



CITY OF TAMARAC
REGULAR CITY COMMISSION MEETING
City Hall - Commission Chambers
June 26, 2013

CALL TO ORDER:

9:00 A.M.

ROLL CALL:

PLEDGE OF ALLEGIANCE:

Commissioner Patricia Atkins-Grad

INTRODUCTION

1. PROCLAMATIONS AND PRESENTATIONS:

a. Parks and Recreation Month Proclamation

Presentation of a proclamation by Mayor Talabisco proclaiming the month of July 2013 as "Parks & Recreation Month". (Requested by Parks & Recreation Director Greg Warner)

b. Code Enforcement Officers' Appreciation Week

Presentation of a proclamation by Mayor Talabisco proclaiming the week of June 24 - 28, 2013 as "Code Enforcement Officers' Appreciation Week". (Requested by Code Enforcement Manager Mark Woods)

c. Presentation by Mayor Beth Talabisco of Employee Service Awards:

Presentation by Mayor Beth Talabisco of Employee Service Awards:

5 - Year Awards:

Peyton Whitfield, Neighborhood Revitalization Officer,
Community Development
Cathy Jones, Procurement Coordinator, Fire Rescue
Matthew Boyer, Firefighter Paramedic, Fire Rescue
Jorge Orbeta, Firefighter Paramedic, Fire Rescue
Mark Paguio, Firefighter Paramedic, Fire Rescue
Rodrigo Castro, Engineer, Public Services
Kevin Alexander, Groundskeeper I, Public Services
Csaba Banrevy, Groundskeeper I, Public Services
Gerald Robinson, Senior, Wastewater Service Worker III, Public Services

10 - Year Awards:

Bernadette Hughes, Management Analyst II, City Manager
Jeanne Marra, Human Resources Analyst, Human Resources
Jason Barrios, Firefighter Paramedic, Fire Rescue

15 - Year Awards:

Janie Morris, Senior Customer Service Representative, Finance
William Lewis, Public Works Superintendent, Public Services

Thomas Vreeland, Stormwater Supervisor, Public Services
Robert Lazarou, Parks & Recreation Site Supervisor, Parks & Recreation

20 - Year Award:

Marsha Kanterman, Senior Permit Clerk, Building

25 - Year Award:

Chet Jablonka, Maintenance Supervisor, Public Services

30 - Year Awards:

Jerome Emerson, Firefighter Paramedic, Fire Rescue
Anthony Bouchard, Wastewater Service Worker III, Public Services

2. CITY COMMISSION REPORTS

a. Commissioner Bushnell

b. Commissioner Atkins Grad

c. Commissioner Glasser

d. Vice Mayor Dressler

e. Mayor Talabisco

3. CITY ATTORNEY REPORT

4. CITY MANAGER REPORT

a. [Investment Report - April 2013](#)

Investment Report - April 2013

5. PUBLIC PARTICIPATION

Any member of the public may speak to any issue that is not agendaized for public hearing at this meeting. Speakers will be limited to three minutes during this item and at public hearings. There will be a thirty (30) minute aggregate time limit for this item, and speakers are encouraged to sign up in advance with the City Clerk prior to their participation.

When an issue has been designated as quasi-judicial, public remarks shall only be heard during a quasi-judicial hearing that has been properly noticed for that matter.

ANNOUNCEMENT OF TIME ALLOCATIONS-MOTIONS TO TABLE

The Chair at this time will announce those items that have been given a specific time to be heard, and will entertain motions from the Commission members to table those items that require research. The Commission may agendaize by majority consent matters of an urgent nature which have come to the Commission's attention after publication.

6. CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by ONE MOTION in the form listed below. If discussion is desired, then, in accordance with Resolution 2003-15, Sec. 4.5, the item(s) will be removed from the Consent Agenda and will be considered separately.

a. [Approval of the June 12, 2013 Regular Commission Meeting Minutes](#)

Approval of the June 12, 2013 Regular Commission Meeting Minutes

b. [TR12348 - Tamarac Recreation Leases](#)

A Resolution by the City Commission of the City of Tamarac, finding declaring its intent to enter an

agreement with Tamarac Enterprises, Inc., the Behring Foundation, Tams Association, Inc., Tamarac Lakes North Association, Inc. and Tamarac Lakes South Civic Association, Inc., to deed and release any interest the City might have had in the recreational facilities and properties, in order to give effect to the city's prior resolution numbers R-71-12, R-77-177, R-77-187 and R-93-50 to rescind, cancel and terminate any rights and obligations of the City pursuant to the deed restrictions pertaining to Sections 1 and 2 of Tamarac Lakes, the indenture of mortgage, and the agreement dated January 3, 1967, attached hereto as Exhibit "A" and incorporated herein; directing the appropriate City officials to take any and all action necessary to effectuate the intent of this resolution; providing for conflicts; providing for severability and providing for an effective date.

c. TR12354 - Resolution Approving the Award of RFP No. 13-10R to Ashbritt, Inc. and Crowder Gulf Joint Venture, Inc. for Disaster Debris Removal and Disposal Services

A Resolution of the City Commission of the City of Tamarac, Florida, approving the Award of RFP No. 13-10R to Ashbritt, Inc. and Crowder Gulf Joint Venture, Inc. for Disaster Debris Removal and Disposal Services; authorizing the appropriate City Officials to execute Agreements with Ashbritt, Inc. and Crowder Gulf Joint Venture, Inc. for Disaster Debris Removal and Disposal Services; providing for conflicts; providing for severability; providing for an effective date.

d. TR12355 - Resolution authorizing the use of the Agreement between Southwest Ranches and Sun-Bergeron for Recycling Processing Services

A Resolution of the City Commission of the City of Tamarac, Florida, approving an Agreement with Sun-Bergeron Solid Waste Services Joint Venture providing for Recyclable Material Processing Services utilizing the Agreement between Southwest Ranches and Sun-Bergeron Solid Waste Services Joint Venture; authorizing the appropriate City Officials to execute said Agreement and take all steps necessary to effectuate the intent of the Resolution; providing for conflicts; providing for severability; and providing for an effective date.

e. TR12352 - Resolution Approving the Award for RFP No. 13-11R to SAIC for Disaster Debris Monitoring Services

A Resolution of the city Commission of the City of Tamarac, Florida, approving the award for RFP no. 13-11R to Science Applications International Corporation (SAIC) for Disaster Debris Monitoring Services; authorizing the appropriate City Officials to execute an Agreement with SAIC for Disaster Debris Monitoring Services; providing for conflicts, providing for severability; providing for an effective date.

f. TR12360 - Grant Application to the Broward Redevelopment Program

A Resolution of the City Commission of the City of Tamarac, Florida authorizing the appropriate City Officials to submit a grant application to Broward County for Broward Redevelopment Program Funds in the amount of \$1,500,000 for the Tamarac Village Development Project; providing for an in-kind match through the value of the land and staff hours related to the project in the amount of \$1,500,000 in the event of approval of the application; providing for acceptance of the award and execution of documents upon legal review and approval; providing for conflicts; providing for severability; and providing for an effective date.

g. TR12351 - Banking Services Agreement Renewal

A Resolution of the City Commission of the City of Tamarac, Florida authorizing the appropriate City Officials to exercise a Two (2) Year Renewal Option to the Original Agreement between the City of Tamarac and TD Bank, NA, as the City's Depository and provider of Banking Services, and to execute Agreement Amendment #1 effective for the term October 23, 2013 through October 22, 2015; providing for conflicts; providing for severability; and providing for an effective date.

7. REGULAR AGENDA

8. ORDINANCE(S) - FIRST READING

a. TO2283 - Temporary Housing Ordinance

Motion to adopt an ordinance of the City Commission of the City of Tamarac, Florida, **on first reading** amending Chapter 5, entitled "Buildings and Building Regulations," of the City of Tamarac Code of Ordinances by adopting a new article XII, entitled, "Emergency Temporary Housing," to provide for the use of temporary housing during declared housing emergencies; providing for

codification; providing for conflicts; providing for severability; providing for an effective date.

b. TO2286 - Flood Prevention and Protection

Motion to adopt an Ordinance by the City Commission of the City of Tamarac, Florida, **on first reading** amending the City of Tamarac Code of Ordinances by repealing Chapter 8, Sections 8-1 thru Section 8-13, entitled "Flood Prevention and Protection," in its entirety and adopting a new Chapter 8, Sections 1 to 71 adopting Flood Hazard Maps, designating a Floodplain Administrator, adopting procedures and criteria for development in flood hazard areas, and for other purposes; providing for codification; providing for conflict; providing for severability; and providing an effective date.

9. PUBLIC HEARING(S)

10. ORDINANCE(S) - SECOND READING

a. TO2278 - Telecommunications Towers and Antennas Ordinance

Motion to adopt an Ordinance of the City Commission of the City of Tamarac, Florida; **on second reading** amending Article IX, Chapter 24 entitled "Telecommunications Towers and Antennas" of the Code of Ordinances of the City of Tamarac, Florida, as amended, and to regulate personal wireless service facilities in the public rights-of-way; containing a repealer provision, a severability clause, and providing for an effective date.

PASSED ON FIRST READING JUNE 12, 2013

b. TO2285 - Red Light Camera Ordinance Amendment

Motion to adopt an Ordinance of the City Commission of the City of Tamarac, Florida; **on second reading** amending Part II of the Code of Ordinances of the City of Tamarac; amending Chapter 2, Article III, Division 2 of the Code of Ordinances to update the definition of "Magistrate" and to authorize the special magistrate to enforce all matters authorized by law; amending and restating Part II, Chapter 14.5, entitled "Tamarac Dangerous Intersection Safety Act" to conform to state law, and to add a new section 14.5-5, to be entitled "Notice of Violation Hearings", to implement 2013 changes in State Law that provide for the City to conduct hearings on notices of violation; providing for severability; providing for codification; providing an effective date.

PASSED ON FIRST READING JUNE 12, 2013

11. QUASI-JUDICIAL HEARING(S)

a. TR12358 - Cradle to Crayons Special Exception

A Resolution of the City Commission of the City of Tamarac, Florida, approving a Special Exception petition to allow a daycare use for the Cradle to Crayons Pre-school project with an underlying zoning classification of B-2 (Planned Community Business District) pursuant to the Permitted Uses Master List, Section 24-434, Tamarac Code of Ordinances; for the property located at 5341-5343 North State Road 7 (all of Commercial Plaza, according to the Plat thereof, as recorded in the Plat Book 82, Page 50, of the public records of Broward County, Florida) (Case No. 6 - Z -13); providing for conflicts; providing for severability; and providing for an effective date.

b. TR12357 - New Harvest Ministries Church - New Development Site Plan

A Resolution of the City Commission of the City of Tamarac, Florida, issuing Revised Development Order No. 208.3 and granting New Development Site Plan approval (with conditions) for the New Harvest Preparation Ministries Church project, to allow for the development of a 3-story, 23,007 sq. ft. church facility, for the property located at the southeast corner of Rock Island Road and Bailey Road, (specifically all of Parcels B, C, and D of the Lakes of Carriage Hills II, according to the Plat thereof, as recorded in Plat Book 123, Page 7 of the public records of Broward County, Florida) (Case No. 25-SP-11); providing for conditions; providing for conflicts; providing for severability; and providing for an effective date.

c. TR12346 - Hampton Inn Cell Tower - Special Exception

A Resolution of the City Commission of the City of Tamarac, Florida, approving a Special Exception petition to allow for the erection of a telecommunication tower and associated support structures for

the Hampton Inn project located with in a B -2 (Planned Community Business) Zoning District, specifically located at 4499 West Commercial Boulevard (Parcel A of the Wynne Commercial Plat according to the Plat thereof, as recorded in Plat Book 162, Page 43 of the Public Records of Broward County, Florida) pursuant to Section 24-702 (a) and (b), of the Tamarac Code of Ordinances; providing for conflicts; providing for severability; and providing for an effective date.

TABLED FROM THE JUNE 12, 2013 MEETING

12. OTHER

The City Commission may consider and act upon such other business as may come before it. In the event this agenda must be revised, such revised copies will be available to the public at the City Commission meeting.

Pursuant to Chapter 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is based.

The City of Tamarac complies with the provisions of the Americans with Disabilities Act. If you are a disabled person requiring any accommodations or assistance, please notify the City Clerk's Office at (954)-597-3505 of such need at least 48 hours (2 days) in advance. Additionally, if you are hearing or speech impaired and need assistance, you may contact the Florida Relay Service at either of the following numbers: 1-800-955-8770 or 1-800-955-8771.



Patricia Teufel, CMC
Interim City Clerk



Title - 9:00 A.M.

9:00 A.M.

ATTACHMENTS:

Name:

Description:

No Attachments Available



Title - Commissioner Patricia Atkins-Grad

Commissioner Patricia Atkins-Grad

ATTACHMENTS:

Name:

Description:

No Attachments Available




Title - Parks and Recreation Month Proclamation

Presentation of a proclamation by Mayor Talabisco proclaiming the month of July 2013 as "Parks & Recreation Month". (Requested by Parks & Recreation Director Greg Warner)

ATTACHMENTS:

Name:

 [Parks_Rec_Month_2013_Proclamation_revised_\(2\).doc](#)

Description:

Parks & Recreation Month Proclamation



Requested by Gregory Warner, Director of Parks and Recreation

WHEREAS, public parks, recreation activities, and leisure experiences provide opportunities for young people to live, grow and develop into contributing members of society, and creates lifelines and continues life experiences for older members of the community; and

WHEREAS, we recognize that quality of life “starts in parks” and the three pillars of the value of parks and recreation which are coaching, connecting and community; and

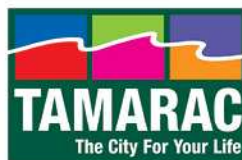
WHEREAS, as we recognize July as Parks and Recreation Month, we also recognize the vital contributions of employees and volunteers in public parks and recreation facilities who keep public parks clean and safe for visitors, organize youth and senior activities, provide health and fitness activities, offer learn-to-swim programs, plan special events, present cultural arts programs, provide social services, organize youth sports leagues and advocate for more open space and better bikeways and trails; and

WHEREAS, the City of Tamarac Parks and Recreation Department is pleased and proud to offer programs and services that enhances the quality of life for residents of our great City; and

WHEREAS, during the month of July 2013, Tamarac Parks and Recreation will present special activities including intergenerational jazzercise, camp field day, dive in movie, badminton tournament and more, to celebrate Parks and Recreation Month and we invite our residents to visit one of our facilities and take part in these activities

NOW, THEREFORE, I, Beth Talabisco, Mayor, of the City of Tamarac, Broward County, Florida, hereby proclaim the month of July 2013, as **“PARKS AND RECREATION MONTH”** in the City of Tamarac in fitting recognition of the parks and recreation programs available in our community and the benefits they offer.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tamarac to be affixed this 26th day of June, 2013.



Beth Talabisco

Beth Talabisco, Mayor



Title - Code Enforcement Officers' Appreciation Week

Presentation of a proclamation by Mayor Talabisco proclaiming the week of June 24 - 28, 2013 as "Code Enforcement Officers' Appreciation Week". (Requested by Code Enforcement Manager Mark Woods)

ATTACHMENTS:

Name:

 [Code Enforcement Officers Appreciation Week.doc](#)

Description:

Code Enforcement Officers' Week Proclamation



Requested by Code Enforcement Manager Mark Woods

WHEREAS, Code Enforcement Officers provide for the safety, health and welfare of the citizens in this community through the enforcement of beautification, minimum housing, zoning, environmental and other codes and ordinances; and

WHEREAS, Code Enforcement Officers are rarely credited for the jobs they perform in protecting lives and improving neighborhoods; and

WHEREAS, every day, assisted by support staff, Code Enforcement Officers provide quality customer service to the public for the betterment of the community; and

WHEREAS, often their efforts go unnoticed, even after compliance has been achieved due to their efforts and expertise; and

WHEREAS, Code Enforcement Officers are dedicated, well-trained, and highly responsible individuals who are dedicated to the City in which they serve; and

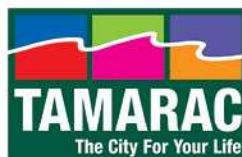
WHEREAS, the Florida Association of Code Enforcement (F.A.C.E.) has declared that a week in June be set aside by local government to honor and recognize Code Enforcement Officers.

NOW, THEREFORE, I, Beth Talabisco, Mayor of the City of Tamarac, Broward County, Florida, do hereby proclaim the week of June 24 through June 28, 2013 as

“CODE ENFORCEMENT OFFICERS’ APPRECIATION WEEK”

in the City of Tamarac, Florida, and join the City Commission and our citizens in expressing appreciation for the dedication and outstanding service provided by the individuals who serve as our Code Enforcement Officers.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tamarac to be affixed this 26th day of June, 2013.



Beth Talabisco
Beth Talabisco, Mayor



Title - Presentation by Mayor Beth Talabisco of Employee Service Awards:

Presentation by Mayor Beth Talabisco of Employee Service Awards:

5 - Year Awards:

Peyton Whitfield, Neighborhood Revitalization Officer,
Community Development
Cathy Jones, Procurement Coordinator, Fire Rescue
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Jorge Orbeta, Firefighter Paramedic, Fire Rescue
Mark Paguio, Firefighter Paramedic, Fire Rescue
Rodrigo Castro, Engineer, Public Services
Kevin Alexander, Groundskeeper I, Public Services
Csaba Banrevy, Groundskeeper I, Public Services
Gerald Robinson, Senior, Wastewater Service Worker III, Public Services

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William Lewis, Public Works Superintendent, Public Services
Thomas Vreeland, Stormwater Supervisor, Public Services
Robert Lazarou, Parks & Recreation Site Supervisor, Parks & Recreation

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25 - Year Award:

Chet Jablonka, Maintenance Supervisor, Public Services

30 - Year Awards:

Jerome Emerson, Firefighter Paramedic, Fire Rescue
Anthony Bouchard, Wastewater Service Worker III, Public Services

ATTACHMENTS:

Name:

 [June Employee Service Awards.pdf](#)

Description:

June Employee Service Awards

**CITY OF TAMARAC
INTEROFFICE MEMORANDUM
HUMAN RESOURCES DEPARTMENT**

TO: City Clerk

DATE: June 12, 2013

FROM: Benefits Specialist

**RE: Employee Service Awards – June 26, 2013
Commission Meeting**

The following is a list of employees to be recognized at the City Commission Meeting scheduled for June 26, 2013.

SERVICE AWARDS

Employee Name	Job Title	Department	Length of Service
Peyton Whitfield	Neighborhood Revitalization Officer	Community Development	5 yrs
Cathy Jones	Procurement Coordinator	Fire Rescue	5 yrs
Matthew Boyer	Firefighter Paramedic	Fire Rescue	5 yrs
Jorge Orbeta	Firefighter Paramedic	Fire Rescue	5 yrs
Mark Paguio	Firefighter Paramedic	Fire Rescue	5 yrs
Rodrigo Castro	Engineer	Public Services	5 yrs
Kelvin Alexander	Groundskeeper I	Public Services	5 yrs
Csaba Banrevy	Groundskeeper I	Public Services	5 yrs
Gerald Robinson Sr.	Wastewater Service Worker III	Public Services	5 yrs
Bernadette Hughes	Management Analyst II	City Manager	10 yrs
Jeanne Marra	Human Resources Analyst	Human Resources	10 yrs
Jason Barrios	Firefighter Paramedic	Fire Rescue	10 yrs
Hector Roman	Firefighter Paramedic	Fire Rescue	10 yrs
David Sherman	Firefighter Paramedic	Fire Rescue	10 yrs
Janie Morris	Senior Customer Service Representative	Finance	15 yrs
William Lewis	Public Works Superintendent	Public Services	15 yrs
Thomas Vreeland	Stormwater Supervisor	Public Services	15 yrs
Robert Lazarou	Parks and Recreation Site Supervisor	Parks and Recreation	15 yrs
Marsha Kanterman	Senior Permit Clerk	Building	20 yrs
Chet Jablonka	Maintenance Supervisor	Public Services	25 yrs
Jerome Emerson	Firefighter Paramedic	Fire Rescue	30 yrs
Anthony Bouchard	Wastewater Service Worker III	Public Services	30 yrs

Please feel free to call me if you have any questions.


Nora Carles

cc: Human Resources Director
Assistant City Clerk



Title - Investment Report - April 2013

Investment Report - April 2013

ATTACHMENTS:

Name:

 [Investment Report - April 2013.pdf](#)

Description:

Investment Report - April 2013

CITY OF TAMARAC
INTEROFFICE MEMORANDUM
FINANCIAL SERVICES
ADMINISTRATION DIVISION

TO: Michael C. Cernech
City Manager

DATE: May 16, 2013

FROM: Mark Mason 
Financial Services Director

RE: Investment Report:
April 2013

Recommendation:

The following report on the City's investments is scheduled for presentation to the Investment Advisory Committee.

Issue:

This report provides an update of the City's investment activity for the month of April 2013. Tamarac's Code, Section 6-29 "Investment Reports", provides that: "The Finance Director shall prepare a written report of the City's investments at least on a monthly basis. The report shall be presented and explained to the City Commission at a regular or special meeting."

Background:

The Financial Services staff reviews the City's cash positions on a daily basis and invests funds as cash flow, investment needs, and interest rates dictate. Operating funds are invested according to cash flow needs with surplus funds invested in securities of varying maturities. No single investment is invested longer than a maturity of sixty (60) months, and the average duration of Tamarac's investment portfolio is targeted to be less than thirty-six (36) months.

Investment Portfolio Weighted Yield:

The total Operations & Reserve investment portfolio weighted average yield for the month of April was 0.32%. The managed portion of the portfolio had a weighted average yield of 0.76%, while the cash portion of the portfolio had a weighted average yield of .21%.

The Series 2005 Capital Improvement Revenue Bond proceeds portfolio weighted average yield for the month of April was 0.10%.

