



Southwest Ranches Town Council

REGULAR MEETING Agenda of March 12, 2020

Southwest Ranches Council Chambers
7:00 PM Thursday

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u>	<u>Town Council</u>	<u>Town Administrator</u>	<u>Town Attorney</u>
Doug McKay	Delsa Amundson	Andrew D. Berns	Keith M. Poliakoff, J.D.
<u>Vice Mayor</u>	Bob Hartmann	<u>Town Financial</u>	<u>Assistant Town</u>
Denise Schroeder	Gary Jablonski	<u>Administrator</u>	<u>Administrator/Town Clerk</u>
		Martin Sherwood, CPA CGFO	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

Resolutions

- 8. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FOURTH MODIFICATION TO THE AGREEMENT WITH A SUPERIOR TOWING COMPANY FOR TOWN-WIDE WRECKER AND TOWING SERVICES; APPROVING AN ADDITIONAL FIVE (5) YEAR TERM WITH AN OPTIONAL FIVE (5) YEAR RENEWAL TERM AT AN INCREASED FRANCHISE FEE RATE EQUAL TO SEVENTEEN PERCENT (17%) OF EACH TOW, AS FULLY DESCRIBED WITHIN THE ORIGINAL AGREEMENT; CORRECTING NOTICE; AND PROVIDING AN EFFECTIVE DATE.**
- 9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FIRST**

**AMENDMENT TO THE REGIONAL INTERLOCAL AGREEMENT
BETWEEN BROWARD COUNTY AND THE TOWN OF SOUTHWEST
RANCHES PROVIDING FOR COOPERATIVE PARTICIPATION IN A
REGIONAL PUBLIC SAFETY INTRANET; AUTHORIZING EXECUTION;
AND PROVIDING AN EFFECTIVE DATE.**

10. Approval of Minutes

- a. January 9, 2020 Regular Meeting**
- b. February 13, 2020 Regular Meeting**
- c. February 27, 2020 Regular Meeting**

11. 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
Doug McKay, Mayor
Denise Schroeder, Vice Mayor
Delsa Amundson, Council Member
Bob Hartmann, Council Member
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 McKay and Town Council
VIA: Andrew D. Berns, Town Administrator
FROM: Keith Poliakoff, Town Attorney
DATE: 3/12/2020
SUBJECT: 4th Modification to Agreement with Superior Towing

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- B. Enhanced Resource Management

Background

On May 7th, 2009, pursuant to Resolution No. 2009-062, the Town Council approved an Agreement with A Superior Towing Company to provide wrecker and towing services to the Town. The initial Agreement expired on May 22, 2012. On May 24th, 2012, pursuant to Resolution No. 2012-053, the Town Council approved the First Modification to the Agreement, which approved an additional three year term that expired on May 21, 2015. On May 28th, 2015, pursuant to Resolution No. 2015-051, the Town Council approved the Second Modification to the Agreement, which extended the agreement for an additional five year term, provided an additional five year extension, and increased the franchise fee rate to an amount equal to fifteen percent (15%) of each tow. On September 13th, 2017, pursuant to Resolution No. 2017-064, the Town Council approved the Third Modification to the Agreement to provide for post disaster relief.

The Town's staff has performed a review of this contractor's performance and has found that the contractor has consistently performed all services in accordance with the terms of the Agreement. The current Agreement expires on May 31, 2020. The Town Council and contractor are both desirous of extending the term of the Franchise Agreement for an additional five (5) year term, with an optional five (5) year renewal term.

Fiscal Impact/Analysis

Contractor has offered to increase the Town's franchise fee to seventeen percent (17%) of each tow, under this modification to the original agreement.

Staff Contact:

Keith Poliakoff, Town Attorney

ATTACHMENTS:

Description	Upload Date	Type
4th Modifctaion to Superior Towing Franchise Agreement - TA Approved	3/4/2020	Resolution

RESOLUTION NO. 2020 –

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FOURTH MODIFICATION TO THE AGREEMENT WITH A SUPERIOR TOWING COMPANY FOR TOWN-WIDE WRECKER AND TOWING SERVICES; APPROVING AN ADDITIONAL FIVE (5) YEAR TERM WITH AN OPTIONAL FIVE (5) YEAR RENEWAL TERM AT AN INCREASED FRANCHISE FEE RATE EQUAL TO SEVENTEEN PERCENT (17%) OF EACH TOW, AS FULLY DESCRIBED WITHIN THE ORIGINAL AGREEMENT; CORRECTING NOTICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 7th, 2009, pursuant to Resolution No. 2009-062, the Town Council approved an Agreement with A Superior Towing Company to provide wrecker and towing services to the Town; and

WHEREAS, the initial Agreement expired on May 22, 2012; and

WHEREAS, on May 24th, 2012, pursuant to Resolution No. 2012-053, the Town Council approved the First Modification to the Agreement, which approved an additional three year term that expired on May 21, 2015; and

WHEREAS, on May 28th, 2015, pursuant to Resolution No. 2015-051, the Town Council approved the Second Modification to the Agreement, which extended the agreement for an additional five year term, provided an additional five year extension, and increased the franchise fee rate to an amount equal to fifteen percent (15%) of each tow; and

WHEREAS, on September 13th, 2017, pursuant to Resolution No. 2017-064, the Town Council approved the Third Modification to the Agreement to provide for post disaster relief; and

WHEREAS, the Town's staff has performed a review of this contractor's performance and has found that the contractor has consistently performed all services in accordance with the terms of the Agreement; and

WHEREAS, the current Agreement expires on May 31, 2020; and

WHEREAS, the Town Council and contractor are both desirous of extending the term of the Franchise Agreement; and

WHEREAS, contractor has offered to increase the Town's franchise fee to

seventeen percent (17%) of each tow, as fully described within the original Agreement, upon approval of this renewal; and

WHEREAS, the Town Council believes that it is in the best interest of the Town to extend the Agreement with A Superior Towing Company as the Town's preferred wrecking and towing service operator for an additional five (5) year term, with an optional five (5) year renewal term at an increased franchise fee rate of seventeen percent (17%) of each tow, as fully described within the original Agreement;

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 Fourth Modification to the Agreement with A Superior Towing Company, in substantially the same form as that attached hereto as Exhibit "A", to provide wrecker and towing services to the Town for an additional five (5) year term, with an optional five (5) year renewal term at an increased franchise fee rate of seventeen percent (17%) per tow, as fully described within the original Agreement.

Section 3: The Town Council hereby authorizes the Mayor, Town Administrator and Town Attorney to enter into an Agreement in substantially the same form as that attached hereto as Exhibit "A" and to make such modifications, additions and/or deletions which they deem necessary to effectuate the intent of this Resolution.

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 April, 2020, on a motion by

_____ and seconded by _____.

McKay _____
Schroeder _____
Amundson _____
Hartmann _____
Jablonski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Signatures on Following Page

Doug McKay, Mayor

Attest:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney

36630529.1

Exhibit "A"

FOURTH MODIFICATION TO THE AGREEMENT

THIS IS THE FOURTH MODIFICATION TO AGREEMENT entered into as of this ____ day of April, 2020, between the Town of Southwest Ranches, a municipal corporation of the State of Florida (the "Town") and A Superior Towing ("A Superior"), a Florida corporation, for the purposes of amending the Agreement between the Town and A Superior, dated May 22nd, 2009.

WITNESSETH:

WHEREAS, on May 7th, 2009, pursuant to Resolution No. 2009-062, the Town Council approved an Agreement with A Superior Towing Company to provide wrecker and towing services to the Town; and

WHEREAS, the initial Agreement expired on May 22, 2012; and

WHEREAS, on May 24th, 2012, pursuant to Resolution No. 2012-053, the Town Council approved the First Modification to the Agreement, which approved an additional three year term that expired on May 21, 2015; and

WHEREAS, on May 28th, 2015, pursuant to Resolution No. 2015-051, the Town Council approved the Second Modification to the Agreement, which extended the agreement for an additional five year term, provided an additional five year extension, and increased the franchise fee rate to an amount equal to fifteen percent (15%) of each tow; and

WHEREAS, on September 13th, 2017, pursuant to Resolution No. 2017-064, the Town Council approved the Third Modification to the Agreement to provide for post disaster relief; and

WHEREAS, the Town's staff has performed a review of this contractor's performance and has found that the contractor has consistently performed all services in accordance with the terms of the Agreement; and

WHEREAS, the current Agreement expires on May 31, 2020; and

WHEREAS, the Town Council and contractor are both desirous of extending the term of the Franchise Agreement; and

WHEREAS, contractor has offered to increase the Town's franchise fee to seventeen percent (17%) of each tow, as fully described within the original Agreement, upon approval of this renewal; and

WHEREAS, the Town Council believes that it is in the best interest of the Town to extend the Agreement with A Superior Towing Company as the Town's preferred wrecking and towing service operator for an additional five (5) year term, with an optional five (5) year renewal term at an increased franchise fee rate of seventeen percent (17%) of each tow, as fully described within the original Agreement;

NOW THEREFORE, for and in consideration of the premises and for Ten Dollars (\$10.00) and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree that the Original Agreement shall be amended as follows:

1. The foregoing recitals are true and correct, and are incorporated herein by reference.
2. Section 12.2 "Effective Date & Term" shall be amended to read as follows:

SECTION 12
EFFECTIVE DATE & TERM

12.2 **TERM OF AGREEMENT:**

This Agreement shall become effective on the last date of execution by either of the Parties to this Agreement. The Agreement shall be effective through May 31, ~~2020~~ 2025, with an optional five (5) year renewal term, and the TOWN reserves the right to extend the Agreement, provided that both parties agree that all the terms, conditions, and specifications remain the same and the extension is approved by the Town Council.

