



Southwest Ranches Town Council

REGULAR MEETING

Agenda of September 27, 2018

Southwest Ranches Council Chambers
7:00 PM Thursday

13400 Griffin Road
Southwest Ranches, FL 33330

<u>Mayor</u> Doug McKay <u>Vice Mayor</u> Freddy Fisikelli	<u>Town Council</u> Steve Breitkreuz Gary Jablonski Denise Schroeder	<u>Town Administrator</u> Andrew D. Berns <u>Town Financial</u> <u>Administrator</u> Martin Sherwood, CPA CGFO	<u>Town Attorney</u> Keith M. Poliakoff, J.D. <u>Assistant Town</u> <u>Administrator/Town Clerk</u> Russell C. Muniz, MMC
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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. **Domestic Violence Awareness Month - October 2018**
4. **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.
5. **Board Reports**
6. **Council Member Comments**
7. **Legal Comments**
8. **Administration Comments**

Resolutions

9. **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RESPECTFULLY REQUESTING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO ADOPT A LOCAL BILL TO PREVENT A MUNICIPALITY IN BROWARD COUNTY FROM ATTEMPTING TO ANNEX LANDS LOCATED WITHIN ANOTHER MUNICIPALITY WITHOUT THAT MUNICIPALITY'S CONSENT, AND FROM PURCHASING LANDS LOCATED WITHIN ANOTHER MUNICIPALITY WITHOUT THAT MUNICIPALITY'S CONSENT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO SUBMIT A LOCAL BILL; AND PROVIDING AN**

EFFECTIVE DATE.

10. Approval of Minutes

- a. September 12, 2018 Regular Meeting Minutes**
- b. September 12, 2018 Special Meeting Minutes**

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.

PROCLAMATION

DOMESTIC VIOLENCE AWARENESS MONTH OCTOBER 2018

WHEREAS, the residents of the Town of Southwest Ranches are this town's most precious resource and ensuring their safety, well-being and positive development is a priority and a responsibility that we all share; and

WHEREAS, 1 in 3 women and 1 in 4 men have been victims of physical violence by an intimate partner within their lifetime; and

WHEREAS, the exposure of young children to such violence is occurring at an alarming rate - The U.S. Advisory Board on Child Abuse and Neglect suggests that domestic violence may be the single major precursor to child abuse and fatalities ; and

WHEREAS, by providing individuals with education about healthy relationships, and by changing attitudes that support violence, we work to stop domestic violence for Town of Southwest Ranches residents.

NOW, THEREFORE, the Mayor and Town Council do hereby proclaim the month of October 2018 as:

DOMESTIC VIOLENCE AWARENESS MONTH

in the Town of Southwest Ranches and urge all residents to respond to and work toward ending domestic violence by supporting their communities' efforts to empower and assist victims in finding and accessing the resources they need, and by promoting awareness and prevention of domestic violence in our community.

Dated this 27th day of September, 2018

DOUG McKAY, MAYOR

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

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

Town Council
Doug McKay, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitzkreuz, Council Member
Gary Jablonski, Council Member
Denise Schroeder, 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: 9/27/2018
SUBJECT: Local Bill - Municipal Purchases and Annexations

Recommendation

Town Council consideration for a motion to approve the resolution.

Strategic Priorities

A. Sound Governance

Background

Broward County is the second most populous county in the State of Florida with 31 municipalities and very little unincorporated lands left for incorporation. The lack of available unincorporated areas has led to attempts by municipalities to expand their tax base through the annexation of lands located in a neighboring municipality.

As a result, the Town Council of the Town of Southwest Ranches believes that there is a need to adopt a local bill to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent.

Fiscal Impact/Analysis

N/A

Staff Contact:

Keith Poliakoff, Town Attorney

ATTACHMENTS:

Description	Upload Date	Type
Local Bill Resolution - TA Approved	9/17/2018	Resolution
Local Bill - Exhibit 1	9/17/2018	Exhibit
Cover Letter to Delegation - Exhibit 2	9/17/2018	Exhibit
Economic Impact Statement - Exhibit 3	9/17/2018	Exhibit

RESOLUTION NO. 2018-____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RESPECTFULLY REQUESTING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO ADOPT A LOCAL BILL TO PREVENT A MUNICIPALITY IN BROWARD COUNTY FROM ATTEMPTING TO ANNEX LANDS LOCATED WITHIN ANOTHER MUNICIPALITY WITHOUT THAT MUNICIPALITY'S CONSENT, AND FROM PURCHASING LANDS LOCATED WITHIN ANOTHER MUNICIPALITY WITHOUT THAT MUNICIPALITY'S CONSENT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO SUBMIT A LOCAL BILL; AND PROVIDING AN EFFECTIVE DATE.

WHEAREAS, Broward County is the second most populous county in the State of Florida with 31 municipalities and very little unincorporated lands left for incorporation; and

WHEREAS, the lack of available unincorporated areas has led to attempts by municipalities to expand their tax base through the annexation of lands located in a neighboring municipality; and

WHEREAS, as a result, the Town Council of the Town of Southwest Ranches believes that there is a need to adopt a local bill to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent;

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

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

Section 2. That the Town Council hereby respectfully requests that the Broward County Legislative Delegation adopt a local bill to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent.

