



Southwest Ranches Town Council

REGULAR MEETING Agenda of May 26, 2016

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 Breitkreuz Freddy Fisikelli Gary Jablonski	<u>Town Administrator</u> Andrew D. Berns	<u>Town Attorney</u> Keith M. Poliakoff, J.D.
<u>Vice-Mayor</u> Doug McKay		<u>Town Financial Administrator</u> Martin Sherwood, CPA CGFO	<u>Assistant Town Administrator/Town Clerk</u> Russell C. Muniz, 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

Ordinance - 2nd Reading

- 8. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CREATING CHAPTER 27, OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "PUBLIC NUISANCES THAT DRAIN MUNICIPAL SERVICES"; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. {APPROVED ON FIRST READING MAY 12, 2016}**

Resolutions

- 9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING A PURCHASE ORDER IN THE AMOUNT OF \$20,490.00 TO BENNETT FIRE PRODUCTS CO. INC.**

TO PURCHASE TEN (10) SETS OF PERSONAL PROTECTIVE EQUIPMENT ("BUNKER GEAR") TO REPLACE EXPIRED OR EXPIRING BUNKER GEAR; PROVIDING FOR AN EFFECTIVE DATE.

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2015/2016 BUDGET FOR ENTRANCEWAY SIGNAGE; AND PROVIDING AN EFFECTIVE DATE.

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF SOUTHWEST RANCHES AND THE TOWN OF DAVIE FOR DELIVERY OF EMERGENCY MEDICAL, FIRE PROTECTION, AND FIRE PREVENTION SERVICES, TO AMEND THE CONTRACT TO ALLOW FOR ADDITIONAL TIME FOR THE PARTIES TO DISCUSS AN ADDITIONAL CONTRACT TERM; DIRECTING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE FIRST MODIFICATION TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

12. Approval of Minutes

a. April 28, 2016 Regular Meeting

13. 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

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Gary Jablonski, Council Member

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

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council
VIA: Andy Berns
FROM: Keith Poliakoff, Town Attorney
DATE: 5/26/2016
SUBJECT: Nuisance Ordinance

Recommendation

Motion to approve the Ordinance

Strategic Priorities

- A. Sound Governance
- C. Reliable Public Safety

Background

This Ordinance helps to prevent drain on municipal services from public nuisances.

This item was approved on first reading May 12, 2016.

Fiscal Impact/Analysis

Not Applicable

Staff Contact:

Keith Poliakoff, Town Attorney

ATTACHMENTS:

Description	Upload Date	Type
Nuisance Ordinance	4/18/2016	Ordinance

ORDINANCE NO. 2016 -

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CREATING CHAPTER 27, OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "PUBLIC NUISANCES THAT DRAIN MUNICIPAL SERVICES"; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a fundamental purpose of local government is to promote, to protect, and to improve the health, safety, and general welfare of its residents; and

WHEREAS, problematic properties drain the Town's limited resources; and

WHEREAS, when the Town's limited police, fire, EMS, and code enforcement officers are routinely dispatched to problematic properties it takes these officers away from providing services to the rest of the community; and

WHEREAS, the Town finds that this drain on the Town's resources constitutes a public nuisance; and

WHEREAS, the Town finds that it is necessary to more effectively and efficiently abate public nuisances that cause a drain on its services; and

WHEREAS, the Town finds that the health, safety and general welfare of the Town will be better protected and improved by adopting an Ordinance to help abate public nuisances that cause a drain on the Town's municipal services;

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

SECTION 1: The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and are incorporated as if fully set forth in this section.

SECTION 2: A new Chapter 27 of the Town of Southwest Ranches Code of Ordinances, entitled "Public Nuisances That Drain Municipal Services," shall be created as follows:

Chapter 27. Public Nuisances That Drain Municipal Services

Sec. 27-1. – Conditions declared public nuisances that drain municipal services

It is declared unlawful and a public nuisance for any owner of property in this Town to maintain such property or to permit such property to be maintained in such a manner that the property threatens or endangers the public health, safety or welfare, or adversely affects or impairs the economic welfare of surrounding properties.

