, or otherwise limits a generally accepted
23 farming practice. If a noncommercial farm is granted a yard reduction, it shall
24 have a buffer consisting of an opaque fence or wall, hedge or berm to a minimum
25 height of six (6) feet.

26 (B) *Front yard.* A front yard of at least fifty (50) feet must be provided. To the extent
27 that a non-commercial farm applicant needs to reduce the yard, the non-
28 commercial farm applicant must follow the review procedures set forth in article
29 155, "~~Administrative Farm Claim Determinations~~ Non-commercial farm special
30 exceptions." The non-commercial farm applicant must demonstrate that the
31 requirement prohibits, restricts, or otherwise limits a generally accepted farming
32 practice.

33 (C) *All other yards.* On all remaining sides of any plot or portion thereof, there shall
34 be a yard of at least twenty-five (25) feet. To the extent that a non-commercial
35 farm applicant needs to decrease the required yard, the noncommercial farm
36 applicant must follow the review procedures set forth in article 155,
37 "~~Administrative Farm Claim Determinations~~ Non-commercial farm special
38 exceptions." The noncommercial farm applicant must demonstrate that the
39 requirement prohibits, restricts, or otherwise limits a generally accepted farming

Underlined language is new and ~~stricken~~ language is deleted

practice. If a noncommercial farm is granted a yard reduction, it shall have a buffer consisting of an opaque fence or wall, hedge or berm at a minimum height of six (6) feet.

(D) *Minimum separation.* The minimum separation for all dwellings and nonfarm buildings and roofed structures shall be ten (10) feet. There shall be no minimum separation between detached farm buildings or structures on a single plot, or portion thereof, occupied by a farm.

Section 3. That article 60 of the ULDC entitled, "Community facility district" is hereby amended as follows:

* * * *

Section 060-020. General provisions.

* * * *

(G) *Required yards and plot dimensions.*

* * * *

(6) Any building or roofed structure, pen or coop or fish breeding tank used for the shelter, housing, or keeping of animals, birds, fowl, poultry or fish shall be located not less than fifty (50) feet from any plot line. To the extent that a non-commercial farm applicant needs to decrease the required yard, the non-commercial farm applicant must follow the review procedures set forth in article 155, "~~Administrative Farm Claim Determinations~~ Non-commercial farm special exceptions." The farm applicant must demonstrate that the requirement prohibits, restricts, or otherwise limits a generally accepted farming practice. If a non-commercial farm is granted a yard reduction it shall have a buffer consisting of an opaque fence or wall, hedge or berm to a minimum height of six (6) feet.

* * * *

Sec. 060-070. - Plot coverage, floor area ratio and pervious area.

(A) *Maximum plot coverage.* Properties that have a community facilities land use plan designation and had a zoning designation of I-1 prior to May 9, 2002, shall have a maximum plot coverage of thirty-five (35) percent. All other properties shall be limited to the plot coverage allowed in the most restrictive of the abutting zoning districts.

(1) The plot coverage limitation shall not apply to any buildings used for growing plants, including, but not limited to, shade houses, greenhouses, and hydroponics nurseries. To the extent that a non-commercial farm applicant needs to exceed the maximum plot coverage, the non-commercial farm applicant must follow the review procedures set forth in article 155, "~~Administrative Farm Claim~~

Underlined language is new and ~~stricken~~ language is deleted

Determinations Non-commercial farm special exceptions." The non-commercial farm applicant must demonstrate that the requirement prohibits, restricts, or otherwise limits a generally accepted farming practice.

* * * *

Sec. 060-080. - Height.

The maximum height of buildings and structures (except telecommunication towers and antennas) is thirty-five (35) feet, except that nonhabitable structures within cemeteries shall not exceed twenty (20) feet in height. To the extent that any non-commercial farm applicant needs to exceed the maximum height, the non-commercial farm applicant must follow the review procedures set forth in article 155, "~~Administrative Farm Claim Determinations~~ Non-commercial farm special exceptions." The non-commercial farm applicant must demonstrate that the requirement prohibits, restricts, or otherwise limits a generally accepted farming practice.

* * * *

Section 4. That article 70 of the ULDC entitled, "Sign regulations" is hereby amended as follows:

* * * *

Sec. 070-050. – Sign permits.

* * * *

(D) *Permit requirement exceptions.* Permits shall not be required for the following signs:

(1) Public service signs;

(2) Traffic control signs;

(3) Any sign on a farm that pertains to farm activities; and any sign on a plot, or portion of a plot, used as a noncommercial farm and pertaining to farm permitted agricultural activities, provided that a building permit is not required under the building code when such plot, or portion of plot has been determined to be a farm according to article 155, "Administrative Farm Claim Determinations," where the sign is located.

* * * *

Underlined language is new and ~~stricken~~ language is deleted

1 Sec. 070-090. - Permitted permanent signs.

2 * * * *

3 Signs specified in Table 70-2 shall be permitted, subject to limitations contained in
4 section 070-080, "Basic design schedule for nonresidential signs," and subject to the
5 following additional limitations and requirements:

6 (A) *Agricultural uses* ~~(farms)~~.

7 (1) Farms. One (1) non-illuminated identification sign, which may be double-faced,
8 not to exceed thirty-two (32) square feet in area per side and related to farm
9 activities on the plot or portion thereof, shall be permitted on the portion of any plot
10 occupied by a farm or principal agricultural use. It is specifically recognized that any
11 structure which would otherwise constitute a billboard, shall be subject to all
12 conditions, restrictions and prohibitions applicable to billboards set forth within this
13 ULDC.

14 (2) Non-commercial farms.

15 (a) One (1) non-illuminated identification sign, which may be double-faced,
16 identifying the name of the non-commercial farm shall be permitted on the
17 portion of any plot occupied by a non-commercial farm, not to exceed twelve
18 (12) square feet in area and five (5) feet in height along arterial and collector
19 road frontages, and not to exceed eight (8) square feet in area and four (4) feet
20 in height along all other road frontages. The standards for sign area in Table 70-
21 1 shall not apply.

22 (b) One (1) non-illuminated sign, which may be double-faced, is permitted for the
23 advertising of the non-commercial farm activities offered on the premises, limited
24 to six (6) square feet on arterial and collector road frontages and three (3)
25 square feet on all other road frontages, not to exceed four (4) feet in height
26 along any frontage. Said signage may be incorporated onto the identification
27 sign in lieu of a second sign, in which case the permitted area of the single sign
28 shall be the sum of the permitted identification and product/service signage
29 allowance. Such signage shall be approved by the town administrator to verify
30 such non-commercial farm activities, at no cost to the applicant.

31 (c) The signage permitted in this subsection for non-commercial farms shall be in
32 lieu of the identification signage allowance for single-family homes set forth in
33 subsection (F).

34 (32) Incidental signs.

35 * * * *

36 **Section 5.** That article 10 of the Town's Unified Land Development Code
37 entitled, "Definition of terms", section 010-030 shall be amended as follows:

38 * * * *

Underlined language is new and ~~stricken~~ language is deleted

1 *Farm.* The term "farm" means the land, buildings, structures, support facilities,
2 machinery, and other appurtenances used in the production of farm and agricultural
3 products when such land is classified agricultural pursuant to F.S. § 193.461(3)(b), as
4 may be amended from time to time, ~~or has been determined to be a farm pursuant to~~
5 ~~administrative determination by the town administrator, or a final determination of the~~
6 ~~town council in accordance with article 155, "Administrative Farm Claim Determinations."~~

7 * * * *

8 *Non-commercial Farm.* The term "non-commercial farm" means the use of a
9 property for bona fide agricultural purposes, that fails to meet the requirements of F.S. §
10 193.461(3)(b), as may be amended from time to time.

11 **Section 6.** Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts
12 of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of
13 such conflict.

14 **Section 7.** Severability. If any portion of this Ordinance is determined by any
15 Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect
16 the validity of the remainder of this Ordinance. If any Court determines that this
17 Ordinance, or any portions hereof, cannot be legally applied to any individual(s),
18 group(s), entity(ies), property(ies), or circumstances(s), such determination shall not
19 affect the applicability hereof to any other individual, group, entity, property, or
20 circumstance.

21 **Section 8.** Inclusion in Code. It is the intention of the Town Council that the
22 provisions of this Ordinance shall become and be made part of the Town of Southwest
23 Ranches Unified Land Development Code; and that the sections of this Ordinance may
24 be renumbered or relettered and the word "ordinance" may be changed to "section,"
25 "article," or such other appropriate word or phrase in order to accomplish such intentions.

26 **Section 9.** Effective Date. This Ordinance shall be effective immediately upon its
27 adoption.