3. Section 9.1 "Monthly Fee to be Paid to Town" shall be amended to read as follows:

9.1 **MONTHLY FEE TO BE PAID TO TOWN:**

CONTRACTOR shall pay to TOWN, a contract fee in the amount of ~~fifteen percent (15%)~~ seventeen percent (17%) of all monies collected as a result of this Agreement. Said payment shall be made by the tenth day of every month based upon the prior month's collections. Payments are to be made punctually by cashier's check or CONTRACTOR check drawn upon a local bank. Payments shall be delivered to Town of Southwest Ranches Accounts Receivable c/o Finance Department 13400 Griffin Road, Southwest Ranches, FL 33330.

4. Section 13 "Notice" shall be amended to read as follows:

Section 13
NOTICE

13.1 Whenever either party desires to give notice unto the other, such notice must be in writing, sent certified United States mail, return receipt requested, addressed to the party whom it was intended at the place last specified; and the place for giving notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the representative places for giving notice:

FOR TOWN

Andrew Berns, Town Administrator
13400 Griffin Road
Southwest Ranches, FL 33330

WITH A COPY TO

Town Attorney
Saul Ewing Arnstein & Lehr LLP
Attn: Keith Poliakoff
200 East Las Olas Boulevard
Suite 1000
Fort Lauderdale, FL 33301

FOR CONTRACTOR:

A Superior Towing Company
Mr. Sean Loscalzo, President
2835 SW 66th Avenue
Davie, Florida 33317

IN WITNESS WHEREOF, this Fourth Modification to the Agreement is accepted and executed as of this _____ day of April, 2020

WITNESSES:

**CONTRACTOR:
A SUPERIOR TOWING COMPANY**

By: _____
Mr. Sean Loscalzo, President

TOWN OF SOUTHWEST RANCHES

By: _____
Doug McKay, Mayor

By: _____
Andrew Berns, Town Administrator

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, Town Attorney

36630529.1



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

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

Town Council
Doug McKay, Mayor
Denise Schroeder, Vice Mayor
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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 McKay and Town Council
VIA: Andrew D. Berns, Town Administrator
FROM: Russell Muniz, Assistant Town Administrator/Town Clerk
DATE: 3/12/2020
SUBJECT: Amendment to Participation Agreement for E911 Communications System

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

- A. Sound Governance
- B. Enhanced Resource Management
- C. Reliable Public Safety

Background

The amendments to the Participation Agreement are needed to align the performance standards and engagement process with the Operator Agreement with the Broward Sheriffs Office, to ensure compliance with Criminal Justice Information System (CJIS) or Florida Department of Law Enforcement (FDLE) requirements, and to permit municipalities to procure special municipal services above the base level of services. The amendments to the Regional Interlocal Agreement include a provision for municipalities to utilize third-party vendors to perform maintenance on subscriber radios so long as those vendors have been approved by the County, and permits existing Standard Operating Procedures to be updated (subject to review and recommendation by the applicable governance boards) and uniformly enforced to ensure the most current subscriber maintenance practices and operating policies

and procedures are being used.

Fiscal Impact/Analysis

None.

Staff Contact:

Russell Muniz, Assistant Town Administrator/Town Clerk

Andrew D. Berns, Town Administrator

ATTACHMENTS:

Description	Upload Date	Type
Amendment to Participation Agreement for E911 Communications System - TA Approved	3/6/2020	Resolution
1st Modification to participatuion Agreement	3/4/2020	Agreement

RESOLUTION NO. 2020 -XXX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FIRST AMENDMENT TO THE REGIONAL INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF SOUTHWEST RANCHES PROVIDING FOR COOPERATIVE PARTICIPATION IN A REGIONAL PUBLIC SAFETY INTRANET; AUTHORIZING EXECUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Southwest Ranches entered into an agreement with Broward County for participation in the Consolidated Regional E-911 Communication System on August 22, 2013; and

WHEREAS, as part of this agreement the County is designated to allocate responsibilities for the deployment of technical resources and responsibilities for the countywide public safety communication systems; and

WHEREAS, pursuant to an Operator Agreement executed between County and the Broward Sheriff's Office (BSO), County engaged the services of BSO to staff and to operate the regional PSAPs for call-taking, teletype (queries only), and dispatch services; and

WHEREAS, County and BSO intend to amend the Operator Agreement to continue the services of BSO as the Operator of the System, to update the performance standards as recommended by Fitch & Associates, to ensure compliance with Criminal Justice Information System (CJIS) or Florida Department of Law Enforcement (FDLE} requirements, to establish an engagement process, to permit municipalities to procure special municipal services above the base level of services otherwise provided by the Operator, and to clarify the division of responsibilities of the parties; and

WHEREAS, County and the Town desire to amend the Participation Agreement to acknowledge and to adopt the updates to the Operator Agreement and the operation of the System including updated performance standards, current policies and standard operation procedures, revised engagement process and role of the operational review teams, and the demarcation points for the updated fire station alerting system, and to amend the RILA to remain consistent with the Participation Agreement.

WHEREAS, the Town Council believes that it is in the best interest of the Town to approve the First Amendment to the Regional Interlocal Agreement between the County and the Town for Cooperative Participation in a regional public safety intranet.

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

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

Section 2: The Town Council hereby approves the First Amendment to the regional interlocal agreement between Broward County and the Town of Southwest Ranches providing for cooperative participation in a regional public safety intranet, in substantially the same form as that attached hereto, and incorporated herein by reference, as Exhibit "A".

Section 3: Authorization. The Mayor, and Town Attorney, are hereby authorized to enter into the Agreement and to make any changes that may be necessary to effectuate the intent of this Resolution.

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

[SIGNATURES ON THE NEXT PAGE]

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

Ranches, Florida, this 12th day of March, 2020 on a motion by

_____ and seconded by _____.

McKay _____

Schroeder _____

Amundson _____

Hartmann _____

Jablonski _____

Ayes _____

Nays _____

Absent _____

Abstaining _____

Doug McKay, Mayor

ATTEST:

Russell Muniz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

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

36665466.1



BERTHA W. HENRY, County Administrator

115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7362 • FAX 954-357-7360

February 26, 2020

To: Municipal Managers

Subject: **Amendments to the Participation Agreement for E911 Communications System**

Dear Municipal Managers:

In my previous communication from February 13, 2020, the County's responses were provided to questions brought forward at the BCCMA January meeting relative to the amendments to the Participation Agreement and Regional Interlocal Agreement (see attached). Based on feedback received, a minor update was made to the document. Attached is the current version of the First Amendment to the Agreement for Participation in the Consolidated Regional E-911 Communications System and Regional Interlocal Agreement. **This is the version that should be considered by every City Commission as soon as possible and no later than March 31, 2020.** This item is scheduled for County Commission Board approval on March 10, 2020.

As previously communicated, the amendments are needed to align the performance standards and engagement process with the Operator Agreement with the Broward Sheriff's Office, to ensure compliance with Criminal Justice Information System (CJIS) or Florida Department of Law Enforcement (FDLE) requirements, and to permit municipalities to procure special municipal services above the base level of services. The amendments to the Regional Interlocal Agreement include a provision for municipalities to utilize third-party vendors to perform maintenance on subscriber radios so long as those vendors have been approved by the County, and permits existing Standard Operating Procedures to be updated (subject to review and recommendation by the applicable governance boards) and uniformly enforced to ensure the most current subscriber maintenance practices and operating policies and procedures are being used.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bertha Henry", is written over a blue circular stamp.