Sec. 27-2. - Definitions

The following words, terms and phrases, when used in this Chapter shall have the meanings ascribed to them in this section:

"Code" means the Code of Ordinances of the Town of Southwest Ranches, as existing, or as may be amended from time to time.

"Private Property" means any real property within the Town, which is not public property as defined herein.

"Public Nuisances That Drain Municipal Services" means any private property that has:

- (1) On more than two occasions within a six-month period, has been found to be a location of repeated felonies, as defined by the United States Code or the Florida Statutes, as may be applicable, and as may be amended from time to time; or
- (2) On more than two occasions within a calendar year, has been found to be a location involved in the unlawful sale, delivery, possession, manufacture, or cultivation of any controlled substance; or
- (3) On more than two occasions within a calendar year, been found to be a location involved in violation of F.S. §796.001, "Offenses by adults involving minors", as may be amended from time to time; or
- (4) On more than two occasions within a six-month period, has been found to be a location in violation of F.S. §796.07, "Prohibiting prostitution and related acts", as may be amended from time to time; or
- (5) On more than three (3) occasions within a thirty-day period, has been found to be a location involved in repeated calls for police, fire, ems, or code enforcement services.

"Public Property" means any real property within the Town, which is owned by any governmental entity, and includes buildings, parking lots, parks, streets, sidewalks, swales, rights-of-ways, easements and other similar property.

Sec. 27-3. – Processing of complaints relating to violations of this Chapter

Any complaint relating to a violation of this Chapter shall be handled in accordance with Article 7, "Code Enforcement", of the Town's Code of Ordinances, as may be amended from time to time.

Sec. 27-4. -

Sec. 045-030. Penalties

- (a) If the Special Magistrate declares a private property to be a public nuisance that drains municipal services after a public hearing, in addition to and notwithstanding all remedies available at law, the Special Magistrate may enter an order requiring the owner of such private property to adopt such procedure as may be appropriate under the circumstances to abate any such public nuisance that drains municipal services including, but not limited to:
 - (1) An order immediately prohibiting:
 - a. The maintaining of the nuisance that drains municipal services;
 - b. The operating or maintaining of the private property, including the closure of the private property, or any part thereof;
 - c. The conduct, operation, or maintenance of any business or activity which is conducive to the maintenance of such nuisance that drains municipal services;
 - (2) An order immediately implementing any other procedure(s) that the Special Magistrate deems appropriate to abate the nuisance that drains municipal services in a particular case.
- (b) In addition to, and notwithstanding, any procedure, penalty or other sanction allowed by law, a violation of this Chapter shall be deemed to be a violation that is irreparable or irreversible in nature, and as such a fine not to exceed \$5,000.00 shall be imposed per violation.

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

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 circumstance(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 take effect immediately upon its adoption.

PASSED ON FIRST READING this ____ day of _____, 2016 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 _____
McKay _____
Breitkreuz _____
Jablonski _____
Fisikelli _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Attest:

Jeff Nelson, Mayor

Russell Muñiz, MBA, MPA, MMC, Town Clerk

Approved as to Form and Correctness:

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



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Gary Jablonski, Council Member

Andrew D. Berns, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Russell Muniz, 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 Berns, Town Administrator
FROM: Lee Bennett, Southwest Ranches Volunteer Fire Chief
DATE: 5/26/2016
SUBJECT: Bunker Gear procurement for the Southwest Ranches Volunteer Fire Department

Recommendation

Pursuant to Ordinance No. 2012-08, Section 5, Paragraph 4, upon the Town's receipt, review and analysis of three quotes received, it is recommended that Council approve the attached resolution accepting the procurement of ten (10) sets of Bunker Gear from Bennett Fire Products Co. Inc.

Strategic Priorities

- B. Enhanced Resource Management
- C. Reliable Public Safety

Background

Bunker gear, consisting of pants and jackets, has a life expectancy of ten (10) years after which they can no longer be certified as safe for interior firefighting of the SWRVFD. The ten sets of Bunker Gear the SWRVFD is recommending herein is the same brand utilized by the City of Davie Fire Department and the price is lower than the Davie Fire Department's purchase price via Lake County Contract 12-0806B, Agenda Item 7, May 4, 2016. Further, the total cost will be offset by \$1,000 from a FMIT grant.

