



Southwest Ranches Town Council

REGULAR MEETING

Agenda of October 22, 2015

AMENDED

Southwest Ranches Council Chambers
7:00 PM THURSDAY

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u> Jeff Nelson	<u>Town Council</u> Steve Breitreuz Gary Jablonski Doug McKay	<u>Town Administrator</u> Andrew D. Berns	<u>Town Attorney</u> Keith M. Poliakoff, J.D.
<u>Vice-Mayor</u> Freddy Fisikelli		<u>Town Financial Administrator</u> Martin Sherwood, CPA CGFO	<u>Assistant Town Administrator/Town Clerk</u> 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. Public Comment

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

4. Board Reports

5. Council Member Comments

6. Legal Comments

7. Administration Comments

8. Ordinance - First Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, ESTABLISHING 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, AND 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 the September 29, 2015 Town Council Meeting. Second Reading to be held at a later date – See accompanying LPA Resolution}**

9. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2016; AND PROVIDING AN EFFECTIVE DATE.

10. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN COUNCIL MEETING SCHEDULE FOR THE CALENDAR YEAR 2016; AND PROVIDING FOR AN EFFECTIVE DATE.

11. Approval of Minutes

- a. September 29, 2015, Second Budget Hearing**
- b. September 29, 2015, Regular Town Council Meeting**

12. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, DESIGNATING MAYOR JEFF NELSON AS THE TOWN'S CORPORATE REPRESENTATIVE RELATING TO THE CHAPTER 164 DISPUTE RESOLUTION FILED BY THE CITY OF PEMBROKE PINES ON AUGUST 20, 2015; AUTHORIZING MAYOR NELSON TO NEGOTIATE A POTENTIAL RESOLUTION IN THIS MATTER IN GOOD FAITH; AUTHORIZING MAYOR NELSON TO SERVE AS THE TOWN'S CORPORATE REPRESENTATIVE AT MEDIATION; AUTHORIZING THE MAYOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL RELATED SETTLEMENT AGREEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

13. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ATTORNEY TO MAKE AN IMMEDIATE OFFER OF JUDGMENT FOR ONE THOUSAND DOLLARS (\$1,000.00) IN THE EVENT THAT THE CITY OF PEMBROKE PINES FILES AN ACTION AGAINST THE TOWN RELATING TO THE TOWN'S LEGAL OPPOSITION TO THE SITING OF THE FRANKLIN ACADEMY CHARTER SCHOOL; AND PROVIDING FOR AN EFFECTIVE DATE.

14. 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 33330-2628

(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, Assistant Town Administrator/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: September 29, 2015

SUBJECT: US 27 Employment Center Land Use Designation and Related Comprehensive Plan Provisions; Comprehensive Plan Advisory Board Recommendations

Recommendation

Approval of the Ordinance on first reading/transmittal to the State Land Planning Agency.

Strategic Priorities

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

Background

This proposed Ordinance creates a new land use category called, "Employment Center" in the comprehensive plan. The Ordinance establishes the new category to allow owners of land fronting US 27 to apply for a map change to Employment Center. The Ordinance also includes various housekeeping amendments.

The Town Council tabled a nearly identical ordinance on second reading in September, 2014 because a revised water and sewer policy potentially complicated the CCA litigation with Pembroke Pines. As Town administration worked to resolve the issue, the 180-day statutory time limitation on the adoption of comprehensive plan amendments ran, and the State Land Planning Agency informed the Town that it was officially withdrawing the amendment.

Town administration has made substantial progress in dealing with the water and sewer extension issue, and expects it to be resolved shortly. Therefore, the 2014 ordinance, with water and sewer policy revisions omitted, is presented to the Council for a new first reading transmittal to the State Land Planning Agency. The 2014 agenda memo is attached for additional background.

Fiscal Impact/Analysis

The proposed Ordinance is a first step toward light industrial development of the US 27 corridor, which will enhance the Town's tax base.

Staff Contact

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

ORDINANCE NO. 2015 -

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, ESTABLISHING 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, AND 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.

WHEREAS, the US 27 corridor has been identified as a potential light industrial area since the preparation of the Town's Comprehensive Plan in 2002; and

WHEREAS, US 27 is a trucking route with state-wide access that is also being studied as a freight rail corridor, and is buffered from the inhabitable portion of the Town by a cemetery that has an average width exceeding 500 feet; and

WHEREAS, the Town Council has determined that the US 27 Corridor is a potential location for light industrial development that, if properly regulated, will not detract from the Town's rural character and the rural lifestyle of the Town's residents; and

WHEREAS, the Town Council has determined that the a modified version of the Employment Center land use category of the Broward County Land Use Plan would be the most appropriate land use category for the US 27 Corridor; and

WHEREAS, the Town Council has carefully considered a comprehensive set of policies and use restrictions, developed by the Comprehensive Plan Advisory Board ("CPAB"), that would form the framework for evaluating land use plan amendment petitions seeking the Employment Center designation, evaluating companion petitions for rezoning and site plan, and regulating the resulting development and uses; and

WHEREAS, the CPAB recommended additional amendments to the nonresidential/nonagricultural permitted uses and implementing policies of the adopted