The combined weighted average yield of *all* portfolios for the month of April was 0.31%.

Investment Strategy:

The City's interest-bearing checking account at TD Bank holds funds needed to pay its weekly obligations. Funds held for short-term liquidity needs are invested in the Wells Fargo fund, TD Bank, the AIM Treasury money market fund and the FLSAFE Local Government Investment Pool. Based on the cash flow model and short-term investment strategy, the target amount for liquidity purposes is at least \$15 million.

Funds not needed for liquidity purposes are used to purchase longer-term securities. Total liquidity in the Operations and Reserve Portfolio held in the SBA, FLSAFE, Wells Fargo, AIM account and at TD Bank on April 30, 2013 was \$82,122,180 of which a nominal \$82 was retained in the SBA. The Series 2005 Capital Improvement Revenue Bond proceeds portfolio had \$4,096,743 in FLSAFE.

Investment Activity – April 2013

Investment Maturities/Calls/Sold:

Two securities matured in April:

- Met Life Global \$1,000,000; 4/10/13 maturity; 1.273% yield
- Met Life Global \$1,500,000; 4/10/13 maturity; 0.633% yield

Investment Purchases:

One security was purchased in April:

- Goldman Sachs Group Inc. \$1,000,000; 1/15/15 maturity; 1.03 % yield

Investment News (Source: Sharon Stark, Managing Director, Fixed Income Strategist, D.A. Davidson & Co., Julie Hughes, Portfolio Manager, Davidson Fixed Income Management)

Consumer Sequestered

The news on the economy worsened in April as the impact of the government spending cuts may have finally touched the U.S. consumer. Fed speakers also used speaking engagements to reaffirm the current policy of asset purchases and need for continued policy accommodation in a fragile recovery. The Commerce Department reported the largest drop in retail sales in nine months in March. Sales fell 0.4 percent in March, the biggest decline since June following a 1 percent advance the previous months. Consumer confidence also dropped unexpectedly in April. According to the Thomson Reuters/University of Michigan consumer sentiment survey, the confidence index fell to 72.3, a nine-month low.

Investors Rethink the Defensive Stance

Another round of disappointing economic data, a nuclear threat from North Korea, and news that the cost of the Cypriot banking system rescue would cost the Troika more than anticipated led to another round of bond buying in the U.S. Investors may re-think the recent defensive portfolio stance, although this may occur gradually. An extension in portfolio duration was observed by Stone & McCarthy Research Associates from 97.2 percent of target benchmark indices in March to 98.6 percent in April. A slight overweight in corporate bonds was also recorded at 33.1 percent of total holdings, followed by 23.4 percent in MBS and 28 percent in Treasuries.

We have been asked who is buying bonds at these low yields? A combination of domestic money managers, foreign investors, and global central banks in search of a stable asset are drawn to the safety of the dollar. While Treasury buying is mostly evident among central banks with the Bank of Japan doubling their asset purchase program (approximately \$70-\$75 billion per month in gross purchases), foreign buyers

of credit securities and equities are also among the investors. Central banks are generally non rate sensitive buyers so low yields are not a concern.

Beware of the Second Quarter Slowdown

First quarter GDP growth was estimated to grow at nearly 3 percent due to a surge in consumer and business spending from January through March. Unfortunately, it appears the pace of purchases slowed toward the end of the quarter as the effect of the payroll tax increase begins to interfere with household spending, resulting in GDP growth of 2.5%. Analysts project a significant deceleration in consumer consumption growth to roughly 1.8 percent from April to June of 2013 due to a lack of job and income growth. The \$85 billion in government spending cuts could trim 5 percent from planned expenditures at non-defense government agencies and as much as 8 percent at the Defense Department this fiscal year.

Housing data continue to point toward recovery, but we are skeptical of the ability of sales volume and inventory to remain at these levels if investor/all-cash buyers pullback and new inventory emerges. Inflation is becoming a lesser threat as reflected by the outperformance in the long end of the yield curve and one wonders if yields can go lower from here.

Slowly but surely, investors and policy makers are coming to the realization that inflation is a diminishing threat. Instead, we believe policy makers are watching closely for signs of deflation as economic conditions deteriorate globally and the domestic output rate struggles to reach 2.0 to 2.5 percent. The PCE deflator, a favored data series by Fed policy makers, is currently growing at a 1.0 percent pace, far below the targeted 2.0 percent desired rate of inflation. The lack of pricing strength will likely encourage the Fed to continue the bond buying program and perhaps, do more if they do not see results. There are, of course, risks of asset bubbles, but at this point, the benefits continue to outweigh the risks.

The struggle between the fiscal tightening and consumer spending will come to a head in the coming months. The impact of a dramatic cut in government spending programs could constrain job growth and cause a retrenchment in consumption that overcomes the economic benefits of a recovering housing market. Massive quantitative easing by the Bank of Japan (BOJ) will also be monitored closely. Will the BOJ limit their U.S. purchases to Treasuries, which are not plentiful enough to meet the bank's needs, or will they pursue other government-backed debt? Since the BOJ's purchase announcement, spreads on global high yield credits have tightened in anticipation of more demand. Treasury and Agency securities appear to have priced in a greater demand as well as weaker economic growth and the possibility of deflation.

Weaker growth in global markets has neutralized those calling for a near-term end to central bank intervention and the inflation hawks. A lack of progress among industrialized nations to improve economic growth and shore up troubled banking systems continue to drive U.S. Treasury yields lower. Meanwhile, equity prices seem to ignore the foreboding signs and we fear an abrupt downturn in the sector during the second quarter. The impact of the sequester is just beginning to manifest despite the last minute "rescues" by the President and Congress. Markets are very vulnerable and

we believe the markets will be more responsive to negative news while remaining skeptical of good data.

Fed Maintains its Flexibility

The Federal Open Market Committee (FOMC) concluded a two-day meeting in late April. As expected, there was no policy changes announced and one dissenting vote from Kansas City Fed President Esther George. The Committee commented on the recent deceleration in inflation and persistently high unemployment rate. The dual mandates of stable prices and full employment have clearly not been met and as a result, we do not believe the Committee will reduce the bond purchase program announced in September 2012 or establish an end date for the program anytime soon.

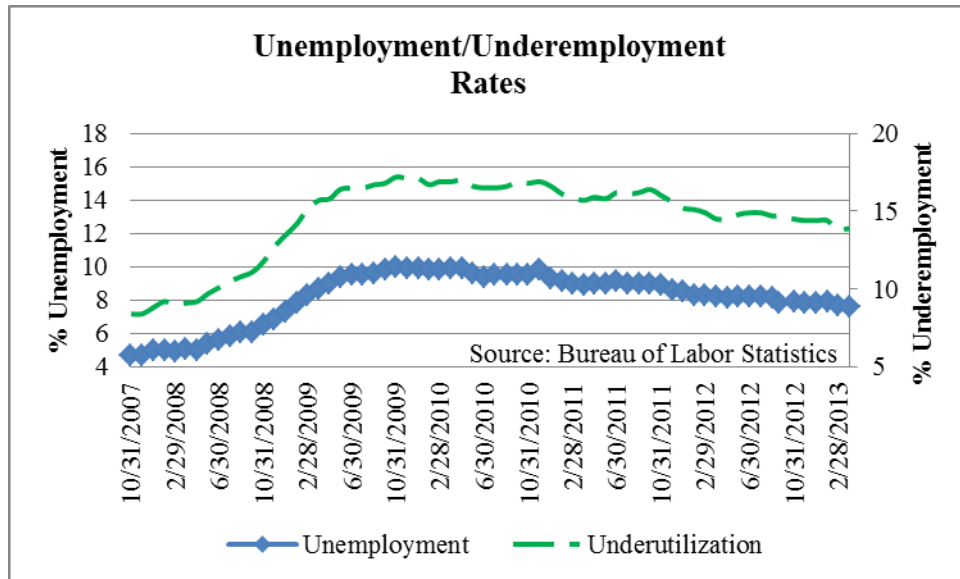
The written announcement following the meeting stressed the Committee's desire to keep longer-term interest rates low to support economic growth. The Committee noted that fiscal policy is restraining growth and they see "downside risks to the economic outlook." The inflation expectation is that the rate will "run at or below its 2 percent objective." As noted earlier, Esther George disagreed with the Committee's decision to maintain current policy citing the high level of policy accommodation may cause financial imbalances that could lead to an increase in long-term inflation. In response to the slow growth and low inflation projections, the Fed will continue to purchase an additional \$45 billion in Treasury securities and \$40 billion in agency debt and mortgage-backed securities per month to exert downward pressure on longer to rates and "support mortgage markets."

There has been much speculation that the Committee is considering an exit strategy by the end of this year. To that point, the Committee noted for the first time that they are *prepared to "increase or reduce the pace of its purchases" as the outlook for inflation or employment changes*. In other words, monetary policy will be flexible and reactive to any significant events that could cause price increases or higher unemployment rates. We believe the Committee will vigilantly monitor and consider both domestic and foreign economic developments in the development of future policies.

The impact of fiscal spending cuts is just beginning to surface in the consumer's pocket books and we believe the risks to the economy are on the downside. The bond market is behaving as if we are headed for slower growth and deflation.

Jobless Rate Falls to Lowest Level in Four Years

The U.S. Labor Department reported 165,000 new jobs were added during the month of April and a drop in the jobless rate to 7.5 percent, the lowest in four years. Many of the newly employed found part-time work as the number of part-time workers rose by 278,000 to 27.5 million. This increase, in turn, led to an advance in the underutilization rate to 13.9 percent in April. The labor force participation rate remained unchanged at 63.3 percent, which is the lowest level since 1979.



Treasury yields spiked on the release of the data with the 10-year climbing to 1.70 percent and 30-year to 2.90 percent.¹ This is nearly where yields stood after the release of the March report, which was revised to show a 138,000 gain in payrolls, 50,000 more than originally reported.

The new jobs were added in professional and business services, leisure and hospitality and healthcare services. Within the professional services industry, there was a meaningful gain temporary help and technical services positions. The revisions to the March and February jobs data resulted in a net gain of 114,000 in payrolls for the two months with most of the adjustments in professional and business services. Manufacturing and construction jobs are still minimal, a reflection of the slow growth in these economic sectors. Government agencies continue to shed workers. Over the past 12 months ended in April, nonfarm job growth has averaged 169,000 per month. A summary of the job gains is illustrated in the chart below.

	April 2013	March 2013
Prof. & Business Services	+73,000	+64,000
Education & Health Care	+28,000	+46,000
Construction	-6,000	+13,000
Manufacturing	0	+2,000
Leisure & Hospitality	+43,000	+38,000
Retail	+29,000	-4,000
Government	-11,000	-16,000
Source: Bureau of Labor Statistics		

The Bureau of Labor Statistics (BLS) report showed 11.7 million Americans remain out of work, with the number of those unemployed for more than 27 weeks falling by 258,000 to 4.4 million persons. The long-term unemployed represent 37.4 percent of all jobless Americans, a welcomed 3.1 percent decline from a year ago. Progress

¹ Bloomberg L.P. 8:53 am EST.

among the unemployed is slow with more workers accepting part-time positions because full-time work is unavailable.

Average hourly earnings fell from 2.1 percent earlier in the year to 1.9 percent. The good news is the core inflation rate, as measured by the personal consumption expenditure (PCE) price deflator, is advancing at 1.0 percent rate. While hourly earnings growth exceeds the inflation rate, it is a slow pace and suggests minimal gain in consumer spending power and continued sluggish economic growth.

The April labor report showed a surprisingly average gain in payrolls and exceeded our estimate of 100,000 new jobs. The drop in the unemployment rate to its lowest level in four years is a positive development and reinforces the current Fed policy of accommodation. *There are those who will project a pullback in bond purchases by the central bank, but we believe this data will only confirm that the recent actions are effective and encourage policy makers to stay the course.*

An encouraging labor report pushed Treasury yields higher last week, while equity markets applauded the data by boosting the Dow to 15,009.59 before closing just below the 15,000 mark. The 10-year note posted its strongest yield surge since September 2012, closing the week 9 basis points (bps) at 1.74 percent. We believe current rates have priced in sequester impacts on the economy and expectation for weaker growth in Europe. Assuming there are no other exogenous shocks to the financial system such as another Euro banking crisis (a big assumption) and further deterioration in the Chinese economy, U.S. rates are expected to remain low and rise slowly, in concert with the pace of projected economic growth. We are not as enthused about the economy as the equity market, but do believe job creation is on a positive path as many of those out of work are taking what is available as opposed to waiting for the desired position. A solemn victory, but the decline in the number of long-term unemployed persons suggests some improvement. Investors may find yield levels frustratingly low, but there will be opportunities to position portfolios for rate increases without sacrificing significant income.

Rate Outlook

Our outlook for a Fed tightening has not changed from last month. We believe there is a strong likelihood that the Fed will maintain its target rate for overnight loans through 2015, as significant headwinds still exist to achieving the dual unemployment and inflation mandate. Given the extended timeframe for exceptionally low rates, we recommend maintaining and extending portfolio durations.

Short-Term Recommendation

Our short-term recommendations remain consistent with last month's. Due to the economic headwinds and the FOMC's position, we recommend incrementally extending the portfolio's weighted average maturity. We believe there is opportunity to increase holdings in the federal agency/GSE sector, as this asset class is currently underweighted in the portfolio. Reasonable spread to Treasuries can be realized in the 2.5 to 4 year maturity range, while maintaining an extremely high degree of safety and liquidity in the portfolio. We recommend increasing holdings in this sector while

marginally extending the weighted average maturity. We may see further steepening in the 3-5 year sector of the curve, which may provide opportunities to capture incremental yield.

Additionally, we recommend maintaining a \$13 - \$15 million diversified ladder of high quality corporate securities. This allocation is close to but comfortably under the investment policy limits for this asset class. The spread in high quality corporates is healthier than most fixed income asset classes currently; therefore, we suggest maintaining this level of investment in the portfolio. We also suggest adding high quality municipal securities to the portfolio as appropriate supply becomes available. Spread is also relatively attractive in this asset class, although supply and block sizes are limited. Additionally, we continue to evaluate overnight and term bank offerings backed by the Florida Qualified Public Depository program.

Medium-Term Recommendation

In the medium-term, we will continue to evaluate the portfolio's optimal weighted average maturity and duration given changing economic and fiscal conditions. We will continue to evaluate asset classes and allocations based on spreads and relative market value, while maintaining the priorities of safety and liquidity.

CITY OF TAMARAC
FINANCIAL MARKETS AND ACTIVITY
April-13

	<u>February</u>	<u>March</u>	<u>April</u>	<u>Three Month Average Yields/Earnings</u>
<u>INVESTMENT YIELDS</u>				
City Investment Portfolio	0.31%	0.32%	0.31%	0.31%
Wells Fargo	0.02%	0.02%	0.02%	0.02%
FLSAFE Local Gov't Invest. Pool	0.10%	0.10%	0.10%	0.10%
TD Bank	0.30%	0.30%	0.30%	0.30%
SBA Investment Account	0.23%	0.23%	0.22%	0.23%
AIM ST INV TREASURY	0.02%	0.02%	0.02%	0.02%
<u>INVESTMENT EARNINGS</u>				
City Investment Portfolio	\$32,410	\$34,401	\$28,733	\$31,848
Wachovia Government Advantage	11	13	14	13
TD Bank	11,389	12,484	11,208	11,694
FLSAFE Investment	2,801	3,102	3,002	2,968
SBA Investment Account	0	0	0	0
AIM ST INV TREASURY	<u>48</u>	<u>35</u>	<u>7</u>	<u>30</u>
TOTAL MONTHLY EARNINGS	<u>\$46,659</u>	<u>\$50,035</u>	<u>\$42,964</u>	<u>\$46,553</u>
<u>General Market Rates *</u>				
Dow Jones Industrial Average	14,055	14,579	14,840	14,491
NASDAQ	3,160	3,268	3,329	3,252
Federal Funds Rate (Effective)	0.14%	0.09%	0.14%	0.12%
Prime Rate	3.25%	3.25%	3.25%	3.25%
3-Month LIBOR	0.29%	0.28%	0.27%	0.28%
<u>Treasuries *</u>				
3 Month	0.10%	0.07%	0.05%	0.08%
6 Month	0.12%	0.10%	0.08%	0.10%
2 Year	0.24%	0.24%	0.21%	0.23%
5 Year	0.76%	0.77%	0.68%	0.73%
10 Year	1.88%	1.85%	1.67%	1.80%
30 Year	3.09%	3.10%	2.88%	3.02%
<u>Economic Indicators *</u>				
Crude Oil - Spot	\$92.05	\$97.23	\$93.46	\$94.25
Retail Sales-Overall	1.10%	-0.50%	0.10%	0.23%
Retail Sales-Ex autos	1.10%	-0.40%	-0.10%	0.20%
Consumer Price Index-Overall	0.70%	-0.20%	-0.40%	0.03%
Consumer Price Index-Core	0.20%	0.10%	0.10%	0.13%
Housing Starts (in millions)	0.968	1.021	0.853	0.947
Producer Price Index-Overall	0.70%	-0.60%	-0.70%	-0.20%
Producer Price Index-Core	0.20%	0.20%	0.10%	0.17%

SOME INDICATORS ARE REVISED FROM INITIAL RELEASE

* Sources: Bloomberg Financial Markets

CITY OF TAMARAC
SCHEDULE OF INVESTMENTS
FOR THE MONTH ENDED APR 2013

MATURITY DATE	SETTLEMENT DATE	YIELD	NEXT CALL DATE	TYPE OF INVESTMENT	PURCHASE PRICE	PAR VALUE	MARKET VALUE	MV % OF PORTFOLIO
TREASURER'S FUND 801								
Short Term Cash Investments								
Demand	Daily	0.220		SBA	82.42	82.42	82.42	0.00%
Demand	Daily	0.020		AIM Treasury MMF	1,548,435.24	1,548,435.24	1,548,435.24	1.50%
Demand	Daily	0.100		FLSAFE	32,906,300.65	32,906,300.65	32,906,300.65	31.91%
Demand	Daily	0.100		FLSAFE	1,042,972.73	1,042,972.73	1,042,972.73	1.01%
Demand	Daily	0.300		TD Bank	45,671,735.29	45,671,735.29	45,671,735.29	44.29%
Demand	Daily	0.020		Wells Fargo	952,653.66	952,653.66	952,653.66	0.92%
Total Short Term Investments					\$82,122,179.99	\$82,122,179.99	\$82,122,179.99	79.65%
QPD Certificates of Deposit								
09/18/13	09/18/12	0.203		Bank of America CD	1,546,000.00	1,546,000.00	1,546,000.00	1.50%
Total QPD Certificates of Deposit					\$1,546,000.00	\$1,546,000.00	\$1,546,000.00	1.50%
Government Agencies								
04/29/14	09/08/11	0.501		FHLMC	1,533,375.00	1,500,000.00	1,517,736.00	1.47%
09/22/14	09/08/11	0.589		FHLMC	1,004,840.00	1,000,000.00	1,007,645.00	0.98%
03/23/15	09/08/11	0.761		FNMA	517,245.00	500,000.00	513,422.50	0.50%
09/25/15	09/25/12	0.500	09/25/13	FHLMC (Callable-NC1yr1X)	1,000,000.00	1,000,000.00	1,001,059.00	0.97%
03/18/16	09/18/12	0.609	09/18/13	FNMA (Callable-Qtrly)	999,700.00	1,000,000.00	1,001,426.00	0.97%
Total Government Agencies					\$5,055,160.00	\$5,000,000.00	\$5,041,288.50	4.89%
Corporate Coupon Securities								
09/16/13	02/21/12	0.894		Gen Elec Cap CRP	\$1,015,250.00	\$1,000,000.00	\$1,005,781.00	0.98%
09/30/13	09/09/11	1.225		JPMORGAN CHASE	\$1,008,600.00	\$1,000,000.00	\$1,005,541.00	0.98%
01/07/14	06/18/12	1.060		Gen Elec Cap CRP	\$1,015,970.00	\$1,000,000.00	\$1,012,340.00	0.98%
06/01/14	11/17/11	1.700		JPMORGAN CHASE	\$1,073,000.00	\$1,000,000.00	\$1,044,093.00	1.01%
11/20/14	11/19/12	0.488		US BANCORP	\$1,047,520.00	\$1,000,000.00	\$1,037,489.00	1.01%
01/09/15	10/12/12	0.778		Gen Elec Cap CRP	\$1,030,430.00	\$1,000,000.00	\$1,025,731.00	0.99%
01/15/15	04/24/13	1.030		Goldman Sachs Group Inc.	\$1,069,820.00	\$1,000,000.00	\$1,068,800.00	1.04%
06/29/15	09/13/12	0.879		Met Life Global	\$1,022,600.00	\$1,000,000.00	\$1,019,818.00	0.99%
09/15/15	09/14/12	0.825		American Express Credit Co	\$1,056,980.00	\$1,000,000.00	\$1,047,523.00	1.02%
10/09/15	03/01/13	0.662	Make-Whole @ T + 10 bps	General Electric Co	\$1,004,850.00	\$1,000,000.00	\$1,005,763.00	0.98%
11/06/15	01/29/13	0.573		Caterpillar Financial Services	\$1,003,480.00	\$1,000,000.00	\$1,001,466.00	0.97%
05/10/16	02/08/13	0.841	Make-Whole @ T + 10 bps	Pepsico Inc.	\$1,053,160.00	\$1,000,000.00	\$1,051,289.00	1.02%
05/19/16	02/19/13	0.709	Make-Whole @ T + 7.5 bps	Google Inc.	\$1,045,400.00	\$1,000,000.00	\$1,047,237.00	1.02%
09/26/16	03/15/13	0.686		3M Company	\$1,024,050.00	\$1,000,000.00	\$1,025,812.00	0.99%
Total Corporate Coupon Securities					\$14,471,110.00	\$14,000,000.00	\$14,398,683.00	13.96%
Cash and Managed Portfolio		0.320%			\$103,194,449.99	\$102,668,179.99	\$103,108,151.49	100.00%
Bond Proceeds Investments (Series 2005)								
Demand	Various	0.100		FLSAFE	4,096,743.38	4,096,743.38	4,096,743.38	100.00%

CITY OF TAMARAC
SCHEDULE OF INVESTMENTS
FOR THE MONTH ENDED APR 2013

MATURITY DATE	SETTLEMENT DATE	YIELD	NEXT CALL DATE	TYPE OF INVESTMENT	PURCHASE PRICE	PAR VALUE	MARKET VALUE	MV % OF PORTFOLIO
Series 2005 Portfolio					\$4,096,743.38	\$4,096,743.38	\$4,096,743.38	100.00%
Total Bond, Note & Operational & Reserve Funds					\$107,291,193.37	\$106,764,923.37	\$107,204,894.87	

City of Tamarac Series 2005 Bond Project Fund Account

Reports for the period: 04/01/2013 – 04/30/2013

City of Tamarac
7525 NW 88th Ave
Tamarac, FL 33321-2401

We urge you to compare the information contained in this periodic statement with the account statement(s) that you receive directly from the custodian that holds your account(s). Please notify us immediately if you identify any discrepancies or have any questions.