Fiscal Impact/Analysis

Pursuant to the below table, Bennett Fire Products Co. Inc. is the lowest responsive quote received.

\$21,821 was approved and allocated in the FY 2015-2016 Budget for replacement equipment.

Bunker Gear	Qty	<i>Bennett Fire Products Co. Inc.</i>		<i>E-Darley</i>		<i>The Fire Store</i>	
Bunker Pants	10	\$ 892.00	\$ 8,920.00	\$ 971.45	\$ 9,719.50	\$ 945.59	\$ 9,445.90
Bunker Socks	10	\$1,177.00	\$11,570.00	\$ 1,318.95	\$13,189.50	\$ 1,561.59	\$15,615.90
Total			\$20,490.00		\$22,909.00		\$25,061.80
			(Exhibit A)				

Staff Contact:

Lee Bennett, Southwest Ranches Volunteer Fire Chief
Chris Parrino, Southwest Ranches Volunteer Fire Assistant Chief
Martin D. Sherwood, Town Financial Administrator
Dawn Mehler, Procurement Officer

ATTACHMENTS:

Description	Upload Date	Type
Bunker Gear Final	5/20/2016	Resolution
Exhibit A - Bennett Fire Quote	5/10/2016	Exhibit

RESOLUTION NO. 2016-

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING A PURCHASE ORDER IN THE AMOUNT OF \$20,490.00 TO BENNETT FIRE PRODUCTS CO. INC. TO PURCHASE TEN (10) SETS OF PERSONAL PROTECTIVE EQUIPMENT ("BUNKER GEAR") TO REPLACE EXPIRED OR EXPIRING BUNKER GEAR; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Southwest Ranches Volunteer Fire Department (SWRVFD) utilizes necessary Bunker Gear that is expired/expiring, no longer operable, or is beyond its accepted lifecycle; and

WHEREAS, the Town Council approved the replacement of this Bunker Gear within its current fiscal year's budget; and

WHEREAS, pursuant to the Town's Procurement Code, Ordinance No. 2012-08, the Town reviewed three quotes, and Bennett Fire Products Co. Inc. was the lowest quote for the ten (10) sets of Bunker Gear in the amount of \$20,490.00; and

WHEREAS, it is in the best interest of the public and the SWRVFD to proceed with the purchase of the Bunker Gear; and

WHEREAS, the Town Council desires to issuance of a Purchase Order in the amount of \$20,490.00 to Bennett Fire Products Co., Inc. for the purchase of ten (10) sets of replacement Bunker Gear; and

WHEREAS, this purchase will be funded from the General Fund Volunteer Fire Department Capital Expense Machinery and Equipment Account No. 001-3200-522-64100.

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 the issuance of a Purchase Order in the amount of \$20,490.00 to Bennett Fire Products Co., Inc. for the replacement of ten (10) sets of Bunker Gear.

Section 3. That this Resolution shall become effective immediately upon its adoption.

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

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

and seconded by _____.

Nelson _____
McKay _____
Breitkreuz _____
Fisikelli _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney

113233280.1

E Quotation
Bennett Fire Products Co., Inc.



www.BennettFireProducts.com

May 10, 2016

Ms. Dawn Mehler
Town of Southwest Ranches

Prices/Discount in reference to Lake County, FL Contract 12-0806B, expires June 30, 2016. Contract information may be found at www.lakecountyfl.gov. See below.

Globe Gxtreme Jacket, trousers and suspenders per Davie Fire Rescue Specifications
2015 Retail Price - \$3,871.35
Lake County Discount 42% - \$2,245.38
Southwest Ranches Volume Discount Price - \$2,049.00 per set valid until 6/30/16

10 @ \$2,049.00 = \$20,490.00

Jacket - \$1,157.00 each
Trousers and Suspenders - \$892.00 each

Delivery: 60 days after receipt of order and sizing completed
Terms and Conditions: net 30 days; purchase may not be made with a credit card due to the discount provided for the purchase. All sizes and complete order must be sent to Globe no later than 6/30/16.

FOB Davie, FL Prices include shipping and handling

Thanks for giving us the opportunity to serve you!