Bertha Henry
County Administrator

cc: Board of County Commissioners
Andrew J. Meyers, County Attorney
Monica Cepero, Deputy County Administrator
Alphonso Jefferson, Assistant to the County Administrator
Tracy Jackson, Director, Regional Emergency Services & Communications



**FIRST AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND
THE PARTICIPATING MUNICIPALITY FOR PARTICIPATION IN THE
CONSOLIDATED REGIONAL E-911 COMMUNICATIONS SYSTEM**

AND

**FIRST AMENDMENT TO THE REGIONAL INTERLOCAL AGREEMENT BETWEEN BROWARD
COUNTY AND THE CITY OF _____ PROVIDING FOR COOPERATIVE PARTICIPATION IN A
REGIONAL PUBLIC SAFETY INTRANET**

This First Amendment ("First Amendment") is entered into by and between Broward County, a political subdivision of the State of Florida ("County"), and the municipality identified on the signature page below ("Municipality" or "City") (collectively County and Municipality are referenced as the "Parties").

RECITALS

A. County owns and oversees the regional E-911 consolidated communications system ("System"), which provides for the operations and technological infrastructure to support 911 call taking, computer-aided dispatch, and other functionality necessary for the operation of public safety answering points ("PSAPs").

B. The vast majority of municipalities within Broward County entered into the Agreement Between Broward County and the Participating Municipality for Participation in the Consolidated Regional E-911 Communications System, dated on or about September 30, 2013 ("Participation Agreement"), in order to promote the public health, safety, and general welfare by improving the safety of first responders and persons residing or traveling in Broward County, eliminating or reducing call transfers that result in delayed responses, and facilitating the migration to consolidated new technologies, among other benefits.

C. In conjunction with entering into the Participation Agreement, each municipality also entered into a Regional Interlocal Agreement ("RILA") with County to allocate responsibilities for the deployment of technical resources and responsibilities for the countywide public safety communication systems.

D. Pursuant to an Operator Agreement (as amended, the "Operator Agreement") executed between County and the Broward Sheriff's Office ("BSO"), County engaged the services of BSO to staff and operate the regional PSAPs for call-taking, teletype (queries only), and dispatch services. County and BSO intend to amend the Operator Agreement to continue the services of BSO as the Operator of the System, to update the performance standards as recommended by Fitch & Associates, to ensure compliance with Criminal Justice Information System (CJIS) or Florida Department of Law Enforcement (FDLE) requirements, to establish an engagement process, to permit municipalities to procure special municipal services above the base level of services otherwise provided by the Operator, and to clarify the division of responsibilities of the parties.

E. County and Municipality desire to amend the Participation Agreement to acknowledge and adopt the updates to the Operator Agreement and the operation of the System including updated performance standards, current policies and standard operation procedures, revised engagement process and role of the operational review teams, and the demarcation points for the updated fire station alerting system, and to amend the RILA to remain consistent with the Participation Agreement.

Now, therefore, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, County and Municipality agree as follows:

1. The above Recitals are true and correct and are incorporated herein by reference. All capitalized terms not expressly defined within this First Amendment shall retain the meaning ascribed to such terms in the Participation Agreement.
2. Except as modified herein, all terms and conditions of the Participation Agreement and the RILA remain in full force and effect. Amendments are indicated herein by use of strikethroughs to indicate deletions and bold/underlining to indicate additions.
3. The effective date of this First Amendment shall be April 1, 2020.
4. The Parties agree and approve that both the Participation Agreement and the RILA are intended, and shall be interpreted, to provide for the following delineation of responsibilities for the System: County is the owner and provider of the Consolidated Regional E-911 Communications System; Operator is engaged by County to provide System Services to the Participating Communities, including call-taking, dispatching, and teletype (queries only); Operational Review Teams (ORTs) are responsible for review of operational issues that may affect field operations of the fire and law disciplines and communicating these issues to the stakeholders.

Amendments to the Participation Agreements

5. Article 2, Definition, of the Participation Agreement is amended as follows:

2.1 **Administrator**. The term "Administrator" or "County Administrator" shall mean the County Administrator of Broward County government by the Charter of Broward County, Florida.

~~2.2 **Agreement**. The term "Agreement" shall mean this Agreement between COUNTY and MUNICIPALITY.~~

- ~~2.3~~ 2.2 **Administrative Call**. The term "Administrative Call" shall mean a call received in a Host PSAP that is not an Emergency Call or a Non-Emergency Call and is specific to a

Participating Community. An Administrative Call is not part of the Consolidated Regional E-911 Communications System responsibility.

2.3 Base Level of Services. The minimum level of System Services provided to all Participating Communities by the Operator of the System that meets the following requirements: (i) call intake staffed at a level to provide that 90% of all emergency calls arriving at a PSAP are answered within 3 to 5 seconds; (ii) a single radio talk group, staffed by a single radio operator, should not, during any four-hour block of time, exceed a weighted 0.4 Erlangs or a weighted answer delay of 10 seconds or greater; (iii) sufficient to support retention of Operator's emergency medical dispatch, emergency fire dispatch, and emergency police dispatch certifications; (iv) dispatch operators are supervised on a ratio of not less than 6:1 (supervisor to dispatch operators); and (v) County-provided independent qualitative performance review of call-takers and dispatchers. Base Level of Services shall not include any special services that are separately negotiated or purchased by a Participating Community.

* * *

2.12 Non-Emergency Call. The term "Non-Emergency Call" shall mean a call received in a Host PSAP that does not require an immediate response from law enforcement, fire rescue, or EMS call for service dispatch, or any combination thereof.

6. Section 2.16 of the Participation Agreement is amended as follows:

2.16 Participating Communities. The term "Participating Community" or "Participating Communities" shall mean the municipal corporation or corporations existing under the laws of the state of Florida, located within the County, that enter into this Standard Agreement with County for participation in the Consolidated Regional E-911 Communications System in substantially the form of this Agreement, as amended.

7. Section 4.1 of the Participation Agreement is amended in relevant part as follows:

4.1 County shall operate, or contract to operate, a Consolidated Regional E-911 Communications System, for County's unincorporated area, Port Everglades, and Fort Lauderdale-Hollywood International Airport, and Participating Communities. The Consolidated Regional E-911 Communications System shall be implemented through County government. County shall provide for the management, administration, oversight and operations of the Consolidated Regional E-911 Communications System. The System shall operate in accordance with policies, rules, and procedures approved through County workgroups, governance, and/or technical boards created to improve the communications infrastructure and overall Consolidated Regional E-911 Communications System. ~~The System shall operate subject to the control, internal operating rules and regulations of County.~~ County, Operator, and Participating Communities agrees to comply with the requirements of the applicable Management

Control Agreements relating to ~~COUNTY operation of~~ the Regional Public Safety Infrastructure at Host PSAP(s).

8. Section 4.3 of the Participation Agreement is amended in relevant part as follows:

... Participating Communities that have a Host PSAP location within their City Limits agree to enter into an agreement with ~~Operator~~ the Broward Sheriff's Office to authorize the use of the Participating Community's FDLE router. All applicable parties, including County, Operator, Broward Sheriff's Office, and Participating Community, agree to comply with all applicable Criminal Justice Information System (CJIS) and Florida Department of Law Enforcement (FDLE) requirements, and County and Participating Community each agree to enter into agency user agreements, security addendums, or other agreement(s), as required for CJIS compliance, and ensure that its employees and vendors with access to criminal justice information or systems similarly cooperate and comply with CJIS requirements, including execution of any necessary security addendums or other agreements and routinely providing updated security and employee information as required for CJIS compliance.

9. Section 4.4 of the Participation Agreement is amended in relevant part as follows:

4.4 As set forth in the agreement between County and the Operator, which includes an engagement process for the participation of public safety organizations within Broward County, County shall establish operation and efficiency performance standards for the Consolidated Regional E-911 Communications System's operations and create a time schedule for implementing and meeting the efficiency and performance criteria. The operation and efficiency performance criteria for the System (the "Standards") shall be as set forth ~~on Exhibit "B" (the "Standards"); provided, however, the Standards shall only be in effect for calls received on the 911 telephone lines of a Host PSAP in the agreement between County and Operator.~~ Any change in the Standards must be approved in advance by County and the Operator in accordance with the Operating Agreement, and by a simple majority vote of the Fire Chiefs and the Police Chiefs of all Participating Communities. County shall require in any contract it enters into with an Operator of the System that such Operator shall meet or exceed the Standards. ...