1



Davidson
Fixed Income Management

REGISTERED INVESTMENT ADVISER

City of Tamarac

2005 Bond Project Fund Account Review – April 2013



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER

- Appointed Investment Advisor: April 2003
- City of Tamarac: Mark Mason, Financial Services Director
- Davidson Fixed Income Management Account Managers: Julie Hughes, Glenn Scott
- Investment Objectives:
 - Safety: Investments will place the highest priority on the safety of principal.
 - Liquidity: Investments shall remain sufficiently liquid to ensure sufficient cash flows for current operational needs.
 - Yield: Investments will be managed to optimize investment income after the requirements for safety and liquidity have been met.

Performance Information (02/01/2013 – 04/30/2013)

	<u>2005 Bond Fund</u> ¹	<u>S&P LGIP</u> ²	<u>ML 1-3 Yr</u> ³
BV Return (Yield) ²	0.10%	0.07%	0.25%

1. BV Rate of Return (Income) = Earned Interest +/- Realized Gain/Loss +/- Amortization.

2. Source Bloomberg (LGIP30D Index).

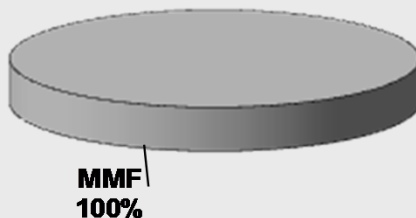
3. Merrill Lynch Index reflects an average of the month-end yield only, and is not a total return performance calculation.

Past performance of the City of Tamarac portfolio does not guarantee future results.

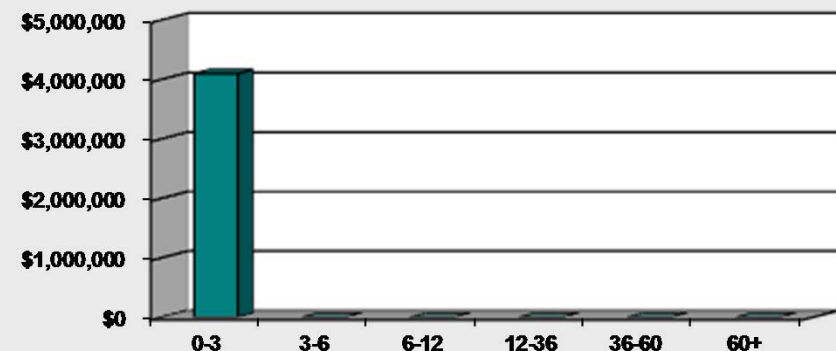
Portfolio Characteristics 04/30/2013

Par Value:	\$	-
Market Value:	\$	-
Book Value:	\$	-
Liquid Balances:	\$	4,096,743
Weighted Avg YTM/YTC:		0.10%
Weighted Avg Maturity/Call:		1 Day

Portfolio Diversification



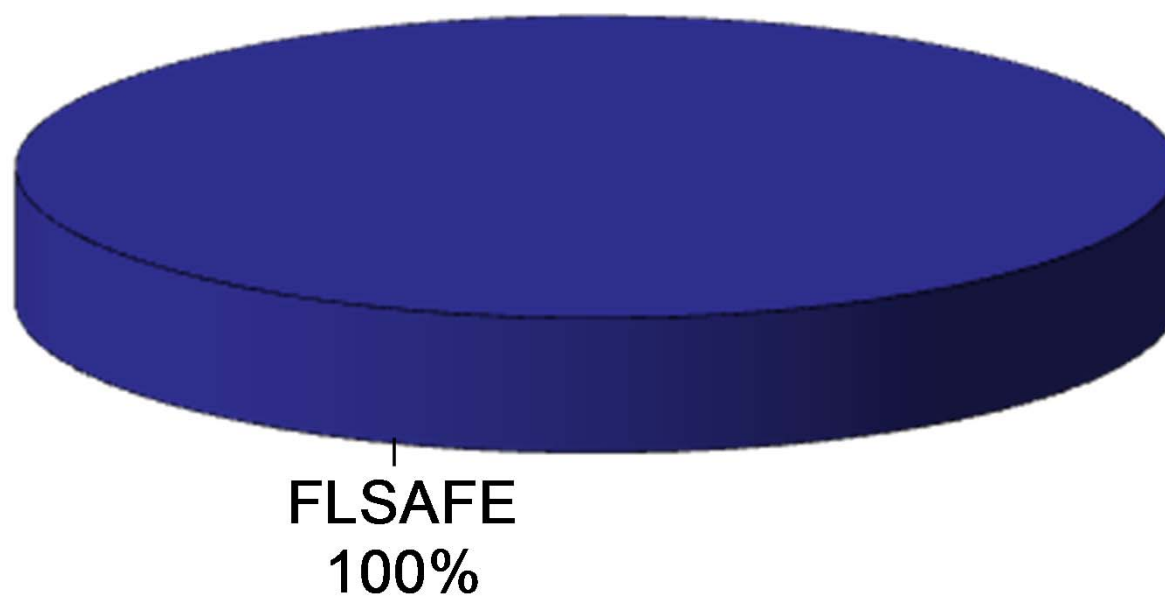
Maturity Distribution



City of Tamarac - 2005 Bond Project Fund Holdings Diversification – April 2013



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER





Series 2005 Bond Fund
Portfolio Management
Portfolio Summary
April 30, 2013

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM/C 360 Equiv.	YTM/C 365 Equiv.
Managed Pool Accounts	4,096,743.38	4,096,743.38	4,096,743.38	100.00	1	1	0.099	0.100
Investments	4,096,743.38	4,096,743.38	4,096,743.38	100.00%	1	1	0.099	0.100
Total Earnings	April 30 Month Ending							
Current Year	323.37							

Mark Mason, Financial Services Director

**Series 2005 Bond Fund
Portfolio Management
Portfolio Details - Investments
April 30, 2013**

Page 2

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM/C 365	Days to Maturity	Maturity Date
Managed Pool Accounts											
SYSTMC0010	TMC0010	FLSAFE		4,096,743.38	4,096,743.38	4,096,743.38	0.100	AAAM	0.100	1	
SYSTMC02	TMC02	TD BANK		0.00	0.00	0.00	0.300		0.300	1	
Subtotal and Average				4,096,743.38	4,096,743.38	4,096,743.38			0.100	1	
Total and Average				4,096,743.38	4,096,743.38	4,096,743.38			0.100	1	

Data Updated: FUNDSNAP: 05/10/2013 07:52

Run Date: 05/10/2013 - 07:52

Portfolio TMRC

AP

PM (PRF_PM2) SymRept 6.42



Series 2005 Bond Fund
Realized Gains and Losses
Sorted By Maturity/Sale/Call Date
Sales/Calls/Maturities: April 1, 2013 - April 30, 2013

Investment #	Inv.	Purchase	Par Value	Sale Date	Days Held							
Issuer	Type	Date	Current Rate	Maturity Date	Term	Book Value	Maturity/Sale Proceeds	Realized Gain/Loss	Total Earnings	Total Net Earnings	Total Yield	365
No Sales or Maturities			0.00		0	0.00	0.00	0.00	0.00	0.00		



Series 2005 Bond Fund
Received Interest
Sorted by Issuer
Received April 1, 2013 - April 30, 2013

Issuer	CUSIP	Investment #	Security Type	Par Value	Current Rate	Interest	
						Date Received	Amount Received
Cash Accounts							
FLSAFE	SYSTMTC0010	TMC0010	LA1	4,119,309.61	0.100	04/01/2013	335.94
						Subtotal	335.94
						Total	335.94



Series 2005 Bond Fund
Accrued Interest
Sorted by Fund - Fund
April 1, 2013 - April 30, 2013

CUSIP	Investment #	Security Type	Par Value	Maturity Date	Current Rate	* Beginning Accrued Interest	Adjusted Acc'd Int. at Purchase During Period	Interest Earned	Interest Received	* Ending Accrued Interest
Series 2005 Bond Fund										
SYSTMC0010	TMC0010	LA1	4,096,743.38		0.100	335.94	0.00	323.37	335.94	323.37
		Subtotal	4,096,743.38			335.94	0.00	323.37	335.94	323.37
		Total	4,096,743.38			335.94	0.00	323.37	335.94	323.37

* Beginning Accrued may not include investments that redeemed in the previous month that had outstanding accrued interest.



Series 2005 Bond Fund
Interest Earnings
Sorted by Fund - Fund
April 1, 2013 - April 30, 2013
Yield on Average Book Value

CUSIP	Investment #	Fund	Issuer	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Rate	Annualized Yield	Adjusted Interest Earnings		
										Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Fund: Series 2005 Bond Fund												
SYSTMC0010	TMC0010	200	FLSAFE	4,096,743.38	4,119,309.61	4,118,557.40		0.100	0.096	323.37	0.00	323.37
			Subtotal	4,096,743.38	4,119,309.61	4,118,557.40			0.096	323.37	0.00	323.37
			Total	4,096,743.38	4,119,309.61	4,118,557.40			0.096	323.37	0.00	323.37

**Series 2005 Bond Fund
Portfolio Management
Interest Earnings Summary
April 30, 2013**

Page 3

	April 30 Month Ending	Fiscal Year To Date
CD/Coupon/Discount Investments:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	0.00	0.00
Adjusted by Premiums and Discounts	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
	<hr/>	<hr/>
Earnings during Periods	0.00	0.00
Pass Through Securities:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	0.00	0.00
Adjusted by Premiums and Discounts	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
	<hr/>	<hr/>
Earnings during Periods	0.00	0.00
Cash/Checking Accounts:		
Interest Collected	335.94	5,308.72
Plus Accrued Interest at End of Period	327.39	327.39
Less Accrued Interest at Beginning of Period	(339.96)	(263.97)
	<hr/>	<hr/>
Interest Earned during Period	323.37	5,372.14
<hr/>		
Total Interest Earned during Period	323.37	5,372.14
Total Adjustments from Premiums and Discounts	0.00	0.00
Total Capital Gains or Losses	0.00	0.00
<hr/>		
Total Earnings during Period	323.37	5,372.14



Series 2005 Bond Fund
GASB 40 Report
Sorted by Fund
Through 04/30/2013

Security ID	Investment #	Issuer	Par Value	Book Value	Market Value	Reported Value	S&P	Moody's	% of Portfolio	Current Yield	Days to Maturity	Maturity Date	Modified Duration
Series 2005 Bond Fund													
SYSTM0010	TMC0010	FLSAFE	4,096,743.38	4,096,743.38	4,096,743.38	4,096,743.38	AAAM		100.00	0.100	1		0.000
Subtotal			4,096,743.38	4,096,743.38	4,096,743.38	4,096,743.38			100.00	0.100	1		0.000
Report Total			4,096,743.38	4,096,743.38	4,096,743.38	4,096,743.38			100.00	0.100	1		0.00000

City of Tamarac Cash Portfolio

Reports for the period: 04/01/2013 – 04/30/2013

City of Tamarac
7525 NW 88th Ave
Tamarac, FL 33321-2401

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1



Davidson
Fixed Income Management

REGISTERED INVESTMENT ADVISER

City of Tamarac – Cash Portfolio

Account Review – April 2013



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER

- Appointed Investment Advisor: April 2003
- City of Tamarac: Mark Mason, Financial Services Director
- Davidson Fixed Income Management Account Managers: Julie Hughes, Glenn Scott
- Investment Objectives:
 - Safety: Investments will place the highest priority on the safety of principal.
 - Liquidity: Investments shall remain sufficiently liquid to ensure sufficient cash flows for current operational needs.
 - Yield: Investments will be managed to optimize investment income after the requirements for safety and liquidity have been met.

Performance Information (02/01/2013 – 04/30/2013)

	<u>Tamarac - Cash¹</u>	<u>S&P LGIP²</u>
BV Return (Yield) ²	0.21%	0.07%

1. BV Rate of Return (Income) = Earned Interest +/- Realized Gain/Loss +/- Amortization.

2. Source Bloomberg (LGIP30D Index).

Past performance of the City of Tamarac portfolio does not guarantee future results.

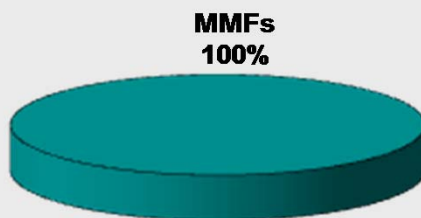
Portfolio Characteristics 04/30/2013

Liquid Balances: \$ 82,122,180

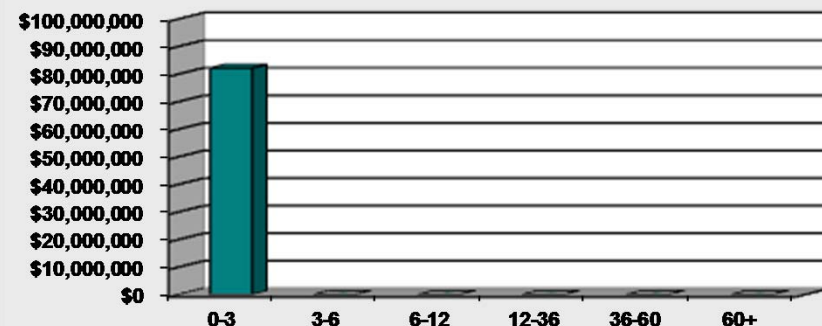
Weighted Avg YTM/YTC: 0.21%

Weighted Avg Maturity/Call: 1 Day

Portfolio Diversification



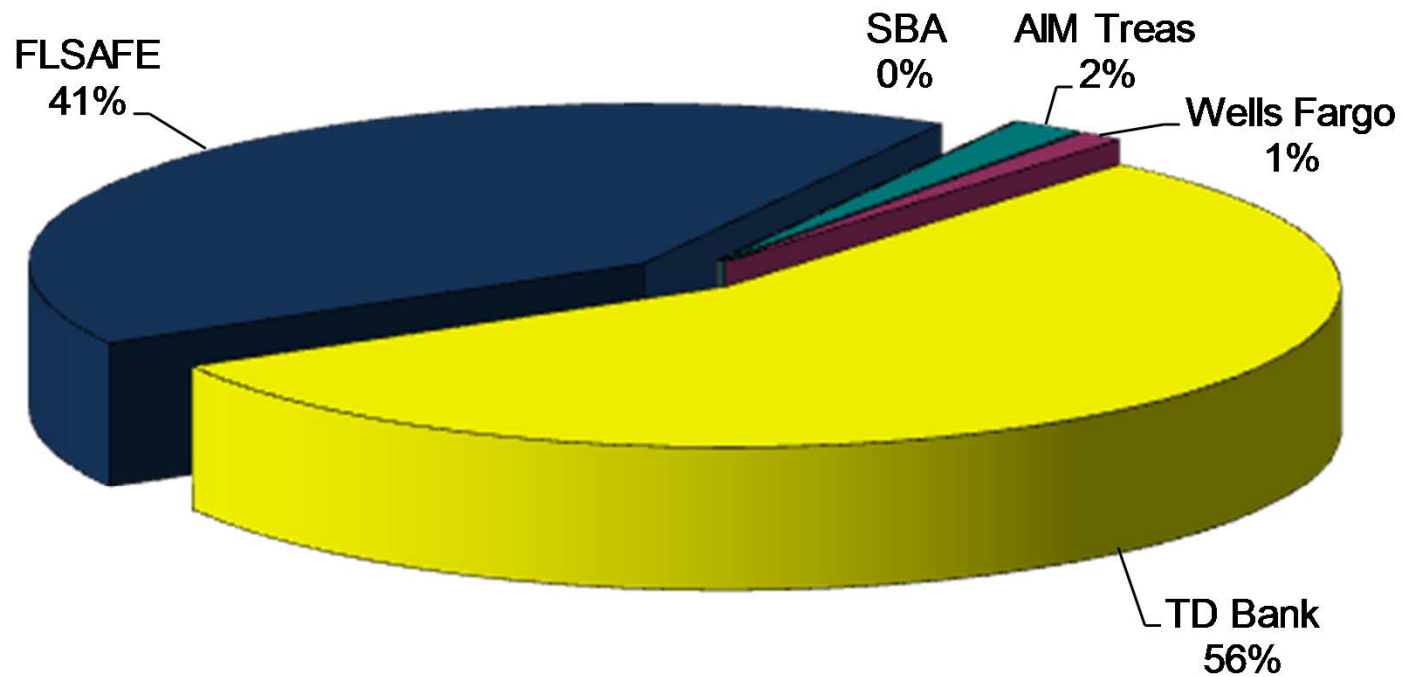
Maturity Distribution



City of Tamarac – Cash Portfolio Holdings Diversification – April 2013



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER





Tamarac - Cash Portfolio
Portfolio Management
Portfolio Summary
April 30, 2013

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM/C 360 Equiv.	YTM/C 365 Equiv.
Managed Pool Accounts	82,122,179.99	82,122,179.99	82,122,179.99	100.00	1	1	0.206	0.209
Investments	82,122,179.99	82,122,179.99	82,122,179.99	100.00%	1	1	0.206	0.209
Total Earnings	April 30 Month Ending							
Current Year	13,926.85							

Mark Mason, Financial Services Director

Tamarac - Cash Portfolio
Portfolio Management
Portfolio Details - Investments
April 30, 2013

Page 2

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM/C 365	Days to Maturity	Maturity Date
Managed Pool Accounts											
SYSTMC0020	TMC0020	AIM ST INV TREASURY		1,548,435.24	1,548,435.24	1,548,435.24	0.020		0.020	1	
SYSTMC0014	TMC0014	FLSAFE		1,042,972.73	1,042,972.73	1,042,972.73	0.100	AAAM	0.100	1	
SYSTMC0015	TMC0015	FLSAFE		32,906,300.65	32,906,300.65	32,906,300.65	0.100	AAAM	0.100	1	
SYSTMC00140	TMC00140	FLORIDA SBA		82.42	82.42	82.42	0.220		0.220	1	
SYSTMC01	TMC01	TD BANK		45,671,735.29	45,671,735.29	45,671,735.29	0.300		0.300	1	
SYSTMC00150	TMC00150	Wells Fargo		952,653.66	952,653.66	952,653.66	0.020		0.020	1	
Subtotal and Average				82,122,179.99	82,122,179.99	82,122,179.99			0.209	1	
Total and Average				82,122,179.99	82,122,179.99	82,122,179.99			0.209	1	

Data Updated: FUNDSNAP: 05/10/2013 08:10

Run Date: 05/10/2013 - 08:10

Portfolio TMRC

AP

PM (PRF_PM2) SymRept 6.42



Tamarac - Cash Portfolio
Realized Gains and Losses
Sorted By Maturity/Sale/Call Date
Sales/Calls/Maturities: April 1, 2013 - April 30, 2013

Investment #	Inv.	Purchase	Par Value	Sale Date	Days Held							
Issuer	Type	Date	Current Rate	Maturity Date	Term	Book Value	Maturity/Sale Proceeds	Realized Gain/Loss	Total Earnings	Total Net Earnings	Total Yield	365
No Sales or Maturities			0.00		0	0.00	0.00	0.00	0.00	0.00		



Tamarac - Cash Portfolio
Received Interest
Sorted by Issuer
Received April 1, 2013 - April 30, 2013

Issuer	CUSIP	Investment #	Security Type	Par Value	Current Rate	Interest	
						Date Received	Amount Received
Cash Accounts							
AIM ST INV TREASURY	SYSTMC0020	TMC0020	LA1	1,548,435.24	0.020	04/01/2013	6.52
						Subtotal	6.52
FLSAFE	SYSTMC0014	TMC0014	LA1	1,020,000.81	0.100	04/01/2013	83.18
	SYSTMC0015	TMC0015	LA1	32,903,703.86	0.100	04/01/2013	2,682.43
						Subtotal	2,765.61
FLORIDA SBA	SYSTMC00140	TMC00140	LA1	82.40	0.220	04/01/2013	0.02
						Subtotal	0.02
TD BANK	SYSTMC01	TMC01	LA1	45,671,735.29	0.300	04/01/2013	12,484.36
						Subtotal	12,484.36
Total						15,256.51	



Tamarac - Cash Portfolio
Accrued Interest
Sorted by Fund - Fund
April 1, 2013 - April 30, 2013

CUSIP	Investment #	Security Type	Par Value	Maturity Date	Current Rate	* Beginning Accrued Interest	Adjusted Acc'd Int. at Purchase During Period	Interest Earned	Interest Received	* Ending Accrued Interest
Tamarac - Cash Portfolio										
SYSTMC0020	TMC0020	LA1	1,548,435.24		0.020	6.52	0.00	26.30	6.52	26.30
SYSTMC0014	TMC0014	LA1	1,042,972.73		0.100	83.18	0.00	82.32	83.18	82.32
SYSTMC0015	TMC0015	LA1	32,906,300.65		0.100	2,682.43	0.00	2,596.79	2,682.43	2,596.79
SYSTMC00140	TMC00140	LA1	82.42		0.220	0.02	0.00	0.02	0.02	0.02
SYSTMC01	TMC01	LA1	45,671,735.29		0.300	24,018.80	0.00	11,207.73	12,484.36	22,742.17
SYSTMC00150	TMC00150	LA1	952,653.66		0.020	14.90	0.00	13.69	0.00	28.59
		Subtotal	82,122,179.99			26,805.85	0.00	13,926.85	15,256.51	25,476.19
		Total	82,122,179.99			26,805.85	0.00	13,926.85	15,256.51	25,476.19

* Beginning Accrued may not include investments that redeemed in the previous month that had outstanding accrued interest.