Danny Bennett
770/402-9910

Bob Reardon
561/644-5722

Instructions for downloading Lake County/Bennett Fire Products Company contract information: Visit the website www.lakecountyfl.gov.

1. View the left hand column, click on “Doing Business with Lake County”. 2. View the left hand column, click on “View Term and Supplier Agreements”. 3. Under the Search for Contracts space, type **Bennett Fire** 4. Contract 12-0806B will appear and the full contract or parts can be downloaded.

If you have trouble finding the information you need regarding this contract, or if you need additional information, please contact Danny Bennett at bennettfire@att.net or 770/402-9910.



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COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council
VIA: Andrew D. Berns, Town Administrator
FROM: Emily S. McCord, Community Services Coordinator
DATE: 5/26/2016
SUBJECT: FY 2015-2016 Budget Amendment for Entranceway Signage

Recommendation

Consideration of approval of a budget amendment pertaining to Entranceway Signage for transportation improvements.

Strategic Priorities

E. Cultivate a Vibrant Community

Background

The Town has implemented an Entranceway Signage program. Currently, four signs have been installed over the course of approximately two (2) fiscal years:

1. Griffin Road near SW 130th Avenue
2. Griffin Road near SW 148th Avenue
3. Griffin Road near SW 205th Avenue
4. Dykes Road near Sheridan Street

Two additional signs will be installed shortly:

5. SW 185th Way near Sheridan Street
6. SW 172nd Avenue near Sheridan Street

The Rural Public Arts Board unanimously voted to have single-sided signs at the January 19th meeting. At this time, the Rural Public Arts Advisory Board would like to install five additional

signs (#7- #10), as follows:

7. Stirling Road near SW 127th Avenue
8. Griffin Road near SW 184th Way
9. SW 148th Avenue near Sheridan Street
10. Griffin Road near Dykes Road

For FY 2016 the Town budgeted \$15,000 in total for two entranceway signs. Town staff is recommending completing the 7th sign in FY 2016 for \$7,500. Solar lights and landscaping for \$1,000 were added to the project.

Fiscal Impact/Analysis

If approved, a budget adjustment is necessary to increase Infrastructure - Entranceway Signage from \$15,000 to \$23,500 in total (a \$8,500 increase). Funding is proposed via a transfer from unassigned General Fund Fund Balance (reserves) to the Transportation fund as follows:

REVENUES:

GFd Appropriated Fund Balance 001-0000-399-39900 \$8,500

Trans Fd Tfr from General Fund 101-0000-381-38101 \$8,500

EXPENDITURES

GFd Tfr to Transportation Fund 001-3900-581-91101 \$8,500

Trans Fd Infrastructure - Entranceway Signage 101-5100-541-63300 \$8,500

Staff Contact:

Rod Ley, Town Engineer

Emily McCord, Community Services Coordinator

Martin Sherwood, Town Financial Administrator

ATTACHMENTS:

Description	Upload Date	Type
Resolution	5/20/2016	Resolution

RESOLUTION NO. 2016 - ____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SOUTHWEST RANCHES, FLORIDA APPROVING A BUDGET
AMENDMENT TO THE FISCAL YEAR 2015/2016 BUDGET FOR
ENTRANCEWAY SIGNAGE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on September 29, 2015, pursuant to Ordinance No 2015-007, the Town Council approved and adopted the fiscal year 2015/2016 budget; and

WHEREAS, State law and the Town's Ordinance adopting the fiscal year 2015/2016 budget provides for the amendment of the approved and adopted budget Ordinance via a Resolution; and

WHEREAS, the Town of Southwest Ranches operates as a municipality within the State of Florida and is subject to the laws of the State of Florida related to Municipal Finance; and

WHEREAS, one such provision of law prohibits the expenditure of funds in excess of adopted appropriations; and

WHEREAS, additional funds in the amount of \$8,500 are needed to increase the scope of the Entranceway Signage program within the Transportation fund (Account # 101-5100-541-63300) via receipt of a transfer from the General Fund (Account #101-0000-381-38101); and

WHEREAS, additional funds are available in the unassigned General Fund Fund Balance (reserves) - Appropriated (Account # 001-0000-399-39900) requiring a transfer to the Transportation Fund (Account #001-3900-581-91101); and

WHEREAS, the Town Council has determined that it is desirable to amend the Fiscal Year 2015/2016 Adopted Budget to account for variances in desired expenditures.