28 **PASSED ON FIRST READING** this 23rd day of October, 2014 on a motion
29
30 by Council Member Breitkreuz and seconded by Council Member McKay .
31

32 **PASSED AND ADOPTED ON SECOND READING** this ____ day of _____,
33
34 2014 on a motion by _____ and seconded by _____.

35
36
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1 Nelson
2 Breitkreuz
3 Fisikelli
4 Jablonski
5 McKay

Ayes
Nays
Absent

6
7
8
9

10 Jeff Nelson, Mayor

11
12 ATTEST:

13
14

15 Russell Muñiz, MMC, Town Clerk

16
17

18 Approved as to Form and Correctness:

19

20 Keith Poliakoff, Town Attorney

21 11112434.1

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Ordinance No. 2015-____

10



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

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

Town Council
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitkreuz, Council Member
Doug McKay, Council Member
Gary Jablonski, Council Member

Andy Berns, Town Administrator
Keith M. Poliakoff, Town Attorney
Russell Muniz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

TOWN COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Council
Local Planning Agency

THRU: Andy Berns, Town Administrator

FROM: Jeff Katims, AICP, CNU-A, Assistant Town Planner

DATE: December 11, 2014

SUBJECT: Ordinance amending the Text of the Comprehensive Plan mainly to comply with Broward County Planning Council Requirements

PAST ACTION

The Town Council tabled this Ordinance indefinitely at its August 28, 2014 meeting in order to further consider proposed policies TE 1.2.-e. and TE 1.2.-f.

CHANGES SUBSEQUENT TO INITIAL CONSIDERATION

Staff amended proposed Transportation Element policies 1.2.-e and 1.2.-f. as follows:

TE POLICY 1.2.-e: Local street connections with SW 184th Avenue shall not be permitted from the east. The Town shall further this policy by initiating the vacation and abandonment of the portions of intersecting rights-of-way, easements and reservations that would accommodate such connections, while preserving the east west continuity of the Town's equestrian and recreation trail system.

TE POLICY 1.2.-f: Access to the Rolling Oaks community shall continue to be exclusively from Griffin Road via SW 178th Avenue. It shall be the policy of the Town to prohibit street connections that would provide additional access. The Town shall further this policy by initiating the vacation and abandonment of the portions of intersecting rights-of-way, easements and reservations that would accommodate such connections.

RECOMMENDATION

Staff recommends that the Council approve the proposed ordinance, as amended, on first reading, thereby authorizing staff to transmit the ordinance to the State Land Planning Agency for review.

ISSUE

The Town is required to amend its comprehensive plan to add or modify objectives and policies needed for consistency with the Broward County Land Use Plan.

BACKGROUND

Pursuant to the Broward County Charter, all adopted municipal land use plans must be consistent with the Countywide Land Use Element, otherwise known as the Broward County Land Use Plan ("BCLUP"). Under the charter, the Broward County Planning Council must certify a municipal plan as being consistent with BCLUP. As well, amendments to municipal land use plans, including text amendments, must be recertified by the Planning Council in order to become legally effective.

The Town recently applied for recertification of all text and map amendments that have been adopted since 2009, including the major plan update known as the "Evaluation and Appraisal Report (EAR) -Based amendments", the recent changes to Recreation and Open Space permitted uses and Community Facility permitted uses, and the map amendments that designated all of the Town's parks as "Recreation and Open Space."

In June, the Broward County Planning Council recertified the Town's Future Land Use Map amendments, but determined that the Town must adopt several changes to objectives and policies in its Comprehensive Plan before the plan can be found fully consistent with the BCLUP. Therefore, the Planning Council granted the Town a "Provisional Recertification", which requires that the Town take remedial actions within 12 months to ensure consistency with the objections BCLUP. The inconsistencies were likely either overlooked during the plan's initial certification or were created during the EAR-Based Amendment process, which entailed a substantial rewrite and reformat of the plan.

ANALYSIS

Staff addressed all of the changes requested by the Planning Council in a manner that was acceptable both to Town staff and the Planning Council staff, and which do not result in any changes to "core" policies that protect the Town's rural lifestyle. Most of the changes relate to intergovernmental coordination and school-related issues. All of the changes are internally consistent with the remainder of the Comprehensive Plan.

The Comprehensive Plan Advisory Board reviewed the proposed ordinance and recommends approval, including three new policies developed by the Board that are unrelated to the provisional recertification. Future Land Use Element (FLUE) Policy 1.3-o on Page 2 of the ordinance addresses actions that the Town should take to effect a “quiet zone” relative to train horns, should the proposed rail corridor west of US 27 come to fruition. Transportation Element (TE) Policy 1.2.-e on Page 4 of the ordinance precludes local street connections with SW 184th Avenue from the east. Finally, TE Policy 1.2.-f on Page 5 of the ordinance protects the limited access into the Rolling Oaks community.

Should the Council approve the ordinance on first reading, staff will transmit it to the State Land Planning Agency for review. Second reading can be anticipated to occur in early November.

Fiscal Impact

N/A

Staff Contact

Jeff Katims, AICP, CNU-A, Assistant Town Planner

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WHEREAS, provisions of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985, as amended, require adoption of a comprehensive plan; and

WHEREAS, the Town Council of the Town of Southwest Ranches ("Town Council") requested that the Broward County Planning Council ("BCPC") recertify amendments to the Future Land Use Element of the Town of Southwest Ranches Comprehensive Plan ("Comprehensive Plan"); and

WHEREAS, the BCPC issued a report ("Report") outlining several BCLUP objectives and/or policies that are not reflected or adequately referenced within the Comprehensive Plan; and

WHEREAS, the BCPC provisionally recertified several text amendments on June 26, 2014, subject to the Town agreeing to amend its Plan within one year to comply with the Report; and

WHEREAS, the Town Council desires to add policy language addressing interlocal coordination necessary to establish a “quiet zone” around any future rail corridor; and

1 **WHEREAS**, the Town Council desires to add policy language addressing local
2 street connections to the proposed SW 184th Avenue and Rolling Oaks community; and
3

4 **WHEREAS**, the Local Planning Agency of the Town of Southwest Ranches
5 conducted a duly noticed public hearing on December 11, 2014 to consider the
6 amendments; and
7

8 **WHEREAS**, the Town Council finds that the amendments are in the best interests
9 of the residents of the Town of Southwest Ranches, and protect the Town's rural
10 character.
11

12 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**
13 **TOWN OF SOUTHWEST RANCHES, FLORIDA:**
14

15 **Section 1:** That the foregoing "WHEREAS" clauses are hereby ratified and
16 confirmed as being true and correct and are hereby made a specific part of this
17 Ordinance.
18

19 **Section 2:** That the Future Land Use Element of the adopted Town of
20 Southwest Ranches Comprehensive Plan is hereby amended as follows:
21

22 * * * * *

23 FLUE POLICY 1.3-o In the event that the Florida Department of Transportation
24 engages in project design for a rail corridor within or adjacent to the Town, the
25 Town shall initiate a dialogue with FDOT and the Federal Railroad Administration
26 ("FRA"), and use all available means to establish a "quiet zone" for the
27 Southwest Ranches area in accordance with FRA rules for establishing New Quiet
28 Zones, which may include the use of Supplemental Safety Measures and/or
Alternative Safety Measures at any rail crossings.

29 * * * * *

30 FLUE POLICY 1.15-i: The Town shall not accept a building permit application,
31 nor issue a building permit, for new or additional residential units, unless the
32 applicant presents evidence from Broward County that the impact of the
33 proposed development on public educational sites and facilities has been
34 mitigated by payment of school impact fees, based on the fee schedule and
35 accompanying provisions of the Broward County Land Development Code.
36 Alternative methods of mitigation for school impacts may only be approved via a
37 recorded agreement among the property owner(s), Broward County, and/or the
38 applicable local government(s) and the School Board of Broward County. {BCLUP
39 Policy 8.07.02}
40

FLUE POLICY 1.15-j: The Town shall not accept a building permit application, nor issue a building permit, unless the applicant presents evidence from Broward County either that the impact of the proposed development on the regional transportation network has been mitigated by payment of road impact fees or transit impact fees, based on the appropriate provisions of the Broward County Land Development Code, or that no such payment is due. The County Commission may adopt land development regulations which exempt from this requirement categories of building permits that clearly do not create additional transportation impacts.
{BCLUP Policy 12.01.10}

FLUE POLICY 1.15-k: The Town shall coordinate with the School Board of Broward County to achieve an expedited development review procedure for any proposed public elementary and secondary education facilities within the Town.
{BCLUP Policy 8.07.03}

FLUE POLICY 1.15-l: Intergovernmental Coordination Element Policies 1.3-c and 1.3-e are hereby incorporated by reference.