Tamarac - Cash Portfolio
Interest Earnings
Sorted by Fund - Fund
April 1, 2013 - April 30, 2013
Yield on Average Book Value

										Adjusted Interest Earnings		
CUSIP	Investment #	Fund	Issuer	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Annualized Rate	Yield	Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Fund: Tamarac - Cash Portfolio												
SYSTM00140	TMC00140	150	FLSBA	82.42	82.40	82.40		0.220	0.295	0.02	0.00	0.02
SYSTM0014	TMC0014	150	FLSAFE	1,042,972.73	1,020,000.81	1,020,766.54		0.100	0.098	82.32	0.00	82.32
SYSTM0015	TMC0015	150	FLSAFE	32,906,300.65	32,903,703.86	32,903,790.42		0.100	0.096	2,596.79	0.00	2,596.79
SYSTM0020	TMC0020	150	AIMT	1,548,435.24	38,779.97	1,599,633.70		0.020	0.020	26.30	0.00	26.30
SYSTM01	TMC01	150	TDBK	45,671,735.29	48,240,787.41	46,870,626.28		0.300	0.291	11,207.73	0.00	11,207.73
SYSTM00150	TMC00150	150	WFB	952,653.66	900,001.30	928,082.56		0.020	0.018	13.69	0.00	13.69
Subtotal				82,122,179.99	83,103,355.75	83,322,981.90			0.203	13,926.85	0.00	13,926.85
Total				82,122,179.99	83,103,355.75	83,322,981.90			0.203	13,926.85	0.00	13,926.85

**Tamarac - Cash Portfolio
Portfolio Management
Interest Earnings Summary
April 30, 2013**

Page 3

	April 30 Month Ending	Fiscal Year To Date
CD/Coupon/Discount Investments:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	0.00	0.00
Adjusted by Premiums and Discounts	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
	<hr/>	<hr/>
Earnings during Periods	0.00	0.00
Pass Through Securities:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	0.00	0.00
Adjusted by Premiums and Discounts	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
	<hr/>	<hr/>
Earnings during Periods	0.00	0.00
Cash/Checking Accounts:		
Interest Collected	15,256.51	203,016.55
Plus Accrued Interest at End of Period	25,476.19	25,476.19
Less Accrued Interest at Beginning of Period	(26,805.85)	(11,571.36)
	<hr/>	<hr/>
Interest Earned during Period	13,926.85	216,921.38
Total Interest Earned during Period	13,926.85	216,921.38
Total Adjustments from Premiums and Discounts	0.00	0.00
Total Capital Gains or Losses	0.00	0.00
Total Earnings during Period	13,926.85	216,921.38



Tamarac - Cash Portfolio
GASB 40 Report
Sorted by Fund
Through 04/30/2013

Security ID	Investment #	Issuer	Par Value	Book Value	Market Value	Reported Value	S&P	Moody's	% of Portfolio	Current Yield	Days to Maturity	Maturity Date	Modified Duration
Tamarac - Cash Portfolio													
SYSTM0014	TMC0014	FLSAFE	1,042,972.73	1,042,972.73	1,042,972.73	1,042,972.73	AAAM		1.27	0.100	1		0.000
SYSTM0015	TMC0015	FLSAFE	32,906,300.65	32,906,300.65	32,906,300.65	32,906,300.65	AAAM		40.07	0.100	1		0.000
SYSTM00140	TMC00140	FLORIDA SBA	82.42	82.42	82.42	82.42			0.00	0.220	1		0.000
SYSTM001	TMC001	TD BANK	45,671,735.29	45,671,735.29	45,671,735.29	45,671,735.29			55.61	0.300	1		0.000
SYSTM0020	TMC0020	AIM ST INV TREASURY	1,548,435.24	1,548,435.24	1,548,435.24	1,548,435.24			1.89	0.020	1		0.000
SYSTM00150	TMC00150	Wells Fargo	952,653.66	952,653.66	952,653.66	952,653.66			1.16	0.020	1		0.000
Subtotal			82,122,179.99	82,122,179.99	82,122,179.99	82,122,179.99			100.00	0.209	1		0.000
Report Total			82,122,179.99	82,122,179.99	82,122,179.99	82,122,179.99			100.00	0.209	1		0.00000

City of Tamarac Managed Portfolio

Reports for the period: 04/01/2013 – 04/30/2013

City of Tamarac
7525 NW 88th Ave
Tamarac, FL 33321-2401

We urge you to compare the information contained in this periodic statement with the account statement(s) that you receive directly from the custodian that holds your account(s). Please notify us immediately if you identify any discrepancies or have any questions.



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER

City of Tamarac – Managed Portfolio

Account Review – April 2013



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER

- Appointed Investment Advisor: April 2003
- City of Tamarac: Mark Mason, Financial Services Director
- Davidson Fixed Income Management Account Managers: Julie Hughes, Glenn Scott
- Investment Objectives:
 - Safety: Investments will place the highest priority on the safety of principal.
 - Liquidity: Investments shall remain sufficiently liquid to ensure sufficient cash flows for current operational needs.
 - Yield: Investments will be managed to optimize investment income after the requirements for safety and liquidity have been met.

Performance Information (02/01/2013 – 04/30/2013)

	<u>Tamarac - Mgd Portfolio</u> ¹	<u>ML 1-3 Yr</u> ³
BV Return (Yield) ²	0.72%	0.25%

1. Performance numbers are net of advisory fees.

2. BV Rate of Return (Income) = Earned Interest +/- Realized Gain/Loss +/- Amortization.

3. Merrill Lynch Index reflects an average of the month-end yield only, and is not a total return performance calculation.

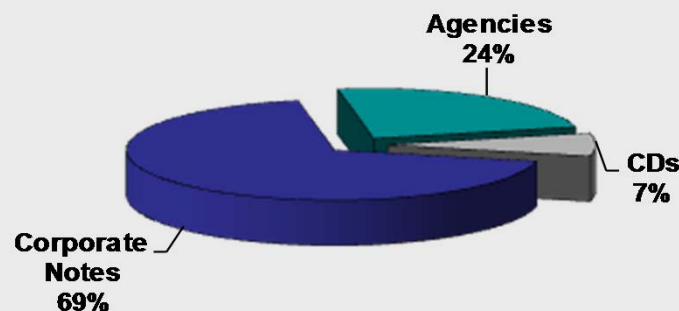
Past performance of the City of Tamarac portfolio does not guarantee future results.

Portfolio Characteristics 04/30/2013

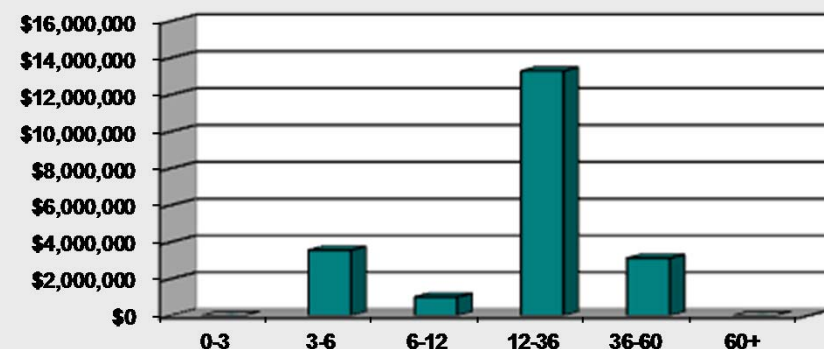
Par Value:	\$ 20,546,000
Market Value:	\$ 20,985,972
Book Value:	\$ 20,927,484

Weighted Avg YTM/YTC:	0.76%
Weighted Avg Maturity/Call:	22 Months

Portfolio Diversification



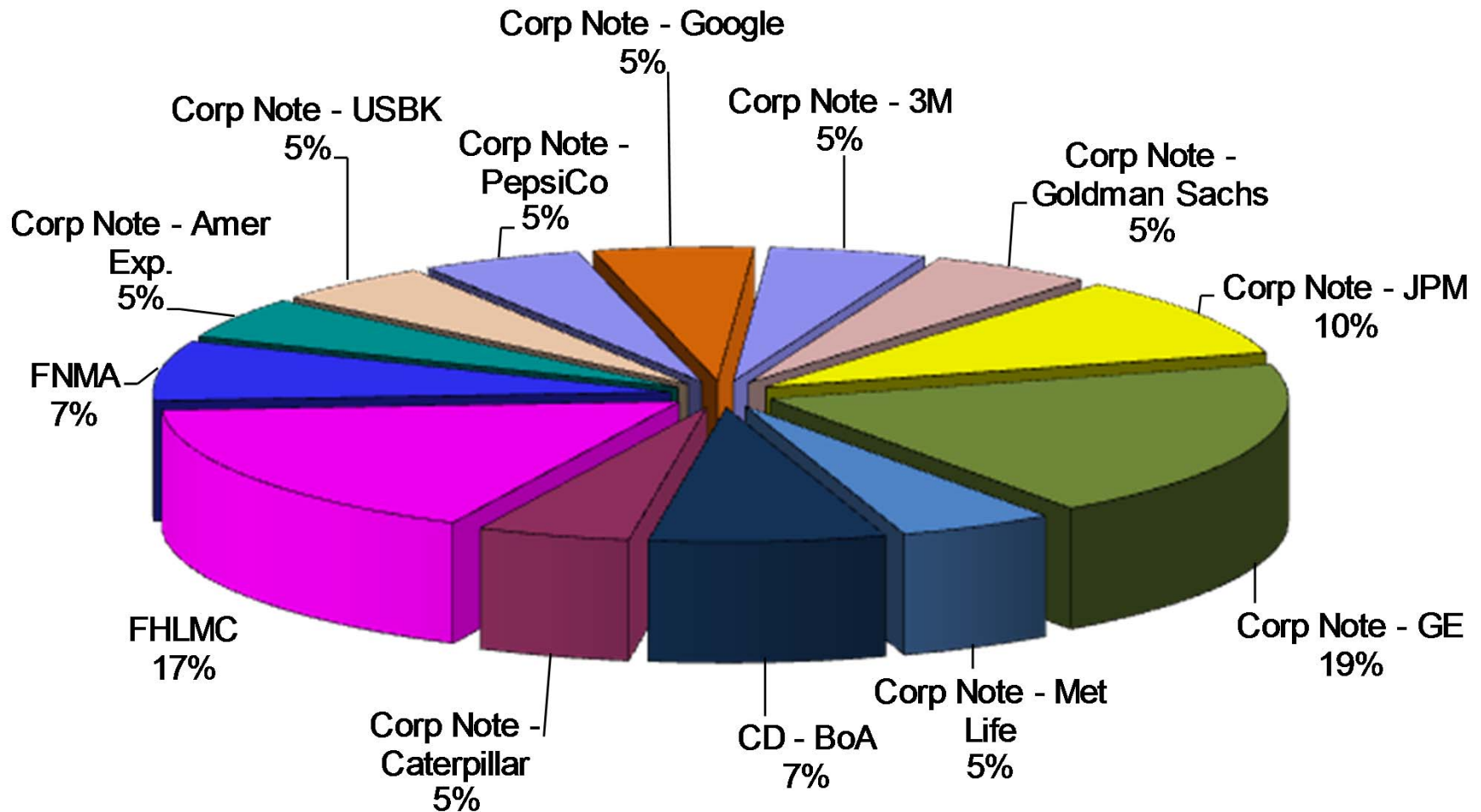
Maturity Distribution



City of Tamarac – Managed Portfolio Holdings Diversification – April 2013



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER





Tamarac - Managed Portfolio
Portfolio Management
Portfolio Summary
April 30, 2013

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM/C 360 Equiv.	YTM/C 365 Equiv.
Certificates of Deposit - Bank	1,546,000.00	1,546,000.00	1,546,000.00	7.39	365	140	0.200	0.203
Federal Agency Coupon Securities	5,000,000.00	5,041,288.50	5,023,757.85	24.01	1,115	665	0.558	0.566
Corporate Coupon Securities	14,000,000.00	14,398,683.00	14,357,726.19	68.61	911	694	0.870	0.882
Investments	20,546,000.00	20,985,971.50	20,927,484.04	100.00%	920	646	0.746	0.756
Cash and Accrued Interest								
Accrued Interest at Purchase		27,131.25	27,131.25					
Subtotal		27,131.25	27,131.25					
Total Cash and Investments	20,546,000.00	21,013,102.75	20,954,615.29		920	646	0.746	0.756
Total Earnings								
	April 30	Month Ending						
Current Year		13,022.16						

Mark Mason, Financial Services Director

Tamarac - Managed Portfolio
Portfolio Management
Portfolio Details - Investments
April 30, 2013

Page 2

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM/C 365	Days to Maturity	Maturity Date
Certificates of Deposit - Bank											
SYSTMC1100	TMC1100	BANK OF AMERICA	09/18/2012	1,546,000.00	1,546,000.00	1,546,000.00	0.200		0.203	140	09/18/2013
Subtotal and Average				1,546,000.00	1,546,000.00	1,546,000.00			0.203	140	
Federal Agency Coupon Securities											
3134G2CL4	TMC1030	FHLMC	09/08/2011	1,500,000.00	1,517,736.00	1,512,563.88	1.350	AA+	0.501	363	04/29/2014
3134G2WG3	TMC1040	FHLMC	09/08/2011	1,000,000.00	1,007,645.00	1,002,216.49	0.750	AA+	0.589	509	09/22/2014
3136FPGF8	TMC1035	FNMA	09/08/2011	500,000.00	513,422.50	509,224.38	1.750	AA+	0.761	691	03/23/2015
3134G3L24	TMC1095	FHLMC (Callable - NC1yr 1X)	09/25/2012	1,000,000.00	1,001,059.00	1,000,000.00	0.500	AA+	0.500	877	09/25/2015
3135G0PA5	TMC1090	FNMA (Callable - Qtrly)	09/18/2012	1,000,000.00	1,001,426.00	999,753.10	0.600	AA+	0.609	1,052	03/18/2016
Subtotal and Average				5,000,000.00	5,041,288.50	5,023,757.85			0.566	665	
Corporate Coupon Securities											
36962G4Q4	TMC1065	GEN ELEC CAP CRP	02/21/2012	1,000,000.00	1,005,781.00	1,003,643.81	1.875	AA+	0.894	138	09/16/2013
46623EJD2	TMC1025	JPMORGAN CHASE	09/09/2011	1,000,000.00	1,005,541.00	1,001,729.28	1.650	A	1.225	152	09/30/2013
36962G4X9	TMC1075	GEN ELEC CAP CRP	06/18/2012	1,000,000.00	1,012,340.00	1,007,027.94	2.100	AA+	1.060	251	01/07/2014
46625HHN3	TMC1060	JPMORGAN CHASE	11/17/2011	1,000,000.00	1,044,093.00	1,031,148.80	4.650	A	1.700	396	06/01/2014
91159HGT1	TMC1110	US BANCORP	11/19/2012	1,000,000.00	1,037,489.00	1,036,842.83	2.875	A+	0.488	568	11/20/2014
36962G5M2	TMC1105	GEN ELEC CAP CRP	10/12/2012	1,000,000.00	1,025,731.00	1,022,926.20	2.150	AA+	0.778	618	01/09/2015
38141GEA8	TMC1140	GOLDMAN SACHS GROUP INC.	04/24/2013	1,000,000.00	1,068,800.00	1,069,032.98	5.125	A-	1.030	624	01/15/2015
59217GAV1	TMC1080	MET LIFE GLOBAL	09/13/2012	1,000,000.00	1,019,818.00	1,017,477.93	1.700	AA-	0.879	789	06/29/2015
0258M0DA4	TMC1085	AMER EXPRESS CREDIT CO	09/14/2012	1,000,000.00	1,047,523.00	1,045,014.73	2.750	A-	0.825	867	09/15/2015
369604BE2	TMC1130	GENERAL ELECTRIC CO	03/01/2013	1,000,000.00	1,005,763.00	1,004,539.77	0.850	AA+	0.662	891	10/09/2015
14912L5H0	TMC1115	CATERPILLAR FINANCIAL SER	01/29/2013	1,000,000.00	1,001,466.00	1,003,158.88	0.700	A	0.573	919	11/06/2015
713448BT4	TMC1120	PEPSICO INC	02/08/2013	1,000,000.00	1,051,289.00	1,049,395.26	2.500	A-	0.841	1,105	05/10/2016
38259PAC6	TMC1125	GOOGLE INC.	02/19/2013	1,000,000.00	1,047,237.00	1,042,606.15	2.125	AA	0.709	1,114	05/19/2016
88579YAD3	TMC1135	3M COMPANY	03/15/2013	1,000,000.00	1,025,812.00	1,023,181.63	1.375	AA-	0.686	1,247	09/29/2016
Subtotal and Average				14,000,000.00	14,398,683.00	14,357,726.19			0.882	694	
Total and Average				20,546,000.00	20,985,971.50	20,927,484.04			0.756	646	

Data Updated: FUNDSNAP: 05/10/2013 08:37

Run Date: 05/10/2013 - 08:37

Portfolio TMRC

AP

PM (PRF_PM2) SymRept 6.42



Tamarac - Managed Portfolio
Purchases Report
Sorted by Fund - Fund
April 1, 2013 - April 30, 2013

CUSIP	Investment #	Fund	Sec. Type	Issuer	Original Par Value	Purchase Date	Payment Periods	Principal Purchased	Accrued Interest at Purchase	Rate at Purchase	Maturity Date	YTM 365	Ending Book Value
Tamarac - Managed Portfolio													
38141GEA8	TMC1140	100	MC1	GS	1,000,000.00	04/24/2013	07/15 - 01/15	1,069,820.00	14,093.75	5.125	01/15/2015	1.030	1,069,032.98
Subtotal					1,000,000.00			1,069,820.00	14,093.75				1,069,032.98
Total Purchases					1,000,000.00			1,069,820.00	14,093.75				1,069,032.98



Tamarac - Managed Portfolio
Realized Gains and Losses
Sorted By Maturity/Sale/Call Date
Sales/Calls/Maturities: April 1, 2013 - April 30, 2013

Investment #	Inv. Type	Purchase Date	Par Value	Sale Date	Days Held						
Issuer			Current Rate	Maturity Date	Term	Book Value	Maturity/Sale Proceeds	Realized Gain/Loss	Total Earnings	Total Net Earnings	Total Yield 365
TMC1015	MC1	06/22/2011	1,000,000.00	04/10/2013	658	1,000,000.00	1,000,000.00	0.00	22,953.75	22,953.75	1.273
MET LIFE GLOBAL			5.125	04/10/2013	658						
TMC1070	MC1	03/27/2012	1,500,000.00	04/10/2013	379	1,500,000.00	1,500,000.00	0.00	9,856.04	9,856.04	0.633
MET LIFE GLOBAL			5.125	04/10/2013	379						
Total Realized Gains/Losses						2,500,000.00	2,500,000.00	0.00	32,809.79	32,809.79	0.889



Tamarac - Managed Portfolio
Received Interest
Sorted by Issuer
Received April 1, 2013 - April 30, 2013

Issuer	CUSIP	Investment #	Security Type	Par Value	Current Rate	Date Due	Date Received	Interest		Variance
								Amount Due	Amount Received	
FHLMC	3134G2CL4	TMC1030	FAC	1,500,000.00	1.350	04/29/2013	04/29/2013	10,125.00	10,125.00	-
							Subtotal	10,125.00	10,125.00	
GENERAL ELECTRIC CO	369604BE2	TMC1130	MC1	1,000,000.00	0.850	04/09/2013	04/09/2013	4,250.00	4,250.00	-
							Subtotal	4,250.00	4,250.00	
MET LIFE GLOBAL	592179JG1	TMC1015	MC1	0.00	5.125	04/10/2013	04/10/2013	25,625.00	25,625.00	-
	592179JG1	TMC1070	MC1	0.00	5.125	04/10/2013	04/10/2013	38,437.50	38,437.50	-
							Subtotal	64,062.50	64,062.50	
Total								78,437.50	78,437.50	
Total Cash Overpayment								0.00		
Total Cash Shortfall								0.00		



Tamarac - Managed Portfolio
Accrued Interest
Sorted by Fund - Fund
April 1, 2013 - April 30, 2013

CUSIP	Investment #	Security Type	Par Value	Maturity Date	Current Rate	* Beginning Accrued Interest	Adjusted Acc'd Int. at Purchase During Period	Interest Earned	Interest Received	* Ending Accrued Interest
Tamarac - Managed Portfolio										
0258M0DA4	TMC1085	MC1	1,000,000.00	09/15/2015	2.750	1,222.22	0.00	2,291.67	0.00	3,513.89
SYSTMCI100	TMC1100	BCD	1,546,000.00	09/18/2013	0.200	1,674.83	0.00	257.67	0.00	1,932.50
14912L5H0	TMC1115	MC1	1,000,000.00	11/06/2015	0.700	1,205.55	0.00	583.34	0.00	1,788.89
3134G2CL4	TMC1030	FAC	1,500,000.00	04/29/2014	1.350	8,550.00	0.00	1,687.50	10,125.00	112.50
3134G2WG3	TMC1040	FAC	1,000,000.00	09/22/2014	0.750	187.50	0.00	625.00	0.00	812.50
3134G3L24	TMC1095	FAC	1,000,000.00	09/25/2015	0.500	83.33	0.00	416.67	0.00	500.00
3136FPGF8	TMC1035	FAC	500,000.00	03/23/2015	1.750	194.44	0.00	729.17	0.00	923.61
3135G0PA5	TMC1090	FAC	1,000,000.00	03/18/2016	0.600	216.67	0.00	500.00	0.00	716.67
36962G4Q4	TMC1065	MC1	1,000,000.00	09/16/2013	1.875	781.25	0.00	1,562.50	0.00	2,343.75
36962G4X9	TMC1075	MC1	1,000,000.00	01/07/2014	2.100	4,900.00	0.00	1,750.00	0.00	6,650.00
36962G5M2	TMC1105	MC1	1,000,000.00	01/09/2015	2.150	4,897.22	0.00	1,791.67	0.00	6,688.89
369604BE2	TMC1130	MC1	1,000,000.00	10/09/2015	0.850	708.33	0.00	708.33	897.22	519.44
38259PAC6	TMC1125	MC1	1,000,000.00	05/19/2016	2.125	2,479.17	0.00	1,770.83	0.00	4,250.00
38141GEA8	TMC1140	MC1	1,000,000.00	01/15/2015	5.125	0.00	0.00	996.53	0.00	996.53
46623EJD2	TMC1025	MC1	1,000,000.00	09/30/2013	1.650	45.83	0.00	1,375.00	0.00	1,420.83
46625HHN3	TMC1060	MC1	1,000,000.00	06/01/2014	4.650	15,500.00	0.00	3,875.00	0.00	19,375.00
592179JG1	TMC1015	MC1	0.00	04/10/2013	5.125	24,343.75	0.00	1,281.25	25,625.00	0.00
592179JG1	TMC1070	MC1	0.00	04/10/2013	5.125	36,515.63	0.00	1,921.87	38,437.50	0.00
59217GAV1	TMC1080	MC1	1,000,000.00	06/29/2015	1.700	4,344.44	0.00	1,416.67	0.00	5,761.11
88579YAD3	TMC1135	MC1	1,000,000.00	09/29/2016	1.375	76.39	0.00	1,145.83	0.00	1,222.22
713448BT4	TMC1120	MC1	1,000,000.00	05/10/2016	2.500	3,680.56	0.00	2,083.33	0.00	5,763.89
91159HGT1	TMC1110	MC1	1,000,000.00	11/20/2014	2.875	10,461.81	0.00	2,395.83	0.00	12,857.64
Subtotal			20,546,000.00			122,068.92	0.00	31,165.66	75,084.72	78,149.86
Total			20,546,000.00			122,068.92	0.00	31,165.66	75,084.72	78,149.86

* Beginning Accrued may not include investments that redeemed in the previous month that had outstanding accrued interest.



