



Southwest Ranches Town Council

REGULAR MEETING

Agenda of November 12, 2015

Southwest Ranches Council Chambers
7:00 PM THURSDAY

13400 Griffin Road
Southwest Ranches, FL 33330

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

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter or hearing impaired to participate in this proceeding should contact the Town Clerk at (954) 434-0008 for assistance no later than four days prior to the meeting.

- 1. Call to Order/Roll Call**
- 2. Pledge of Allegiance**
- 3. Presentation – Matthew Cuoco – Eagle Scout**
- 4. Presentation – Troop 224**
- 5. Presentation – West Broward Lacrosse**
- 6. 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.
- 7. Board Reports**
- 8. Council Member Comments**
- 9. Legal Comments**
- 10. Administration Comments**
- 11. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPOINTING COUNCIL MEMBER _____ AS THE NEW VICE MAYOR OF THE TOWN OF SOUTHWEST RANCHES; AND PROVIDING AN EFFECTIVE DATE.**
- 12. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A YEAR END BUDGET ADJUSTMENT FOR THE FISCAL YEAR 2014/2015 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.**
- 13. Approval of Minutes**
 - a. October 8, 2015, Regular Town Council Meeting**
- 14. Adjournment**

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.



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

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

Town Council
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

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

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

VIA: Andy Berns, Town Administrator

FROM: Russell Muñiz, Assistant Town Administrator/Town Clerk

DATE: November 12, 2015

SUBJECT: Proposed Resolution Appointing the New Vice Mayor of the Town of Southwest Ranches

Recommendation:

Town Staff is requesting Town Council's consideration and appointment of Vice Mayor of the Town of Southwest Ranches for the upcoming year.

Issue:

Section 2.03 of the Town's Charter addresses the position of Vice Mayor. The Vice Mayor shall be elected from among Council Members. It requires a majority vote of the Council. This Resolution serves to comply with the Town's Charter by appointing a new Vice Mayor.

Background:

The vote takes place in November of each year. The Vice Mayor shall serve for a period of one year. No Council Member shall serve consecutive terms as Vice Mayor unless no other Council Member is willing to serve as Vice Mayor.

Fiscal Impact:

None.

Staff Contact:

Russell Muñiz, Assistant Town Administrator/Town Clerk

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RESOLUTION NO. 2016 –

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPOINTING COUNCIL MEMBER _____ AS THE NEW VICE MAYOR OF THE TOWN OF SOUTHWEST RANCHES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 4, 2003 the Town's electorate amended Section 2.03 of the Town's Charter to provide for the annual appointment of the Town's Vice Mayor; and

WHEREAS, on November 7, 2006 the Town's electorate further amended Section 2.03 of the Town's Charter to provide that the Vice Mayor shall be elected from among Council Members for a period of one year by a majority of the Council in November of each year; and

WHEREAS, no Council Member shall serve consecutive terms as Vice Mayor unless no other Council Member is willing to serve as Vice Mayor; and

WHEREAS, this Resolution serves to comply with the Town's Charter by appointing a new Vice Mayor.

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 appoints _____ as the new Vice Mayor of the Town of Southwest Ranches.

Section 3: This Resolution shall become effective immediately upon its adoption.

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

Ranches, Florida, this 12th day of November 2015, on a motion by _____

and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____

Jeff Nelson, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

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

112770239.1



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

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

Town Council
Jeff Nelson, Mayor
Freddy Fisikelli, Vice Mayor
Steve Breitreuz, Council Member
Gary Jablonski, Council Member
Doug McKay, Council Member

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

COUNCIL MEMORANDUM

TO: Honorable Mayor Nelson and Town Council

THRU: Andrew D. Berns, Town Administrator

FROM: Martin D. Sherwood, Town Financial Administrator

DATE: November 12, 2015

SUBJECT: FY 2014 / 2015 Year-end Budget Adjustment

Recommendation

It is recommended that the Town Council adopt the attached resolution adjusting the FY 14/15 Town Budget as presented to prevent Departmental expenditures from exceeding budgeted approved Departmental appropriations.

Strategic Priorities

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

A. Sound Governance

Background/Issue

Each municipality within the State of Florida is required by State Statute to adopt a balanced budget through a formal public process and to not exceed the appropriations adopted through that process. For the Town of Southwest Ranches, the level for assessing expenditures and appropriations is at the Fund and Departmental levels. None of the Towns five funds (General, Transportation, Capital Projects, Debt Service or Solid Waste) had expenditures that exceeded their adopted current budget which would result in a violation of State Statute. Additionally, for the third consecutive year, the Southwest Ranches Volunteer Fire Rescue, Inc. (a financial reporting component unit) also did not exceed its adopted current budget.

However, while none of the funds exceeded budget, a few of the individual Departments did exceed their approved budgets. For each of those Departments the Town, in accordance with its charter, needs to adjust the impacted departmental budgets. Adoption of the attached resolution and exhibit A “cleans up” the FY 14/15 budget for Town charter compliance.