* * * * *

FLUE POLICY 1.19-g: Post disaster redevelopment and hazard mitigation plans shall include measures encouraging the acquisition of private property and/or redevelopment rights of hazard prone property, if applicable, to reduce future property damages and losses. {BCLUP Policy 8.08.03}

* * * * *

FLUE POLICY 1.21-a: The Town of Southwest Ranches adopts the following Goals, Objectives and Policies as part of the Future Land Use Element in compliance with Broward County's Land Use Plan and Administrative Rules:

**BCLUP
POLICY**

**TOWN'S
DIRECTIVE**

* * * * *

GOAL 5.00.00 – RECREATION & OPEN SPACE USES
OBJECTIVE 5.02.00
POLICY 5.02.01
POLICY 5.02.03
POLICY 5.02.04
OBJECTIVE 5.04.00

~~FE~~ ROS Obj. 1.1
~~FE~~ ROS Obj. 1.2
~~FE~~ ROS Policy 1.2-a
~~FE~~ ROS Policy 1.2-b
~~FE~~ ROS Policy 1.2-c
~~FE~~ ROS Obj. 1.4

POLICY 5.04.01

~~TE~~ ROS Policy 1.4-a

* * * * *

GOAL 8.00.00 – PUBLIC FACILITIES & PHASED GROWTH

* * * * *

POLICY 8.07.02(A)

ICE Policy 1.3-f

* * * * *

POLICY 8.07.09

TE Policy 1.1-m

POLICY 8.07.10

HE Policy 1.1-i

* * * * *

OBJECTIVE 9.02.00 PROTECT WELL FIELDS
POLICY 9.02.03
POLICY 9.02.05
POLICY 9.02.06

CONS Obj. F4 14
CONS Policy II-F4.1.4-a
UE Policy II-F4.3 1.2-w
CONS Policy II-F41.4-d

OBJECTIVE 9.14.00 AIR QUALITY

CONS Obj. ~~1.10~~ 1.11

* * * * *

POLICY 9.02.05
POLICY 9.02.06

UE Policy 1.2-~~wy~~
CONS Policy 1.4-d
UE Policies 1.2-b, 1.2-c

Section 3: That the Transportation Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended as follows:

* * * * *

TE POLICY 1.1-m: The land development regulations shall provide for safe pedestrian and/or bicycle access to public schools. {BCLUP Policy 8.07.09}

* * * * *

TE POLICY 1.2-e: Local street connections with SW 184th Avenue shall not be permitted from the east.

TE POLICY 1.2.-f: Access to the Rolling Oaks community shall continue to be exclusively from Griffin Road via SW 178th Avenue. It shall be the policy of the Town to prohibit street connections that would provide additional access.

Section 4: That the Housing Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended as follows:

* * * * *

HE POLICY 1.1-i: ~~Reserved.~~ The Town shall support the efforts of the School Board of Broward County to achieve diversity within Broward County district schools. {BCLUP Policy 8.07.10}

Section 5: That the Intergovernmental Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended as follows:

* * * * *

~~ICE POLICY 1.1-c: The Town has chosen to utilize the Broward County Land Use Plan "Flexibility Rules," as per County Policies 1.01.03, 1.01.04, 1.02.01, 1.02.02, 2.04.04, 2.04.05, 3.01.06 and 3.02.02 in order to utilize Broward County's 5% commercial flex rule on non-rural land use properties. All proposed uses shall be subject to a determination by the Broward County Commission that such allocation is compatible with adjacent land uses, and that impacts on public school facilities have been adequately considered.~~

* * * * *

ICE POLICY 1.3-f: The Town shall coordinate with the efforts of the School Board of Broward County to address school overcrowding and meet future school needs consistent with the provisions outlined in the Amended Interlocal Agreement for Public School Facility Planning. Also, should the Town at some future time initiate an amendment to the BCLUP and Future Land Use Element to include a mixed use category, said amendment shall also fully incorporate the BCLUP provisions regarding school impact coordination within mixed-use designations. {BCLUP Policy 8.07.02(A)}

Section 6: Ch. 163, F.S. Transmittal. That the Town Planner is hereby directed to transmit the amendments set forth herein to the state land planning agency immediately following first reading of this Ordinance, and is hereby directed to transmit the adopted amendments immediately following the second and final reading of this Ordinance.

Section 7: Recertification. That the Town Planner is hereby directed to apply to the Broward County Planning Council for recertification of the Future Land Use Element subsequent to the effective date of this Ordinance, and that the Town Council hereby requests such recertification.

Section 8: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 9: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 10: Effective Date. This Ordinance shall take effect 31 days after the Department of Economic Opportunity notifies the Town that the plan amendment package is complete, unless timely challenged pursuant to sec. 163.3184(5), F.S., in which case the Ordinance shall take effect on the date that the Department of Economic Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

[Signatures on Next Page]

PASSED ON FIRST READING this ___ day of ____, 2014 on a motion made by _____ and seconded by _____.

PASSED AND ADOPTED ON SECOND READING this ___ day of ____, 2014, on a motion made by _____ and seconded by _____.

Nelson	_____	Ayes	_____
Fisikelli	_____	Nays	_____
Breitkreuz	_____	Absent	_____
Jablonski	_____	Abstaining	_____
McKay	_____		

Jeff Nelson, Mayor

Attest:

Russell Muñiz, MMC , Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., 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
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitzkreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muñiz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz, MMC
Town Clerk

DATE: December 11, 2014

SUBJECT: Extension of Comprehensive Plan Advisory Board

Recommendation

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

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members. The resolution also provides for future appointments to be made administratively upon announcement at a public meeting.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muñiz, MMC, Town Clerk

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RESOLUTION NO. 2015 -

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

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

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

WHEREAS, on December 31, 2014 the Comprehensive Plan Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

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

Section 2. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Comprehensive Plan Advisory Board for one (1) additional year.

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

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

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

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

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

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 11th day of December, 2014, on a motion by .

_____ and seconded by _____.

Nelson _____
 Fisikelli _____
 Breitkreuz _____
 Jablonski _____
 McKay _____

Ayes _____
 Nays _____
 Absent _____
 Abstaining _____

Jeff Nelson, Mayor

ATTEST:

Russell C. Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
#112090189

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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
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitzkreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muñiz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz, MMC
Town Clerk

DATE: December 11, 2014

SUBJECT: Extension of Drainage and Infrastructure Advisory Board

Recommendation

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

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members. The resolution also provides for future appointments to be made administratively upon announcement at a public meeting.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muñiz, MMC, Town Clerk

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RESOLUTION NO. 2015 -

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

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

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

WHEREAS, on December 31, 2014, the Drainage and Infrastructure Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

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

Section 2. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Drainage and Infrastructure Advisory Board for one (1) additional year.

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

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

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

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

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

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

Ranches, Florida, this 11th day of December, 2014, on a motion by

_____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

ATTEST:

Russell C. Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

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

112110070.1

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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
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muñiz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz, MMC
Town Clerk

DATE: December 11, 2014

SUBJECT: Extension of Fire Advisory Board

Recommendation

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

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members. The resolution also provides for future appointments to be made administratively upon announcement at a public meeting.

The Fire Advisory Board (FAB) shall meet as directed by the Town Council.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muñiz, MMC, Town Clerk

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RESOLUTION NO. 2015 -

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

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

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

WHEREAS, on December 31, 2014, the Fire Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

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

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

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

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

Section 2. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Fire Advisory Board for one (1) additional year.

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

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

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

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

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

Section 4. Effective Date. This Resolution shall be effective immediately upon its passage.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 11th day of December, 2014, on a motion by .

_____and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Attest:

Jeff Nelson, Mayor

Russell C. Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
#11209124

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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
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitzkreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muñiz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz, MMC
Town Clerk

DATE: December 11, 2014

SUBJECT: **Extension of Recreation, Forestry, and Natural Resources Advisory Board**

Recommendation

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

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members. The resolution also provides for future appointments to be made administratively upon announcement at a public meeting.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muñiz, MMC, Town Clerk

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RESOLUTION NO. 2015 -

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

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

WHEREAS, on January 11, 2007, the Town Council approved Resolution No. 2007-023, changing the name of the Friends of the Parks Advisory Board to the Recreation, Forestry, and Natural Resources Advisory Board; and

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

WHEREAS, on December 31, 2014, the Recreation, Forestry, and Natural Resources Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

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

Section 2. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Recreation, Forestry, and Natural Resources Advisory Board for one (1) additional year.