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 hereby approves a budget amendment in the amount of \$8,500 to increase the scope of the Entranceway Signage program within the Transportation fund (Account # 101-5100-541-63300) via receipt of a transfer of \$8,500 from the General Fund (Account #101-0000-381-38101).

Section 3: 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 _____, 2016, on a motion by _____ and seconded by _____.

Nelson _____
McKay _____
Breitkreuz _____
Fisikelli _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Jeff Nelson, Mayor

Attest:

Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney



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

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council
VIA: Andy Berns, Town Administrator
FROM: Russell Muñiz
DATE: 5/26/2016
SUBJECT: Davie Fire Rescue Agreement Amendment

Recommendation

Motion to approve the resolution.

Strategic Priorities

- A. Sound Governance
- C. Reliable Public Safety

Background

On May 3, 2012, pursuant to Resolution No. 2012-046, the Town entered into an agreement for the delivery of emergency medical, fire protection, and fire prevention services with the Town of Davie. The original agreement requires that the parties discuss an additional five year term in the fourth fiscal year and if an agreement is not reached by May 30, 2016, either party may cancel the agreement at the end of the term by written notice.

The Town of Southwest Ranches and Davie have begun negotiations but have yet to finalize the terms of a renewal. This amendment will allow for additional time so the parties can reach terms on such renewal.

Fiscal Impact/Analysis

None.

Staff Contact:

Andy Berns, Town Administrator

Russell Muñiz, Assistant Town Administrator

Sandra Luongo, General Services Manager

ATTACHMENTS:

Description	Upload Date	Type
Davie Fire Agreement Amendment Reso	5/20/2016	Resolution
Agreement Amendment	5/20/2016	Agreement

RESOLUTION NO. 2016 -

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF SOUTHWEST RANCHES AND THE TOWN OF DAVIE FOR DELIVERY OF EMERGENCY MEDICAL, FIRE PROTECTION, AND FIRE PREVENTION SERVICES, TO AMEND THE CONTRACT TO ALLOW FOR ADDITIONAL TIME FOR THE PARTIES TO DISCUSS AN ADDITIONAL CONTRACT TERM; DIRECTING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE FIRST MODIFICATION TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 3, 2012, pursuant to Resolution No. 2012-046, the Town entered into an agreement for the delivery of emergency medical, fire protection, and fire prevention services with the Town of Davie; and

WHEREAS, the initial term of the original agreement is five years with an option to renew for an additional five year term upon mutual agreement of both parties; and

WHEREAS, Section 15.2 of the original agreement requires that the parties discuss an additional five year term in the fourth fiscal year and if an agreement is not reached by May 30, 2016, either party may cancel the agreement at the end of the term by written notice; and

WHEREAS, both parties have begun negotiations in earnest, but have yet to finalize the details for such a renewal; and

WHEREAS, both parties wish to extend the negotiation period from May 30, 2016 to August 1, 2016.

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

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

Section 2. The appropriate Town Officials are hereby authorized to execute the First Amendment to the Town's Agreement between the Town of Davie for the delivery of emergency medical, fire protection, and fire prevention services, in the form attached hereto as Exhibit "A" with such non-material changes as may be approved by the Town Administrator and Town Attorney.

Section 3. Section 15.2 of the agreement shall be amended to read "If the parties fail to come to an agreement by August 1st, of the fourth (4th) fiscal term year, either party has the right to cancel the Agreement at the end of the current term by providing the other party written notice prior to the end of the fourth (4th) fiscal term year".

Section 4. This Resolution shall take effect immediately upon its adoption.

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

Ranches, Florida, this 26th day of May, 2016, on a motion made by _____

and seconded by _____.

