



Southwest Ranches Town Council

REGULAR MEETING Agenda of April 10, 2025

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>
Steve Breitkreuz	Jim Allbritton	Russell C. Muniz, ICMA-CM	Keith M. Poliakoff, J.D.
<u>Vice Mayor</u>	Gary Jablonski	<u>Town Financial Administrator</u>	<u>Town Clerk</u>
Bob Hartmann	David S. Kuczenski, Esq.	Emil C. Lopez, CPM	Debra M. Ruesga

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**

Presentations

3. **2024 Southwest Ranches Officer of the Year - Officer Jose Nunez**
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 OPPOSING SB 1822 AND HB 565 THAT WOULD DEFINE THE TERM "AUXILIARY CONTAINERS" AND PROHIBIT LOCAL GOVERNMENTS FROM REGULATING THEM WHICH IS A DIRECT INTRUSION INTO THE CONSTITUTIONALLY ESTABLISHED HOME RULE POWERS OF THE TOWN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

10. Approval of Minutes

a. February 13, 2025 Regular 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

WHEREAS, On March 6, 2024 Officer Jose Nunez observed a vehicle making an illegal U-turn at 6700 Dykes Road; and

WHEREAS, Officer Nunez initiated a traffic stop and made contact with the driver; and

WHEREAS, During his investigation, Officer Nunez discovered the driver had an active warrant for weapons possession out of Puerto Rico and was in possession of a handgun with an extended 30 round magazine; and

WHEREAS, Officer Nunez placed the driver in custody and during his inventory of the vehicle, he discovered a duffle bag which contained 18 kilos, or 20,011 grams of illegal narcotic estimated at \$342,000; and

WHEREAS, Davie DEA Task Force Officers arrived on scene, conducted their interview and seized two cell phones and the offender was charged with armed trafficking; and

WHEREAS, Officer Nunez's proactive approach to police work and investigative experience removed a dangerous threat from the Town, and through his work ethic, continues to keep our community safe; and

WHEREAS, today, the Town of Southwest Ranches seeks to honor the actions and commitment that Officer Nunez has provided to South Florida in general and our community specifically.

NOW, THEREFORE, BE IT PROCLAIMED, the Town Council of the Town of Southwest Ranches, does hereby proclaim this 10th day of April, 2025, as **OFFICER JOSE NUNEZ DAY.**

BOB HARTMANN, VICE 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
Steve Breitreuz, Mayor
Bob Hartmann, Vice Mayor
Jim Allbritton, Council Member
Gary Jablonski, Council Member
David S. Kuczenski, Esq., Council Member

Russell C. Muniz, ICMA-CM, Town Administrator
Keith M. Poliakoff, JD, Town Attorney
Debra M. Ruesga, Town Clerk
Emil C. Lopez, CPM, Town Financial Administrator

COUNCIL MEMORANDUM

TO: Honorable Mayor Breitreuz and Town Council
VIA: Russell C. Muñiz, Town Administrator
FROM: Kathryn Sims, Deputy Town Administrator
DATE: 4/10/2025
SUBJECT: Town Council Opposition of SB 1822/HB 565 - Prohibiting Local Regulations of Auxiliary Containers

Recommendation

Town Council consideration for a motion to approve the resolution.

Unanimous Vote of the Town Council Required?

No

Strategic Priorities

A. Sound Governance

Background

Senate Bill 1822 and House Bill 565 provides for the definition of auxiliary containers to be reusable or single-use bags, cups, bottles, cans, or other packaging that meet certain requirements such as the material of which they are made and the use of said containers. Senate Bill 1822 and House Bill 565 further provides that regulation of auxiliary containers is expressly preempted by the State.

Such a state preemption prohibits local governmental agencies and state governmental agencies from enacting any rule, regulation, or ordinance regarding the use, disposition, sale, prohibition, restriction, or tax of auxiliary containers, as well as making any current local governmental agency or state governmental agency rules and regulations unlawful.

The Town, and other municipalities throughout the State of Florida, have repeatedly fought to

protect local government's home rule power against intrusions by the State and the Town Council of the Town of Southwest believes that local government is the closest and most accessible and most responsive to residents; hence the Constitutionally established protected home rule powers should be respected and intrusion in municipal home rule should be strongly discouraged.