10. Section 4.7 of the Participation Agreement is amended in relevant part as follows:

4.7 The COUNTY shall be responsible for the establishment, coordination, and support of any workgroup, governance, and/or technical boards created for the purpose of ~~providing recommendations to the County Administrator on the operation of the~~ improving the County's regional communications infrastructure and overall Consolidated Regional E-911 Communications System. Membership of any such workgroup or boards may include, but not be limited to, representatives from COUNTY, Participating Communities, and Operator. The Operational Review Team (ORT) shall consist of the Fire Chiefs and the Police Chiefs of the Participating Communities and shall review and

recommend operational changes that may affect first responders (as defined in Section 112.1815(a), Florida Statutes) to improve the operation of the System, to the extent necessary, in accordance with the Engagement Process set forth in Exhibit C. The Participating Communities hereby appoint the ORT to act in accordance with the Engagement Process on behalf of the Participating Communities collectively as set forth in Exhibit C. County may condition any requested service above Base Level of Services on the applicable Participating Community(ies) funding any increased operational or equipment costs; no Participating Community shall be obligated to pay any additional amount for System Services above Base Level of Services without the prior written consent of that Participating Community.

11. Exhibit B is deleted from the Participation Agreement, and all references to the original Exhibit B are amended to omit such reference.
12. The Participation Agreement is amended to include Exhibit C as attached hereto.

Amendments to the Regional Interlocal Agreements

13. Section 2.19 of the RILA is hereby amended as follows:

2.19 City shall follow all RPSI Trunked Radio System policies and standard operating procedures in place at the time of this Agreement, ~~a list of which are included in Exhibit G,~~ as well as those developed in the future and issued to City by County. **Any new policies or standard operating procedures, or material modifications to existing policies or standard operating procedures, shall be developed by the applicable governance boards.** City agrees to comply with any enforcement actions required by these policies and procedures ~~for, including Subscriber Maintenance and to prevent~~ misuse or abuse of the RPSI Trunked Radio System.

14. Section 2.23 of the RILA is hereby amended as follows:

2.23 City is responsible for Subscriber Maintenance including repair and sub-fleet additions, moves, and changes to City subscribers as provided in Exhibit B. City may utilize the services of a third-party **vendor approved in advance by County** to provide maintenance of City subscribers, or City may contract with County for a fee for a combination of the aforementioned services or for all of the above services.

15. Section 3.2 of the RILA is hereby amended as follows:

3.2 The term of this Agreement shall be for five (5) years from the Effective Date. This Agreement may be renewed every five (5) years with the written approval of both County and City, unless terminated pursuant to Article 4; **notwithstanding the foregoing or any other provision of this Agreement, the extension of the Participation Agreement**

pursuant to its terms shall automatically renew this Agreement, and this Agreement shall be in effect for at least the duration of the Participation Agreement.

16. Exhibit B of the RILA is amended to replace the diagram titled "Broward County – ILA Radio Network Fire Station Alerting System DMARC" with the diagram of the same title attached hereto.

17. Exhibit G of the RILA is deleted from the RILA and all references to Exhibit G are amended to amended to refer to the then-current RPSI Trunked Radio System policies and standard operating procedures issued by County.

18. This First Amendment may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

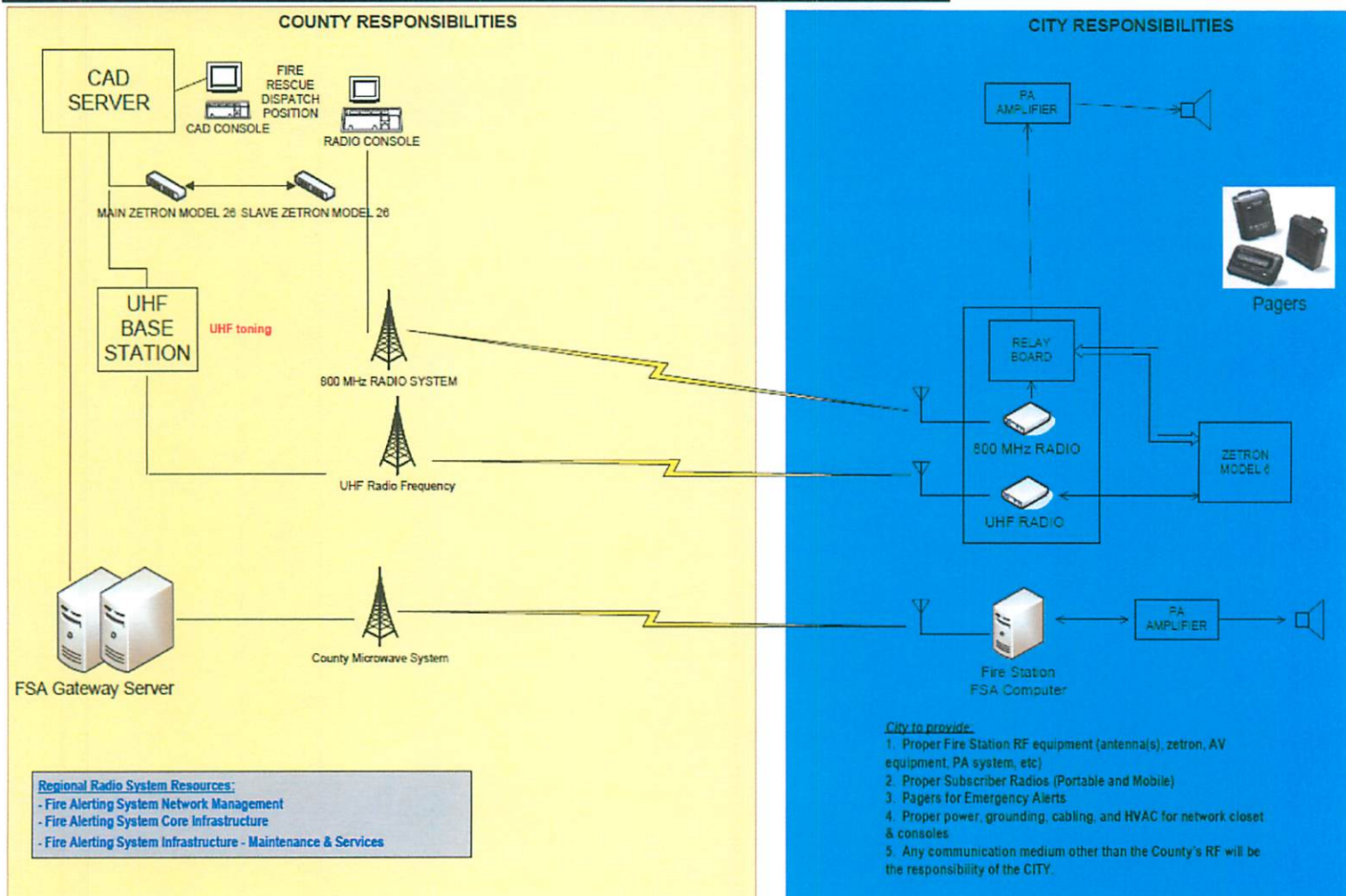
(The remainder of this page is blank.)

Broward County – ILA Radio Network Fire Station Alerting System DMARC

RPSI – Fire Station Alerting System

Logical Network Design Overview Broward County Radio System

Broward County/City Responsibilities



COUNTY – PSI – ILA - Regional Fire

First Amendment Participation Agreement and RILA

IN WITNESS WHEREOF, the Parties hereto have made and executed this First Amendment: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its County Administrator, authorized to execute same by Board action on the 12TH day of MARCH 2020, and SOUTHWEST RANCHES, signing by and through its MAYOR, duly authorized to execute same.

BROWARD COUNTY

WITNESS:

(Signature)

(Print Name of Witness)

(Signature)

(Print Name of Witness)

BROWARD COUNTY, by and through
its County Administrator

By _____
County Administrator

____ day of _____, 2020

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600

By _____
René D. Harrod (Date)
Deputy County Attorney

RDH
02/24/2020
First Amendment Participation Agreement
#343020.15

**FIRST AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND
THE PARTICIPATING MUNICIPALITY FOR PARTICIPATION IN THE
CONSOLIDATED REGIONAL E-911 COMMUNICATIONS SYSTEM**

AND

**FIRST AMENDMENT TO THE REGIONAL INTERLOCAL AGREEMENT BETWEEN BROWARD
COUNTY AND THE TOWN OF SOUTHWEST RANCHES PROVIDING FOR COOPERATIVE
PARTICIPATION IN A REGIONAL PUBLIC SAFETY INTRANET**

TOWN OF SOUTHWEST RANCHES

ATTEST:

TOWN OF SOUTHWEST RANCHES

RUSSELL MUNIZ, TOWN CLERK

By: _____
DOUG MCKAY, MAYOR
DOUG McKay

Print Name

12TH day of MARCH, 2020

I HEREBY CERTIFY that I have approved
this First Amendment as to form and legal
sufficiency subject to execution by the Parties:

KEITH POLIAKOFF, TOWN ATTORNEY

EXHIBIT C

Engagement Process¹

Step 1: Issue Identification and Proposed Resolution

- 1) A need for the creation and/or revision to a policy, procedure or process of the 911 system can be raised by any of the stakeholders – law enforcement/fire rescue agency as a representative of their municipality; Broward Sheriff's Office; or Broward County.
- 2) Issues would be considered first by the existing Operational Review Team (ORT).
 - a) Each law enforcement and fire rescue agency would have a representative on the ORT. Typically, the ORT would meet by discipline as is current practice – law enforcement or fire rescue.
 - b) The ORT would determine if an issue involved only a single agency; a single discipline (law vs. fire); or a regional concern.
 - i) If the issue only involves a single agency, the issue would move to subparagraph 4.
 - c) Each ORT group should be chaired by a uniformed member determined by the respective Association. Because of BSO's unique role as Operator in the system, the chair should preferably be from a municipal agency.
- 3) The ORT would clarify the issue and proposed resolution. The item would be summarized in written form to ensure the issue and proposed course of action are clearly identified.
- 4) The ORT would recommend approval or denial of the item.
- 5) Upon approval by ORT, the issue would be forward to both BSO and County for review & comment.
- 6) BSO and County would consider the item under the following guidelines:
 - a) BSO would evaluate its ability to provide the recommended resolution. They should consider the logistical benefits and challenges, as well as if the proposed resolution can be done with existing resources. If additional resources would be required by BSO, it must identify the financial impact. The final determination of fiscal impact would rest with Broward County's budget office.