Comprehensive Plan in order to further protect the Town's rural character and the Town residents' rural lifestyle, and recommended several text amendments of a housekeeping nature; and

WHEREAS, the Town Council, sitting as the Local Planning Agency of the Town of Southwest Ranches, conducted a duly noticed public hearing on September 29, 2015 to consider the amendments; and

WHEREAS, the Town Council has carefully considered the recommendations of the CPAB, and has determined that establishing an Employment Center land use designation for potential applicability to the US 27 corridor would diversify the Town's tax base while protecting the Town's rural character and the rural lifestyle of the Town's residents; and

WHEREAS, the Town Council finds that the CPAB recommendations for revising the permitted uses and supporting policies in the comprehensive plan for other nonresidential/nonagricultural uses will further protect the Town's rural character and lifestyle.

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

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

Section 2: That the Future Land Use Element of the adopted Town of Southwest Ranches Comprehensive Plan is hereby amended pursuant to Exhibit "A", attached hereto and made a part hereof.

Section 3: 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 4: 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 5: 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 6: 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 7: 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.

PASSED ON FIRST READING this _____ day of September, 2015 on a motion made by _____ and seconded by _____.

PASSED AND ADOPTED ON SECOND READING this _____ day of _____, 2016, on a motion made by _____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

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

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1 **II. ADMINISTRATION**

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3 **II.A. DEFINITIONS**

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6 **Non-rural Land Use Plan Designation** –any land use plan designation other than a rural
7 land use plan designation.

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9 * * * * *

10
11 **Rural Character** – An area that is characterized by natural, agricultural, equestrian, pastoral
12 or rustic uses, including single-family dwellings on large lots, developed at low densities.

13
14 **Rural Land Use Plan Designation** – any of the following land use plan designations:
15 Agricultural; Conservation; Recreation and Open Space; Rural Ranches; and, Rural Estates.

16
17 **Rural Purposes** – Land that is used as a resource for agricultural, equestrian, managed
18 forest or mining uses, or maintained in a natural state as wetlands, fields or forest, including
19 Town open space and park parcels.

20
21 **Rural Use** – land that is used for rural purposes.

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23 * * * * *

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25 **1. GOALS, OBJECTIVES AND POLICIES**

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29 **FLUE POLICY 1.1-b:** Land Use Plan amendments to more intensive categories shall be
30 prohibited unless consistent with, and authorized by, FLUE objective 1.3 and particularly
31 policies 1.3-c, 1.3-d, and 1.3-e pertaining to evaluation of land use plan amendment
32 requests; 1.7 (Commercial Category); 1.8 (Employment Center Category); 1.12
33 (Community Facilities Category), or unless the Town Council determines that the more
34 intensive use is consistent with and furthers the overall goal to protect the Town's rural
35 lifestyle.

36
37 -----
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39 **FLUE POLICY 1.3-c:** The compatibility of existing and future land uses shall be a
40 primary consideration in the review and approval of amendments to the Broward County
41 and the Southwest Ranches Land Use Plans.

42
43 **FLUE POLICY 1.3-d:** New non-rural land use plan designations may be established
44 only on US-27, and must be designed in a manner that does not adversely impact
45 existing and designated rural residential areas.
46

1 **FLUE POLICY 1.3-e:** In order to prevent future incompatible land uses, the established
2 rural character of the Town shall be a primary consideration when amendments to the
3 Town's Land Use Plan are proposed.
4

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8 **FLUE OBJECTIVE 1.7 COMMERCIAL LAND USE CATEGORY**
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10 **CONTINUE IMPLEMENTING A COMMERCIAL LAND USE CATEGORY ON THE**
11 **TOWN'S FUTURE LAND USE PLAN MAP PERMITTING TYPES OF COMMERCIAL**
12 **DEVELOPMENT WHICH ARE COMPATIBLE WITH ADJACENT RURAL AND**
13 **RESIDENTIAL LAND USES AND WHICH WOULD SUPPORT THE COMMERCIAL-**
14 **BASED ACTIVITIES THAT ARE COMPATIBLE WITH THE TOWN'S NEEDS.**
15

16 *Measurement: maintenance of a commercial land use category.*
17

18 **FLUE POLICY 1.7-a:** Floor Area Ratio (F.A.R.) shall not exceed 0.25.
19

20 **FLUE POLICY 1.7-b:** The Town Council shall continue implementing commercial
21 land development regulations that are necessary to protect adjacent rural residential
22 areas from potential negative impacts of commercial developments.
23

24 **FLUE POLICY 1.7-c:** The Town's zoning categories shall distinguish between
25 neighborhood and community commercial developments within their respective service
26 areas. Regional commercial uses shall not be permitted.
27

28 **FLUE POLICY 1.7-d:** The Commercial category is restricted to properties that were
29 designated Commercial prior to the Town's incorporation.
30

31 **FLUE POLICY 1.7-e:** Development and redevelopment of existing commercial sites
32 shall be designed and operated so as to minimize demand for public safety services
33 both on and off-site. This may include using Crime Prevention Through Environmental
34 Design principles, careful selection of businesses and land uses, avoiding late night
35 operating hours, erecting barriers adjacent to residential uses, and providing on-site
36 security.
37