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

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

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

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

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

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

Ranches, Florida, this 11th day of December, 2014, on a motion by

_____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

ATTEST:

Russell C. Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
#112091251

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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
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitzkreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muñiz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz, MMC
Town Clerk

DATE: December 11, 2014

SUBJECT: Extension of Rural Public Arts and Design Advisory Board

Recommendation

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

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members. The resolution also provides for future appointments to be made administratively upon announcement at a public meeting.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muñiz, MMC, Town Clerk

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RESOLUTION NO. 2015 –

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

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

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

WHEREAS, on December 31, 2014, the Rural Public Arts and Design Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

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

Section 2. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Rural Public Arts and Design Advisory Board for one (1) additional year.

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

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

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

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

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

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 11th day of December, 2014, on a motion by _____
_____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

ATTEST:

Russell C. Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
#112091264

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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
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitzkreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muñiz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz, MMC
Town Clerk

DATE: December 11, 2014

SUBJECT: Extension of Schools and Education Advisory Board

Recommendation

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

Background

Pursuant to the Town's adopted Advisory Committee/Board Policy, each of the established Advisory Boards and Committees sunsets after one year unless action is taken by the Town Council to extend them. This extension process includes restating the Board or Committee's scope, should the Council deem it appropriate, and appointing or re-appointing its members. The resolution also provides for future appointments to be made administratively upon announcement at a public meeting.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muñiz, MMC, Town Clerk

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RESOLUTION NO. 2015 -

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

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

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

WHEREAS, on December 31, 2014, the Schools and Education Advisory Board is scheduled to sunset unless further action is taken by the Town Council; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

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

Section 2. In furtherance of Resolution No. 2007-023, the Town Council hereby extends the term of the Schools and Education Advisory Board for one (1) additional year.

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

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

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

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

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

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

Ranches, Florida, this 11th day of December, 2014, on a motion by _____

_____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

ATTEST:

Russell C. Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
#112091273

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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
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitkreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muñiz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz, MMC
Town Clerk

DATE: December 11, 2014

SUBJECT: **Revised Advisory Board Policy**

Recommendation

This Resolution will allow for the establishment of a new Advisory Board Policy that allows for more efficient administration of the Town's current Advisory Boards.

Background

The current Advisory Board Policy has been reviewed and several amendments are recommended for the efficient administration of the Town's Advisory Boards. Some of the major provisions of the new policy are:

- 1) Allow Council Members to administratively make appointments and re-appointments to Boards without the need for a resolution so long as the appointment is made at a publically noticed council meeting.
- 2) Require staff liaisons to contact Board members instead of Board Chairs to avoid any potential Sunshine Law violations.
- 3) Standardize the format for agendas and minutes.
- 4) Standardize the notification for agendas.

A new Advisory Board Handbook has been prepared and will be provided to board members in January as part of an annual orientation process. A draft copy of the Handbook will be provided to Council in advance.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell Muñiz, MMC, Town Clerk

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RESOLUTION 2015 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REPEALING RESOLUTION NO. 2007-023 CONCERNING THE TOWN'S ADVISORY COMMITTEE/BOARD POLICY; CREATING A NEW TOWN ADVISORY COMMITTEE/BOARD POLICY; AUTHORIZING THE TOWN ADMINISTRATOR TO IMPLEMENT THE NEW POLICY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, in response to the Town Council's desire for standard policies for the Town's various committees and boards, the Town Council adopted Resolution No. 2007-023, which amended the existing Town Advisory Committee/Board Policy; and

WHEREAS, since adoption, the Town Council has determined that it is in the best interest of the Town to modify certain provisions within the policy, and as such the Town Council wishes to adopt a new 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 repeals Resolution No. 2007-023 in its entirety.

Section 3: The Town Council hereby adopts a new Town Advisory Committee/Board Policy, which is attached hereto, and is incorporated herein by reference, as Exhibit "A".

Section 3: The Town Council authorizes its Town Administrator to take any actions necessary to implement the new Town Advisory Committee/Board Policy.

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, Florida, this ____ day of _____, _____, on a motion by

_____ and seconded by _____.

Nelson _____

Fisikelli _____

Breitkreuz _____

Jablonski _____

McKay _____

Ayes _____

Nays _____

Absent _____

Abstaining _____

Jeff Nelson, Mayor

ATTEST:

Russell C. Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, J.D., Town Attorney

112110081.1

**Town of Southwest Ranches
Administrative Policies and Procedures**

Advisory Boards and Committees

NOTE: The following policies and procedures apply to all Committees & Boards, hereafter referred to as “BOARD.” The name of “Committee” or Board” shall be chosen by the Council, and holds no value or task to differentiate the two.

POLICY

- Advisory Boards and Committees are created by the Town Council and serve in an advisory capacity in designated areas of Council interest. They shall conduct research and discuss issues related to their Board's/Committee's scope, as set forth by Council and as may be amended from time to time.
- They are required to meet on a regular basis, prepare and follow an agenda, follow Robert's Rules of Order, maintain their own minutes, and to follow any additional policies and/or procedures listed below, or assigned by the Council.
- Advisory Boards and Committees shall, at a minimum, report quarterly findings and recommendations at a regular meeting of the ~~to the Town Administrator, who will forward them to the~~ Town Council for consideration.
- Members of the Board shall operate within the "Florida Sunshine Rules", and in accordance with the State and County's Ethic Laws, on all subject matters that are to be, are anticipated to be, or are within the scope of the BOARD to be discussed and voted on by the BOARD.*
- All BOARDS shall automatically sunset after one (1) calendar year from the date of creation or term extension unless approved otherwise by Resolution of the Town Council. The Town Council shall discuss the continuation or termination of all "ongoing" BOARDS ~~at the first meeting in January~~ in December.
- This policy may be amended by Resolution of the Town Council at any time.

***NOTE:** The Town Attorney or designee shall provide an overview of the “Florida Sunshine Rules” at the first BOARD meeting, for any new BOARD members, or at the request of the Chair.

PROCEDURES

I. Creation of BOARDS

- a) If the Town Council determines a need for a specific Advisory Board or Committee, ~~they~~ **it** may create such a BOARD by Resolution and majority approval of the Town Council.
- b) The Town Council shall then choose the BOARD's function/purpose, scope, name, creation & termination dates (at the Council's discretion, BOARDS may be designated as "on-going"), and, if applicable, the expected outcome of the BOARD's findings (report, recommendation, etc).

II. Appointment of BOARD Members

- a) BOARD members are to be selected, ~~by Resolution,~~ at least thirty (30) days after the effective date of the BOARD'S creation. This time shall serve to give the public adequate time in which to learn about the upcoming BOARD and to express their desire to serve.
- b) Each Council Member shall appoint one (1) member to each BOARD; however the Council may determine, at any time and via Resolution, the need to appoint additional members "at large" from the Town's Advisory Board and Committee Application pool. Additional members shall be appointed such that the total number of BOARD members does not exceed nine (9) and remains an odd number.
- c) Council Members may choose to change their appointment(s) at any time. If making any changes, the Council Member must first provide adequate notice to the Town Clerk. ~~who will ensure an Agenda item is created for the change(s).~~ **The new appointment must be stated at a public meeting.**
- d) Newly elected or appointed Council Members may elect to make their own appointments to the BOARDS upon election or appointment. In order to determine this, the official(s) shall be provided with a list of the current BOARD members and the appointments made by the prior Council Member, within two weeks of election or appointment.
- e) BOARD appointments should preferably be made from the Town's Advisory Board and Committee Application pool. Should there be no interested or qualified applicants, Council may solicit appointees to fill vacancies.
- f) At any given time, BOARD members may not serve on more than 2 BOARDS at the same time. Once a BOARD has been terminated or completed, members may be appointed to another BOARD.
- g) BOARD members shall be Town residents or experts working within a BOARD'S particular scope and having regular business within the Town.
- h) BOARD members may NOT be members of the Town Council or Staff. However, the Town Council and/or Staff may attend or be appointed as non-voting members or liaisons in an advisory capacity.