¹ For purposes of this engagement process, the Stakeholders shall include the County and Operator and Participating Municipalities.

b) County would consider any logistical impacts from the proposed issue resolution as it relates to the County's technology (i.e. CAD, radio, 911 system, etc.). County would also consider any potential fiscal impacts, though the final arbiter of funding should reside with the County's budget office. Finally, County would evaluate the issue and proposed resolution against the Regional 911 System's overarching goals and objectives.

c) If the issue involved only a single agency (see 2b above), County and the involved agency would discuss if the municipality desires to fund the change/improvement if the solution is beyond the base services provided by the County.

d) If the issue is denied by the ORT, the proposer may elect to advance the issue to Step 3.

7) Once approved by all three stakeholder groups (ORT, BSO, County), the issue advances to Step 2.

8) If the issue is not approved by any of the stakeholders in 7) above, the proposer may elect to advance the issue to Step 3.

Step 2: Approval by End-Users

1) Issues approved by all three stakeholder groups will be approved by fire chiefs and/or police chiefs.

a) While ORT will often be comprised of operational managers from law enforcement and fire rescue agencies, approval at Step 2 requires the specific review and approval from the chief of the department for each law enforcement and/or fire rescue as applicable.

b) Summary of the issue and proposed resolution, as prepared and approved at Step 1, will be sent to the chief of the department for law enforcement, fire rescue or both as the issue may require.

c) Items, as summarized at Step 1, will be balloted to chiefs of department electronically. The chair of the relevant ORT shall ensure the written summary of the issue is forwarded to the respective Association president for distribution to each chief of Department.

d) Each chief of department is expected to review and approve or not approve the item.

e) Consistent with the existing practices for both the Fire Chiefs Association and Police Chiefs Association, a simple majority is sufficient for the item to be approved. Ultimately the determination of each professional Association, and of the methods by which they approve items, is left within the purview of that Association.

2) Upon approval at Step 2, the item will move to Step 4 for implementation.

Step 3: Escalation to Chief Administrative Officers

- 1) Should an issue not garner support for approval at Step 2, the proposer or other stakeholder may elect to escalate the issue to their respective chief administrative officer (city manager, county administrator, or Sheriff) as may be applicable.
- 2) The chief administrative officer (or designee) of the agency seeking to escalate the issue may elect to uphold the determination made at Step 1 or Step 2, or confer with the chief administrative officers (or designees) of other stakeholders.
- 3) The chief administrative officers of all three stakeholders, should they agree, may also direct a specific resolution to the issue; request ORT reconsider the issue; or take other actions as they determine in the best interest for their local government.

Step 4: Implementation

- 1) Issues identified at Step 1, and approved at either Step 2 or Step 3, shall move to Step 4 for implementation.
- 2) County will facilitate the implementation with the active support of other stakeholders.
- 3) County will monitor and report to all stakeholders the progress and issues approved for implementation.
- 4) ORT members are expected to keep their respective agencies informed of issues undergoing implementation.

Note: For all approvals required by ORT, a simple majority vote of each of (1) the Fire Chiefs Association and (2) the Police Chiefs Association constitutes approval of the item.

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

January 9, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Vice Mayor Denise Schroeder

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Delsa Amundson

Martin D. Sherwood, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Gary Jablonski

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 McKay at 7:03 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Public Comment

The following members of the public addressed the Town Council: Pavitpaul Makkar, Kathy Cox, Steve Breitreuz, Beth Cohn, David Kuczenski, Jim Laskey and Fred Cox.

4. Board Reports

Steve Breitreuz, Chairman of the Comprehensive Plan Advisory Board, spoke about the Nursery Ordinance and the research he did at the request of the Town Council to get the ordinance in shape. There was no wording regarding horse trailers located within the ordinance, it was never brought up at all. Once the Board had completed, or thought they had completed, their work, they turned it over to Administration to be codified. The Town's legal team and Jeff Katims worked on the Ordinance so it would be codified. When the Ordinance was presented again to the Comp Plan Board, they went through the document item by item. At that time, Jeff Katims, pointed out each item that was different than what the Board had talked about and they talked through them together. When they reached the horse trailer item, Jeff stated this was an item that was brought into the document at the request of Legal. Fred Cox had mentioned earlier that the original wording was 50 feet and now it was reduced to 25 feet. Chair Breitreuz stated the Comprehensive Plan Board was simply doing their job and if they could go back knowing what they know now, they would remove that piece and discard it. It was never their intention to have that item in the document with the reduced footage. The Comprehensive Plan Board was looking at that one item without considering the impact to the Town. Chair Breitreuz and the Board took full responsibility and apologized. He did ask why the horse trailer item was put into the document in the first place.

Mary Gay Chaples, Chair of the Recreation, Forestry, and Natural Resources Board spoke about their lack of a meeting this year. They have not had a quorum due to the size of the Board and the issue has been addressed. She also addressed an issue regarding the securing of Rolling Oaks Park at night. The park is fenced but not secured. She stated a fence needs to be run from where it ends on the east end straight across and connect it to the West end. There is a gate at the Cul-de-sac that can be locked. People are going into the park with their trucks and ATV's especially

when the grass is wet and slick. She is asking the Town to consider the item as the Parks Board do not have the funds.

5. Council Member Comments

Council Member Jablonski spoke of upcoming events in the Town, such as HazMat at the Park at the Rolling Oaks Barn on Saturday January 11th which includes shredding of documents and prescription medication drop off. The Love My Pony Fun Horse show was rescheduled for Saturday February 15th. He advised that the Flow-Mobile would be held on January 23rd, and spoke of the 5K event and Bingo at the Barn on February 29th. He also advised Town Hall would be closed for Martin Luther King Day and President's Day.

Council Member Hartmann spoke about the Broward Leader's Water and Climate Academy offered by Broward County. He recently attended the Academy and it taught him a lot about how South Florida Water Management system works and how the Town's system works. He attended because of the Climate module that was added to the Academy. He learned quite a bit about the Coastal Cities and the problems they are having, due to King Tide, full moons and weather. It is being forecasted the sea level could be 2.5 feet higher within the next 15-20 years. The problem the Town faces has to do with septic systems. There are Legislators in Tallahassee pushing to get everybody off septic tanks and onto municipal utility systems, and even though Southwest Ranches has best practices in place, there are challenges. He stated developers upstate are starting to build homes with septic tanks on top of springs and the State is working on getting in front of that issue. It was also mentioned about possible opportunities to receive state grants to replace septic tanks with City sewer systems for communities that show financial need. If the State does end up passing the bill to replace septic systems with city water, this puts Southwest Ranches at risk.

Another item mentioned was lawsuits filed by residents against their municipalities after a disaster has hit, which result in a delay or stoppage of municipal services. For example, if a hurricane hits and municipal services stop, residents start to get concerned, angry and impatient and then they call their attorneys. Council Member Hartmann asked the Comprehensive Plan Board to look at the Comp Plan regarding the services policies. He asked Attorney Poliakoff to add the wording "Best Efforts" into the municipal services policy to protect the Town from potential lawsuits after a natural disaster.

Council Member Hartmann also mentioned the Mr. and Miss Southwest Ranches Pageant. He stated this year's event was by far the most fun. He also spoke about the truck and ATV issues mentioned to him by a resident and asked Town Administrator Berns to speak with Davie Police about it. He also spoke briefly about the airplane patterns flying overhead. He felt that air traffic over the town would only worsen over time.