Tamarac - Managed Portfolio
Interest Earnings
Sorted by Fund - Fund
April 1, 2013 - April 30, 2013
Yield on Average Book Value

CUSIP	Investment #	Fund	Issuer	Ending Par Value	Beginning Book Value	Average Book Value	Maturity Date	Current Annualized Rate	Yield	Adjusted Interest Earnings		
										Interest Earned	Amortization/ Accretion	Adjusted Interest Earnings
Fund: Tamarac - Managed Portfolio												
3134G2CL4	TMC1030	100	FHLMC	1,500,000.00	1,513,616.72	1,513,072.75	04/29/2014	1.350	0.510	1,687.50	-1,052.84	634.66
3134G2WG3	TMC1040	100	FHLMC	1,000,000.00	1,002,349.21	1,002,280.64	09/22/2014	0.750	0.598	625.00	-132.72	492.28
3136FPGF8	TMC1035	100	FNMA	500,000.00	509,630.15	509,420.50	03/23/2015	1.750	0.772	729.17	-405.77	323.40
3135G0PA5	TMC1090	100	FNMACQ	1,000,000.00	999,745.95	999,749.64	03/18/2016	0.600	0.617	500.00	7.15	507.15
3134G3L24	TMC1095	100	FHLMC1	1,000,000.00	1,000,000.00	1,000,000.00	09/25/2015	0.500	0.507	416.67	0.00	416.67
SYSTM1100	TMC1100	100	BOA	1,546,000.00	1,546,000.00	1,546,000.00	09/18/2013	0.200	0.203	257.67	0.00	257.67
36962G4Q4	TMC1065	100	GE	1,000,000.00	1,004,453.54	1,004,035.18	09/16/2013	1.875	0.912	1,562.50	-809.73	752.77
36962G4X9	TMC1075	100	GE	1,000,000.00	1,007,885.01	1,007,442.19	01/07/2014	2.100	1.078	1,750.00	-857.07	892.93
36962G5M2	TMC1105	100	GE	1,000,000.00	1,024,057.42	1,023,472.96	01/09/2015	2.150	0.785	1,791.67	-1,131.22	660.45
46625HHN3	TMC1060	100	JPM	1,000,000.00	1,033,544.86	1,032,306.89	06/01/2014	4.650	1.743	3,875.00	-2,396.06	1,478.94
46623EJD2	TMC1025	100	JPM	1,000,000.00	1,002,077.46	1,001,897.57	09/30/2013	1.650	1.247	1,375.00	-348.18	1,026.82
59217GAV1	TMC1080	100	MET	1,000,000.00	1,018,151.89	1,017,803.68	06/29/2015	1.700	0.888	1,416.67	-673.96	742.71
592179JG1	TMC1070	100	MET	1,500,000.00	1,501,684.06	450,224.54	04/10/2013	5.125	0.643	1,921.87	-1,684.06	237.81
592179JG1	TMC1015	100	MET	1,000,000.00	1,000,962.45	300,128.33	04/10/2013	5.125	1.292	1,281.25	-962.45	318.80
91159HGT1	TMC1110	100	USB	1,000,000.00	1,038,820.08	1,037,798.50	11/20/2014	2.875	0.491	2,395.83	-1,977.25	418.58
0258M0DA4	TMC1085	100	APX	1,000,000.00	1,046,596.04	1,045,779.03	09/15/2015	2.750	0.826	2,291.67	-1,581.31	710.36
14912L5H0	TMC1115	100	CAT	1,000,000.00	1,003,263.59	1,003,209.49	11/06/2015	0.700	0.580	583.34	-104.71	478.63
713448BT4	TMC1120	100	PEP	1,000,000.00	1,050,756.01	1,050,052.95	05/10/2016	2.500	0.837	2,083.33	-1,360.75	722.58
38259PAC6	TMC1125	100	GOOG	1,000,000.00	1,043,770.26	1,043,168.80	05/19/2016	2.125	0.708	1,770.83	-1,164.11	606.72
369604BE2	TMC1130	100	GEC	1,000,000.00	1,004,694.88	1,004,614.74	10/09/2015	0.850	0.670	708.33	-155.11	553.22
88579YAD3	TMC1135	100	MMM	1,000,000.00	1,023,747.96	1,023,455.36	09/29/2016	1.375	0.689	1,145.83	-566.33	579.50
38141GEA8	TMC1140	100	GS	1,000,000.00	0.00	249,519.73	01/15/2015	5.125	1.022	996.53	-787.02	209.51
Subtotal				23,046,000.00	22,375,807.54	20,865,433.47			0.759	31,165.66	-18,143.50	13,022.16
Total				23,046,000.00	22,375,807.54	20,865,433.47			0.759	31,165.66	-18,143.50	13,022.16

Tamarac - Managed Portfolio
Portfolio Management
Interest Earnings Summary
April 30, 2013

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	April 30 Month Ending	Fiscal Year To Date
CD/Coupon/Discount Investments:		
Interest Collected	75,084.72	714,896.38
Plus Accrued Interest at End of Period	153,760.07	153,760.07
Less Accrued Interest at Beginning of Period	(197,679.13)	(211,968.75)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	31,165.66	656,687.70
Adjusted by Premiums and Discounts	-18,143.50	-412,750.04
Adjusted by Capital Gains or Losses	0.00	0.00
	<hr/>	<hr/>
Earnings during Periods	13,022.16	243,937.66
Pass Through Securities:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	0.00	0.00
Adjusted by Premiums and Discounts	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
	<hr/>	<hr/>
Earnings during Periods	0.00	0.00
Cash/Checking Accounts:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	0.00	0.00
Total Interest Earned during Period		
	31,165.66	656,687.70
Total Adjustments from Premiums and Discounts		
	-18,143.50	-412,750.04
Total Capital Gains or Losses		
	0.00	0.00
Total Earnings during Period		
	13,022.16	243,937.66



Tamarac - Managed Portfolio
Amortization Schedule
April 1, 2013 - April 30, 2013
Sorted By Fund - Fund

Investment #		Maturity Date	Beginning Par Value				Amounts Amortized			
Issuer	Fund	Amort. Date	Current Rate	Purchase Principal	Original Premium or Discount	Ending Book Value	And Unamortized As of 04/01/2013	Amount Amortized This Period	Amt Amortized Through 04/30/2013	Amount Unamortized Through 04/30/2013
Tamarac - Managed Portfolio										
TMC1085	100	09/15/2015	1,000,000.00	1,056,980.00	56,980.00	1,045,014.73	-10,383.96	-1,581.31	-11,965.27	45,014.73
AMER EXPRESS CREDIT CO			2.750				46,596.04			
TMC1115	100	11/06/2015	1,000,000.00	1,003,480.00	3,480.00	1,003,158.88	-216.41	-104.71	-321.12	3,158.88
CATERPILLAR FINANCIAL			0.700				3,263.59			
TMC1030	100	04/29/2014	1,500,000.00	1,533,375.00	33,375.00	1,512,563.88	-19,758.28	-1,052.84	-20,811.12	12,563.88
FHLMC			1.350				13,616.72			
TMC1040	100	09/22/2014	1,000,000.00	1,004,840.00	4,840.00	1,002,216.49	-2,490.79	-132.72	-2,623.51	2,216.49
FHLMC			0.750				2,349.21			
TMC1035	100	03/23/2015	500,000.00	517,245.00	17,245.00	509,224.38	-7,614.85	-405.77	-8,020.62	9,224.38
FNMA			1.750				9,630.15			
TMC1090	100	03/18/2016	1,000,000.00	999,700.00	-300.00	999,753.10	45.95	7.15	53.10	-246.90
FNMA (Callable - Qtrly)			0.600				-254.05			
TMC1065	100	09/16/2013	1,000,000.00	1,015,250.00	15,250.00	1,003,643.81	-10,796.46	-809.73	-11,606.19	3,643.81
GEN ELEC CAP CRP			1.875				4,453.54			
TMC1075	100	01/07/2014	1,000,000.00	1,015,970.00	15,970.00	1,007,027.94	-8,084.99	-857.07	-8,942.06	7,027.94
GEN ELEC CAP CRP			2.100				7,885.01			
TMC1105	100	01/09/2015	1,000,000.00	1,030,430.00	30,430.00	1,022,926.20	-6,372.58	-1,131.22	-7,503.80	22,926.20
GEN ELEC CAP CRP			2.150				24,057.42			
TMC1130	100	10/09/2015	1,000,000.00	1,004,850.00	4,850.00	1,004,539.77	-155.12	-155.11	-310.23	4,539.77
GENERAL ELECTRIC CO			0.850				4,694.88			
TMC1125	100	05/19/2016	1,000,000.00	1,045,400.00	45,400.00	1,042,606.15	-1,629.74	-1,164.11	-2,793.85	42,606.15
GOOGLE INC.			2.125				43,770.26			
TMC1140	100	01/15/2015	1,000,000.00	1,069,820.00	69,820.00	1,069,032.98	0.00	-787.02	-787.02	69,032.98
GOLDMAN SACHS GROUP			5.125				69,820.00			
TMC1025	100	09/30/2013	1,000,000.00	1,008,600.00	8,600.00	1,001,729.28	-6,522.54	-348.18	-6,870.72	1,729.28
JPMORGAN CHASE			1.650				2,077.46			
TMC1060	100	06/01/2014	1,000,000.00	1,073,000.00	73,000.00	1,031,148.80	-39,455.14	-2,396.06	-41,851.20	31,148.80
JPMORGAN CHASE			4.650				33,544.86			
TMC1015	100	04/10/2013	1,000,000.00	1,069,296.25	69,296.25	0.00	-68,333.80	-962.45	-69,296.25	0.00
MET LIFE GLOBAL			5.125				962.45			
TMC1070	100	04/10/2013	1,500,000.00	1,569,795.00	69,795.00	0.00	-68,110.94	-1,684.06	-69,795.00	0.00
MET LIFE GLOBAL			5.125				1,684.06			
TMC1080	100	06/29/2015	1,000,000.00	1,022,600.00	22,600.00	1,017,477.93	-4,448.11	-673.96	-5,122.07	17,477.93
MET LIFE GLOBAL			1.700				18,151.89			

Data Updated: FUNDSNAP: 05/10/2013 08:37

Run Date: 05/10/2013 - 08:37

No fiscal year history available

Portfolio TMRC

AP

AS (PRF_ASW) SymRept 6.42

Report Ver. 5.00

Tamarac - Managed Portfolio
Amortization Schedule
April 1, 2013 - April 30, 2013

Page 2

Investment #		Maturity Date	Beginning Par Value				Amounts Amortized			
Issuer	Fund	Amort. Date	Current Rate	Purchase Principal	Original Premium or Discount	Ending Book Value	And Unamortized As of 04/01/2013	Amount Amortized This Period	Amt Amortized Through 04/30/2013	Amount Unamortized Through 04/30/2013
Tamarac - Managed Portfolio										
TMC1135	100	09/29/2016	1,000,000.00	1,024,050.00	24,050.00	1,023,181.63	-302.04	-566.33	-868.37	23,181.63
3M COMPANY			1.375				23,747.96			
TMC1120	100	05/10/2016	1,000,000.00	1,053,160.00	53,160.00	1,049,395.26	-2,403.99	-1,360.75	-3,764.74	49,395.26
PEPSICO INC			2.500				50,756.01			
TMC1110	100	11/20/2014	1,000,000.00	1,047,520.00	47,520.00	1,036,842.83	-8,699.92	-1,977.25	-10,677.17	36,842.83
US BANCORP			2.875				38,820.08			
Subtotal				21,165,361.25	665,361.25	18,381,484.04	-265,733.71	-18,143.50	-283,877.21	381,484.04
							399,627.54			
Total				21,165,361.25	665,361.25	18,381,484.04	-265,733.71	-18,143.50	-283,877.21	381,484.04
							399,627.54			

Data Updated: FUNDSNAP: 05/10/2013 08:37

Run Date: 05/10/2013 - 08:37

No fiscal year history available

Portfolio TMRC

AP

AS (PRF_ASW) SymRept 6.42

Report Ver. 5.00



Tamarac - Managed Portfolio
GASB 40 Report
Sorted by Fund
Through 04/30/2013

Security ID	Investment #	Issuer	Par Value	Book Value	Market Value	Reported Value	S&P	Moody's	% of Portfolio	Current Yield	Days to Maturity	Maturity Date	Modified Duration
Tamarac - Managed Portfolio													
36962G4Q4	TMC1065	GEN ELEC CAP CRP	1,000,000.00	1,003,643.81	1,005,781.00	1,005,781.00	AA+	A1	4.79	0.715	138	09/16/2013	0.378
SYSTMC1100	TMC1100	BANK OF AMERICA	1,546,000.00	1,546,000.00	1,546,000.00	1,546,000.00			7.37	0.200	140	09/18/2013	0.383 †
46623EJD2	TMC1025	JPMORGAN CHASE	1,000,000.00	1,001,729.28	1,005,541.00	1,005,541.00	A	Aa3	4.79	0.539	152	09/30/2013	0.416
36962G4X9	TMC1075	GEN ELEC CAP CRP	1,000,000.00	1,007,027.94	1,012,340.00	1,012,340.00	AA+	A1	4.82	0.291	251	01/07/2014	0.677
3134G2CL4	TMC1030	FHLMC	1,500,000.00	1,512,563.88	1,517,736.00	1,517,736.00	AA+	Aaa	7.23	0.160	363	04/29/2014	0.990
46625HHN3	TMC1060	JPMORGAN CHASE	1,000,000.00	1,031,148.80	1,044,093.00	1,044,093.00	A	Aa3	4.98	0.562	396	06/01/2014	1.047
3134G2WG3	TMC1040	FHLMC	1,000,000.00	1,002,216.49	1,007,645.00	1,007,645.00	AA+	Aaa	4.80	0.200	509	09/22/2014	1.385
91159HGT1	TMC1110	US BANCORP	1,000,000.00	1,036,842.83	1,037,489.00	1,037,489.00	A+	Aa3	4.94	0.450	568	11/20/2014	1.508
36962G5M2	TMC1105	GEN ELEC CAP CRP	1,000,000.00	1,022,926.20	1,025,731.00	1,025,731.00	AA+	A1	4.89	0.616	618	01/09/2015	1.652
38141GEA8	TMC1140	GOLDMAN SACHS GROUP INC.	1,000,000.00	1,069,032.98	1,068,800.00	1,068,800.00	A-	A3	5.09	1.045	624	01/15/2015	1.626
3136FPGF8	TMC1035	FNMA	500,000.00	509,224.38	513,422.50	513,422.50	AA+	Aaa	2.45	0.327	691	03/23/2015	1.865
59217GAV1	TMC1080	MET LIFE GLOBAL	1,000,000.00	1,017,477.93	1,019,818.00	1,019,818.00	AA-	Aa3	4.86	0.774	789	06/29/2015	2.111
0258M0DA4	TMC1085	AMER EXPRESS CREDIT CO	1,000,000.00	1,045,014.73	1,047,523.00	1,047,523.00	A-	A2	4.99	0.726	867	09/15/2015	2.299
3134G3L24	TMC1095	FHLMC (Callable - NC1yr 1X)	1,000,000.00	1,000,000.00	1,001,059.00	1,001,059.00	AA+	Aaa	4.77	0.456	877	09/25/2015	2.382
369604BE2	TMC1130	GENERAL ELECTRIC CO	1,000,000.00	1,004,539.77	1,005,763.00	1,005,763.00	AA+	Aa3	4.79	0.612	891	10/09/2015	2.410
14912L5H0	TMC1115	CATERPILLAR FINANCIAL SER	1,000,000.00	1,003,158.88	1,001,466.00	1,001,466.00	A	A2	4.77	0.641	919	11/06/2015	2.479
3135G0PA5	TMC1090	FNMA (Callable - Qtrly)	1,000,000.00	999,753.10	1,001,426.00	1,001,426.00	AA+	Aaa	4.77	0.550	1,052	03/18/2016	2.850
713448BT4	TMC1120	PEPSICO INC	1,000,000.00	1,049,395.26	1,051,289.00	1,051,289.00	A-	Aa3	5.01	0.781	1,105	05/10/2016	2.891
38259PAC6	TMC1125	GOOGLE INC.	1,000,000.00	1,042,606.15	1,047,237.00	1,047,237.00	AA	Aa2	4.99	0.561	1,114	05/19/2016	2.936
88579YAD3	TMC1135	3M COMPANY	1,000,000.00	1,023,181.63	1,025,812.00	1,025,812.00	AA-	Aa2	4.89	0.609	1,247	09/29/2016	3.331
Subtotal			20,546,000.00	20,927,484.04	20,985,971.50	20,985,971.50			99.99	0.530	645		1.728 †
Report Total			20,546,000.00	20,927,484.04	20,985,971.50	20,985,971.50			99.99	0.530	646		1.72830 †

† = Duration can not be calculated on these investments due to incomplete Market price data.

City of Tamarac Total Portfolio

Reports for the period: 04/01/2013 – 04/30/2013

City of Tamarac
7525 NW 88th Ave
Tamarac, FL 33321-2401

We urge you to compare the information contained in this periodic statement with the account statement(s) that you receive directly from the custodian that holds your account(s). Please notify us immediately if you identify any discrepancies or have any questions.