38 **FLUE POLICY 1.7-f:** All land within the Commercial category shall be connected to
39 municipal water and sewer.
40
41
42

43 **FLUE OBJECTIVE 1.8 EMPLOYMENT CENTER LAND USE CATEGORY**
44

45 **ESTABLISH AND MAINTAIN AN EMPLOYMENT CENTER LAND USE CATEGORY,**
46 **ONLY FOR THE US 27 CORRIDOR, ALLOWING ONLY CAREFULLY PLANNED**
47 **DEVELOPMENT THAT IS DESIGNED TO BE COMPATIBLE WITH ADJACENT**
48 **RURAL RESIDENTIAL LAND USES AS SUBSTANTIALLY BUFFERED BY THE**

1 **EXISTING CEMETERY AND OPEN SPACE, AND WHICH WOULD BE**
2 **ENVIRONMENTALLY NEUTRAL.**

3
4
5 *Measurement: Designation of an Employment Center category.*
6

7 **FLUE POLICY 1.8-a:** The Town has identified the US 27 Corridor as potentially
8 appropriate for Employment Center on the land use plan map. Only parcels that front
9 US 27 are eligible for the Employment Center designation, including corner parcels
10 fronting streets along which non-rural uses are otherwise prohibited by this Element.
11 Parcels designated Employment Center on the land use plan map must only be
12 developed and used in strict compliance with the following policies. The Town Council
13 shall consider the extent to which each application submitted for land use plan
14 amendment, rezoning and development furthers the intent and spirit of the policies
15 hereunder in determining whether to approve the application.
16

17 **FLUE POLICY 1.8-b:** A petitioner for the Employment Center designation shall
18 demonstrate to the satisfaction of the Town Council one of the following: that there is a
19 Town need for such land use; that the resulting development will substantially benefit the
20 Town; or that it is not reasonable to expect the parcel to be developed with a rural
21 residential use.
22

23 **FLUE POLICY 1.8-c:** No Employment Center designation may border any parcel with a
24 rural land use plan designation. This shall not apply to any rural residential parcel under
25 unified control with a property designated Employment Center.
26

27 **FLUE POLICY 1.8-d:** There shall be no nonresidential, nonagricultural building,
28 structure, parking, storage or use within two hundred (200) feet of an abutting local Town
29 street, nor shall there be any such structure, parking, storage or use within two hundred
30 (200) feet of any parcel with a rural land use plan designation, unless such parcel is
31 under unified control with the parcel designated Employment Center. Open space use,
32 including buffers and drainage retention for an Employment Center use is not subject to
33 this restriction.
34

35 **FLUE POLICY 1.8-e:** Access to Employment Center development shall be from US 27
36 only.

- 37 (i) Since U.S. 27 is a Class 2 Controlled Access Facility, the Town will not approve an
38 application to amend the Land Use Plan Map to Employment Center until a
39 conceptual master access management plan ("access plan") shall have been
40 accepted by the Florida Department of Transportation (FDOT) for the entire US 27
41 corridor within the Town.
42 (ii) It shall be the responsibility of an applicant for such map amendment to prepare
43 the access plan and coordinate its acceptance by FDOT and Broward County
44 Highway Construction and Engineering Department, and to coordinate the plan
45 with owners of all other properties with frontage on U.S. 27.
46 (iii) The access plan, as may be amended with the consent of FDOT, shall be binding
47 upon all properties.

(iv) The Town will not approve a plat application for property fronting U.S.27 until the applicant has submitted the plat to FDOT for review and obtained approval.

FLUE POLICY 1.8-f: Permit those land uses, not to exceed a Floor Area Ratio (F.A.R.) of 0.75, within designated Employment Center parcels per the Permitted Uses in Future Land Use Categories subsection of this Element.

FLUE POLICY 1.8.g: Buildings shall not exceed thirty-five (35) feet in height, measured to the top of the highest roofline. Parapets and customary roof-mounted appurtenances (ex: elevator shaft, mechanical equipment) may exceed this height limit by not more than five (5) feet.

FLUE POLICY 1.8-h: Every development shall provide at least twenty-five percent (25%) pervious area.

FLUE POLICY 1.8.i: Employment Center development shall either: (1) utilize extensive and substantially opaque buffering in order to screen the development from view along any adjacent street so as to achieve a nearly opaque buffer; or (2) utilize pleasing architecture and building placement to emphasize and showcase the building(s) while screening parking and outdoor storage areas behind the building. Developers choosing the latter option shall provide Florida Vernacular architecture of Caribbean or Cracker style, or combination thereof. This architecture generally promotes generous roof overhangs, colonnades, porches and balconies, and sloped standing seam metal roofs. The land development regulations shall provide further architectural guidance. The Town Council may approve variations that are consistent with the Town's rural character. However, stucco walls in combination with flat, unarticulated rooflines or Mediterranean-style tile roofs that are typical of commercial development in South Florida are prohibited as a means of complying with architectural option number 2.