The Town Council of the Town of Southwest Ranches believes that such a State preemption on the regulation of recyclable and single-use auxiliary containers erodes not only home rule power but the ability to implement local legislation to meet the Town's Zero Waste initiatives that are in place to protect the Town's current and future environment.

The Town Council believes that the oppositions referenced herein are in the best interest of the health, safety, and welfare of all area residents.

Fiscal Impact/Analysis

N/A

Staff Contact:

Russell C. Muniz, Town Administrator

Kathryn Sims, Deputy Town Administrator

ATTACHMENTS:

Description	Upload Date	Type
Resolution - TA Approved	4/4/2025	Resolution

RESOLUTION NO. 2025-XXX

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA OPPOSING SENATE BILL 1822 AND HOUSE BILL 565 THAT WOULD DEFINE THE TERM "AUXILIARY CONTAINERS" AND PROHIBIT LOCAL GOVERNMENTS FROM REGULATING THEM WHICH IS A DIRECT INTRUSION INTO THE CONSTITUTIONALLY ESTABLISHED HOME RULE POWERS OF THE TOWN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Senate Bill 1822 and House Bill 565 provides for the definition of auxiliary containers to be reusable or single-use bags, cups, bottles, cans, or other packaging that meet certain requirements such as the material of which they are made and the use of said containers; and

WHEREAS, Senate Bill 1822 and House Bill 565 further provides that regulation of auxiliary containers is expressly preempted by the State; and

WHEREAS, such a state preemption prohibits local governmental agencies and state governmental agencies from enacting any rule, regulation, or ordinance regarding the use, disposition, sale, prohibition, restriction, or tax of auxiliary containers, as well as making any current local governmental agency or state governmental agency rules and regulations unlawful; and

WHEREAS, the Town, and other municipalities throughout the State of Florida, have repeatedly fought to protect local government's home rule power against intrusions by the State; and

WHEREAS, the Town Council of the Town of Southwest believes that local government is the closest and most accessible and most responsive to residents; hence the Constitutionally established protected home rule powers should be respected and intrusion in municipal home rule should be strongly discouraged; and

WHEREAS, the Town Council of the Town of Southwest Ranches believes that such a State preemption on the regulation of recyclable and single-use auxiliary containers erodes not only home rule power but the ability to implement local legislation to meet the Town's Zero Waste initiatives that are in place to protect the Town's current and future environment; and

WHEREAS, the Town Council believes that the oppositions referenced herein are in the best interest of the health, safety, and welfare of all area residents.

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

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

Section 2: The Town Council hereby formally opposes Senate Bill 1822 and House Bill 565, which intends to prohibit local regulation of auxiliary containers and erode Home Rule Power.

Section 4. The Town Clerk is directed to send a copy of this Resolution to the Florida State Senate, the Florida House of Representatives, the Florida League of Cities, and the Broward League of Cities.

Section 5. This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest Ranches, Florida, this 10th day of April, 2025, on a motion by _____ and seconded by _____.

Breitkreuz _____
Hartmann _____
Allbritton _____
Jablonski _____
Kuczenski _____

Ayes _____
Nays _____
Absent _____
Abstaining _____

Steve Breitkreuz, Mayor

Attest:

Debra Ruesga, Town Clerk

Approved as to Form and Correctness:

Keith Poliakoff, Town Attorney
1001.021.2025

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

February 13, 2025

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Russell Muñiz, Town Administrator

Vice Mayor Bob Hartmann

Debra Ruesga, Town Clerk

Council Member Jim Allbritton

Emil C. Lopez, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Council Member David S. Kuczenski

A 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 Breitkreuz at 7:04 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Presentations

3. Proclamation – 2025 Arbor Day Proclamation

The Town presented a proclamation recognizing the third Friday in January as Arbor Day in the Town of Southwest Ranches.

4. Public Comment

The following members of the public addressed the Town Council: The Sikh Youth Association, Anna Poniecka, Lazaro Padron, and Tracy Swait.