1



Davidson
Fixed Income Management

REGISTERED INVESTMENT ADVISER

City of Tamarac – Total Portfolio

Portfolio Characteristics – April 2013



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER

Portfolio Characteristics 04/30/2013

Par Value: \$ 20,546,000

Market Value: \$ 20,985,972

Book Value: \$ 20,927,484

Liquid Balances: \$ 82,122,180

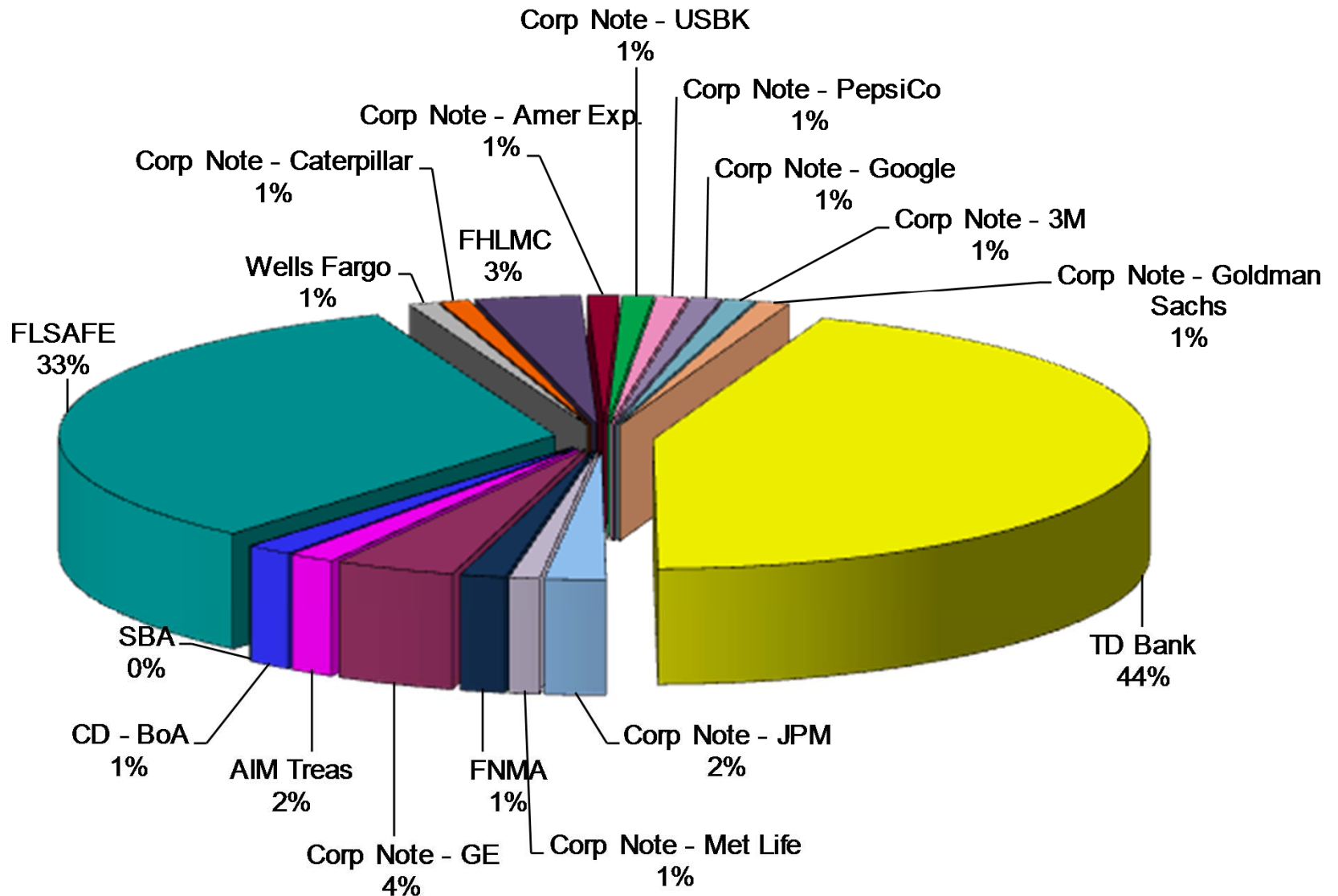
Weighted Avg YTM/YTC: 0.32%

Weighted Avg Maturity/Call: 132 Days

City of Tamarac – Total Portfolio Holdings Diversification – April 2013



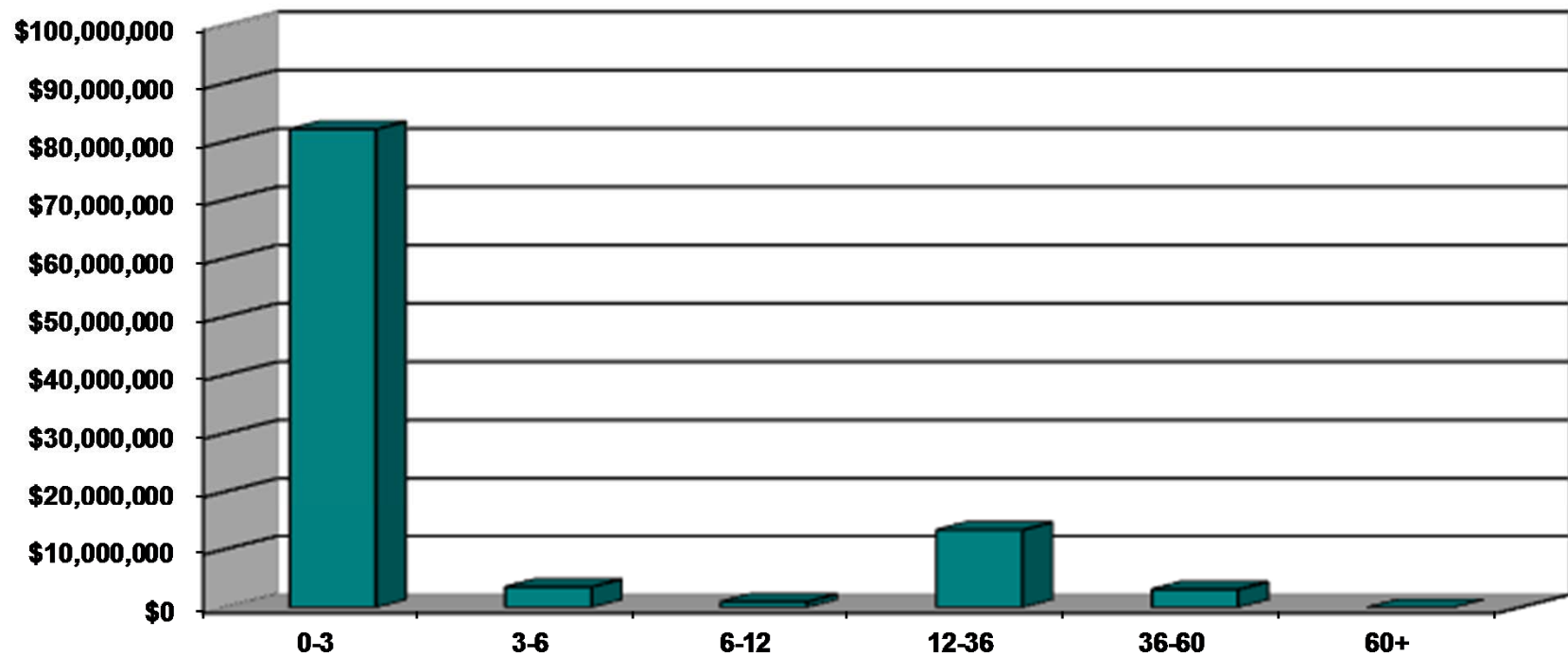
Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER



City of Tamarac – Total Portfolio Maturity Distribution – April 2013



Davidson
Fixed Income Management
REGISTERED INVESTMENT ADVISER





Inv Details Merged Cash & Mgd
Portfolio Management
Portfolio Summary
April 30, 2013

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM/C 360 Equiv.	YTM/C 365 Equiv.
Managed Pool Accounts	82,122,179.99	82,122,179.99	82,122,179.99	79.69	1	1	0.206	0.209
Certificates of Deposit - Bank	1,546,000.00	1,546,000.00	1,546,000.00	1.50	365	140	0.200	0.203
Federal Agency Coupon Securities	5,000,000.00	5,041,288.50	5,023,757.85	4.88	1,115	665	0.558	0.566
Corporate Coupon Securities	14,000,000.00	14,398,683.00	14,357,726.19	13.93	911	694	0.870	0.882
Investments	102,668,179.99	103,108,151.49	103,049,664.03	100.00%	188	132	0.316	0.320
Cash and Accrued Interest								
Accrued Interest at Purchase		27,131.25	27,131.25					
Subtotal		27,131.25	27,131.25					
Total Cash and Investments	102,668,179.99	103,135,282.74	103,076,795.28		188	132	0.316	0.320
Total Earnings								
	April 30	Month Ending						
Current Year	26,949.01							

Mark Mason, Financial Services Director

**Inv Details Merged Cash & Mgd
Portfolio Management
Portfolio Details - Investments
April 30, 2013**

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CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM/C 365	Days to Maturity	Maturity Date
Managed Pool Accounts											
SYSTM0020	TMC0020	AIM ST INV TREASURY		1,548,435.24	1,548,435.24	1,548,435.24	0.020		0.020	1	
SYSTM0014	TMC0014	FLSAFE		1,042,972.73	1,042,972.73	1,042,972.73	0.100	AAAM	0.100	1	
SYSTM0015	TMC0015	FLSAFE		32,906,300.65	32,906,300.65	32,906,300.65	0.100	AAAM	0.100	1	
SYSTM00140	TMC00140	FLORIDA SBA		82.42	82.42	82.42	0.220		0.220	1	
SYSTM001	TMC001	TD BANK		45,671,735.29	45,671,735.29	45,671,735.29	0.300		0.300	1	
SYSTM00150	TMC00150	Wells Fargo		952,653.66	952,653.66	952,653.66	0.020		0.020	1	
Subtotal and Average				82,122,179.99	82,122,179.99	82,122,179.99			0.209	1	
Certificates of Deposit - Bank											
SYSTM1100	TMC1100	BANK OF AMERICA	09/18/2012	1,546,000.00	1,546,000.00	1,546,000.00	0.200		0.203	140	09/18/2013
Subtotal and Average				1,546,000.00	1,546,000.00	1,546,000.00			0.203	140	
Federal Agency Coupon Securities											
3134G2CL4	TMC1030	FHLMC	09/08/2011	1,500,000.00	1,517,736.00	1,512,563.88	1.350	AA+	0.501	363	04/29/2014
3134G2WG3	TMC1040	FHLMC	09/08/2011	1,000,000.00	1,007,645.00	1,002,216.49	0.750	AA+	0.589	509	09/22/2014
3136FPGF8	TMC1035	FNMA	09/08/2011	500,000.00	513,422.50	509,224.38	1.750	AA+	0.761	691	03/23/2015
3134G3L24	TMC1095	FHLMC (Callable - NC1yr 1X)	09/25/2012	1,000,000.00	1,001,059.00	1,000,000.00	0.500	AA+	0.500	877	09/25/2015
3135G0PA5	TMC1090	FNMA (Callable - Qtrly)	09/18/2012	1,000,000.00	1,001,426.00	999,753.10	0.600	AA+	0.609	1,052	03/18/2016
Subtotal and Average				5,000,000.00	5,041,288.50	5,023,757.85			0.566	665	
Corporate Coupon Securities											
36962G4Q4	TMC1065	GEN ELEC CAP CRP	02/21/2012	1,000,000.00	1,005,781.00	1,003,643.81	1.875	AA+	0.894	138	09/16/2013
46623EJD2	TMC1025	JPMORGAN CHASE	09/09/2011	1,000,000.00	1,005,541.00	1,001,729.28	1.650	A	1.225	152	09/30/2013
36962G4X9	TMC1075	GEN ELEC CAP CRP	06/18/2012	1,000,000.00	1,012,340.00	1,007,027.94	2.100	AA+	1.060	251	01/07/2014
46625HHN3	TMC1060	JPMORGAN CHASE	11/17/2011	1,000,000.00	1,044,093.00	1,031,148.80	4.650	A	1.700	396	06/01/2014
91159HGT1	TMC1110	US BANCORP	11/19/2012	1,000,000.00	1,037,489.00	1,036,842.83	2.875	A+	0.488	568	11/20/2014
36962G5M2	TMC1105	GEN ELEC CAP CRP	10/12/2012	1,000,000.00	1,025,731.00	1,022,926.20	2.150	AA+	0.778	618	01/09/2015
38141GEA8	TMC1140	GOLDMAN SACHS GROUP INC.	04/24/2013	1,000,000.00	1,068,800.00	1,069,032.98	5.125	A-	1.030	624	01/15/2015
59217GAV1	TMC1080	MET LIFE GLOBAL	09/13/2012	1,000,000.00	1,019,818.00	1,017,477.93	1.700	AA-	0.879	789	06/29/2015
0258M0DA4	TMC1085	AMER EXPRESS CREDIT CO	09/14/2012	1,000,000.00	1,047,523.00	1,045,014.73	2.750	A-	0.825	867	09/15/2015
369604BE2	TMC1130	GENERAL ELECTRIC CO	03/01/2013	1,000,000.00	1,005,763.00	1,004,539.77	0.850	AA+	0.662	891	10/09/2015
14912L5H0	TMC1115	CATERPILLAR FINANCIAL SER	01/29/2013	1,000,000.00	1,001,466.00	1,003,158.88	0.700	A	0.573	919	11/06/2015
713448BT4	TMC1120	PEPSICO INC	02/08/2013	1,000,000.00	1,051,289.00	1,049,395.26	2.500	A-	0.841	1,105	05/10/2016
38259PAC6	TMC1125	GOOGLE INC.	02/19/2013	1,000,000.00	1,047,237.00	1,042,606.15	2.125	AA	0.709	1,114	05/19/2016
88579YAD3	TMC1135	3M COMPANY	03/15/2013	1,000,000.00	1,025,812.00	1,023,181.63	1.375	AA-	0.686	1,247	09/29/2016
Subtotal and Average				14,000,000.00	14,398,683.00	14,357,726.19			0.882	694	

Data Updated: SET_IM: 05/10/2013 08:22

Run Date: 05/10/2013 - 08:22

Portfolio TMRC

AP

PM (PRF_PM2) SymRept 6.42

**Inv Details Merged Cash & Mgd
Portfolio Management
Portfolio Details - Investments
April 30, 2013**

Page 3

CUSIP	Investment #	Issuer	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM/C 365	Days to Maturity	Maturity Date
Total and Average				102,668,179.99	103,108,151.49	103,049,664.03			0.320	132	



Title - 9:00 A.M.

9:00 A.M.

ATTACHMENTS:

Name:

Description:

No Attachments Available



Title - TO2283 - Temporary Housing Ordinance

Motion to adopt an ordinance of the City Commission of the City of Tamarac, Florida, **on first reading** amending Chapter 5, entitled "Buildings and Building Regulations," of the City of Tamarac Code of Ordinances by adopting a new article XII, entitled, "Emergency Temporary Housing," to provide for the use of temporary housing during declared housing emergencies; providing for codification; providing for conflicts; providing for severability; providing for an effective date.

ATTACHMENTS:

Name:

- ❏ [TO#2283-Temp Housing Ord-Staff report.doc](#)
- ❏ [revTO 2283-Temporary Housing Ordinance-FINAL \(2\).docx](#)

Description:

Staff Report
TO2283 - Temporary Housing Ordinance

CITY OF TAMARAC
INTEROFFICE MEMORANDUM (13-06-001M)
COMMUNITY DEVELOPMENT

TO: Michael C. Cernech,
City Manager

DATE: 12 June 2013

FROM: Jennifer K. Bramley, Director of
Community Development

RE: Adoption of Emergency
Temporary Housing Ordinance
Temp. Ord. # 2283
Case # 8-MI-13

Recommendation: The Director of Community Development recommends the Mayor and the City Commission approve first reading of Ordinance 2283 regarding the emergency housing ordinance allowing single-family (1-2 unit) property owners to place approved temporary housing units on their properties following an emergency declaration by the City Commission within specific areas.

Issue: The Fire Department estimates after the 2005 storm season approximately 75% of homeowners who were displaced from their homes never returned to the City of Tamarac. This has a negative effect on both the homeowner(s) as well as the City. Those who work, attend school and have obligations in Tamarac are more likely to recover when given the opportunity to remain at their residence. Residents whose homes are seriously affected by a disaster will most likely prefer to remain on their properties during the rehabilitation process to protect their homes, monitor the repair process, as well as remain active in the community to which they reside. Through the Building Permit process, single family home owners whose residence has been deemed uninhabitable would be able to install certain temporary structures on their property remaining local and better able to continue on with life after a disaster. Additionally, the local economy would be less impacted by retaining these displaced residents.

Background: The Affordable Housing Advisory Committee and staff representing Fire, Building, Planning and Housing met on March 21, 2013 to discuss the logistics of this ordinance. Defining eligible structures, determining the permitting process and protecting all planning and zoning requirements were discussed. This ordinance will allow the placement of Building Department approved structures on a temporary basis in City Commission defined areas following a disaster. The process covers inspections, time frames and other pertinent requirements such as: the requirement that a permit to repair the main structure be applied for within 90 days, the removal of the temporary structure after repairs are completed, and intermittent inspections to be conducted by the Building Department to ensure the temporary structure is safe and secure.

Fiscal Impact: There is no financial commitment by the City for the adoption of this ordinance. Revenue from the building permit process will be reported by the Building Department. This agenda item is consistent with the City's Strategic Plan Goal #5; Vibrant Community.

Jennifer K. Bramley
Director of Community Development

JKB/ab
Attachment: Temporary Ordinance #2283

ORDINANCE NO. 2013- _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AMENDING CHAPTER 5, ENTITLED "BUILDINGS AND BUILDING REGULATIONS," OF THE CITY OF TAMARAC CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE XII, ENTITLED, "EMERGENCY TEMPORARY HOUSING," TO PROVIDE FOR THE USE OF TEMPORARY HOUSING DURING DECLARED HOUSING EMERGENCIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City, under its Home Rule authority, has the authority to regulate housing within the City of Tamarac; and

WHEREAS, in the event of a natural or man-made disaster or emergency, the City Commission finds that it will be in the best interest of the health, safety, and welfare of the citizens of the City of Tamarac to allow for the use of temporary housing; and

WHEREAS, the City Commission finds that the use of temporary housing requires proper permitting and regulation in order to insure that residents and neighborhoods are protected during the time of an emergency; and

WHEREAS, the City Commission finds that the adoption of these ordinance provisions is in the best interest of the health, safety, and welfare of the residents of the City of Tamarac.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. That Chapter 5, "Buildings and Building Regulations", of the City of Tamarac Code of Ordinances be, and the same is hereby amended by enacting a new Article XII, entitled "Emergency Temporary Housing", to read as follows:

ARTICLE XII. Emergency Temporary Housing

Section 5-400. Housing Emergency Declaration

(a) Activation. Upon declaration of a state of emergency by the City Commission, and during the pendency thereof, the City Commission, as a part of the original declaration or at any time during the duration of a declared state of emergency, may declare a state of housing emergency for all or any part of the City of Tamarac.

(b) Areas Embraced. Housing Emergency Declaration must define the boundaries of all areas subject to the terms of this Section. The areas embraced may include the entire area of the City, or any part thereof.

(c) Termination

(1) A Housing Emergency Declaration survives the termination of the Declaration of Emergency, and may only terminate, in whole or in part, by formal action of the City Commission to amend or terminate the areas embraced by the Emergency Housing Declaration.

(2) Partial Termination. Through the adoption of a resolution, the City Commissioners may amend the Housing Emergency Declaration to either expand or contract the areas embraced. The expansion or contraction of

the areas embraced shall be supported by findings regarding the status of the housing stock in the area being considered.

- (3) The status of the housing emergency shall be evaluated 90 days after its declaration and every 90 days thereafter as long as the Housing Emergency Declaration is in effect to determine if formal action by the City Commission is warranted to amend or terminate the Declaration.

(d) Effect of a Housing Emergency Declaration. Upon the activation of a Housing Emergency, the provisions of this ordinance shall become applicable in all the areas embraced by the Housing Emergency Declaration.

Section 5-401. Regulatory Provisions

(a) Definitions:

- (1) Essential Services: Services necessary to a basic standard of living and the general welfare of society. Services may include, but not limited to the following: electrical services, gas services, water and wastewater treatment services.
- (2) Owner-Builder: Owners of property, when acting as their own contractor and providing direct, onsite supervision themselves of all work performed not performed by licensed contractors, when building or improving single-family or two-family residences on such property for the occupancy or use of such owners and not offered for sale or lease by the owner-builder within one (1) year after completion of same.
- (3) Pre-Fabricated Dwelling: A unit that is factory built or built on site from modular parts and generally does not have wheels.

- (4) Recreational Vehicle: A vehicle built on a single chassis, 400 square feet or less, designed to be self-propelled or permanently towable by a light duty truck, and designed as temporary living quarters for recreational, camping, travel, or seasonal use.
 - (5) Temporary Housing: Temporary accommodations for individuals or families whose homes are made uninhabitable by an emergency or a major disaster as per section 5-400 (a) of this ordinance and ~~that~~ meets the physical accessibility needs of the household and includes essential utilities, access to areas for food preparation, and bath facilities in a context that allows a family to live together with a reasonable amount of privacy for a period generally up to 18 months.
 - (6) Temporary Housing Unit: Manufactured housing, recreational vehicle, travel trailer, or pre-fabricated dwelling.
 - (7) Wrap-Around Services: The delivery of infrastructure and additional essential services to address disaster-related needs of affected residents living in community sites. These services go beyond the physical need for housing or political subdivision of a State and typically include basic social services and access to utilities, transportation, grocery stores, and medical and employment facilities.
- (b) Single-Family or Two-Family Residential Parcels. Upon the activation of a Housing Emergency Declaration and subject to the conditions contained in this Section, temporary housing units may be used as temporary housing by individuals who have been displaced from their private, primary residence that is deemed uninhabitable due to damage from a disaster, given the following conditions. Such primary residence is

defined as a parcel normally designated by the applicable future land use plan map and/or by the applicable zoning map as being a detached, single family residential parcel, or a parcel allowing a duplex residence.

- (1) A permit for a temporary housing unit must be obtained through the City of Tamarac Building Department.
- (2) The permit for a temporary housing unit shall be issued for no more than ninety (90) days. Permit extensions may be allowed as warranted up to a maximum of eighteen (18) months.
- (3) A maximum of one (1) temporary housing unit for each housing unit legally established on the property will be allowed on an existing home site provided:
 - a. The home located on the site has been declared uninhabitable by the City's Building Official, or his/her designee.
 - b. The water service and wastewater service must be properly connected to a functioning water service and sanitary sewer system or septic system in accordance with the codes in effect at the time. However, if connection to a functioning service is not feasible, other water and wastewater services may be utilized subject to the City's Building Department approval.
 - c. Setback requirements will be waived during the duration that the temporary housing unit is permitted. However, the temporary housing unit cannot extend into any adjacent public right-of-way, easement, or onto any adjacent property.