FLUE POLICY 1.8-j: Developments shall be designed and operated so as to minimize demand for public safety services both on and off-site. This may include using Crime Prevention Through Environmental Design principles, careful selection of businesses and land uses, avoiding late night operating hours, erecting barriers adjacent to rural residential uses, and providing on-site security.

FLUE POLICY 1.8-k: Developments shall adhere to the Town's dark-sky outdoor lighting regulations and policies, and are strongly encouraged to take additional measures that mitigate the development's ambient lighting impact on the Town. By way of example, a development could reduce the height of parking lot lighting fixtures by spacing the lower fixtures closer together, using advanced cut-off designs, and limiting the hours during which the lighting is on.

FLUE POLICY 1.8-l: Developments shall design primary identification signage, and specifications for individual tenant signage, that compliment and coordinate with the architecture and landscaping of the development, and that enhance the built environment.

1 **FLUE POLICY 1.8-m:** The land development regulations shall establish a zoning
2 classification in the form of a planned development district, whereby the specific
3 permitted uses, development standards and a conceptual development plan for the
4 property are made part of the rezoning and will govern use and development of the
5 property supplemental to regulations contained within the land development regulations.
6 The land development regulations for the planned development district shall require that
7 conceptual development plans incorporate all of the applicable elements of the U.S. 27
8 conceptual master access management plan, which shall be adopted by reference.
9

10 **FLUE POLICY 1.8-n:** Applications for land use plan amendment to establish an
11 Employment Center designation shall be filed concurrently with a complete application
12 for rezoning to the applicable planned development zoning district.
13

14 **FLUE POLICY 1.8.o:** The Town shall implement Employment Center land
15 development regulations that are necessary to protect adjacent rural areas from
16 potential negative impacts of Employment Center developments.
17

18 **FLUE POLICY 1.8-p:** All land within the Employment Center category shall be
19 connected to municipal water and sewer.
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23 **FLUE OBJECTIVE 1.14**
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25
26 **FLUE OBJECTIVE 1.17 EFFICIENT USE AND COORDINATION OF URBAN**
27 **SERVICES**
28

29 **DISCOURAGE URBAN SPRAWL, WHICH WOULD SUBSTANTIALLY INCREASE**
30 **THE TOWN'S RURAL DENSITY, AND COORDINATE WITH ADJACENT**
31 **MUNICIPALITIES TO CREATE VISUAL SEPARATION OF THEIR SUBURBAN**
32 **COMMUNITIES FROM THE TOWN'S RURAL CHARACTER. ALLOW NEW NON-**
33 **RURAL LAND USE PLAN DESIGNATIONS ONLY ON US-27 WHERE NECESSARY**
34 **INFRASTRUCTURE EXISTS.**
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2. PERMITTED USES IN FUTURE LAND USE CATEGORIES

1. AGRICULTURAL CATEGORY

2. COMMERCIAL CATEGORY

The areas designated Commercial on the Town's Land Use Plan Map provide land area located adjacent to limited access highways for business, office, retail, service and other commercial enterprises which support the Town and surrounding area.

Uses permitted in areas designated commercial are as follows:

- A. Retail, office and business uses.
- B. Self-storage facility.
- C. Hotels, motels and similar lodging.
- D. Recreation and open space and commercial recreation uses.
- E. Non-residential agricultural uses.
- F. Communication facilities.
- G. Utilities, located on the site of a commercial development as an accessory use, to the extent such utilities are confined to serving only the specific commercial development.

3. COMMUNITY FACILITIES CATEGORY

4. CONSERVATION CATEGORY

5. EMPLOYMENT CENTER CATEGORY

The Employment Center category is intended to facilitate a limited range of "clean" light industrial and business uses along the US 27 corridor that are not a threat to the potable water quality of the Biscayne Aquifer. The Employment Center category may be applied only to properties fronting the east side of U.S. Highway 27 that are buffered from parcels designated Rural Ranches, Rural Estates and Agricultural by an intervening permanent open space or community facility land use.

The Town shall carefully consider potential environmental, traffic and quality of life impacts before changing the land use plan map designation of any parcel to Employment Center. An application for land use plan amendment to designate a property as Employment Center must affirmatively demonstrate that the amendment is consistent with all of the Employment Center performance standards established herein. Every such application for plan amendment shall be submitted concurrently with a rezoning application to an implementing zoning district.

- A. Performance Standards.

1. An Employment Center development shall not generate noise, vibration, odor, dust, fumes, smoke, glare, or night-time illumination that can be detected from any property with an Agricultural, Rural Ranch or Rural Estate land use plan map designation.
2. Municipal sanitary sewer and potable facilities must be in place, or be the subject of a binding agreement with a municipal utility to extend same to serve a parcel designated Employment Center, prior to issuance of a development permit for a principal building.
3. An Employment Center development shall not involve bulk or outdoor storage, nor use of any chemicals or substances or processes that create byproducts that are combustible, carcinogenic, biohazardous, or are otherwise toxic to humans or animals. This shall not apply to fuel storage tanks for emergency generators and fuels stored for the purpose of servicing vehicles used in the regular course of business.
4. Any use, the nature of which may be considered dangerous, or which may potentially compromise the comfort, peace, enjoyment, health or safety of the community or any property with a Rural Ranches, Rural Estate or Agricultural land use plan map designation shall be prohibited.
5. All Employment Center development shall provide for north-south cross-access to abutting parcels in accordance with the conceptual master access management plan for the US-27 corridor (see FLUE Policy 1.8-e.). Such access may include dedication and construction of a frontage drive and/or site design that anticipates driveway connections or drive aisle connections with abutting properties, and which provides cross-access easements for such connections.