Council Member Amundson spoke about the septic tank issues raised and did not believe there was a problem with the septic tanks as they are used right now. She believed that if there was a concern, people could always get them inspected. She also indicated that she was looking forward to further discussing the trailer requirement within the proposed nursery ordinance.

Vice Mayor Schroeder expressed her condolences to the Levinson family. She also hoped all the attendees had a wonderful holiday season. She spoke about the trailer issue as well; she does not agree with what was said or done. She felt that residents should be able to "park your trailer wherever you want." What the Comprehensive Plan Board was tasked with had nothing to do with trailers, it had to do with nurseries. Vice Mayor Schroeder made a motion to Sunset the Comprehensive Plan Advisory Board and have all issues come before the Town Council. Mayor McKay seconded the motion. Mayor McKay then opened to floor to Public Comment related to Sunsetting the Comprehensive Plan Board. Members of the audience came forward to speak on the item. Some of the issues brought forward were meetings aren't recorded or videoed, how the minutes are being taken, are the meetings noticed and is the public invited to speak. There were also speakers that spoke in defense of the Comprehensive Plan Board. Council Member Jablonski stated he is not in support of the motion to sunset the Comprehensive Plan Board. Council Member Hartmann was not in support of sunsetting the Comprehensive Plan Board. Mayor McKay spoke in favor of sunsetting the Comprehensive Plan Board and the reason why he seconded the motion made by Council Member Schroeder.

The following motion was made by Council Member Schroeder, seconded by Mayor McKay and failed by 4-1 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder voting No and Mayor McKay voting Yes.

MOTION: TO SUNSET THE COMPREHENSIVE PLAN ADVISORY BOARD.

6. Legal Comments

Town Attorney Poliakoff touched a bit on the trailer item. After he reviewed the area mentioning trailers, he spoke with Jeff Katims to have the language moved to another area of the code which would be easier to locate. No language was ever changed by the Town Attorney's office. He also spoke regarding the water/septic systems issue. The language proposed by the County and State Legislation could potentially be harmful to the Town. After back and forth with the County, the Town was able to modify the language to offer some protections. Town Attorney Poliakoff advised that he is working on language that wouldn't force full connectivity for all the properties within Southwest Ranches. Town Administrator Berns added that there are other municipalities that are opposed to this Ordinance as well and the Town is looking to unite with them to strengthen the Town's voice. Council Member Hartmann expressed again the impact the water/septic system issue would have on the Town, especially financially. Town Attorney Poliakoff hoped everyone had a happy holiday.

7. Administration Comments

Town Administrator Berns spoke on three subjects. He stated the Council had tasked him with an assignment regarding the Nursery Ordinance and his findings will be discussed at the January 23, 2020 Town Council Meeting. He recognized there were some residents that had difficulties reading through the Ordinance language. As such he created a synopsis of the Ordinance to clear up the questions the residents and Town Council may have.

The next item Town Administrator Berns spoke on was the special item that was scheduled for the January 23, 2020 Council Meeting regarding the US 27 Corridor. Town Administrator Berns received a call from Ron Bergeron, who is an affected party, and advised that he would be out of town during the that time and asked if the Town would reschedule the item prior to the February 13, 2020 Meeting. Town Administrator Berns asked for the Town Council's input and what time they would like the Council Meeting to start. The Council discussed the issue and decided the Special Meeting will start at 6:00 P.M. followed by the regular Council Meeting at 7:30 P.M.

The third item Town Administrator Berns discussed was the Landscaping Maintenance Contract and the Town Facilities Contracts as he advised they were out for bid. There was a mandatory Pre-Bid Meeting prior to the Council Meeting earlier in the week, which was very well attended, however the bid packages were sent out a little late and the current contracts are set to expire Mid-February. The Procurement process will not be complete in time and Town Administrator Berns wanted to let the Council know publicly that he reached out to the current vendors, Prestige and Reliance, and they have offered to extend their current contracts under the same terms and pricing that are already in place until such time that procurement process is completed.

Town Administrator Berns asked Town Attorney Poliakoff if he would like to touch on another issue that is coming forward. Town Attorney Poliakoff mentioned a public private partnership was submitted to the Town for review relating to the potential use of the Correction Corporation of America property. Town Administrator Berns, Town Financial Administrator Sherwood and the Town Attorney reviewed the proposal, which was the only one submitted in response to the bid that was advertised. Because this is dealing with the CCA property, Town Administrator Berns and Town Attorney Poliakoff felt there may be interest, especially in Town Council Member Hartmann's district to be notified of such meeting and as a result, the Town Council may determine to do this as a Sole Purpose Meeting that is advertised clearly so that anyone who is interested may want to come to the meeting. Town Administrator Berns believed there would be some advantage to handling this as a Special Meeting. The only hesitancy now is trying to select a date because Legal is in the process of finalizing the contract which then needs to go to the applicant for their consideration to execute the contract and then bring it back before the Town Council, however he doesn't have an exact date right now but he wants to publicly advise the Council that that it is being worked on and they want to make sure there is a sufficient time to promote it and advertise it to the public. Town Attorney Poliakoff then asked the Town Council what type of meeting this item should be. A Special Meeting or a Regular Meeting agenda item. The contract will be completed within one and a half weeks. The Council and Town Administrator Berns discussed time frames and decided to speak on it again at the January 23, 2020 meeting after everyone had a chance to look at their calendars.

Resolutions

8. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A SETTLEMENT AGREEMENT WITH DIAMOND EYE STABLES, LLC RELATING TO IT'S 2018 and 2019 FIRE ASSESSMENTS (CACE 18-023257 & CACE 19-019635); AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY

AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THE RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH GPE ENGINEERING & GENERAL CONTRACTOR CORP. IN THE AMOUNT OF ONE MILLION SIXTY-NINE THOUSAND SIX HUNDRED FIFTY-FOUR DOLLARS AND SIXTY CENTS (\$1,069,654.60) FOR CONSTRUCTION OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS PROGRAM FOR SW 188TH AVENUE AND IT'S SIDE STREETS; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2019/2020 BUDGET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION AND FISCAL YEAR 2019/2020 BUDGET AMENDMENT.

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, TRANSFERRING THE TOWN'S CODE COMPLIANCE AND ENFORCEMENT SERVICES & PLANNING, ZONING, PERMITTING AND LAND USE SERVICES TO J.A. MEDINA, LLC.; ENTERING INTO A NEW AGREEMENT WITH J.A. MEDINA, LLC.; WHICH ESTABLISHES THE SCOPE AND COMPENSATION FOR IT'S SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

- 11.** Approval of Minutes
a. October 24, 2019 Regular Meeting

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

MOTION: TO APPROVE THE MINUTES.

12. Adjournment

Meeting was adjourned at 9:20 p.m.

Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this day of March 12, 2020.

Doug McKay, 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

Thursday 7:30 PM

February 13, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Vice Mayor Denise Schroeder

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Delsa Amundson

Martin D. Sherwood, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Gary Jablonski

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 McKay at 7:53 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance and a moment of silence for the anniversary of the MSD Tragedy and for the passing of Judy Hancock.

3. Public Comment

The following members of the public addressed the Town Council: Jen Perelman, Steve Breitzkreuz, Jim Laskey, members of the Sikh Youth Association, David Kuczenski, David Sears, Kathy Cox, Newell Hollingsworth, Jo Ann Hollingsworth, Debbie Green and Fred Cox.

4. Board Reports

Debbie Green spoke on behalf of the SEAB reminding the public of the 5k Unity for Diversity run and commended the Sikh Youth members on their commitment. She also advised the date of the Barn Dance which is March 7, 2020.

5. Council Member Comments

Vice Mayor Schroeder thanked the "parking lot police" for their vigilance and advised the public if anyone needs a ride to Town Hall in order to attend a Council Meeting, she will gladly pick them up and bring them to the meeting.

Council Member Amundson addressed the public regarding the same issue Vice Mayor Schroeder spoke on.

Council Member Hartmann thanked Vice Mayor Schroeder for recognizing a moment of silence for Judy Hancock. He then recounted a memory of Judy and her husband. Council Member Hartmann spoke about a bucket grinder on someone's property on 188th Ave and he would like to investigate that as he is sure that isn't allowed. Council Member Hartmann spoke on the horrible traffic issues that stem from Franklin Academy. Responding to comments made during Public Comment about the pollution emanating from the Vista View site, he stated if the Town ever had a water problem, he would rather fight the issue at that time than to rely on the Federal Government to help. Anything that affects the community he would fight for.