- d. Electrical service to a commercial source (FPL) must be established. If there is no power available from FPL, the use of a generator will be allowed until power is restored. The use of the generator shall be suspended within 7 days of power restoration.
 - e. Only a licensed contractor or an owner-builder will be allowed to apply for a permit and perform any work related to the connection of plumbing, electrical and mechanical service systems at the site.
- (4) An application for a building permit to repair the residential structure shall be submitted no later than sixty (60) days after issuance of the temporary housing permit.
 - (5) The temporary housing unit must be removed from the property no later than thirty (30) days from the date of the issuance of the certificate of occupancy, or a certificate of completion for the residential structure.
 - (6) The City of Tamarac Building Department has the right to revoke the temporary housing permit in the event there exists unsafe or unsanitary conditions on the property, or in the event the owner does not comply with the provisions of this Section.

Section 3. It is the intention of the City Commission of the City of Tamarac that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Tamarac, Florida, and that the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

Section 4. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the remaining portions or applications remaining in full force and effect.

Section 5. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall become effective on immediately upon adoption, as provided by Florida law.

PASSED, FIRST READING this ____ day of _____, 2013.

PASSED, SECOND READING this ____ day of _____, 2013.

ATTEST: BY: _____
MAYOR BETH TALABISCO

_____ PAT TUEFEL, CMC INTERIM CITY CLERK	RECORD OF COMMISSION VOTE: 1 ST Reading
	MAYOR TALABISCO _____
	DIST 1: COMM. BUSHNELL _____
	DIST 2: COMM. ATKINS-GRAD _____
	DIST 3: COMM. GLASSER _____
	DIST 4: V/M DRESSLER _____
I HEREBY CERTIFY that I have approved this ORDINANCE as to form:	RECORD OF COMMISSION VOTE: 2 ND Reading
	MAYOR TALABISCO _____
	DIST 1: COMM. BUSHNELL _____
	DIST 2: COMM. ATKINS-GRAD _____
	DIST 3: COMM. GLASSER _____
	DIST 4: V/M DRESSLER _____
_____ SAMUEL S. GOREN CITY ATTORNEY	



Title - TO2286 - Flood Prevention and Protection

Motion to adopt an Ordinance by the City Commission of the City of Tamarac, Florida, **on first reading** amending the City of Tamarac Code of Ordinances by repealing Chapter 8, Sections 8-1 thru Section 8-13, entitled "Flood Prevention and Protection," in its entirety and adopting a new Chapter 8, Sections 1 to 71 adopting Flood Hazard Maps, designating a Floodplain Administrator, adopting procedures and criteria for development in flood hazard areas, and for other purposes; providing for codification; providing for conflict; providing for severability; and providing an effective date.

ATTACHMENTS:

Name:

Description:

📎 [TO# 2286 MEMO ORD Flood Ord Ch 8 Sec 8-1 thru 8-13 06-07-13.docx](#)

TR#2286 Memo Flood Prevention and Protection

📎 [TO# 2286 Flood Ordinance Elec Agenda FINAL 06-10-13.docx](#)

TO#2286 ORD Flood Prevention and Protection

TO: Michael C. Cernech, City Manager DATE: June 6, 2013

Recommendation:

Issue:

Background:

Fiscal Impact:

The cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to the residents.

CITY OF TAMARAC, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AMENDING THE CITY OF TAMARAC CODE OF ORDINANCES BY REPEALING CHAPTER 8, SECTIONS 8-1 THRU SECTION 8-13, ENTITLED "FLOOD PREVENTION AND PROTECTION," IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 8, SECTIONS 1 TO 71 ADOPTING FLOOD HAZARD MAPS, DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 , Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of Tamarac and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the City of Tamarac was accepted for participation in the National Flood Insurance Program on February 15, 1978 and the City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the *Florida Building Code*; and

WHEREAS, the City Commission has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the *Florida Building Code*.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF TAMARAC THAT THE FOLLOWING FLOODPLAIN MANAGEMENT REGULATIONS ARE HEREBY ADOPTED:

SECTION 1. RECITALS. The foregoing whereas clauses are incorporated herein by reference and made a specific part hereof.

SECTION 2. The City Commission hereby repeals Chapter 8 of the City Code of Ordinances, Sections 8-1 – 8-13, entitled “Flood Prevention and Protection,” in its entirety and adopts the provisions set forth below in its place as follows:

CHAPTER 8 – Flood Prevention and Protection

Article 1 ADMINISTRATION

DIVISION 1 GENERAL

8-1 Title. These regulations shall be known as the *Floodplain Management Ordinance* of the City of Tamarac, hereinafter referred to as “this ordinance.”

8-2 Scope. The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

8-3 Intent. The purposes of this ordinance and the flood load and flood resistant construction requirements of the *Florida Building Code* are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

1. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
2. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
3. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;

4. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
5. Minimize damage to public and private facilities and utilities;
6. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
7. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
8. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

8-4 Coordination with the *Florida Building Code*. This ordinance is intended to be administered and enforced in conjunction with the *Florida Building Code*. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code*.

8-5 Warning. The degree of flood protection required by this ordinance and the *Florida Building Code*, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

8-6 Disclaimer of Liability. This ordinance shall not create liability on the part of the city commission of the City of Tamarac nor any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

DIVISION 2 APPLICABILITY

8-7 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

8-8 Areas to which this ordinance applies. This ordinance shall apply to all flood hazard areas within the City of Tamarac, as established in Section 8-9 of this ordinance.

8-9 Basis for establishing flood hazard areas. The Flood Insurance Study for Broward County, Florida and Incorporated Areas, dated October 2, 1997, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the office of the Chief Building Official/Building Department, located at 6011 Nob Hill Road, First Floor, Tamarac, Florida, 33321.

8-9.1 Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to Section 8-29 through 8-32 of this article the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

- a) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the *Florida Building Code*.
- b) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

8-10 Other laws. The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

8-11 Abrogation and greater restrictions. This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the *Florida Building Code*. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

8-12 Interpretation. In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and
- c) Deemed neither to limit nor repeal any other powers granted under state statutes.

DIVISION 3 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

8-13 Designation. The Chief Building Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

8-14 General. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Section 8-34 through 8-40 of this ordinance.

8-15 Applications and permits. The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

- a) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- b) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
- c) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
- d) Provide available flood elevation and flood hazard information;
- e) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
- f) Review applications to determine whether proposed development will be reasonably safe from flooding;
- g) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building*

Code, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and

h) Coordinate with and provide comments to the Chief Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

8-16 Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Chief Building Official, shall:

- a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- d) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this ordinance is required.

8-17 Reserved

8-18 Notices and orders. The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.

8-19 Inspections. The Floodplain Administrator shall make the required inspections as specified in Section 8-33 through 8.33.3 of this Ordinance for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

8-20 Other duties of the Floodplain Administrator. The Floodplain Administrator shall have other duties, including but not limited to:

- a) Establish, in coordination with the Chief Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 8-16 of this ordinance;
- b) Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
- c) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;
- d) Review required design certifications and documentation of elevations specified by this ordinance and the *Florida Building Code* and this ordinance to determine that such certifications and documentations are complete; and
- e) Notify the Federal Emergency Management Agency when the corporate boundaries of the City of Tamarac are modified.

8-21 Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at the office of the Chief Building Official/ Building Department.

DIVISION 4 PERMITS

8-22 Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the *Florida Building Code*, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

8-23 Floodplain development permits or approvals. Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

8-23.1 Buildings, structures and facilities exempt from the *Florida Building Code*. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code* and any further exemptions provided by law, which are subject to the requirements of this ordinance:

- a) Railroads and ancillary facilities associated with the railroad.
- b) Nonresidential farm buildings on farms, as provided in section 604.50, F.S.
- c) Temporary buildings or sheds used exclusively for construction purposes.
- d) Mobile or modular structures used as temporary offices.
- e) Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
- f) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

- g) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- h) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.
- i) Structures identified in section 553.73(10)(k), F.S., are not exempt from the *Florida Building Code* if such structures are located in flood hazard areas established on Flood Insurance Rate Maps

8-24 Application for a permit or approval. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

- a) Identify and describe the development to be covered by the permit or approval.
- b) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- c) Indicate the use and occupancy for which the proposed development is intended.
- d) Be accompanied by a site plan or construction documents as specified in Section 8-29 of this ordinance.
- e) State the valuation of the proposed work.
- f) Be signed by the applicant or the applicant's authorized agent.
- g) Give such other data and information as required by the Floodplain Administrator.

8-25 Validity of permit or approval. The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the *Florida Building Codes*, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

8-26 Expiration. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

8-27 Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

8-28 Other permits required. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

- a) The South Florida Water Management District; section 373.036, F.S.
- b) Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.
- c) Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.
- d) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
- e) Federal permits and approvals.

DIVISION 5 SITE PLANS AND CONSTRUCTION DOCUMENTS

8-29 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

- a) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
- b) Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 8-30(b) or (c) of this ordinance.
- c) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 8-30(a) of this ordinance.
- d) Location of the proposed activity and proposed structures, and locations of existing buildings and structures.

- e) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- f) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- g) Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

8-30 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

- a) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
- b) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source;
- c) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - 1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - 2) Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
- d) Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it

shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

8-31 Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

- a) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 8-32 of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- b) For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- c) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 8-32 of this ordinance.

8-32 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

DIVISION 6 INSPECTIONS

8-33 General. Development for which a floodplain development permit or approval is required shall be subject to inspection.

8-33.1 Development other than buildings and structures. The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

8-33.2 Buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the *Florida Building Code* to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

8-33.2.1 Buildings, structures and facilities exempt from the *Florida Building Code*, lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Floodplain Administrator:

- a) If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or
- b) If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 8-30(c)(2) of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

8-33.2.2 Buildings, structures and facilities exempt from the *Florida Building Code*, final inspection. As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 8-33.2.1 of this ordinance.

8-33.3 Manufactured homes. The Chief Building Official shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Chief Building Official.

DIVISION 7 VARIANCES AND APPEALS

8-34 General. The planning board shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance in accordance with the provisions of section 24-71 of the City Code of Ordinances. Pursuant to section 553.73(5), F.S., and section 24-71 of the City Code of Ordinances, the planning board shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*.

8-35 Appeals. The planning board shall hear and decide appeals pursuant to section 24-71 of the City Code of Ordinances when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision of the planning board may appeal such decision to the Circuit Court, as provided by Florida Statutes.

8-36 Limitations on authority to grant variances. The planning board shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 8-39 of this ordinance, the conditions of issuance set forth in Section 8-40 of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The planning board has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

8-36.1 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 8-31 of this ordinance.

8-37 Historic buildings. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building*, Chapter 11 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

8-38 Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Section 8-36.1, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

8-39 Considerations for issuance of variances. In reviewing requests for variances, the planning board shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this ordinance, and the following:

- a) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- b) The danger to life and property due to flooding or erosion damage;
- c) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- d) The importance of the services provided by the proposed development to the community;
- e) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- f) The compatibility of the proposed development with existing and anticipated development;
- g) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- h) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- i) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

8-40 Conditions for issuance of variances. Variances shall be issued only upon:

- a) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;

- b) Determination by the planning board that:
 - 1. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - 2. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - 3. The variance is the minimum necessary, considering the flood hazard, to afford relief;
- c) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
- d) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

DIVISION 8 VIOLATIONS

8-41 Violations. Any development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

8-42 Authority. For development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

8-43 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed in section 553.79, F.S., and Broward County Amendments to the Florida Building Code.

ARTICLE 2 DEFINITIONS

DIVISION 1 GENERAL

8-44 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.

8-45 Terms defined in the *Florida Building Code*. Where terms are not defined in this ordinance and are defined in the *Florida Building Code*, such terms shall have the meanings ascribed to them in that code.

8-46 Terms not defined. Where terms are not defined in this ordinance or the *Florida Building Code*, such terms shall have ordinarily accepted meanings such as the context implies.

DIVISION 2 DEFINITIONS

8-47 Definitions as used in this Chapter:

- a) **Alteration of a watercourse.** A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.
- b) **Appeal.** A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance or a request for a variance.
- c) **ASCE 24.** A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.
- d) **Base flood.** A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "1-percent-annual chance flood."

- e) **Base flood elevation.** The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 1612.2.]
- f) **Basement.** The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]
- g) **Design flood.** The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]
1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
 2. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.
- h) **Design flood elevation.** The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 1612.2.]
- i) **Development.** Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.
- j) **Encroachment.** The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.
- k) **Existing building and existing structure.** Any buildings and structures for which the "start of construction" commenced before January 24, 1975, [Also defined in FBC, B, Section 1612.2.]

l) **Existing manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before January 24, 1975.

m) **Expansion to an existing manufactured home park or subdivision.** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

n) **Federal Emergency Management Agency (FEMA).** The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

o) **Flood or flooding.** A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.

p) **Flood damage-resistant materials.** Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

q) **Flood hazard area.** The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

1. The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

r) **Flood Insurance Rate Map (FIRM).** The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

- s) **Flood Insurance Study (FIS).** The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]
- t) **Floodplain Administrator.** The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Floodplain Manager).
- u) **Floodplain development permit or approval.** An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.
- v) **Floodway.** The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one(1) foot. [Also defined in FBC, B, Section 1612.2.]
- w) **Floodway encroachment analysis.** An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.
- x) **Florida Building Code (FBC).** The family of codes adopted by the Florida Building Commission, including: *Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.*
- y) **Functionally dependent use.** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.
- z) **Highest adjacent grade.** The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

aa) **Historic structure.** Any structure that is determined eligible for the exception to the flood hazard area requirements of the *Florida Building Code, Existing Building*, Chapter 11 Historic Buildings.

bb) **Letter of Map Change (LOMC).** An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

1) Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

2) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

3) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

4) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

cc) **Light-duty truck.** As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or

2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or

3. Available with special features enabling off-street or off-highway operation and use.

dd) **Lowest floor.** The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of non-elevation requirements of the *Florida Building Code* or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

ee) **Manufactured home.** A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

ff) **Manufactured home park or subdivision.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

gg) **Market value.** The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

hh) **New construction.** For the purposes of administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, structures for which the "start of construction" commenced on or after January 24, 1975, and includes any subsequent improvements to such structures.

ii) **New manufactured home park or subdivision.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after January 24, 1975.

jj) **Park trailer.** A transportable unit which has a body width not exceeding fourteen (14) feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in 320.01, F.S.]

kk) **Recreational vehicle.** A vehicle, including a park trailer, which is: [Defined in section 320.01, F.S.)

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

ll) **Special flood hazard area.** An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 1612.2.]

mm) **Start of construction.** The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the

installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 1612.2.]

nn) **Substantial damage.** Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 1612.2.]

oo) **Substantial improvement.** Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 1612.2.]

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

pp) **Variance.** A grant of relief from the requirements of this ordinance, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this ordinance or the *Florida Building Code*.

qq) **Watercourse.** A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

ARTICLE 3 FLOOD RESISTANT DEVELOPMENT

DIVISION 1 BUILDINGS AND STRUCTURES

8-48 Design and construction of buildings, structures and facilities exempt from the *Florida Building Code*. Pursuant to Section 8-23.1 of this ordinance, buildings, structures, and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of Section 8-68 through 8-71 of this ordinance.

DIVISION 2 SUBDIVISIONS

8-49 Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- a) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- b) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- c) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

8-50 Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- a) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
- b) Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 8-30(a) of this ordinance; and
- c) Compliance with the site improvement and utilities requirements of Section 8-51 through 8-55 of this Ordinance.

DIVISION 3 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

8-51 Minimum requirements. All proposed new development shall be reviewed to determine that:

- a) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- b) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- c) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

8-52 Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

8-53 Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

8-54 Limitations on sites in regulatory floodways. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 8-31(a) of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

8-55 Limitations on placement of fill. Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

DIVISION 4 MANUFACTURED HOMES

8-56 General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance.

8-57 Foundations. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the *Florida Building Code Residential* Section R322.2 and this ordinance.

8-58 Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

8-59 Elevation. Manufactured homes that are placed, replaced, or substantially improved shall comply with Section 8-59.1 or 8-59.2 of this ordinance, as applicable.

8-59.1 General elevation requirement. Unless subject to the requirements of Section 8-59.2 of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A).

8-59.2 Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to Section 8-59.1 of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

- a) Bottom of the frame of the manufactured home is at or above the elevation required in the *Florida Building Code, Residential* Section R322.2 (Zone A); or
- b) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height

above grade.

8-60 Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential* Section R322 for such enclosed areas.

8-61 Utility equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential* Section R322.

DIVISION 5 RECREATIONAL VEHICLES AND PARK TRAILERS

8-62 Temporary placement. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

- a) Be on the site for fewer than 180 consecutive days; or
- b) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

8-63 Permanent placement. Recreational vehicles and park trailers that do not meet the limitations in Section 8-62 of this ordinance for temporary placement shall meet the requirements of Section 8-56 through 8-61 of this Ordinance for manufactured homes.

DIVISION 6 TANKS

8-64 Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

8-65 Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Section 8-66 of this ordinance shall be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

8-66 Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during

conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

8-67 Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

- a) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- b) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

DIVISION 7 OTHER DEVELOPMENT

8-68 General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the *Florida Building Code*, shall:

- a) Be located and constructed to minimize flood damage;
- b) Meet the limitations of Section 8-54 of this ordinance if located in a regulated floodway;
- c) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- d) Be constructed of flood damage-resistant materials; and
- e) Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

8-69 Fences in regulated floodways. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 8-54 of this ordinance.

8-70 Retaining walls, sidewalks and driveways in regulated floodways. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Section 8-54 of this ordinance.

8-71 Roads and watercourse crossings in regulated floodways. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the

other side, that encroach into regulated floodways shall meet the limitations of Section 8-54 of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 8-31(c) of this ordinance.

SECTION 3. FISCAL IMPACT STATEMENT.

In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

SECTION 4. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Tamarac. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after March 15, 2012.

SECTION 5. REPEALER.

Any and all ordinances and regulations in conflict herewith are hereby repealed to the extent of any conflict. This ordinance specifically repeals and replaces the following ordinance(s) and regulation(s): Chapter 8 – Flood Prevention and Protection.

SECTION 6. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the city commission that the provisions of this ordinance shall become and be made a part of the City of Tamarac Code of Ordinances, and that the sections of this ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section,” “article,” “regulation,” or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its passage and adoption.

**PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF TAMARAC,
FLORIDA, THIS ____ DAY OF _____, 2013.**

**PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY COMMISSION
OF THE CITY OF TAMARAC, FLORIDA THIS ____ DAY OF _____, 2013.**

ATTEST:

BY: _____
MAYOR BETH TALABISCO

PAT TEUFEL
INTERIM CITY CLERK

RECORD OF COMMISSION VOTE: 1ST Reading

MAYOR TALABISCO	_____
DIST 1: COMM BUSHNELL	_____
DIST 2: COMM ATKINS-GRAD	_____
DIST 3: COMM GLASSER	_____
DIST 4: V/M. DRESSLER	_____

I HEREBY CERTIFY that
I have approved this
ORDINANCE as to form:

RECORD OF COMMISSION VOTE: 2ND Reading

SAMUEL S. GOREN
CITY ATTORNEY

MAYOR TALABISCO	_____
DIST 1: COMM BUSHNELL	_____
DIST 2: COMM ATKINS-GRAD	_____
DIST 3: COMM GLASSER	_____
DIST 4: V/M. DRESSLER	_____



Title - TO2278 - Telecommunications Towers and Antennas Ordinance

Motion to adopt an Ordinance of the City Commission of the City of Tamarac, Florida; **on second reading** amending Article IX, Chapter 24 entitled "Telecommunications Towers and Antennas" of the Code of Ordinances of the City of Tamarac, Florida, as amended, and to regulate personal wireless service facilities in the public rights-of-way; containing a repealer provision, a severability clause, and providing for an effective date.
PASSED ON FIRST READING JUNE 12, 2013

ATTACHMENTS:

Name:

Description:

- 📎 [1306003m Telecommunication Towers and Antennas - A.pdf](#)
- 📎 [TO 2278 \(Personal Wireless Facilities\)REV5 06 20 2013 CLEAN.docx](#)
- 📎 [Summary of Revisions to REV 5 6-20-13.doc](#)

TO2278 - Memo
TO2278 Revised 062013
Memo - Summary of Revisions

CITY OF TAMARAC
INTEROFFICE MEMORANDUM 13-06-003M
CITY MANAGER'S OFFICE

TO: Michael C. Cernech,
City Manager

DATE: June 5, 2013

THRU: Diane Phillips,
Assistant City Manager

FROM: Jennifer K. Bramley,
Director of Community
Development

RE: TO 2278 - Telecommunications
Towers and Antennas

Recommendation: Staff recommends that the City Commission approve First Reading of Temporary Ordinance 2278 at its June 12, 2013 meeting and set Second Reading for June 26, 2013.

Issue: Revisions to the existing ordinance governing installation of Telecommunications infrastructure to address Distributed Antenna Systems (DAS).

Background:

Placement of DAS Poles in the Right-of-Way

While the City's telecommunications ordinance addresses traditional telecommunications towers, it does not address DAS which is newer technology. Unlike traditional cell towers which may reach 200 feet in height, DAS uses a smaller cell solution that enables carriers to "boost" their signal. Presently, the City Code limits the installation of cell towers to certain commercial areas and precludes installation of towers within 250 feet of any residential area, absent a special exception.

Crown Castle, provides infrastructure for use/ lease by the various carriers, and is registered as a telecommunications service provider in accordance with the existing code in June of 2012. In August, permits were requested for installation of one utility pole with attached antenna and associated equipment, and for fiber optics within the public right of way (ROW) in front of houses within the Sunflower subdivision. Given that existing code does not accommodate the installation of cell towers within residential areas, City staff met with representatives for Crown Castle in an attempt to better understand the full scope of services they provide, and their infrastructure needs. During that meeting representatives advised that while they had submitted an application for one pole, they had existing plans to install at least four additional residential ROW locations within the City. Alternative locations, as well as the potential to co-locate antennas on existing FPL poles, thereby negating the need to install additional poles, were discussed. Crown Castle representatives concluded that none of the alternatives discussed were viable. The City ultimately denied the permits, given that a special exception would be required for consideration in order for the permits to be approved.