Section 3. The Mayor, Town Administrator, and Town Attorney are hereby authorized to submit a local bill package to the Broward County Legislative

Delegation, substantially in the form as that attached hereto as Exhibit "A", and to make any and all changes necessary and proper to effectuate the intent of this Resolution.

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

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

Ranches, Florida, this 27th day of September 2018 on a motion by

_____ and seconded by _____.

McKay _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
Schroeder _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

ATTEST:

Doug McKay, Mayor

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, J.D., Town Attorney
115103730.1

A bill to be entitled

An act relating to Broward County; requiring consent prior to annexation of land within another municipality's jurisdictional boundaries; requiring consent prior to a municipality's purchase of land within another municipality's jurisdictional boundaries; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Legislative Findings: Broward County is the second most populous county in the state with 31 municipalities and very little unincorporated areas left for incorporation. The lack of available unincorporated areas has led to attempts by municipalities to expand their tax base through the annexation of a neighboring municipality's lands. As a result, the legislature finds that there is a need to require consent prior to the annexation of land within another municipality's jurisdictional boundaries; and to require consent prior to a municipality's purchase of land within another municipality's jurisdictional boundaries.

Section 2. A municipality in Broward County may not attempt to annex land within another municipality's jurisdiction, without the other municipality's consent.

Section 3. A municipality may not purchase land within another municipality's jurisdictional boundaries, without the other municipality's consent.

This act shall take effect upon becoming a law.

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September 17, 2018

Andrea C. Knowles
Executive Director
Broward County Legislative Delegation
115 South Andrews Avenue, Room 429
Fort Lauderdale, Florida 33301

Re: Local Bill to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent.

Dear Ms. Knowles:

The Town of Southwest Ranches (the "Town") is requesting a special act to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent.

The Town of Southwest Ranches is concerned about maintaining the sanctity of its rural borders from neighboring municipalities who see that Town as a pot of gold for future ad valorem tax revenue. The desire to de-annex and to purchase large segments of the Town has yielded many contentious hearings before the Broward County Legislative Delegation and the Florida Legislature.

Since the Florida Statutes are silent as to this issue, the Town is proposing a local bill.

The Town's local bill is being sponsored by Senator Farmer. Should you have any questions or require additional information, please contact me.

Enclosed please find the initial draft local bill and economic impact statement. Thank you for your assistance in this matter.

Very truly yours,

Keith M. Poliakoff

Enclosures

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**HOUSE OF REPRESENTATIVES
2018 ECONOMIC IMPACT STATEMENT FORM**

House local bill policy requires that economic impact statements for local bills be prepared at the LOCAL LEVEL. It is the policy of the House of Representatives that no bill will be considered by a council or a committee without an original Economic Impact Statement. This form must be completed whether or not there is an economic impact. Please submit this form to the Committee on Urban & Local Affairs as soon as possible after the bill is filed.

BILL #: _____
SPONSOR(S): _____
RELATING TO: Broward County; requiring consent prior to annexation of land within another governmental entity's jurisdictional boundaries; requiring consent prior to a municipality's purchase of land within another municipality's jurisdictional boundaries
(Indicate Area Affected (City, County or Special District) and Subject)

I. ESTIMATED COST OF ADMINISTRATION, IMPLEMENTATION, AND ENFORCEMENT:

	<u>FY 18-19</u>	<u>FY 19-20</u>
Expenditures:	0.00	0.00

This assessment will be administered through the process already in existence; no additional costs for administration are anticipated. The cost for a methodology study that will quantify the legally allowable assessment will be borne by each local government. A study of this nature is anticipated to cost each local government approximately \$25,000.

II. ANTICIPATED SOURCE(S) OF FUNDING:

	<u>FY 18-19</u>	<u>FY 19-20</u>
Federal:	0.00	0.00
State:	0.00	0.00
Local:	0.00	0.00

III. ANTICIPATED NEW, INCREASED, OR DECREASED REVENUES:

	<u>FY 18-19</u>	<u>FY 19-20</u>
Revenues:	0.00	0.00

IV. ESTIMATED ECONOMIC IMPACT ON INDIVIDUALS, BUSINESS, OR GOVERNMENTS:

0.00

V. ESTIMATED IMPACT UPON COMPETITION AND THE OPEN MARKET FOR EMPLOYMENT:

0.00

VI. DATA AND METHOD USED IN MAKING ESTIMATES [INCLUDE SOURCE(S) OF DATA]:

N/A

PREPARED BY: _____
Martin Sherwood, CPA, CGMA, CGFO, Date

TITLE: Martin Sherwood, CPA, CGMA, CGFO
Town of Southwest Ranches Financial Administrator
REPRESENTING: Town of Southwest Ranches,
PHONE: 954-434-0008
EMAIL ADDRESS: msherwood@southwestranches.org

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Wednesday 7:30 PM

September 12, 2018

13400 Griffin Road

Present:

Mayor Doug McKay
Vice Mayor Freddy Fisikelli
Council Member Steve Breitkreuz
Council Member Gary Jablonski
Council Member Denise Schroeder

Andy Berns, Town Administrator
Russell Muñiz, Assistant Town Administrator/Town Clerk
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 McKay at 8:57 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: Newell Hollingsworth

4. Board Reports

None were presented.