5. Board Reports

Harold Gubnitsky spoke on behalf of the Zero Waste Advisory Board. He talked about the February 7th meeting and the topics of the meeting such as the development of the scope of work for the zero-waste consultant RFP. He discussed the mission statement of the Board and ideas on how to raise awareness and education such as site visits to the Reuter Recycling Center and spoke about working with the Zero Waste Task Force. He thanked the Town Council for their support with the zero-waste efforts.

6. Council Member Comments

Council Member Jablonski spoke about upcoming events around the Town, such as the Fun Horse Show on February 15th, the DMV FLOW event on February 28th, Water Matters Day on March 8th, the Town's 25th Anniversary event on June 7th, and the Car Show and ChiliFest on February 22nd. He talked about the Town's 5k scheduled for April 5th at Rolling Oaks Park, the Broward County Property Appraiser's Office being at Town Hall the first Tuesday of each month, the Barn Dance on March 15th, the Rancher Academy on March 12th and 19th, and Bingo at the Barn on March 22nd. He spoke about the passing of Aster Knight, Marie Nix, and Debra Goff Rose and their contributions to the Town. He talked about the work being done by the Town for the bus stop on Dykes Road. He discussed businesses that were purchasing properties and were using them for illegal businesses and the issues it is causing for the Town and the residents.

Vice Mayor Hartmann spoke about Debra Goff Rose, Marie Nix, and Aster Knight, and how their loss would affect the Town. He talked about the upcoming tour of the Reuter Recycling Center on March 30th and described what the tour entails. He stated to contact him if anyone would like to attend the tour. He discussed the Earth Day event hosted by the Broward Sierra Club at the Anne Kolb Nature Center on March 23rd. He spoke about Water Matters Day happening on March 8th, and how residents could receive native plants for attending. He addressed an issue mentioned during Public Comment regarding the horizontal directional drilling being done by FPL. He responded to Council Member Jablonski's comments regarding businesses operating in the Town illegally and that it should be addressed and discussed further.

Council Member Kuczenski discussed the importance of the Town Advisory Boards and the make-up of the Boards. He spoke about Alina Amaral, a resident that requested to become a member of the Rural Public Arts and Design Board and his desire to appoint her as At-Large Member to the Board.

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

MOTION: TO APPOINT ALINA AMARAL TO THE RURAL PUBLIC ARTS AND DESIGN BOARD AS AN AT-LARGE MEMBER.

He spoke about the issue with the directional boring being done by FPL. He provided Townwide traffic violation statistics for September 2024 through January 2025. He thanked the Town of Davie Police Department for the great job they are doing with their enforcement. He discussed the dangers of speeding in the Town and talked about the locations where the Speed Radar signs will be placed in Sunshine Ranches. He spoke about the culture and farming lifestyle of the Town. He talked about the passing of Debra Goff Rose, Aster Knight, and Marie Nix, and how it has affected him and the Town.

Council Member Allbritton offered his condolences to the families of Debra Goff Rose, Marie Nix, and Aster Knight and spoke about his experiences with them and how their loss has affected him. He talked about the Zero Waste Task Force and their showing of the movie "Buy Now: The Shopping Conspiracy" at the February 12th meeting. He discussed attending a drone demonstration conducted for the Town of Davie Police and Fire Departments. He spoke about the bus stop on Dykes Road, the dangers the students face at the bus stop, and that the Town is working on methods to protect the students and slow down traffic in the area. He discussed the Public Safety and Traffic Committee, its mission, and stated that it still needed another member and that if anyone was interested in joining the Board to contact him.

Mayor Breitkreuz addressed an issue mentioned during Public Comment and spoke about the Town's uniqueness and how the Town is trying to preserve its rural lifestyle. He addressed the residents' concerns about the directional boring being done by FPL. He talked about the upcoming

Rancher Academy and the importance of people attending to learn about the Town especially for realtors to attend so they can understand the Town's character and communicate that to potential buyers planning on moving to the Town. He spoke about the Unity in Diversity 5k and the Sikh Youth Association, and how the name Unity in Diversity is fantastic name for the event. He discussed being selected to represent the Town with the Solid Waste Authority of Broward County and that it was a great opportunity to work with them. He stated that the Authority was making great progress but expressed that he fears the Authority may be leaning towards placing an incinerator in the County. He thanked Debbie Green and Harold Gubnitsky and the teams they are working with in regard to their commitment on waste disposal and that the Town is small but has a big influence on the matter because of their efforts. He discussed the City of Miramar's presentation from the last Town Council Meeting that the legislation the City is attempting to get passed regarding incinerators should be the Town's priority as well. He spoke about Debra Goff Rose, Marie Nix, and Aster Knight and the legacy they have left in the Town. He addressed an issue mentioned in Public Comment regarding the Southwest Ranches Community Farmer's Market. He discussed the intent of having the Farmer's Market, how it has grown and improved, and the improvements being done at the Southwest Meadows Sanctuary.