B. Uses permitted in areas designated Employment Center are as follows:

1. Fabrication and assembly.
2. Office uses, excluding call centers.
3. Hotels, motels or similar lodging.
4. Restaurants and personal services.
5. Communication facilities.
6. Non-residential agricultural uses.
7. Light manufacturing uses.
8. Research businesses, excluding medical and research laboratories.

C. Permitted Accessory Uses (cumulatively limited to less than fifty percent (50%) of the site, and individually limited to twenty –five percent (25%) of the site):

1. Utilities, located on the site of an employment center development and confined to serving only the specific development.
2. Storage.
3. Retail within buildings devoted to principal uses.
4. Recreation and open space uses.

(The following are changes to headings only)

- 6. INDUSTRIAL CATEGORY**
- 7. RECREATION AND OPEN SPACE CATEGORY**
- 8. ESTATE RESIDENTIAL CATEGORY**
- 9. RURAL ESTATES CATEGORY**
- 10. RURAL RANCHES CATEGORY**

1 **11. TRANSPORTATION USE CATEGORY**

2 **12. UTILITIES CATEGORY**

3 **13. WATER CATEGORY**

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7 **14. GENERAL LIST OF ADDITIONAL USES**

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9 **A. COMMUNICATION FACILITIES**

10 Communication facilities such as , satellite earth stations and relay structures, and telephone
11 switching facilities are not specifically designated on the Town's Land Use Plan Map as a
12 separate category. Such facilities may be permitted in areas designated under the following
13 categories, provided that wireless telecommunication antennas and accessory equipment are
14 permitted on Town-owned properties regardless of future land use category:

- 15 1. 2Commercial
- 16 3. Industrial
- 17 4. Employment Center

18
19 **B. SPECIAL RESIDENTIAL FACILITIES**

20 *(Former Sec. 14 provisions now under this heading. Subheadings A. through D. to be*
21 *renumbered 1. through 4.)*
22
23

24 **15. MEDIUM DENSITY (16) RESIDENTIAL LAND USE CATEGORY**
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13400 Griffin Road
Southwest Ranches, FL 33330-2628

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

Town Council
Jeff Nelson, Mayor
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COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

VIA: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz
Assistant Town Administrator/Town Clerk

DATE: October 22, 2015

SUBJECT: Town Holiday Schedule for Calendar Year 2016

Recommendation

Town Staff is requesting Town Council's consideration and approval of the Town holiday schedule for calendar year 2016.

Strategic Priorities

A. Sound Governance

Background

The holidays identified in this schedule are consistent with the local and federal government schedules for calendar year 2016.

Fiscal Impact/Analysis

No impact.

Staff Contact:

Russell Muñiz
Assistant Town Administrator/Town Clerk

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RESOLUTION NO. 2016 –

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2016; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council desires to establish an official 2016 holiday schedule for the Town of Southwest Ranches; and

WHEREAS, the Town's administrative offices shall be closed in observance of the holidays delineated below.

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

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

Section 2: The Town Council hereby approves the following official holiday schedule for the Town of Southwest Ranches for calendar year 2016.

Schedule:

<u>Month</u>	<u>Date</u>	<u>Holiday</u>	<u>Day</u>
January	1 st	New Year's Day	Friday
January	18 th	Martin Luther King, Jr. Day	Monday
February	15 th	President's Day	Monday
May	30 th	Memorial Day	Monday
July	4 th	Independence Day	Monday
September	5 th	Labor Day	Monday
November	11 th	Veteran's Day	Friday
November	24 th	Thanksgiving	Thursday
November	25 th	Day After Thanksgiving	Friday
December	23 rd	Christmas Eve	Friday (Close at 1 p.m.)
December	26 th	Christmas Day	Monday
December	30 th	New Year's Eve	Friday (Close at 1 p.m.)

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 _____
Jablonski _____
Breitkreuz _____
Fisikelli _____
McKay _____

Ayes _____
Nays _____
Absent _____

Jeff Nelson, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

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

112711429.1



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, Assistant Town Administrator/Town Clerk
Martin D. Sherwood, CPA, CGMA, CGFO, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

VIA: Andrew D. Berns, Town Administrator

FROM: Russell Muñiz
Assistant Town Administrator/Town Clerk

DATE: October 22, 2015

SUBJECT: Town Council Meeting Schedule for Calendar Year 2016

Recommendation

Town Staff is requesting Town Council's consideration and approval of the Town Council meeting schedule for calendar year 2016.