Nelson _____
McKay _____
Breitkreuz _____
Fisikelli _____
Jablonski _____

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

113233290.1

AMENDMENT TO AGREEMENT

BETWEEN

THE TOWN OF DAVIE

and

THE TOWN OF SOUTHWEST RANCHES

for

**DELIVERY OF EMERGENCY MEDICAL, FIRE PROTECTION,
AND FIRE PREVENTION SERVICES**

COME now the Town of Davie and the Town of Southwest Ranches and in exchange for good and valuable consideration, do hereby agree to amend the agreement to the Delivery of Emergency Medical, Fire Protection, and Fire Prevention Services as follows:

RECITALS

WHEREAS, in Article 15.2, the second sentence will be replaced with “If the parties fail to come to an agreement by August 1st, of the fourth (4th) fiscal term year, either party has the right to cancel the Agreement at the end of the current term by providing the other party written notice prior to the end of the fourth (4th) fiscal term year”. As the parties agree that due to insufficient time to have the matter approved by May 30, 2016, the time to come to agreement has been extended to August 1, 2016.

WHEREAS, all the other terms and agreement of that certified agreement dated May 3, 2012 shall run in full force and effect until and unless otherwise changed in writing and executed by both the Town of Davie and Town of Southwest Ranches.

AMENDMENT TO AGREEMENT BETWEEN TOWN OF DAVIE AND THE TOWN OF SOUTHWEST RANCHES FOR DELIVERY OF EMERGENCY MEDICAL, FIRE PROTECTION AND FIRE PREVENTION SERVICES.

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: DAVIE signing by and through its Town Administrator, duly authorized to execute same by Council action on the _____ day of May, 2016, and RANCHES, signing by and through its Town Administrator, duly authorized to execute same by Council action on the _____ day of May, 2016.

DAVIE

By _____
Richard J. Lemack, Town Administrator

_____ day of May, 2016

Approved as to form:

John Rayson, Esq.
Town Attorney

**AMENDMENT TO AGREEMENT BETWEEN TOWN OF DAVIE AND THE TOWN OF
SOUTHWEST RANCHES FOR DELIVERY OF EMERGENCY MEDICAL, FIRE
PROTECTION AND FIRE PREVENTION SERVICES.**

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: DAVIE signing by and through its Town Administrator, duly authorized to execute same by Council action on the _____ day of May, 2016, and RANCHES, signing by and through its Town Administrator, duly authorized to execute same by Council action on the _____ day of May, 2016.

SOUTHWEST RANCHES

By _____
Andrew Berns, Town Administrator

_____ day of May, 2016

Approved as to form:

Keith M. Poliakoff, Esq.
Town Attorney

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REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

April 28, 2016

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Doug McKay

Council Member Steve Breitkreuz

Council Member Freddy Fisikelli

Council Member Gary Jablonski

Andrew D. Berns, Town Administrator

Ivette Solera, Records Coordinator

Martin D. Sherwood, Town Financial Administrator

Keith Poliakoff, Town Attorney

Regular Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor Nelson at 7:09 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Legislative Update – Representative Richard Stark

Representative Stark provided an update of the recently concluded legislative session.

Quasi-Judicial Hearings

Ordinance – 2nd Reading

4. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REZONING APPROXIMATELY 13.3 ACRES, OWNED BY THE SOUTH BROWARD DRAINAGE DISTRICT, FROM RURAL RANCH DISTRICT TO COMMUNITY FACILITY DISTRICT; GENERALLY LOCATED ON THE WEST SIDE OF DYKES ROAD BETWEEN SW 61ST COURT AND SW 66TH STREET FROM RURAL RANCH DISTRICT TO COMMUNITY FACILITY DISTRICT; RESTRICTING THE PROPERTY FOR GOVERNMENTAL USE; PROVIDING FOR CONFLICTS; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE. APPLICATION NUMBER RZ-20-16. {Approved on First Reading - April 14, 2016}

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

MOTION: TO APPROVE THE ORDINANCE.

5. Letter of No Objection for SBDD Delegation Request**Action Item:****Recommended Motion:**

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

MOTION: TO AUTHORIZE THE TOWN ADMINISTRATOR TO SUBMIT A LETTER OF NO OBJECTION TO BROWARD COUNTY TO ENABLE THE SOUTH BROWARD DRAINAGE DISTRICT'S PLAT NOTE, FOR THE PROPERTY GENERALLY LOCATED AT 6591 SW 160TH AVENUE, TO BE AMENDED TO ENABLE SBDD TO CONSTRUCT ITS DELINEATED IMPROVEMENTS.