Council Member Jablonski announced the upcoming Town events including the Unity in Diversity 5K, Bingo at the Barn, The Fun Horse Show, Barn Dance practice, the Barn Dance and Town Hall Closure for President's Day. He spoke of the Town's 20th Birthday Party on April 4, 2020. He advised there will be a parade and floats and it will be a wonderful time had by all. Council Member Jablonski then revealed the results of the Enhancement Traffic Enforcement that took place recently. Council Member Jablonski made it very clear that this was performed at no cost to the Town. He advised that the Enhanced Traffic Enforcement took place over a span of 16 days at 8 major speeding hotspots in the Town. The total speeding tickets issued during the time frame mentioned previously was 168 making it an average of 10.5 tickets issued per day. Based on the average revenue of \$52.00 per ticket, the total amount collected was \$550.00 a day for a total of \$8800.00. This evaluation was conducted in order to establish whether continuing the Enhanced Traffic Enforcement would be economically viable. Furthermore, operations taking place outside of normal contracted services are based on overtime rates for officers. The overtime rates are \$72.00 per hour and each unit would be two man for officer safety. Council Member Jablonski wanted the public to understand that neither the Town nor Davie Police Department are looking to implement a quota system, however in order to remain economically viable, a minimum of 3 tickets per hour need to be generated to avoid negative cost impact. At worst, the program would be revenue neutral, however, one of the benefits of the Enhanced Traffic Enforcement is a greater police presence within the Town. Council Member Jablonski would like to continue with the Enhanced Traffic Enforcement; however, he needs the Council's approval in order to give direction to Town Administration. Council Member Hartmann, Mayor McKay, Vice Mayor Schroeder and Council Member Amundson all agreed to continue the program.

Mayor McKay also reminded the public of the upcoming Fun Horse Show and he would like to see everybody there. He wished the public a Happy Valentine's Day and mentioned his wedding Anniversary is on Valentine's Day as well. He then thanked everyone for coming out to the meeting.

6. Legal Comments

Town Attorney Poliakoff offered no legal comments.

7. Administrative Comments

Town Administrator Berns introduced Deputy Town Clerk, Debra Ruesga to the Council and public. He updated the Council on the Nursery Ordinance. At the January 23, 2020 meeting, a simplified summary was taken from what is in the original ordinance. Town Administrator Berns then met with each of the Council Members individually to go through and discuss the summary. He stated Assistant Planner Jeff Katims is in the process of updating the summary from the Council consensus and as soon as it is completed, Town Administrator Berns will make the document available to the Council and the public. Once that document has been reviewed and agreed upon, then an ordinance will be drafted for Council consideration. Lastly, Town Administrator Berns addressed a comment made by a member of the public about the Party Planning Committee. He clarified for the record, every advisory board and committee has a single staff liaison, it doesn't mean the liaison is the only staff member performing the work. After a board or committee meeting the liaison then goes back to Town Administration and Town resources are utilized to make whatever event or project happen.

Ordinance – 2nd Reading

8. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2020-2024 PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading, December 12, 2019}

The following motion was made by Council Member Hartmann and seconded by Council Member Amundson and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE ORDINANCE.

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN BY CHANGING THE DESIGNATION OF APPROXIMATELY 33 ACRES FROM MEDIUM DENSITY RESIDENTIAL (16 DU/AC) TO RURAL RANCH, TO MATCH BROWARD COUNTY'S FUTURE LAND USE MAP DESIGNATION, GENERALLY LOCATED AT THE NORTHEAST QUADRANT OF SHERIDAN STREET AND SW 190TH AVENUE; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-2) {Approved on First Reading December 12, 2019}

The following motion was made by Council Member Hartmann and seconded by Council Member Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE ORDINANCE.

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") BY AMENDING SECTION 10-30, "TERMS DEFINED;" AMENDING ARTICLE 100, "APPLICATION SUBMITTAL AND NOTICE PROCEDURES," SECTIONS 100-020, "GENERAL APPLICATION REQUIREMENTS," 100-030, "MINIMUM REQUIRED CONTENT FOR ALL PUBLIC HEARING NOTIFICATIONS," AND 100-060, "MAIL NOTICE REQUIREMENTS FOR PUBLIC HEARINGS;" CREATING ARTICLE 112 ENTITLED, "SPECIAL EXCEPTION USES;" PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading December 12, 2019}

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE ORDINANCE.

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ADOPTING THE TOWN OF SOUTHWEST RANCHES RURAL IDENTIFICATION PROGRAM MANUAL FOR ALL NEW IDENTIFICATION SIGNS PLACED ON TOWN PROPERTY INCLUDING, BUT NOT LIMITED TO, THE TOWN'S RIGHT OF WAY; REQUIRING ALL IDENTIFICATION SIGNAGE, LOCATED ON TOWN PROPERTY, TO OBTAIN TOWN APPROVAL PRIOR TO INSTALLATION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading - January 23, 2020}

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE ORDINANCE.Resolutions

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SELECTION AND NEGOTIATION COMMITTEE'S RECOMMENDATION AND RANKING OF MUNILYTICS, INC., TO UPDATE AND TO PROVIDE RECURRING SERVICES FOR THE TOWN'S FIRE ASSESSMENT PROGRAM; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT, IN SUBSTANTIALLY THE SAME FORM AS EXHIBIT "A", WITH MUNILYTICS, INC., IN AN INITIAL AMOUNT NOT TO EXCEED TWENTY THOUSAND SIX HUNDRED DOLLARS AND ZERO CENTS (\$20,600.00); AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski and seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER WITH CRAVEN THOMPSON AND ASSOCIATES, INC. IN THE AMOUNT OF ONE HUNDRED FIVE THOUSAND FOUR HUNDRED DOLLARS AND ZERO CENTS (\$105,400.00) FOR SURVEYING AND ENGINEERING DESIGN SERVICES FOR THE HANCOCK ROAD GUARDRAIL IMPROVEMENTS; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski and seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE RESOLUTION.

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF FIFTY-THREE THOUSAND TWENTY DOLLARS AND ZERO CENTS (\$53,020.00) WITH KIMLEY HORN AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES FOR PHASE SIX OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS; AUTHORIZING THE EXECUTION OF THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski and seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE RESOLUTION.

15. THIS ITEM WAS WITHDRAWN AND RESCHEDULED FOR FEBRUARY 27, 2020 AT THE REQUEST OF THE APPLICANT.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF COOPER CITY PROVIDING WATER AND SEWER SERVICES TO 13000 LEWIN LANE AND 13001 LEWIN LANE, TWO SINGLE FAMILY HOMES LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING THAT NO FURTHER EXPANSION OF SERVICE SHALL BE PERMITTED WITHOUT THE EXPLICIT WRITTEN CONSENT OF THE TOWN; PROVIDING THAT CONNECTIVITY SHALL NOT OCCUR UNTIL AND UNLESS BROWARD COUNTY ADOPTS A NEW WATER AND SEWER CONNECTIVITY REGULATION THAT EXEMPTS FROM MANDATORY CONNECTION HOMES CURRENTLY LOCATED IN THE RURAL ESTATES AND RURAL RANCHES LAND USE CATEGORIES; PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF COOPER CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Discussion

16. This item was heard later in the meeting.

17. FY 2020-2021 Proposed Budget Calendar

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE BUDGET CALENDAR.

18. Approval of Minutes**a. January 23, 2020 Regular Meeting**

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: TO APPROVE THE MINUTES.**17. Annual Review of Charter Officials – Tabled from December 12, 2019**

Town Attorney Poliakoff explained the process for the annual review of Charter Officials. He met with Town Administrator Berns who is very strong advocate for all three (3) Charter Officials, himself included. Town Attorney Poliakoff then researched industry standards as it relates to Assistant Town Administrator/Town Clerk Muñiz. Town Attorney Poliakoff also met with Assistant Town Administrator/Town Clerk Muñiz. During the meeting, by coincidence, Vice Mayor Schroeder was in the office at the time and joined them in a discussion of Assistant Town Administrator/Town Clerk Muñiz's qualifications.

Town Attorney Poliakoff reminded the Council that 2019 was an outstandingly good fiscal year and as a result of the positive year, Town Financial Administrator Sherwood and Town Administrator Berns asked for a bonus. The recommendation of Town Attorney Poliakoff is the same amount as the previous year, which was a 5% bonus. As for Assistant Town Administrator/Town Clerk Muñiz the recommendation was also for a 5% bonus, however there was also discussion pertaining to his salary. Since 2016, Assistant Town Administrator/Town Clerk Muñiz job duties have increased tremendously, however his salary rate is well below industry standards. Also noted, if the Town had hired both an Assistant Town Administrator and a Town Clerk, the Town would be paying way over \$200,000.00. Town Attorney Poliakoff offered Assistant Town Administrator/Town Clerk Muñiz \$10,000.00 over his current rate, which would bring his salary rate to \$115,000.00. Assistant Town Administrator/Town Clerk Muñiz countered back with \$120,000.00 with a two (2) year commitment to the Town and in the event, he leaves prior to the end of the two (2) years, the pro-rated portion would be returned to the Town. Town Attorney Poliakoff then turned the discussion to the Council for their review comments and questions for all three (3) Charter Officials.