Strategic Priorities

A. Sound Governance

Background

Section 4.01 of the Town Charter requires the Council to hold at least 11 monthly meetings in each fiscal year. Special meetings may be held on the call of the Mayor or upon the call of three members of the Council.

Dates have been reviewed to ensure no conflict exists with established holidays.

Fiscal Impact/Analysis

No impact.

Staff Contact:

Russell Muñiz
Assistant Town Administrator/Town Clerk

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RESOLUTION NO. 2016 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN COUNCIL MEETING SCHEDULE FOR THE CALENDAR YEAR 2016; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article IV, Section 4.0.1 (a) of the Charter of the Town of Southwest Ranches provides that the Town Council shall hold at least eleven (11) monthly meetings each year; and

WHEREAS, in an attempt to have some consistency with its meeting dates, when conflicts do not exist, the Town desires to have regular meetings on the second and fourth Thursday of the month; and

WHEREAS, the Town Council has the authority to establish additional meetings and to change meetings dates as may be necessary.

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

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

Section 2: The Town Council hereby approves the meeting schedule, attached hereto and incorporated herein by reference as Exhibit "A", for the Town Council meetings for calendar year 2016.

Section 3: The Town Council reserves the right to amend this Resolution to establish additional meetings and to change meetings dates, as may be necessary. In addition, additional meetings may be added without amendment to this Resolution provided that proper notice is given.

Section 4: Nothing stated herein shall be interpreted to prevent special meetings to be called in accordance with the Town's Charter.

Section 5: 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 _____, _____, on a
motion by _____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____

Jeff Nelson, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

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

112711398.1

Exhibit A

2016 Town Council Meeting Schedule

Regular Town Council Meetings are attempted to be held at 7:00 PM on the **SECOND** and **FOURTH THURSDAY** each month. However, September meetings reflect tentative changes needed to accommodate state law pertaining to budget adoption which may require further change.

JANUARY	28
FEBRUARY	11, 25
MARCH	10, 24
APRIL	14, 28
MAY	12, 26
JUNE	9, 23
JULY	14, 28
AUGUST	11, 25
SEPTEMBER	13, 27 (Tentative)
OCTOBER	13, 27
NOVEMBER	10
DECEMBER	8

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SECOND BUDGET HEARING MINUTES OF THE TOWN COUNCIL Southwest Ranches, Florida

Tuesday 6:00 PM

September 29, 2015

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Freddy Fisikelli

Council Member Steve Breitkreuz

Council Member Gary Jablonski

Council Member Doug McKay

Andy Berns, Town Administrator

Keith Poliakoff, Town Attorney

Martin Sherwood, Town Financial Administrator

Russell Muñiz, Assistant Town Administrator

Second Budget Hearing 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 6:10 p.m. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

4. Presentation by Finance

Martin Sherwood, Town Financial Administrator, summarized the various aspects of the Town's budget via a PowerPoint presentation. He explained that the Town's historic millage rate of 3.9404 remained from FY 2015 but with the addition of the millage associated with the Town's TSDOR program the overall millage rate was proposed to be 4.3354. The residential fire fee was proposed to be \$439.02. The solid waste assessment rates across the board reflected slight increases.

Millage Rate and Budget Hearing

5. RESOLUTION – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AND ADOPTING THE FINAL MILLAGE RATE FOR TAXATION OF REAL PROPERTY LYING WITHIN THE BOUNDARIES OF THE TOWN OF SOUTHWEST RANCHES FOR THE 2015-2016 FISCAL YEAR, COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR SEVERABILITY; 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, Jablonski, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

6. ORDINANCE – SECOND READING - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE BUDGET OF THE TOWN OF SOUTHWEST RANCHES FOR FISCAL YEAR 2015-2016, COMMENCING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016; PROVIDING FOR A BUDGET BASIS; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR CARRYOVER OF FUNDS; PROVIDING FOR NOTICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND, PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading on September 15, 2015}

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, Jablonski, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE ORDINANCE.

7. Adjournment – Meeting was adjourned at 7:06 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 22nd day of October, 2015.*

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.

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Tuesday 7:00 PM

September 29, 2015

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Freddy Fisikelli

Council Member Steve Breitkreuz

Council Member Jablonski

Council Member Doug McKay

Andy Berns, Town Administrator

Keith Poliakoff, Town Attorney

Russell Muñiz, Assistant Town Administrator

Martin Sherwood, Town Financial Administrator

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 7:20 p.m. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Delegation Request - Consideration of Delegation Request Application No. DE-19-15 to amend or eliminate various conditions of approval of the Tara Plat, as recorded in Plat Book 162, Page 20 of the Broward County, Florida Public Records. The requested amendments include modification of the non-vehicular access lines, and deletion of requirements to pave a portion of SW 184th Avenue, construct turn lanes, construct sidewalks, provide financial surety for a traffic signal, and related requirements. Akai Estates, LLC, owner; Schwebke-Shiskin & Associates, Inc., petitioner. Property generally located at the southwest corner of Griffin Road and unimproved 184th Avenue. **{Tabled from August 27, 2015}**

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

MOTION: TO APPROVE THE DELEGATION REQUEST.