5. Council Member Comments

Council Member Jablonski advised of upcoming events including the Country Roads Arts & Crafts Festival on October 20th, the DMV Flow Mobile on September 27th, and the Broward County Property Appraisal on October 15th. Town Administrator Berns addressed a question raised by Council Member Jablonski about the availability of mosquito dunks. Town Administrator Berns indicated that mosquito dunks were available for residents here at Town Hall.

Council Member Breitkreuz offered well wishes to Sarah Fisikelli who had recent hip surgery after a bad fall.

Council Member Schroeder also offered well wishes to Sarah Fisikelli and hopes that she gets better soon.

Vice Mayor Fisikelli offered no comments.

Mayor McKay informed that Tractor Supply is working diligently with the residents on a property on Flamingo Road, and as soon as they have something in writing, the item will be put on a future agenda for discussion among Town Council.

6. Legal Comments

Town Attorney Poliakoff explained that Resolution #9 on the agenda which was prepared by the Comprehensive Planning Board and Jeff Katims addressed the extension of zoning in progress for

nurseries, but did not include the main goal of Town Council which is to not regulate true agricultural nurseries, but to regulate commercial nurseries. Town Attorney Poliakoff referred to a compromise ordinance that he is preparing that will be presented to Council for discussion at a future meeting.

7. Administration Comments

Town Administrator Berns thanked the Town Council for their efforts through the budget process. He announced that in two weeks there will be a final reading of the millage and budget. He informed that he and Town Financial Administrator Sherwood are available to meet with any residents that may have questions about the budget. Town Administrator Berns reported that Broward County has identified six different locations for the placement of the equestrian warning signs, and in eight months the solar flashers should be up as well. He recognized that the County has been very receptive and understanding of this matter. Lastly, Town Administrator Berns informed Council about a resident who has lived in the Town for many years and is having a wedding scheduled for November at the Barn. However, they would like to request to extend the curfew of 11:00 p.m. to 12:00 a.m. Town Council agreed that an extended curfew be granted.

Resolutions

8. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE TRANSPORTATION SYSTEM SURTAX; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

MOTION: TO APPROVE THE RESOLUTION.

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

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING RESOLUTION NO. 2018-054 AND EXTENDING A ZONING IN PROGRESS, PURSUANT TO SECTION 005-240 OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE, TO FURTHER REGULATE ANY NEW COMMERCIAL NURSERY EXPANSION OF AN EXISTING COMMERCIAL NURSERY, OR STORAGE OR GROWTH OF ANY PLANT MATERIAL IN CONTAINERS; EXTENDING A ZONING IN PROGRESS FOR A PERIOD OF TIME NOT TO EXCEED SIX (6) MONTHS OR UNTIL THE TOWN'S REVISED REGULATIONS HAVE BEEN ADOPTED, WHICHEVER IS SOONER; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

MOTION: TO APPROVE THE RESOLUTION.

The following motion was made by Council Member Breitkreuz, seconded by Council Member

Jablonksi, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, Schroeder, Vice Mayor Fisikelli, and Mayor McKay voting Yes.

10. Approval of Minutes

a. August 23, 2018 – Regular Meeting

MOTION: TO APPROVE THE MINUTES.

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

11. Adjournment - Meeting was adjourned at 9:16 PM.

Respectfully submitted:

Russell Muñiz, Asst. Town Administrator/Town Clerk

*Adopted by the Town Council on
this 27th day of September, 2018.*

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.

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SPECIAL MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Wednesday 5:45 PM

September 12, 2018

13400 Griffin Road

Present:

Mayor Doug McKay
Vice Mayor Freddy Fisikelli
Council Member Steve Breitkreuz
Council Member Gary Jablonski
Council Member Denise Schroeder

Andy Berns, Town Administrator
Russell Muñiz, Assistant Town Administrator/Town Clerk
Martin D. Sherwood, Town Financial Administrator
Keith Poliakoff, Town Attorney

Special Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor McKay at 5:50 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Resolutions

3. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO PREPARE AND TO SUBMIT A GRANT APPLICATION TO THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) TO HELP FUND PARK DEVELOPMENT WITHIN THE TOWN'S FRONTIER TRAILS PARK IN THE AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00), WITH NO REQUIRED MATCH; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO ANY NECESSARY GRANT AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

MOTION: TO APPROVE THE RESOLUTION.

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

4. Adjournment - Meeting was adjourned at 5:53 PM.

Respectfully submitted:

Ivette Solera, Deputy Town Clerk

*Adopted by the Town Council on
this 27th day of September, 2018.*

Doug McKay, Mayor

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