III. BOARD Member Positions and Duties

- a) The CHAIR is responsible for:
1. Conducting the meeting (i.e.- keeping order, following the agenda, etc.)
 2. Preparing the agenda
 3. ~~Contacting ALL BOARD members to inform them of upcoming meetings, meeting changes, and what they will need to bring with them to the meeting.~~
- b) The VICE-CHAIR is responsible for:
1. Performing the duties of the Chair in the Chair's absence. If the Chair knows ahead of time that he/she will be absent, the Chair is required to inform the Vice-Chair. The Chair and Vice-Chair shall determine who will create the agenda and disseminate it to BOARD members for the Meeting.
- c) The SECRETARY is responsible for:
1. The recordation and distribution of all meeting minutes. He/She will have two (2) weeks from the day of the meeting in which to type and to distribute a draft copy of the minutes to the BOARD members.
 2. Distributing the approved minutes to the Town Clerk and any other applicable parties within five (5) days of approval.
 3. Notifying the Town Clerk of the next two (2) meeting dates within three (3) days of their approval by the BOARD.
 4. Keeping all records in accordance with the "Public Records Laws."
- d) The TREASURER (if necessary) is responsible for:
1. Maintenance of all funds allocated to the BOARD and keeping accurate records & receipts for all purchases and sales.*
 2. Submitting a monthly report to the BOARD and to the Town Clerk within three (3) business days of the BOARD meeting.
 3. Members of the BOARD can be assigned to fact-finding-sub-committees if necessary. As a member of a fact finding sub-committee members may meet and discuss the fact finding subject as determined by the committee. Members will follow all BOARD policies and procedures approved by the Town Council.
- e) The STAFF LIAISON is responsible for:
1. Contacting ALL BOARD members to inform them of upcoming meetings, meeting changes, and what they will need to bring with them to the meeting.
 2. Providing technical expertise and direction to BOARDS and coordinating Town responses to BOARD inquiries.

**NOTE: Only Cash may be used for BOARD expenditures, unless otherwise noted by Town Council action. A special BOARD account or BOARD credit card may be set up by Town Administrator if directed so by Town Council. Revenues, however, may be received by the BOARD in cash, check, or money order. The money received by the BOARD must be turned into the Town for deposit by the 15th of each month, minus a set amount of petty cash (amount noted by Town Council within Resolution).*

IV. BOARD Member Attendance Policy

- a) Members of the BOARD MUST contact the assigned Staff Liaison if the member is going to be absent from a meeting. The Board shall determine if the absence is excusable, and shall formally vote on the status of the absence at its BOARD meeting.
- b) Any member of the BOARD that has three (3) unexcused absences from meetings shall be automatically removed from the BOARD. A letter from the Chair of the BOARD will be sent to the removed BOARD Member, the appointing elected official(s), and the Town Clerk within five (5) days of removal.
- c) Once notified by the Chair, the appointing elected official(s) will then be responsible for appointing a BOARD replacement ~~by Resolution~~ within two (2) Town Council meetings. ~~The Town Clerk shall then prepare an agenda item, within the above referenced timeframe, for the appointing elected official(s) to appoint a replacement by Resolution.~~
- d) Members of the BOARD who choose to no longer be a member of a particular BOARD are required to send a letter of resignation to be dismissed from the BOARD. The letter must be sent to the Chair of the BOARD and to the Town Clerk.

V. BOARD Meeting Schedules and Locations

- a) Meetings may begin and end at any time the BOARD has determined by majority vote; however, meetings may not extend past 10:00PM unless unanimously approved by all BOARD members present.
- b) Per Florida Statutes all BOARD meetings MUST be noticed by the Town. Therefore, BOARDS must have 'Meeting Dates' as an item on their agenda each month, unless meetings will be on a regular schedule (ex. First Wednesday of each month at 7:00 PM). It is the responsibility of the SECRETARY of the BOARD to inform the Town Clerk of the next two (2) meeting dates within three (3) days of their approval by the BOARD.
- c) In order to prevent possible scheduling conflicts with other BOARDS' meetings, the CHAIR of the BOARD must make an effort to review the Town Calendar of Events and to avoid potential conflicts, if possible.
- d) BOARDS may NOT conflict with any Town Council Meetings, Special Meetings, or Workshops that are published on the Town's website or in the local newspaper. However, Town Council MAY schedule a Town Meeting, Special Meeting, or Workshop on the same date and time as a BOARD.
- e) BOARDS will meet at Town Hall unless Town Hall is unavailable or a special or temporary location is needed for a particular meeting.
- f) If Town Hall is unavailable or a special or temporary location is needed, the BOARD shall determine an alternate meeting location. The CHAIR is responsible for adequately notifying the Town Clerk at least fifteen (15) days prior to the date of the meeting to ensure proper legal notification. The meeting location must comply with the American Disabilities Act, must allow for 'loud' speaking, and be convenient for attendees to sit, listen, and discuss.

- g) If a meeting is to be cancelled, the determination should be made no less than forty-eight (48) hours prior to the scheduled meeting; the Chair is required to inform the assigned Staff Liaison, who will notify all BOARD members, and the Town Clerk, who will provide proper public notice. The Town Clerk shall also inform the Town Administrator of the cancellation.
- h) Meeting location changes or cancellations must be kept to a minimum due to advertising costs, public attendance, and time constraints for posting signs. If a meeting must be moved or cancelled, the CHAIR must ensure that signs are posted immediately at Town Hall, ~~on the outside gate, and~~ on the front door. ~~These~~ **This** signs must include new location address, time, or any other important notes. Directions should also be provided.
- i) Only the Chair, Vice-Chair (in the Chair's absence only), or Staff Liaison can change the meeting location or cancel a meeting.
- j) The BOARD Chair shall be responsible for working with the Staff Liaison on making any calls, providing notices, or posting signs due to location change or cancellation.

V. BOARD Operating Procedures

I. GENERAL GUIDELINES

Regular Board meetings are held according to an adopted schedule. Special meetings may be called by the chair or staff liaison when needed for the transaction of business. Meetings are held at different locations throughout the Town.

a) Sunshine Law

Florida Statute 286.011 requires that all meetings of any advisory Board at which official acts are to be taken be declared public meetings, open to the public at all times, and no rule or formal action shall be considered binding except as taken at or made at such meeting. Advisory Board members are not allowed to discuss topics that will come before the advisory Board unless the topic is discussed at a scheduled and posted advisory Board meeting.

When an advisory Board meeting is held, the meeting must be open to the public, reasonable notice of the meeting must be given, and minutes of the meeting must be taken. The Sunshine Law applies to any gathering, whether formal or casual, of two or more members of the same advisory Board to discuss some matter on which foreseeable action will be taken by the advisory Board. The Sunshine Law does not typically apply to discussions which concern matters that are not likely to come before the Board for its consideration.

A violation of the Sunshine Law may result in criminal or civil penalties to the violators and the validity of the actions taken in violation of the Sunshine Law are void.

b) Agenda

An agenda for all advisory Board meetings are prepared in advance of the meeting by the Board clerk and are generally available at least 48 hours before the meeting. The following are the types of advisory Board meetings that are scheduled:

Regular Meetings - items not specifically listed on the agenda may be discussed under "New Business", "Old Business", or "Comments and/or Suggestions"*

Special Meetings - only items listed on the agenda may be discussed; action may be taken

Workshop Meetings - only items listed on the agenda may be discussed; action may not be taken

The proscribed format for agendas is as follows:



Day of Week
Month, Day, Year
7:00 pm

**Town of Southwest Ranches
Name of Advisory Board
Meeting Agenda**

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

Board Members

List Names Here

Council Liaison

List Name

Staff Liaison

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. AGENDA AS FOLLOWS**
 - a. Excuse Absences**
 - b. Approval of Minutes**
- D. NEW BUSINESS**
- E. OLD BUSINESS**
- F. ITEMS FOR NEXT MEETING**
- G. BOARD MEMBER COMMENTS**
- H. STAFF COMMENTS**
- I. PUBLIC COMMENTS**
- J. 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 BOARD OR COMMITTEE 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.

c) Meeting Attendance

If an advisory Board member is unable to attend a meeting, s/he should notify the Staff Liaison. If Board members are unable to continue to serve due to health, business requirements, or personal reasons, a formal letter of resignation must be submitted to the Board Chair and Town Clerk.

Pursuant to the Town's Advisory Board Policy (See Appendix A), any Board member may be removed for any reason by the Councilmember (or that Councilmember's successor) or group who made the appointment.

A Board member who has three unexcused absences, is automatically dismissed. If the Councilmember who appointed that person to the Board feels there were extenuating circumstances for the absences and that it is in the best interest of the Town that the person be reappointed, the Councilmember may reappoint that same person to the Board to complete the unexpired term of that Board/Board member's seat. The Board liaison or secretary is responsible for notifying the Town Clerk's Office for placement of the vacancy on a future Town Council agenda.

d) Quorum

Business may only take place at a meeting if a quorum of the Board is present. A quorum is a majority of the total number of Board/Board members.

e) Minutes

A record of all Board meetings is kept by the Board clerk. Board meetings are recorded to facilitate the preparation of minutes. Minutes of all meetings are prepared and are the official record of the proceedings after review and approval by the Board.