4. Public Comment – The following members of the public addressed the Town Council: Barry Neunzig, John Eastman, Jim Laskey, Gay Chaples.

5. Board Reports

Newell Hollingsworth, Chair of the Comprehensive Planning Advisory Board, expressed his disagreement with the Local Planning Agency tabling the "Employment Center" text amendment until October 22, 2015. He felt that it was imperative that it be passed tonight because Mr. Bergeron's request was only going to serve to create uses that were incompatible with the Board's vision for this area. He believed that this text amendment should have been approved and a zoning in progress instituted to prevent Mr. Bergeron's application for any uses that would be incompatible with the Town's vision for this area.

6. Council Member Comments

Council Member Breitkreuz spoke about his efforts, along with Town Administrator Berns, to discuss with the Broward County School Board the need to increase the number of school bus stops out west. The School Board responded that they would consider making changes after October 1st. He also responded to comments made during public comments about the Volunteer Fire Rescue Department and stated that they have provided Advanced Life Support (ALS) in some cases in the past, but he also did not want to minimize the importance of the Basic Life Support (BLS) that they can provide.

Vice Mayor Fisikelli wished to clarify comments he made during a prior meeting about the Volunteer Fire Rescue Department's request to purchase a truck. He wanted to clarify that he was not in favor of buying an additional truck, but rather he was questioning why the request to purchase a commercial chassis was being made when it was his understanding that the primary objective of the Volunteer Fire Department was to fight brush fires.

Council Member Jablonski spoke about the Drivers License FLOW program that will be at Town Hall on October 22nd. He also spoke about the Household Hazardous Waste and Shred A Thon event that will take place on October 10th. He encouraged everyone to attend the Country Roads Craft Fair on October 17th, and a Poker Night Fundraiser at Landlubbers on the 15th which is being organized by the Schools and Education Advisory Board. He also indicated that the Rolling Oaks Civic Association will have a Halloween event on October 31st at the Rolling Oaks Barn. In addition, he mentioned the Town's Birthday Party that will take place on November 7th and the Aster Knight Parks Foundation Car Show that will take place on November 14th at the Rolling Oaks Barn. Lastly, he addressed some comments regarding the Volunteer Fire Department. He cited the Fire Study that was commissioned by the Town Council and stated that the study identified that there was not sufficient coverage in the western portion of the Town. He felt the Volunteers help provide that coverage. He believed that once a permanent station was built, a new study could be performed, but until that point he was not in favor of gambling with the lives of residents.

7. Legal Comments

Town Attorney Poliakoff indicated that he and Town Administrator Berns participated in Conflict Resolution proceedings with the City Manager of Pembroke Pines recently regarding their impending lawsuit against the Town regarding the Franklin Academy School. They are requesting \$600,000. The Town can choose to pay this amount or proceed to a joint meeting between the Town Council and Pembroke Pines Commission wherein both the parties can discuss this matter. He advised that Pembroke Pines scheduled the meeting for October 13th at 5 p.m. and advised that it was a public meeting. He further advised that he sought a meeting with Council prior to the meeting on the 13th to discuss preparations for the joint meeting. Further, he was advised by Pembroke Pines legal counsel that the concrete barriers along SW 54th Place were being removed by the end of the week as Pembroke Pines sought to build a new 54th Place. This new roadway would contain an additional lane that will have bollards which will prevent Southwest Ranches residents from driving on their new 54th Place. He spoke of a recent meeting with the Town's Lobbyist, Southern Strategy Group, to discuss legislative priorities for the upcoming legislative

session. Lastly, he discussed a meeting he, Town Administrator Berns, and Town Engineer Saunier attended with Broward County Department of Environmental Protection concerning fill permits. The outcome of the meeting was that if the Town were to acquire a Geographic Information System (GIS) compatible with the County's system, they would allow the Town to exercise "home rule" over those residents who were seeking to place fill on their lots, and not require a County wetlands determination letter.

8. Administration Comments

Town Administrator Berns advised that Town staff has begun to evaluate a GIS system and this information provided by the County may provide further justification for the purchase. He advised that the meeting dates for September had been altered due to state law concerning budget hearings. He reminded Council and the public that the meetings in October would return to the normal schedule of the second and fourth Thursday of each month. He advised that prior to the October 8th meeting a representative from the Broward Sheriff's Office would be on hand at 6 p.m. to provide a presentation on Flakka and other synthetic drugs. Lastly, he invited everyone to the Town's birthday party on November 7th from 11 a.m. to 3 p.m. at the Rolling Oaks Barn.

9. Ordinance – 2nd Reading - AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING ARTICLE 40, TELECOMMUNICATIONS TOWERS AND ANTENNAS, OF THE LAND DEVELOPMENT CODE, PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE. {Approved on First Reading September 15, 2015}

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, Jablonski, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE ORDINANCE.

10. Ordinance – 1st Reading – AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, ESTABLISHING 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, AND 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. {Second Reading to be held at a later date}

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

MOTION: TO TABLE THE ORDINANCE TO OCTOBER 22, 2015 at 7 p.m.