Mayor McKay stated he is in support of Town Attorney Poliakoff's recommendation, especially if you follow the data. He then turned the discussion over to the rest of the Council.

Council Member Jablonski also indicated his full support of Town Attorney Poliakoff's recommendation. He stated the Charter Officials have earned it, especially if you look at the \$1 million surplus from 2019. There has been a surplus every year the team has been together. Council Member Jablonski doesn't look at it as a bonus, he looks at it as an investment in the Town. Vice Mayor Schroeder agreed. He commended all three (3) Charter Officials.

Council Member Hartmann followed next regarding the recommendation made by Town Attorney Poliakoff. He agreed with the other Council Members as well. Taxes were lowered and that is a result of the Charter Officials along with the surplus. He felt the list of accomplishments of the Town Administrator, Assistant Town Administrator/Town Clerk and Town Financial Administrator are impressive and he then asked Town Administrator Berns for a soft copy of the list so he could highlight some of the accomplishments in the Town newsletter. He stated all three (3) Charter Officials deserve it, they have worked hard, put in a lot of time, on and off the clock and they manage their teams effectively and efficiently, which make them great leaders.

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder.

MOTION: A ONE TIME 5% SALARY BONUS FOR ALL THREE (3) CHARTER OFFICIALS AND A SALARY INCREASE TO \$120,000.00 WITH A TWO (2) YEAR COMMITMENT FOR ASSISTANT TOWN ADMINISTRATOR/TOWN CLERK MUÑIZ.

The following motion was made by Council Member Jablonski and seconded by Vice Mayor Schroeder and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting yes.

MOTION: A ONE TIME 5% SALARY BONUS FOR ALL THREE (3) CHARTER OFFICIALS AND A SALARY INCREASE TO \$120,000.00 WITH A TWO (2) YEAR COMMITMENT FOR ASSISTANT TOWN ADMINISTRATOR/TOWN CLERK MUÑIZ TO BE RETROACTIVE TO JANUARY 1ST, 2020.

19. Adjournment – Meeting was adjourned at 9:27 PM.

Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this day of

Doug McKay, 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

Thursday 7:00 PM

February 27, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Vice Mayor Denise Schroeder

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Delsa Amundson

Martin D. Sherwood, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Gary Jablonski

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

3. President's Volunteer Service Awards - Pavitpaul Makkar & Jashanpreet Singh

Assistant Town Administrator/Town Clerk Muniz recognized both young men for their volunteerism to the Town and presented them with certificates recognizing them as recipients of the President's Volunteer Service Award.

4. Public Comment

The following members of the public addressed the Town Council: David Kuczenski, Scott Tomasulo, and Jim Laskey.

5. Board Reports

None.

6. Council Member Comments

Council Member Jablonski reminded everyone that the Second Annual Unity in Diversity 5K Run/Walk as well as the Bingo at the Barn event would be held on Saturday February 29th. He advised that the Town Birthday Party and Parade would be held on April 4th and indicated that Sandy Luongo would be giving an update later in the meeting. He advised that the theme of this year's Rural Public Arts Board photo contest would be photos taken at the Birthday Party. He also advised that the DMV FLOW program would be on hand on March 26th, the Office of Senator Marco Rubio would be on hand March 12th, the Broward County Property Appraiser's Office would be hand on March 16th, and Hazmat at the Park would be at Rolling Oaks Park on March 14th. Lastly, he mentioned that the second annual Pet Adoption event would take place here at Town Hall on March 21st.

Council Member Hartmann, responding to a suggestion made by a resident during Public Comments asked Town Administrator Berns to look into the cross walk for school bus stops on Volunteer Road. He spoke about the efforts of the US Census which will begin on March 12th.

Council Member Amundson thanked residents who offered to give her a ride to the Town Council Meeting as a result of the discussion held at the last Town Council meeting.

Mayor McKay thanked everyone for attending the meeting and hoped to see everyone at the Unity in Diversity Walk/Run event on Saturday.

7. Legal Comments

Town Attorney Poliakoff indicated that the Town is tracking legislation before the Legislature that could affect the Town. He hoped to have good news in the next few weeks. He explained that the proposed State Budget was tight and hoped that the Town's projects would get funded. He advised that there was a lot of construction going on around Town without permits. This affected the Town not only from a safety standpoint, but also financially as these properties' values are not accurately reflecting the improvements being made on them. Lastly, he advised that the 4th District Court of Appeals ruled in favor of the Town and resident Wesley Clark, against Pembroke Pines in the case centered around the gate that was erected by Pembroke Pines for use by their residents to access the Franklin Academy site.

8. Administration Comments

Town Administrator Berns gave an update on the Nursery Ordinance. He advised that the ordinance was simplified in a memo form which was then discussed with the Town Council and discussed at the last meeting. He advised that a second version of the simplified memo was distributed earlier in the day to the Town Council and would be shared with the public. He intended to bring a draft ordinance, which would be inclusive of previous Town Council direction, before the Town Council at the second meeting in March.

Resolutions

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AND ACCEPTING A PUBLIC RIGHT OF WAY DEDICATION ALONG SW 186th AVENUE; ACCEPTING THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PUBLIC RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AND ACCEPTING A PUBLIC RIGHT OF WAY DEDICATION ALONG SW 188th AVENUE; ACCEPTING THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PUBLIC RIGHT-OF-WAY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF COOPER CITY PROVIDING WATER SERVICE TO 13000 LEWIN LANE AND 13001 LEWIN LANE, TWO SINGLE FAMILY HOMES LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING THAT NO FURTHER EXPANSION OF SERVICE SHALL BE PERMITTED WITHOUT THE EXPLICIT WRITTEN CONSENT OF THE TOWN; PROVIDING THAT CONNECTIVITY SHALL NOT OCCUR UNTIL AND UNLESS BROWARD COUNTY ADOPTS A NEW WATER AND SEWER CONNECTIVITY REGULATION THAT EXEMPTS FROM MANDATORY CONNECTION HOMES CURRENTLY LOCATED IN THE RURAL ESTATES AND RURAL RANCHES LAND USE CATEGORIES; PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF COOPER CITY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF COOPER CITY PROVIDING WATER SERVICE TO 12901 STIRLING ROAD, A SINGLE-FAMILY HOME LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING THAT NO FURTHER EXPANSION OF SERVICE SHALL BE PERMITTED WITHOUT THE EXPLICIT WRITTEN CONSENT OF THE TOWN; PROVIDING THAT CONNECTIVITY SHALL NOT OCCUR UNTIL AND UNLESS BROWARD COUNTY ADOPTS A NEW WATER AND SEWER CONNECTIVITY REGULATION THAT EXEMPTS FROM MANDATORY CONNECTION HOMES CURRENTLY LOCATED IN THE RURAL ESTATES AND RURAL RANCHES LAND USE CATEGORIES; PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF COOPER CITY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF COOPER CITY PROVIDING WATER SERVICE TO 5801 SW 130 AVENUE, A SINGLE FAMILY HOME LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING THAT NO FURTHER

EXPANSION OF SERVICE SHALL BE PERMITTED WITHOUT THE EXPLICIT WRITTEN CONSENT OF THE TOWN; PROVIDING THAT CONNECTIVITY SHALL NOT OCCUR UNTIL AND UNLESS BROWARD COUNTY ADOPTS A NEW WATER AND SEWER CONNECTIVITY REGULATION THAT EXEMPTS FROM MANDATORY CONNECTION HOMES CURRENTLY LOCATED IN THE RURAL ESTATES AND RURAL RANCHES LAND USE CATEGORIES; PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF COOPER CITY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

Discussion

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

MOTION: TO MOVE ITEM OUT OF ORDER.

15. Agreement With George (Tim) Weimann - Police Civilian Coordinator Services

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH GEORGE WEIMANN, LLC FOR POLICE CIVILIAN COORDINATOR SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

14. Town 20th Birthday Party Update - Sandra Luongo

Sandra Luongo thanked Vice Mayor Schroeder and Council Member Hartmann for their support. She advised that the Birthday Party celebration would occur on April 4th beginning with a parade along SW 178th Avenue beginning at 10 a.m. and ending at Rolling Oaks Park. At the park there will be music, a barbecue and activities including carnival games, and displays from Davie Police and Fire. There will be no cost for attendees. She also indicated that the Town was seeking sponsors to help underwrite the cost of the day's activities.

16. Adjournment

Meeting was adjourned at 8:16 p.m.

Respectfully submitted:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this day of March 12, 2020.

Doug McKay, 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.