The proscribed format for minutes is as follows:



Town of Southwest Ranches (SAMPLE) Advisory Board Meeting Minutes

June 19, 2014
7:00 PM

Town Hall
13400 Griffin Road

Call to Order 7:15 PM.

Roll Call

XX, Chair - Present
XX, Vice Chair - Present
XX, Recording Secretary – Present
XX, Member – Present
XX, Member – Absent

A Quorum was established.

Also Present: Council Member, Staff Member, etc.

Pledge of Allegiance

Motion: To adopt the May 2014 meeting minutes as presented.

Result	1st	2nd	XX	XX	XX	XX	XX	<i>Passed</i>
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Motion: To....

Result	1st	2nd	XX	XX	XX	XX	XX	<i>Passed</i>
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Meeting Adjourned.

f) Public Meetings vs. Public Hearings

All Board meetings are open to the public (public meetings); however, not all meetings accept public input (public hearings).

A public meeting is any meeting of a governmental body at which public business is discussed, decided or policy formulated.

A public hearing provides citizens the opportunity to express their position on a specific issue as mandated by either Florida Statutes or by order of the proper authority after due notice.

g) ROLE OF THE CHAIR

The chair is the key to the proper functioning of a Board meeting. The chair has the important responsibility of ensuring that the meetings operate efficiently and for maintaining the unity of the Board. Consequently, the election of the chair should be viewed as an important Board task.

There are some general rules for an effective chair:

1. The chair must ensure that the meetings move along without delay, but be fair and open enough to allow individuals to speak without being unfairly restricted or cut off in an arbitrary way.

2. The chair should see that the Board considers the major issues and does not become sidetracked by insignificant concerns.

3. The chair should attempt to educate the public as to the process and policies of the Town.

4. The chair should attempt to bridge the differences that may exist among the opinions of the Board members in order to reach a consensus.

5. The chair should be the last member to give his/her opinion after all others have spoken.

6. The chair should be capable to represent the Board effectively to other groups.

7. The selection of a vice-chair is as equally important and this person should be an effective leader, since s/he will perform the chair's duties in his/her absence.

h) SUGGESTIONS FOR SPEAKERS

1. Names and Addresses. All speakers should state their names and addresses for the record and are asked to complete a "Sign In" sheet if provided.

2. Questions. Questions for Board members and staff should be directed through the chair rather than directly at the person.



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

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

Town Council
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitzkreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

Andy Berns, Town Administrator
Keith M. Poliakoff, Town Attorney
Russell Muniz, MMC, Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andy Berns, Town Administrator

FROM: Emily McCord Aceti, Community Services Coordinator

DATE: November 19, 2014

SUBJECT: FY 2015 Florida Department of Law Enforcement (FDLE) Grant

Recommendation

To allow for Council approval for the submission of a grant application to the Florida Department of Law Enforcement for the purchase of equipment for public safety use.

Background

The Florida Department of Law Enforcement (FDLE) has received an award from the United States Department of Justice for a Justice Assistance Grant funds. These grant funds are distributed to units of local government annually based on local population and crime statistics reported to FDLE. The Town of Southwest Ranches is presently eligible to apply for a \$1,088 grant from the Florida Department of Law Enforcement to purchase equipment without the requirement to provide any matching funds.

The purchase of tablets will improve the police department's ability provide police services for the residents of the Town of Southwest Ranches. The tablets will be used in day to day operations such as investigations, community involvement, assessing crime trends, staff evaluations and effectiveness, and community meetings.

The deadline for submission is December 19, 2014.

Fiscal Impact

This grant will enhance the Fiscal Year 2015 budget: General Fund Operating Revenue – US Public Safety Grant – FDLE (001-0000-331-33126) and Public Safety Police

Department Expenditures - Machinery and Equipment (001-3000-521-64100) in the corresponding amounts of \$1,088, if approved by FDLE and ratified by Council. As previously mentioned, the Town is not required to provide any matching funds.

Staff Contact

Emily McCord Aceti, Community Services Coordinator

RESOLUTION

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT TO PURCHASE LAW ENFORCEMENT EQUIPMENT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO TRANSMIT THE APPLICATION AND ENTER INTO AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Law Enforcement (FDLE) has received an award from the United States Department of Justice for a Justice Assistance Grant; and

WHEREAS, these grant funds are distributed to units of local government based on local population and crime statistics reported to FDLE; and

WHEREAS, the Town of Southwest Ranches is eligible for a \$1,088 grant from the Florida Department of Law Enforcement to purchase equipment; and

WHEREAS, the Town is not required to provide any matching funds; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida:

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

Section 2: Authorization. The Town Council of the Town of Southwest Ranches does hereby authorize its Town Administrator to transmit the applicable grant application, attend all necessary meetings and coordinate the execution of final grant agreements, if any, between the parties.

Section 3: Approval. The Town Council authorizes the acceptance of the grant funds to purchase law enforcement equipment.

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 ____ day of _____, 2014, on a motion by _____ and
seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

Attest:

Russell Muñiz, MMC, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
112108698.1

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

October 23, 2014

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Gary Jablonski

Council Member Steve Breitkreuz

Council Member Fisikelli

Council Member Doug McKay

Andrew Berns, Town Administrator

Keith Poliakoff, Town Attorney

Russell Muñiz, Town Clerk

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 Nelson at 7:05 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Public Comment – The following member of the public addressed the Town Council: Bob Hartmann, Vince Falletta, Barry Neunzig, Dee Schroeder, and Bob Busch.

4. Board Reports - Dee Schroeder representing the Southwest Ranches Historical Society, provided a rendering of the display that will be created to illustrate the history of the Town.

5. Council Member Comments

Council Member Breitkreuz spoke of a recent discussion he had with Scott Brunner of Broward County Traffic Engineering and the improvements made at the Griffin Road and I-75 interchange to address concerns. He also indicated that Mr. Brunner advised funding was being allocated for a 4 lane road on 184th Avenue. He asked Council to provide direction on whether or not they supported a two lane roadway. The consensus of Council was to eliminate the four lane roadway option from the trafficways plan, and support a two lane roadway with no entrances to the east with appropriate buffers to protect the adjoining community.

Vice Mayor Jablonski reminded everyone that the School Education Advisory Board was hosting the Food Truck Event at the Equestrian Park on Saturday October 25th. He also reminded everyone that Halloween Night there would be a great event hosted by the Rolling Oaks Civic Association.

Council Member Fisikelli provided an update on Fishing Hole Park. He spoke about the fill that the Town acquires from other projects. He felt the fill should be used at Calusa Corners, and the Town should pursue a farmers market at Calusa Corners.

Mayor Nelson advised that the trial between CCA and Pembroke Pines would begin on Monday October 27th. He invited interested parties to attend.

Council Member McKay announced the winners of the Rural Public Arts and Design Advisory Board Amateur Photo Contest and announced that awards and ribbons would be presented to winners at the meeting on November 13th. He also asked Council to consider the inconsistencies of the application of the Town's fire fee. He illustrated examples of instances where substantial accessory structures were built on the property and felt the fee was too high based on the use of the property and other instances in which the fee was too low, or not charged at all. He felt that the Town was charging fire fees differently based on if there is a business on the property. He felt if that was the intent of the Town, then a business tax should be charged instead. He asked that until a new fire study is completed, any properties in a residential neighborhood should only be charged a fire fee using the residential classification.

Discussion ensued among the Town Council on what entity determined the property classification to be applied to properties within the Town. Town Administrator Berns explained that as the fire fee is concerned, the Town determines the classification that is applied to the property, not the Broward County Property Appraiser. He further advised that the Town could undergo a new fire study, but would need to gain clear direction from Council as to what the methodology should be.

Council Member Breitzkreuz agreed that a policy decision needs to be made in this case, and felt that the issues presented could be considered in the methodology for a new study. He cautioned against just making a decision in this case as it would leave the Town short in other areas. Council Member Fisikelli gave examples of conflicts he was aware of as well. He supported a new fire study.

Town Attorney Poliakoff provided some background on the history of Mr. Calabrese's fire fee designation. He opined that a new fire study was prudent since additional categories would be required to fit the exceptions to the current classifications the Town utilizes. He recommended that staff contact the provider of the previous study and get a quote to update the study, have the quote reported back to Council, and then workshop the issue with the Town Council. Council supported this recommendation.

6. Legal Comments

Town Attorney Poliakoff gave an update on the CCA case against Pembroke Pines.