Fiscal Impact/Analysis

Four of the five Town funds need no revision as no allocation centers (Departments) exceeded budget. The only fund which needs to be addressed is the General Fund. Within that fund, three departments exceeded their appropriations. Those departments are: 1) Town Attorney, 2) Building - Permitting Services and 3) Public Works – Engineering/CS.

Town Attorney’s expenditures were exceeded due to continued extraordinary and unanticipated litigation, including Code Enforcement on behalf of the Town (\$15,293). The higher Town Attorney expenditures were mostly offset by an overall increase in code enforcement recoveries. Building - Permitting Services Department expenditures were exceeded due to regulatory and/or contractual costs associated with additional permitting and inspection activities (\$149,129). This expense was offset by increased revenues received. Finally, Public Works – Engineering/CS had slightly greater expenditures (\$564) due to higher than budgeted outside contractual service costs.

Fortunately, most revenue collected and accounts receivables pertaining to revenues also exceeded budgetary expectations. By adjusting for these unexpected increases or **decreases** in advalorem taxes (**\$34,394**), utility taxes (\$79,529), franchise fees (\$8,577), communication services taxes (\$32,285), building – permitting fees (\$232,524), In-house engineering fees (\$47,110), fire assessment fees (\$27,904) Planning/zoning fees (**\$37,154**), code enforcement/legal recoveries (\$57,378), Federal Grant-Public Safety (\$5,574), State Revenue Sharing-Sales Taxes (\$14,389), and Judgement & Fines – Traffic Court (\$93,736) and upon reversing the current budget appropriated fund balance of (**\$436,089**), the above mentioned departmental expenditures are balanced and the General Fund unassigned Fund Balance (reserves) are left intact. **Therefore, this resolution increases the total current budget of the General Fund for Fiscal Year 2014 / 2015 by \$91,370 without the need to use any General Fund unassigned Fund Balance (reserves).**

On a final note, unrelated to the budgeting resolution presented above, the *unaudited* General Fund net change in fund balance (a/k/a: surplus/excess of revenues over expenditures/increase to reserves) is in excess of \$500,000 as of agenda date.

Staff Contact

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

Richard Strum, Controller

RESOLUTION NO. 2016 -

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SOUTHWEST RANCHES, FLORIDA, APPROVING A YEAR END
BUDGET ADJUSTMENT FOR THE FISCAL YEAR 2014/2015
BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, on September 30, 2014, pursuant to Ordinance No. 2014-006, the Town Council approved and adopted the fiscal year 2014/2015 budget; and

WHEREAS, State law and the Town's Ordinance adopting the fiscal year 2014/2015 budget provides for the adjustment of the approved and adopted budget Ordinance via a Resolution; and

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

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

WHEREAS, in accordance with the external auditor requirements, and sound budgetary process, year-end budget adjustments are necessary within 60 days of fiscal year end in order to balance the Fiscal Year (FY) 2014/2015 Budget to comply with Florida State Statutes; and

WHEREAS, The Town Council has determined that it is desirable to adjust the Fiscal Year 2014/2015 Adopted Budget to account for variances in actual expenditures and revenues in relation to the current Fiscal Year 2014/2015 Budget;

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: Authorization. The Town Council of the Town of Southwest Ranches does hereby approve the year-end budget adjustment for Fiscal Year 2014/2015 as attached hereto and incorporated herein by reference as Exhibit "A".

Section 3: Effective Date. This Resolution shall become effective immediately upon its adoption and retroactive for budget Year 2014/2015.

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

Florida, this 12th day of November, 2015 on a motion by

_____ and seconded by _____.

Nelson _____
Fisikelli _____
Breitkreuz _____
Jablonski _____
McKay _____

Ayes _____
Nays _____
Absent _____

Jeff Nelson, Mayor

ATTEST:

Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:

Keith M. Poliakoff, J.D., Town Attorney
112770404.1

EXHIBIT A

**TOWN OF SOUTHWEST RANCHES
FYE 2014 / 2015 BUDGET ADJUSTMENTS**

General Fund Revenue	FY 14/15 Current Budget	Budget Change-Increase/(Decrease)	FY 14/15 Revised Current Budget	Explanation
Advalorem Taxes	4,822,858	(34,394)	4,788,464	Advalorem tax collections less than anticipated
Utility Taxes	739,250	79,529	818,779	Unanticipated collections
Franchise Fees	27,800	8,577	36,377	Unanticipated collections
Communication Svcs Taxes	361,255	32,285	393,540	Unanticipated collections
Building - Permitting Fees	361,000	232,524	593,524	Town permitting/inspection fees higher than anticipated
In-house Engineering Fees	25,000	47,110	72,110	In-house Engineering fees higher than anticipated
Fire Assessment Fees	1,814,552	27,904	1,842,456	Fire Assessment collections higher than anticipated
Planning/Zoning Permit Fees	120,500	(37,154)	83,346	P&Z Permitting fees lower than originally anticipated
Code Enforcement/legal Recoveries	160,000	57,378	217,378	Code/Lien enforcement recoveries higher than anticipated
Federal Grant-Public Safety	35,917	5,574	41,491	Federal grant procurement activity higher than anticipated
SRS-1/2 cent Sales Taxes	460,653	14,389	475,042	State revenue sharing higher than anticipated
Judgement & Fines - Traffic Court	48,000	93,736	141,736	Traffic Court violations/collections higher than anticipated
Appropriated Fund Balance	436,089	(436,089)	0	Reduction in anticipated utilization of Fund Balance (reserves)
		\$91,370	Total increase to budgeted revenues (net)	
General Fund Department	FY 14/15 Current Budget	Budget Change-Increase/(Decrease)	FY 14/15 Revised Current Budget	Explanation
Legislative	52,600	(40,254)	12,347	Lower aid to private organizations than budgeted
Town Attorney	372,266	15,293	387,559	Extraordinary/Unanticipated (incl. Code Enforcement) Litigation
Building - Permitting Services	250,000	149,129	399,129	Permit processing costs offset by increased revenues per above
Planning/Zoning Services	115,500	(33,362)	82,138	P&Z permitting and hearing costs lower than originally budgeted
Public Works - Engineering/CS	8,759	564	9,323	Public Works contractual services higher than budgeted
		\$91,370	Total increase to budgeted expenditures (net)	