7. Legal Comments

Town Attorney Poliakoff offered his thoughts and prayers to the families of Debra Goff Rose, Marie Nix, and shared stories of Aster Knight.

8. Administration Comments

Town Administrator Muñoz spoke about Debra Goff Rose, Marie Nix, and Aster Knight and their families and stated it was glad to have the opportunity to have known them. He spoke about the Town's contract with Tower Pest control for pest control services for the Town and that it was not formally brought before the Town Council because the threshold was not over the amount needed for Town Council approval. He stated that there was no provision in the current agreement that allowed the Administration to extend the contract and Council approval was needed.

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

MOTION: TO EXTEND TOWER PEST CONTROL'S CURRENT CONTRACT WITH THE SAME TERMS AND CONDITIONS AND AUTHORIZING THE TOWN ADMINISTRATOR TO AUTHORIZE ANY FUTURE EXTENSIONS OF THE CONTRACT.

He advised Town Council that the Household Hazard Waste event scheduled for April 12 would need to be rescheduled and the Town is aiming for the first weekend of May and would inform the Council once it has been confirmed. Additionally, the updated date will be shared on the Town's website and social media platforms. He discussed the Rancher Academy and stated applications are available on the Town website and that it was limited to the first 30 applicants. He spoke about Town of Davie's Civilian Police Academy beginning on March 4th, that it was an 8

week course, it was open to all Town residents, and the fee was \$25. He stated Mayor Breitkreuz had attended a prior academy, and that he and Council Member Jablonski would be attending the upcoming academy. He addressed the issue with FPL underground boring and said there were two different types of boring the company could do and that he would try to have the FPL representative attend a future Town Council meeting to address the concerns of the Town Council and residents.

Ordinances – 1st Reading

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CLARIFYING ORDINANCE NO. 2024-002 BY AMENDING SECTION 085-070 OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE OF ORDINANCES PERTAINING TO THE REMOVAL OF ILLEGAL FILL; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO TABLE THE ITEM AND HAVE IT REVIEWED BY THE DRAINAGE INFRASTRUCTURE ADVISORY BOARD AND BROUGHT BACK TO TOWN COUNCIL IN MAY.

Resolutions

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA CONCERNING THE BROWARD COUNTY MOBILITY ADVANCEMENT PROGRAM'S (MAP) SHERIDAN STREET CAPACITY EXPANSION PROJECT OPPOSING LIGHT POLLUTION, REQUESTING IMPLEMENTATION OF NOISE REDUCING MEASURES, AND REQUESTING THE REALLOCATION OF FUNDING FROM LIGHT POLES TO AN IMPROVED TURN LANES; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION WITH THE AMENDED LANGUAGE OF "TO QUESTION THE NECESSITY OF THE PROJECT AND THAT THE COUNTY SHOULD EXTEND THE TURN LANES INSTEAD OF WIDENING THE ENTIRE ROAD. AND ADDING LANGUAGE THAT IF THE PROJECT WAS APPROVED THE TOWN DOES NOT WANT LIGHTS OR SIDEWALKS ON THE NORTH SIDE OF SHERIDAN STREET AND THAT A SOUNDWALL BE INCLUDED TO REDUCE NOISE".

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE INVESTMENT POLICY IN SUBSTANTIALLY THE SAME FORM AS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A LEASE AGREEMENT AND A MAINTENANCE CONTRACT WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. FOR THREE (3) COPIER/PRINTER/SCANNERS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

13. Adjournment

Meeting adjourned at 9:02 p.m.

Respectfully submitted:

Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Council on this 10th day of April, 2025.

Steve Breitreuz, Mayor

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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.

DRAFT