7. Administration Comments

Town Administrator Berns advised that he received a letter from Broward County indicating their support for the Town's request to have a bike trail on the north side of Griffin Road from Bonaventure Boulevard to US 27. He further advised that the County would be making an application to the Metropolitan Planning Organization (MPO) for funding of this project. Lastly, he advised that the Town Wide Garage Sale would be held on November 8th at Equestrian Park only since there was low response from the western portions of the Town.

8. Ordinance – 2nd Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE AND UTILITIES ELEMENTS OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO ESTABLISH AN EMPLOYMENT CENTER LAND USE DESIGNATION WITH SUPPORTING OBJECTIVES AND POLICIES; REVISING

THE LISTS OF PERMITTED USES WITHIN NONRESIDENTIAL LAND USE DESIGNATIONS AND SUPPORTING OBJECTIVES AND POLICIES; ESTABLISHING CRITERIA FOR THE EXTENSION OF CENTRALIZED POTABLE WATER AND SANITARY SEWER SERVICE WITHIN THE TOWN; MAKING REVISIONS OF A HOUSEKEEPING NATURE; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Tabled from October 9, 2014 - Approved on first reading on July 10, 2014 – Requires Super Majority Vote}**

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

MOTION: TO TABLE THE ORDINANCE.

9. Ordinance – 1st Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REPEALING ARTICLE 155 ENTITLED "ADMINISTRATIVE FARM CLAIM DETERMINATIONS", OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE IN ITS ENTIRETY, AND REPLACING IT WITH A NEW ARTICLE 155 ENTITLED "NON-COMMERCIAL FARM SPECIAL EXCEPTIONS"; AMENDING ARTICLE 10 "DEFINITION OF TERMS", SECTION 010-030 TO CREATE A NEW DEFINITION FOR "FARM" AND TO PROVIDE A DEFINITION FOR A "NON-COMMERCIAL FARM"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ORDINANCE SUBJECT TO REVISING THE DATE IN SECTION 155.070 SECTION B FROM DECEMBER 30, 2014 TO JUNE 30, 2015.

10. Ordinance – 1st Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN'S UNIFIED LAND DEVELOPMENT CODE TO DISTINGUISH BETWEEN FARMS AND NONCOMMERCIAL FARMS AND APPLICABLE REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ORDINANCE SUBJECT TO REVISING THE DATE IN SECTION 015.80 (B) FROM 12 MONTHS TO JUNE 30, 2015.

11. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA RATIFYING A QUOTE WITH PHI CONSTRUCTION, INC. FOR \$11,156.25 TO REMOVE AND REPLACE APPROXIMATELY EIGHTY-FIVE SECTIONS OF SIDEWALK ALONG SW 148TH AVENUE ALONG IVANHOE ESTATES; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

12. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN COUNCIL MEETING SCHEDULE FOR THE CALENDAR YEAR 2015; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

13. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2015; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

14. Discussion – Update on Strategic Plan

Town Clerk Russell Muñiz provided an update on the draft version of the full strategic plan. Council acknowledged and supported the plan.

15. Discussion – TSDOR Schedule

Town Engineer Clete Saunier provided an update on the schedule for the Transportation Surface Drainage and Ongoing Rehabilitation (TSDOR) program. Council gave unanimous consent and accepted the plan.

16. Approval of Minutes

- a. Minutes for September 30, 2014 – Regular Council Meeting
- b. Minutes for September 30, 2014 – 2nd Budget Hearing

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

MOTION: TO APPROVE THE MINUTES

17. Adjournment – Meeting was adjourned at 10:17 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Town Clerk

*Adopted by the Town Council on
this 11th day of December, 2014.*

Jeff Nelson, 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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SOLE PURPOSE MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 6:45 PM

October 23, 2014

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Gary Jablonski

Council Member Steve Breitkreuz

Council Member Fisikelli

Council Member Doug McKay

Andrew Berns, Town Administrator

Keith Poliakoff, Town Attorney

Russell Muñiz, Town Clerk

Sole Purpose 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 Nelson at 7:00 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

4. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO SUBMIT A FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT TO THE STATE OF FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO FACILITATE THE GRANT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

5. Adjournment – Meeting was adjourned at 7:05 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Town Clerk

*Adopted by the Town Council on
this 11th day of December, 2014.*

Jeff Nelson, Mayor

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SPECIAL MEETING MINUTES OF THE TOWN COUNCIL Southwest Ranches, Florida

Thursday 7:00 PM

November 6, 2014

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Gary Jablonski

Council Member Steve Breitzkreuz

Council Member Freddy Fisikelli

Council Member Doug McKay

Andrew Berns, Town Administrator

Keith Poliakoff, Town Attorney

Martin Sherwood, Town Financial Administrator

Russell Muñiz, Town Clerk

Special Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor Nelson at 7:07 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

4. Presentation by Finance

Town Administrator Berns explained the purpose of the meeting and gave a summary of the handout prepared by Town Financial Administrator Sherwood. Mayor Nelson provided some history on this issue including past efforts to study this issue including the fire operational study performed by PSSI, Inc.

Town Financial Administrator Sherwood went over each page of the handout prepared for the Town Council which contained the following items relative to the Volunteer Fire Rescue Department:

- FY 2015 Adopted Budget
- Cost Projections for FY 2015-2019 and thereafter
- Program Modifications submitted for budget consideration
- Historical Perspective of the Town's contribution from FY 2003 through FY 2014

5. Discussion on Southwest Ranches Volunteer Fire Rescue Department

The following members of the public addressed the Town Council: Jo Ann Hollingsworth, Newell Hollingsworth, Gay Chaples, John Eastman, Robert Busch, Cindy Cimetta, Kathy Kienzle, Dean L. Parkerson, Bob Hartmann, Barry Neunzig, Delsa Amundson, Leslie Kastner, and Debra Goff Rose.

Mayor Nelson wanted it known for the record that none of the current Town Council has ever stated that they wanted to abolish the Southwest Ranches Volunteer Fire Rescue Department. He asked Davie Fire Chief Joseph Montopoli to address some questions he had.

Chief Montopoli responded to questions concerning Davie's ability to provide coverage in the western portion of the Town by indicating that Davie's model is based on adaptive response. He was confident that Davie could provide adequate coverage to the western portion of the Town.

Council Member Fisikelli spoke about a recent call for service made from his residence and inquired what station would have provided coverage in the event of an additional call. Chief Montopoli indicated that Station 91 would have provided service.

Mayor Nelson felt it was imperative that the Volunteer Department acquire a brush truck. He felt that staffing could be maintained at two people on the truck. He indicated that "Big Red" should be kept for community purposes. He also indicated his support for reducing the stipends.

Council Member Breitkreuz thanked the members of the Fire Advisory Board for the time they have put into examining this issue. He thanked Chief Bennett and Assistant Chief Kastner for their efforts in keeping our community safe. He also thanked Chief Montopoli and the members of the Davie Fire Rescue Department for the job they are doing in serving our community. He drew everyone's attention to page 48 of the PSSI, Inc. operational study. He indicated that the map on that page indicates that the response time for western portions of the Town are taking 7 minutes and 40 seconds or longer to respond. He felt that was not acceptable. He felt that in the long run a future station needed to be placed on the Broadwing property owned by the Town. He also agreed with Mayor Nelson that a brush truck was needed. As for the stipends, he was concerned that cutting them too much could impact the Chief and the Assistant Chief's ability to adequately staff the station.

Council Member McKay agreed that the Broadwing site was a good idea. He asked that placement of a station on that site be a priority.

Vice Mayor Jablonski thanked the Volunteer Fire Rescue Department and Davie Fire Rescue for their service. He spoke of his request of Town Administrator Berns to place a cost per residence for the operation of the Volunteer Fire Rescue Department. He indicated that the amount was \$118 per residence.

Council Member Fisikelli asked if Davie Fire Rescue has a rescue unit at the station on 172nd Avenue. Chief Montopoli answered in the affirmative.

Council Member McKay objected to the Volunteer Fire Rescue Department being paid. He wanted the stipend reduced substantially and the savings could be set aside for a hardened building in the next two or three years. He also inquired about the warranty period for the radios being proposed to be purchased. Chief Montopoli spoke of Davie's purchase strategy and indicated they use service contracts to extend the life of the radios.

Council Member Breitkreuz reiterated his concern with response times in the western portions of the Town. He felt that Station 112 was staffed differently than Station 91 on Volunteer Road. He felt that residents of the western portion of Town were being shortchanged and being put at risk. He asked Chief Montopoli if the adaptive response model could be moved from Station 112 to Station 91 to provide enhanced options for the western portion of Town. Chief Montopoli responded that Station 91 had a higher call volume and therefore justified the adaptive response model for Station 112.