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REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

October 8, 2015

13400 Griffin Road

Present:

Vice Mayor Freddy Fisikelli
Council Member Steve Breitkreuz
Council Member Jablonski
Council Member Doug McKay

Andy Berns, Town Administrator
Keith Poliakoff, Town Attorney
Russell Muñiz, Assistant Town Administrator

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

The following motion was made by Council Member McKay, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, and Vice Mayor Fisikelli voting Yes.

MOTION: TO EXCUSE MAYOR NELSON.

3. Proclamation – Domestic Violence Awareness Month

Delores DeFerrari, of Women In Distress was on hand to receive the proclamation.

4. Presentation – FRDAP Check Presentation – Steven Dale

Steven Dale, Park Manager of John U. Lloyd State Park was on hand to present the Town with a check in the amount of \$50,000 which represented a grant award from the Florida Recreation Development Assistance Program (FRDAP) for Calusa Corners Park.

5. Public Comment – The following members of the public addressed the Town Council: Gay Chaples, Jen Dachtou, and Debbie Green.

6. Board Reports

There were no Board reports.

7. Council Member Comments

Council Member Breitkreuz spoke about the homeowner surveys related to speedbumps and indicated that the early votes received seemed to indicate that the speedbumps would remain in place.

Council Member McKay reminded everyone that the Town's Birthday would be celebrated on November 7th at the Rolling Oaks Barn, He indicated Southwest Ranches Parks Foundation Car Show that would take place on November 14th at the Rolling Oaks Barn. He indicated that he and

several other Council Members will be participating in a "dunk tank" to raise funds. He asked that everyone attend.

Council Member Jablonski spoke about the Shred-A-Thon and Household Hazardous Waste event that was scheduled for October 10th. He spoke about the Motor Vehicles FLOW event that was scheduled for October 22nd will be held at Town Hall. He also spoke about the Country Crafts Festival scheduled for October 17th, the Schools and Education Advisory Board poker fundraiser scheduled for October 15th. Lastly he mentioned the Rolling Oaks Halloween Event that will be held on October 31st and the Country Estates Homeowners Association Hog Roast scheduled for December 5th.

Vice Mayor Fisikelli spoke about the need to expand the size of the advisory boards to avoid cancellations due to a lack of quorum. After further Council discussion and input from the Town Attorney it was suggested that the Staff Liaison contact all board members by telephone prior to a meeting.

8. Legal Comments

Town Attorney Poliakoff advised that a judge denied the City of Pembroke Pines motion for summary judgement which meant that the case will now go to a jury trial. He advised that the Town has a Conflict Resolution meeting with Pembroke Pines regarding the development of the Franklin Academy Charter School on Tuesday October 13th.

9. Administration Comments

Town Administrator Berns advised the Town of Southwest Ranches Family Fun Horse Show will be held at the Sunshine Ranches Equestrian Park on December 12th.

10. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FIRST MODIFICATION TO THE AGREEMENT BETWEEN THE TOWN OF SOUTHWEST RANCHES AND WEEKLEY ASPHALT PAVING, INC. FOR ROADWAY REPAIR AND TRAFFIC SIGNS MAINTENANCE SERVICES; APPROVING AN ADDITIONAL ONE (1) YEAR TERM; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE FIRST MODIFICATION TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member McKay and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, and Vice Mayor Fisikelli voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

11. Approval of Minutes

- a. September 15, 2015, First Budget Hearing**
- b. September 15, 2015, Regular Town Council Meeting**

The following motion was made by Council Member McKay, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Jablonski, McKay, and Vice Mayor Fisikelli voting Yes.

MOTION: TO APPROVE THE MINUTES SUBJECT TO CORRECTING THE DATE OF THE SHRED A THON IN THE REGULAR MEETING MINUTES TO OCTOBER 10TH.

12. Adjournment – Meeting was adjourned at 7:41 p.m.

Respectfully submitted:

Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 12th day of November, 2015.*

Jeff Nelson, Mayor

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