- 11. Resolution** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AN AGREEMENT WITH WEEKLEY ASPHALT PAVING FOR CONSTRUCTION OF PHASE ONE OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS FOR SW 205TH AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, Vice Mayor Fisikelli, 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 AN AGREEMENT WITH WEEKLEY ASPHALT PAVING FOR CONSTRUCTION OF PHASE ONE OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS FOR SW 209TH AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, Vice Mayor Fisikelli, 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 AN AGREEMENT WITH WEEKLEY ASPHALT PAVING, INC. TO COMPLETE THE STIRLING ROAD GUARDRAIL IMPROVEMENTS PROJECT 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 McKay, seconded by Vice Mayor Fisikelli and passed by 5-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

- 14. Approval of Minutes**
 a. August 13, 2015, Special Town Council Meeting
 b. August 13, 2015, Regular Town Council Meeting

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

MOTION: TO APPROVE THE MINUTES.

15. Adjournment – Meeting was adjourned at 8:11 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 22ND day of October, 2015.*

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.

RESOLUTION NO. 2016 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, DESIGNATING MAYOR JEFF NELSON AS THE TOWN'S CORPORATE REPRESENTATIVE RELATING TO THE CHAPTER 164 DISPUTE RESOLUTION FILED BY THE CITY OF PEMBROKE PINES ON AUGUST 20, 2015; AUTHORIZING MAYOR NELSON TO NEGOTIATE A POTENTIAL RESOLUTION IN THIS MATTER IN GOOD FAITH; AUTHORIZING MAYOR NELSON TO SERVE AS THE TOWN'S CORPORATE REPRESENTATIVE AT MEDIATION; AUTHORIZING THE MAYOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL RELATED SETTLEMENT AGREEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 20, 2015, the City of Pembroke Pines filed a Chapter 164 Dispute Resolution against the Town of Southwest Ranches relating to the Town's legal opposition to the siting of the Franklin Academy Charter School; and

WHEREAS, on September 24, 2015, both municipal administrators met pursuant to Section 164.1053 Florida Statutes to discuss the conflict, but were unable to reach a resolution; and

WHEREAS, on October 13, 2015, pursuant to 164.1055 Florida Statutes, there was a joint public meeting of both governing bodies; and

WHEREAS, after the joint public meeting failed to successfully resolve this matter, mediation will be scheduled pursuant to Section 164.1055 Florida Statutes; and

WHEREAS, the Town Council desires to designate Mayor Jeff Nelson as the Town's corporate representative at mediation;

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 designates Mayor Jeff Nelson as the Town's corporate representative relating to the Chapter 164 Dispute Resolution filed by the City of Pines on August 20, 2015. T

Section 3: The Town Council authorizes Mayor Nelson to negotiate a potential resolution in good faith, to serve as the Town's corporate representative at mediation,

and it authorizes the Mayor and Town Attorney to execute any and all settlement agreements that may be reached in this matter.

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

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

Ranches, Florida, this ____day of _____, _____, on a

motion by _____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____

Jeff Nelson, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

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

112736893.1

RESOLUTION NO. 2016 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ATTORNEY TO MAKE AN IMMEDIATE OFFER OF JUDGMENT FOR ONE THOUSAND DOLLARS (\$1,000.00) IN THE EVENT THAT THE CITY OF PEMBROKE PINES FILES AN ACTION AGAINST THE TOWN RELATING TO THE TOWN'S LEGAL OPPOSITION TO THE SITING OF THE FRANKLIN ACADEMY CHARTER SCHOOL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 20, 2015, the City of Pembroke Pines filed a Chapter 164 Dispute Resolution against the Town of Southwest Ranches relating to the Town's legal opposition to the siting of the Franklin Academy Charter School; and

WHEREAS, on September 24, 2015, both municipal administrators met pursuant to Section 164.1053 Florida Statutes to discuss the conflict, but were unable to reach a resolution; and

WHEREAS, on October 13, 2015, pursuant to 164.1055 Florida Statutes, there was a joint public meeting of both governing bodies; and

WHEREAS, after the joint public meeting failed to successfully resolve this matter, mediation will be scheduled pursuant to Section 164.1055 Florida Statutes; and

WHEREAS, in the event that mediation is unsuccessful, the City of Pembroke Pines has threatened to file an immediate legal action against the Town; and

WHEREAS, the Town Council believes that such legal action, as stated within the City's Chapter 164 letter, will be frivolous and sanctionable; and

WHEREAS, in the event that such legal action is filed, the Town Council authorizes its Town Attorney to immediately make an Offer of Judgment for One Thousand Dollars (\$1,000.00) to either immediately settle this matter or to enable the Town to seek attorney's fees and costs when this matter is summarily dismissed;

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 authorizes its Town Attorney to make an immediate Offer of Judgment for One Thousand Dollars (\$1,000.00) in the event that

the City of Pembroke Pines files a legal action against the Town relating to the Town's legal opposition to siting of the Franklin Academy Charter School.

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

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

Ranches, Florida, this ____ day of _____, _____, on a
motion by _____ and seconded by _____.

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

Jeff Nelson, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

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

112737685.1