Resolution

6. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A SITE PLAN MODIFICATION FOR THE SOUTH BROWARD DRAINAGE DISTRICT MAINTENANCE FACILITY; GENERALLY LOCATED ON THE WEST SIDE OF DYKES ROAD BETWEEN SW 61ST COURT AND SW 66TH STREET; PROVIDING FOR AN EFFECTIVE DATE. APPLICATION NO SP-62-16.

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

MOTION: TO APPROVE THE RESOLUTION.

End of Quasi-Judicial Hearing

7. Public Comment – The following member of the public addressed the Town Council: Chuck Lanza, Newell Hollingsworth, and Debbie Green.

8. Board Reports

None.

9. Council Member Comments

Council Member Jablonski spoke about the Fish Fry event on April 30th, and the Food Truck event on May 14th which were fundraising event for the Schools Education Advisory Board Scholarship Fund. He also spoke of a fundraising event that would be held at Chili's in Weston to benefit the Scholarship Fund on May 17th.

Council Member Breitzkreuz spoke about the surtax that is being proposed for transportation or infrastructure. He likened this issue to the premise used to pass the lottery. He also spoke about noise emanating from parties and events being held at Rolling Oaks Park. He indicated that staff is evaluating options to address these concerns. He believed that the Town was being taken advantage of in certain instances, and felt that maybe increasing the fees and hiring staff to attend the events could help address some of the concerns raised. Mayor Nelson inquired if non-residents were allowed to rent the facility. Town Administrator Berns indicated in the affirmative. Mayor Nelson suggested that we change the policy to only allow residents to rent the facility as it was funded with taxpayer money and the residents would exercise greater care in renting the facility. Council Member Breitzkreuz thanked John Monroe for his service on the Drainage Infrastructure Advisory Board and announced that he had resigned. He sought a volunteer to serve on this board.

Mayor Nelson thanked John Monroe for his service on the Drainage Infrastructure Advisory Board as well.

10. Legal Comments

Town Attorney Poliakoff thanked December Lauretano-Haines and Russell Muñiz for working with Representative Katie Edwards on a resolution that will maintain the connectivity of the north trail along the C-11 canal when the South Florida Water Management District constructs a proposed pump station for a water impoundment area. He announced that the resolution will appear on the May 12, 2016 Town Council meeting agenda.

11. Administration Comments

Town Administrator Berns advised that Community Services Director Robert Solera has written an article in the newsletter to reeducate the residents on the Town's noise ordinance. He also advised that he had discussions with Davie Police Command Staff regarding the noise ordinance and what the Town's expectations are going forward. He provided Council with an update on the surtax issue. He felt that a Council discussion at an upcoming meeting on this issue may be warranted. He gave a summary on the resolution up for consideration tonight concerning the administrative, training and technology fee for residential fees. He indicated that this was one aspect of a comprehensive review being performed by Town staff of all Town development fees and that more recommendations would be forthcoming. Lastly, he introduced Brian Thomason and Jason Otilige from Bergeron and thanked them for their efforts in helping resolve the bulk trash issues we have experienced recently. Regarding solid waste, he indicated that he had spoken with our vendor who profusely apologized for some of the issues we encountered recently, but recognized that the apology will not fix the problem. He has reviewed the contract with Town Attorney Poliakoff and identified key points that can be used to address any issues.

Resolutions

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FIRST MODIFICATION TO THE AGREEMENT WITH A.C. SCHULTES OF FLORIDA, INC. D/B/A JAFFER WELL DRILLING; APPROVING AN ADDITIONAL ONE (1) YEAR TERM; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE FIRST MODIFICATION TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING RESOLUTION NO. 2012-031 BY REDUCING THE TOWN'S ADMINISTRATIVE, TRAINING, AND TECHNOLOGY FEE FOR RESIDENTIAL PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

14. Approval of Minutes

- a. **February 18, 2016 Regular Meeting**
- b. **March 10, 2016 Regular Meeting**

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

MOTION: TO APPROVE THE MINUTES.

15. Adjournment – Meeting was adjourned at 8:25 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 26th day of May, 2016.*

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.