Chief Bennett reminded the Town Council that both the operational study performed by PSSI, Inc. and the Town's Fire Advisory Board agreed that the current model with both Davie and the Volunteer Department was the best model.

The following motion was made by Council Member Breitkreuz, but was not seconded nor voted upon.

MOTION: TO PURCHASE A BRUSH TRUCK FOR THE SOUTHWEST RANCHES VOLUNTEER FIRE RESCUE DEPARTMENT; MAINTAIN STAFFING ON SHIFTS WITH 3 PERSONNEL; REDUCE THE STIPENDS PAID FROM \$175 TO \$150 FOR DRIVERS AND LIEUTENANTS AND FROM \$125 TO \$75 FOR ALL OTHER PERSONNEL; PURSUE GRANT FUNDING FOR STATION 112; PURSUE FUNDING FOR TEMPORARY QUARTERS AT THE BROADWING SITE; MOVE THE VOLUNTEERS TO THE BROADWING SITE; SET A FUNDRAISING GOAL FOR THE VOLUNTEER DEPARTMENT TO ACHIEVE.

The following motion was made by Mayor Nelson seconded by Council Member McKay but was not voted upon.

MOTION: TO REDUCE THE STIPEND TO \$50 FOR ALL PERSONNEL; ELIMINATE ENGINE 82, SELL EQUIPMENT AND PURCHASE A BRUSH TRUCK; REDUCE STAFFING LEVEL FROM 3 TO 2; SEEK FUNDING FOR A PERMANENT STRUCTURE AT STATION 112.

Council Member McKay withdrew his second, and Mayor Nelson withdrew his motion.

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

MOTION: TO REDUCE THE STIPENDS FOR DRIVERS FROM \$175 TO \$150 AND FROM \$125 TO \$75 FOR ALL OTHER PERSONNEL BEGINNING JANUARY 1, 2015; PURCHASE A BRUSH TRUCK; PURSUE A MODULAR TRAILER FOR THE BROADWING SITE; SEEK FUNDING FOR A BUILDING AT STATION 112; REDUCING STAFFING FROM 3 TO 2; REDUCE SALARIES FOR CHIEF AND ASSISTANT CHIEF TO A TOTAL OF \$30,000; ELIMINATE ENGINE 82; VOLUNTEERS TO MOVE TO BROADWING SITE WHEN SITE IS READY.

6. Adjournment – Meeting was adjourned at 10:10 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Town Clerk

*Adopted by the Town Council on
this 11th day of December, 2014.*

Jeff Nelson, Mayor

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REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

November 13, 2014

13400 Griffin Road

Present:

Vice Mayor Gary Jablonski
Council Member Steve Breitzkreuz
Council Member Freddy Fisikelli
Council Member Doug McKay

Andrew Berns, Town Administrator
Martin Sherwood, Town Financial Administrator
Russell Muñiz, Town Clerk
Jim Brady, 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 Vice Mayor Jablonski at 7:03 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance which was led by United States Military Veterans.

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

MOTION: TO EXCUSE THE ABSENCE OF MAYOR NELSON

3. Presentation – Rural Public Arts Advisory Board Photo Contest Winners

Susan Kutz, Staff Liaison and Ken Cimetta, Chair of the Rural Public Arts and Design Advisory Board presented the winners of the 2nd Annual Amateur Photo Contest to the Town Council.

4. Presentation – Agricultural Exemption Update – William Barringer and Abbey Roberson, Broward County Property Appraiser

William Barringer and Abbey Roberson of the Broward County Property Appraiser explained the process to acquire and maintain the agricultural exemption from ad valorem taxes on real property.

5. Public Comment – The following members of the public addressed the Town Council: Vince Falletta, Jo Ann Hollingsworth, Jim Laskey, Mary Gay Chaples, Bob Hartmann, Rosina Marrapodi-Bove, Mike Hanley, and Tony Coulson.

6. Board Reports – Aster Knight reported that the Aster Knight Parks Foundation Hoe Down event in October raised more than \$8,000. He looked forward to have the Chilli Cookoff event in March and expressed his hope to have the event at the Rolling Oaks Barn.

7. Council Member Comments

Council Member Breitzkreuz expressed his support for the upcoming horse show in December and encouraged everyone to attend. He expressed his gratitude at being re-elected for an additional term and urged residents to contact him with any concerns.

Council Member Fisikelli provided an update on the MPO meeting he attended earlier that day. He spoke about the "Complete Street" program and how it would impact the Town's desire to place a bike lane on the North side of Griffin Road which is owned by Broward County. He also provided an update on the construction of Fishing Hole Park.

Council Member McKay spoke about recent discussions to have an updated fire study and announced that the estimate to complete a new study was approximately \$40,000 which he felt was unwarranted because it was just recently completed. He spoke of a past attempt to assess the fee based on square footage. He felt that the current way it is being applied to those who run a business out of their residence and assessed as commercial was inequitable.

Council Member Breitzkreuz understood from the Property Appraiser's presentation that there are properties in the Town that were constructed as residential but are in effect running a commercial entity. Therefore he felt the Town should be bringing those into compliance. Council Member McKay reiterated his desire not to charge a commercial fire fee in a residential neighborhood.

Vice Mayor Jablonski suggested that a sole purpose meeting be scheduled in the future to discuss this issue further. He spoke of his support for the horse show. He thanked Susan Kutz, Sandra Luongo, and December Laurentano – Haines for their hard work in making the Town Wide Garage Sale a success. He also asked that 184th Avenue be taken off the Broward County Trafficways Plan. He asked that a resolution be drafted removing it as a four lane road.

8. Legal Comments

Assistant Town Attorney Jim Brady thanked the Town Council for their hospitality.

9. Administration Comments

Town Administrator Berns addressed comments made during the Public Comments section regarding the removal of "The Waggle" newsletter from Town Hall. He also addressed other public comments concerning fundraising efforts for the Horse Show and the School Education Advisory Board. He allowed Sandra Luongo and Susan Kutz to present a PowerPoint presentation of the activities associated with the Town Wide Garage Sale.

10. Ordinance – 2nd Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REPEALING ARTICLE 155 ENTITLED "ADMINISTRATIVE FARM CLAIM DETERMINATIONS", OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE IN ITS ENTIRETY, AND REPLACING IT WITH A NEW ARTICLE 155 ENTITLED "NON-COMMERCIAL FARM SPECIAL EXCEPTIONS"; AMENDING ARTICLE 10 "DEFINITION OF TERMS", SECTION 010-030 TO CREATE A NEW DEFINITION FOR "FARM" AND TO PROVIDE A DEFINITION FOR A "NON-COMMERCIAL FARM"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading – October 23, 2014}

The following motion was made by Council Member Breitzkreuz, and seconded by Council Member McKay for discussion. No vote was taken.

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

MOTION: TO TABLE THE ORDINANCE TO DECEMBER 11, 2014.

11. Ordinance – 2nd Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN'S UNIFIED LAND DEVELOPMENT CODE TO DISTINGUISH BETWEEN FARMS AND NONCOMMERCIAL FARMS AND APPLICABLE REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading – October 23, 2014}**

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

MOTION: TO TABLE THE ORDINANCE TO DECEMBER 11, 2014.

12. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ACCEPTING THE SELECTION AND NEGOTIATION COMMITTEE'S RECOMMENDATION AND AWARDING A CONTINUING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO CRAIG A. SMITH & ASSOCIATES, INC., ERDMAN ANTHONY OF FLORIDA INC., AND KEITH AND ASSOCIATES, INC.; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

13. Resolution - Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPOINTING COUNCIL MEMBER FISIKELLI AS THE NEW VICE MAYOR OF THE TOWN OF SOUTHWEST RANCHES; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPOINT COUNCIL MEMBER FISIKELLI AS THE NEW VICE MAYOR.

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

MOTION: TO APPROVE THE RESOLUTION.

14. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A YEAR END BUDGET ADJUSTMENT FOR THE FISCAL YEAR 2013/2014 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

15. Resolution - 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 THREE CHARTER AMENDMENTS; DIRECTING THE TOWN CLERK TO INCORPORATE THE APPROVED CHARTER AMENDMENTS INTO THE TOWN'S CHARTER; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

16. Approval of Minutes

a. Minutes for October 9, 2014 – Regular Council Meeting

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

MOTION: TO APPROVE THE MINUTES SUBJECT TO REFLECT COUNCIL MEMBER FISIKELLI'S ABSENCE.

17. Adjournment – Meeting was adjourned at 9:01 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Town Clerk

*Adopted by the Town Council on
this 11th day of December, 2014.*

Jeff Nelson, Mayor

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