Prior Actions - Zoning in Progress

On December, 18, 2012 the City Manager issued a zoning in progress order, prohibiting issuance of permits for wireless facilities in residential areas of the City for a period of 90 days. In doing so he noted that as internet usage has increased, service providers are seeking new ways to augment signal strength and increase capacity.

Given this fact, a comprehensive determination is required as to whether existing land use and zoning regulations applying to the siting of telecommunications towers and antennas within public rights-of-way and residential areas are appropriate.

In the intervening period, City staff has worked with the City Attorney's office and outside telecommunications counsel retained by the City to draft an ordinance that would preserve the aesthetics of the neighborhoods while protecting the health and safety of the public. Temporary Ordinance 2272 was forwarded to the City Commission for First Reading on February 27, 2013. DAS industry representatives had numerous comments regarding the ordinance. The City Commission directed staff to investigate these comments and make recommendations at Second Reading of the ordinance. In order to afford more time for input from the telecommunications industry, the City Manager extended the zoning in progress for sixty (60) days on March 13, 2013.

In keeping with the City Commission's directive, Staff met with representatives from Crown Castle, PCIA, ATT and Florida Powers and Light on March 28, 2013. The meeting resulted in numerous amendments to the proposed ordinance and as such it was determined that the item should again to be heard by the City Commission at First Reading (Temporary Ordinance 2278). The City Commission tabled this item at its April 24, 2013 so that staff could research questions posed by the City Commission regarding the ordinance. The zoning in progress was extended until July 2, 2013.

Temporary Ordinance 2278

The resultant proposed revisions to Article IX, Chapter 24 "Telecommunications Towers and Antennas" are summarized as follows;

The Proposed Ordinance:

- Revises Sec. 24-700, the "Intent and Purpose" section of Article IX (the Telecommunications Towers and Antennas Article) of the City's Zoning Code, to specify that the provisions of the Article are intended to distinguish between and apply separately to telecommunications towers and personal wireless service facilities.
- Revises Sec. 24-701, the "Definitions" section of Article IX, to provide a definition of the term "personal wireless service facilities" that is consistent with state and federal law, and to include the types of facilities used in a Distributed Antenna System network like the one proposed by Crown Castle NG.
- Creates in Article IX a new Sec. 24-707 concerning personal wireless service facilities in the public rights-of-way. Key provisions of the new section:
 - Provide certain "minimum standards" that apply to personal wireless service facilities in the ROW, including:
 - A requirement that an application for placement of wireless service facilities in the ROW be approved by the Building Department, the Public Services Department and the Department of Community Development;

- A requirement that, because certain personal wireless service facilities are necessarily installed above-ground, a minor development site plan must be submitted to the Planning Division for facilities that are not stealth;
 - Potential waiver of site plan requirements if the applicant proposes a stealth personal wireless service facility that emulates structures existing in adjacent areas of the ROW;
 - A requirement that City staff determine within 20 days of submittal whether an application is complete, and grant or deny an application within 90 days of a completed filing. These time frames are required under state law, and fall within similar “shot clock” rules adopted by the FCC;
 - A requirement that, unless a special exception is granted, a new personal wireless service antenna must be collocated or installed as a “stealth” free-standing facility similar in character to power and light poles already installed near the proposed site; and
 - A limitation on the exterior dimensions of a personal wireless facility other than a pole or tower of no more than 24 cubic feet.
- Provide certain height, setback and related location requirements for personal wireless facilities located in the ROW, including:
 - A requirement that personal wireless service facilities not exceed the height of existing poles in the ROW within 100 feet from the proposed facility. If no such existing pole is present, the facility may not exceed 50 feet;
 - A requirement that personal wireless facilities are subject to the setbacks provided for particular underlying zoning districts, except that no such facility shall be permitted in the ROW within 50-feet of a principal residential structure.
 - A cooperative process between the City and the applicant for determining an appropriate location for the proposed facility if the setback restrictions result in an actual or effective prohibition of the applicant’s service to a residential area from outside that area. This cooperative process is the same as that set forth in s. 365.172(12) (b) 3. Florida Statutes. The cooperative determination must, to the extent possible, be consistent with the purposes of the City’s Land Development Code, and there will be a preference for collocation and the use of stealth structures.
 - Provide certain requirements with respect to new antennas in the ROW, including:
 - A requirement that the applicant submit a depiction of the proposed antenna’s stealth features. Compliance with the Code’s definition of “stealth facility” must be determined by staff. The Director of Community Development may require, to the extent possible, that stealth measures be used to match the antenna to existing fixtures in the ROW.
 - A requirement that antennas in the public right of way shall to the extent possible be co-located on existing light or other utility poles.

- A requirement that except in the case of co-location, an applicant proposing placement of facilities in the right-of-way within districts where communications facilities are otherwise required to be placed underground shall submit a site plan for a minor development;
 - A prohibition against the use of certain lights on a proposed antenna unless required by state or federal laws or rules;
 - A requirement that the height or location of an exterior mounted antenna not interfere with the use of the ROW;
 - A requirement that the antenna installed in the ROW not exceed the height of the pole to which it is attached, that it be mounted no more than 4 inches from the pole, and that no exterior loop cable is installed;
 - A requirement that the Director of Community Development determine that the proposed dimensions of an antenna are required by existing technology, as certified by an industry specialist in the relevant disciplines.
 - A requirement that a distance of at least 400-feet be maintained between antenna sites, and that no more than 13 antenna sites occur within a 1-square-mile area for non-stealth facilities to minimize the visual impacts caused by proliferation or clustering of antenna sites.
 - A cooperative process between the City and the applicant for determining an appropriate location for the proposed antenna if the distance restrictions result in an actual or effective prohibition of the applicant's service to a residential area from outside that area. This cooperative process is the same as that set forth in s. 365.172(12) (b) 3. Florida Statutes. The cooperative determination must, to the extent possible, accommodate the City's preference for collocation on existing sites or on the use of existing capacity. Where collocation or use of existing capacity is not possible, stealth facilities must be used and sited in a location that is consistent, to the extent possible, with the purposes of the City's Land Development Code.
- Provide various other requirements or conditions of approval, including:
 - Compliance with FCC radio frequency emissions standards;
 - The use of fencing or landscaping as a buffer consistent with other buffers used in the ROW, if determined by the Director of Community Development to be necessary;
 - A prohibition against the above-ground placement of cabinets or equipment in the ROW unless approved by the City Engineer as to safety and approved as a special exception;
 - A prohibition against the use of generators in the ROW except in the case of emergency and with prior approval of the City Engineer;
 - Requirements related to decommissioning or abandoning personal wireless service facilities in the ROW;
 - A prohibition against posting signs or advertising on personal wireless service facilities in the ROW;
 - The owner of the personal wireless facility in the public right-of-way shall submit a report to the City's Building Department certifying structural and electrical integrity every two (2) years;

- A requirement that replacements or modifications to personal wireless service facilities that result in a change of size type and appearance that is readily discernible at ground-level from surrounding properties be approved as a special exception. This standard is taken from s. 365.172(12)(e), Florida Statutes.

Summary:

Policy 1.5 of the Future Land Use Element of the Comprehensive Plan states “The City will continue to promote “quality development” in all land use categories by the establishment and implementation of design criteria and development standards in the Land Development Code (LDC) which promote the highest standards of urban development and community aesthetics”. It is in keeping with the Goals, Objectives and Policies of the Comprehensive Plan for the City Commission to adopt Land Development Code regulations that support neighborhood aesthetics. While many of the comments forwarded from telecommunications industry professionals have been incorporated in Temporary Ordinance 2278, staff believes that the criteria for placement of DAS facilities will ensure the quality of Tamarac’s built environment is maintained.

Fiscal Impact:

The proposed ordinance has no direct budgetary impact.



Jennifer K. Bramley,
Director of Community Development

Attachments: Temporary Ordinance No. 2278

JKB/alg

CITY OF TAMARAC, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA; AMENDING ARTICLE IX, CHAPTER 24 ENTITLED "TELECOMMUNICATIONS TOWERS AND ANTENNAS" OF THE CODE OF ORDINANCES OF THE CITY OF TAMARAC, FLORIDA, AS AMENDED, AND TO REGULATE PERSONAL WIRELESS SERVICE FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; CONTAINING A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, to promote the public health, safety, aesthetics, and general welfare, the City of Tamarac has a substantial and significant public interest in maintaining and protecting its public-rights of way in a non-discriminatory manner, and requiring that individuals and entities seeking permits to conduct any type of excavation, construction or other activity therein do so in a safe, expeditious, and professional manner; and

WHEREAS, the Emergency Communications Number E911 Act, Chapter 365, Florida Statutes, (the "Act") addresses, *inter alia*, local governments' regulation of the placement, construction or modification of wireless communications facilities; and

WHEREAS, Section 337.401 *et seq*, Florida Statutes, addresses, *inter alia*, the authority of municipalities to regulate the placement and maintenance of communications facilities in the public rights-of-way; and

WHEREAS, said statutes authorize regulations of telecommunications facilities in the public rights-of-way that are related to the placement or maintenance of facilities in the public rights-of-way, are reasonable and non-discriminatory, and are necessary to the management of the public rights-of-way; and

WHEREAS, courts applying Florida and federal law have held that a municipality may impose reasonable design limitations on telecommunications facilities that deal directly with a concern for aesthetics and may regulate the placement of wireless facilities where such regulation does not prohibit or effectively prohibit the provision of wireless services; and

WHEREAS, the City Code provisions regulating telecommunications towers and antennas need to be updated to expressly address current practices utilizing personal wireless service facilities in the public rights-of-way and to protect the public interest by

protecting, preserving and maintaining the health, safety and welfare of the users of the public rights-of-way, while also protecting, preserving and maintaining the aesthetic character of areas where such rights-of-way exist, and this ordinance achieves such purpose; and

WHEREAS, the City Clerk has provided at least ten days advance notice prior to first reading of this Ordinance to the Secretary of State.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF TAMARAC, FLORIDA, THAT:

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

SECTION 2. Sec. 24-700. – Intent and purpose, is hereby amended as follows:

The regulations and requirements of this article are intended to:

- (1) Promote the health, safety and general welfare of the citizens by regulating the siting of telecommunications towers and other personal wireless service facilities;
- (2) Provide for the appropriate location and development of telecommunications towers, antennas and other personal wireless service facilities ~~and antennas~~ within the city;
- (3) Minimize adverse visual effects of telecommunications towers, antennas and other personal wireless service facilities ~~and antennas~~ through careful design, siting, landscape screening and innovative camouflaging techniques;
- (4) Avoid potential damage to adjacent properties from tower or facility failure through engineering and careful siting of tower structures and other structures used for the provision of personal wireless services;
- (5) Protect residential areas and land uses from potential adverse impacts of telecommunications towers, antennas and other personal wireless service facilities ~~and antennas~~ by maximizing use of any new or existing telecommunications towers through shared use, i.e., co-location, to reduce the number of towers or other structures used in connection with personal wireless service facilities that are needed.

SECTION 3. Sec. 24-701, Definitions, is hereby amended as follows¹:

Personal wireless services means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, and shall include “wireless service” as defined in Section 365.172, Florida Statutes, as well as “personal wireless services” defined in 47 USC §332(c)(7)(C)(i), as they may be amended.

Personal wireless service facilities means facilities for the provision of personal wireless services, and, for the purposes of section 24-707, shall include all of those “wireless communications facilities” as defined in Section 365.172, Florida Statutes, as it may be amended, that are not also telecommunications towers as defined in this section. For the purposes of section 24-707, a power, light or other utility pole used exclusively as such prior to attachment of a personal wireless service facility shall not be considered a personal wireless service facility because of such attachment.

Public rights-of-way has the same meaning as provided in Section 5.6-3 of the City Code.

Stealth facility means any telecommunications facility which is designed to blend into the surrounding environment. Examples of stealth facilities include architecturally screened roof-mounted antennas, antennas integrated into architectural elements, poles in the rights-of-way that are designed to look like light poles, and telecommunications towers designed to look like light poles, power poles or trees.

SECTION 4. There is hereby created a new Section 24-707 to provide as follows:

Section 24-707. Personal wireless service facilities in the public rights-of-way.

(a) Minimum standards. Personal wireless service facilities in the public rights-of-way must meet the following minimum standards:

(1) Required approvals. No application for placement of personal wireless service facilities in the public rights-of-way shall be permitted without approval of the building department, the public services department and the department of community development.

(2) Site plan review in lieu of underground placement. Because an antenna must be placed above-ground in order to transmit and receive signals, except in the case of co-location, an applicant proposing placement of an antenna in the public rights-of-way within districts where

¹ Language underlined in sections 2 and 3 is to be added. Language in said sections with a strikethrough is to be deleted.

communications facilities are otherwise required to be placed underground shall submit a site plan for a minor development as required by section 10-47 of the Land Development Code. The director of community development may waive all or some of the requirements of section 10-47 of the Land Development Code if the applicant proposes the use of a stealth facility. No building permit shall be issued by the building department and no engineering permit shall be issued by the public services department prior to the approval of a site plan where required pursuant to this paragraph.

(3) *Completeness review; time limitation.* The city shall grant or deny a properly completed application for personal wireless service facilities in the public rights-of-way within 90 business days or, as required by federal and state law, after the date the application is determined to be properly completed. An application is deemed submitted or resubmitted on the date the application is received by the planning division. The planning division shall notify the applicant within twenty (20) business days after the date the application is initially submitted or additional information resubmitted, whether the application is properly completed in compliance with the city's requirements. If the application is not completed in compliance with the city's requirements, the planning division shall so notify the applicant in writing indicating with specificity any deficiencies which, if cured, make the application properly completed. Upon resubmission of information to cure the stated deficiencies, the planning division shall notify the applicant, in writing, no later than 20 business days after the additional information is submitted, of any remaining deficiencies that must be cured. If a specified deficiency is not properly cured when the applicant resubmits its application to comply with the notice of deficiencies, the planning division may continue to request the information until such time as the specified deficiency is cured, or may establish a reasonable time frame within which the required information to cure the application deficiency is to be provided. If the curative information is not provided within such time frame, the application will be considered withdrawn or closed.

(4) *Co-location or use of stealth facilities.* An antenna in the public rights-of-way, shall to the extent possible, be collocated on an existing power, light or other utility pole. When co-location of an antenna is not possible, a free standing stealth facility shall be utilized; however, a non-stealth type facility may be utilized if approved as a special exception.

(5) *Statement.* A statement or statements shall be submitted certifying that the construction of personal wireless service facilities proposed to be located in the public rights-of-way will comply with applicable standards as

set forth in the Florida Building Code, latest edition, the State of Florida Department of Transportation, Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, and electrical codes; and describing the proposed personal wireless service facilities' capacity to permit multiple users, including an example of the number and type of antennas or other attachments that can be accommodated on support structures. No personal wireless service facility which exceeds its support structure's loading capacity, which causes any pole or structure to exceed its loading capacity or which does not conform to applicable electrical codes shall be permitted in the public rights-of-way.

(6) *Dimensional limits for cabinets, boxes and vaults.* No permit or order shall be granted authorizing the placement, construction or modification in the public rights-of-way of a personal wireless service facility cabinet, box or vault having a total volume exceeding twenty-four cubic feet (24 ft³), unless the applicant provides a statement explaining the need for the greater proposed dimensions and certifying that current technology provides no alternative consistent with the dimensional requirements of this subsection.

(b) Height, setbacks and related location requirements.

(1) The height of a new pole in the public rights-of-way to which an antenna is attached shall not exceed the height of existing poles or structures in the public rights-of-way within one-hundred feet of such proposed new pole, or if no such existing poles are present in the public rights-of-way within one-hundred feet of such proposed new pole, the new pole shall not exceed a height of fifty (50) feet. Height shall be measured from the crown of the road of the nearest public street.

(2) Except as otherwise provided herein, personal wireless service facilities in the public rights-of-way shall conform to the standards and requirements set forth in the State of Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways.

(3) No antenna attached to a free-standing pole in the public rights-of-way, other than as a co-location with an existing power, light or other utility pole, or unless installed as a stealth facility, shall be permitted within fifty (50) feet of any principal residential structure.

(4) A box or cabinet housing the equipment connected to an antenna attached to a free-standing pole in the public rights-of-way shall be placed on the ground instead of attached to the pole supporting the antenna, and shall be screened from view.

(c) Antennas

(1) Each application, other than for co-location, shall contain a rendering or photograph of the proposed antenna which depicts its aesthetic features including, but not limited to, the use of colors and screening devices. The application shall be subject to administrative approval determining consistency with the definition of a stealth facility as defined in Sec. 24-701 of the Zoning Code. The director of community development may require, to the extent possible, that aesthetic features including but not limited to, the use of colors and screening devices, be used so that antennas blend into the surrounding environment.

(2) No signals, lights, or illumination shall be permitted on an antenna or, except in the case of a light pole or a stealth facility designed to emulate a light pole, on a pole to which such antenna is attached, unless required by applicable state or federal laws or rules.

(3) Antennas shall be mounted at a height and location that will not interfere with use of the public rights-of-way.

(4) No exterior antenna in the public rights-of-way shall exceed the height of the pole to which it is attached unless it is attached as a co-location to an existing power, light or other utility pole or on a pole designed to emulate a light pole.

(5) No antenna shall be mounted more than four inches (4") from the pole to which it is attached unless it is attached as a co-location to an existing power, light or other utility pole.

(6) Exterior looping of excess cable length installed on any personal wireless service facility located in the public right-of-way is prohibited.

(7) *Antenna dimensions.* Antenna dimensions shall be approved by the director of community development as required by existing technology. The director of community development may require a statement certifying the need for the required dimensions.

(8) *Distance between antenna locations/number of antenna locations within a specified area.* To minimize the adverse visual impacts associated with the proliferation and clustering of antennas and associated above-ground personal wireless service facilities, no antenna site in the public rights-of-way shall be located within four hundred feet (400') of any other such antenna site or telecommunications tower. Further, no more than thirteen (13) antenna sites may be located within an area of one square mile (1 mi²). This paragraph (c)(8) shall not apply to any antenna collocated on an existing power, light or other utility pole within the public rights-of-way.

(d) Co-locations. For the purposes of this section, “co-location” means the mounting or installation of an antenna on an existing power, light or other utility pole for the purpose of transmitting and/or receiving radio frequency signals for communications purposes. In any co-location, the existing power, light or other utility pole may be modified or replaced to accommodate the new attachment, provided however that the modified or replacement pole complies with the height, setback and related location requirements of sections 24-707(b)(1), (2), and (4), unless such requirements are waived pursuant to section 24-707(l). For the purposes of section 24-707, an existing power, light or other utility pole modified or replaced to accommodate a new attachment shall continue to be considered an existing pole after replacement or modification.

(e) Approval required from other governmental agencies and owners. Each application for the location of a personal wireless service facility in the public rights-of-way may be required to include written approval, or a statement of no objection, from state agencies that regulate siting, design, and construction of such facilities, or have jurisdiction over the public rights-of-way, if any such agencies require the applicant to seek their review or approval. An existing facility in the public rights-of-way shall only be utilized in a manner consistent with the City Code and with the written permission of the facility owner.

(f) FCC emissions standards. All personal wireless service facilities in the public rights-of-way shall comply with current radio frequency emissions standards of the Federal Communications Commission.

(g) Buffering.

(1) Except in the case of an application for a co-location, as a condition of approval the director of community development may require the use of a fence as a buffer that is consistent in design and function with existing fencing used in the public rights-of-way.

(2) Except in the case of an application for a co-location, as a condition of approval the director of community development may require the use of landscaping as a buffer, which landscaping is consistent with the landscaping otherwise located in the public rights-of-way. Additional landscaping may be required if deemed necessary to buffer adjacent properties. The director of community development may require landscaping in excess of the requirements of the City Code to enhance compatibility with adjacent residential and nonresidential land uses.

(3) All buffering required in connection with the use of personal wireless service facilities in the public rights-of-way shall be maintained by the owner of such facilities at its own cost.

(h) Equipment. The location in the public rights-of-way of any equipment or equipment cabinets associated with personal wireless service facilities shall be subject to the approval of the city engineer. Any such cabinets or equipment must be approved by the city engineer as to safety, and shall not interfere with the use of the public rights-of-way. The city engineer may require a statement certifying the need for the proposed equipment and location. No generators utilized in connection with personal wireless services facilities may be placed in the public rights-of-way, except temporarily in the case of emergency and if approved in advance by the city engineer.

(i) Removal of personal wireless service facilities in the public rights-of-way and restoration of the public rights-of-way.

(1) Upon abandonment of an antenna or other personal wireless facility within the public rights-of-way of the city, the owner of the antenna or personal wireless facility shall notify the city within ninety (90) days. Following receipt of such notice, the city may direct the facility owner to remove all or any portion of the antenna or the personal wireless facility if the city determines that such removal will be in the best interest of the public health, safety and welfare. In the event that the city does not direct the removal of the abandoned antenna or personal wireless facility by the owner of the antenna or personal wireless facility and the owner chooses not to remove its antenna or personal wireless facilities, then such owner, by its notice of abandonment to the city, shall be deemed to consent to the alteration or removal of all or any portion of the antenna or personal wireless facility by another entity or person. ~~(1) All abandoned or unused personal wireless service facilities in the public rights of way shall be removed by the owner/operator within ninety (90) days of the cessation of use. A personal wireless service facility in the public rights of way shall be considered abandoned if use has been discontinued for one hundred eighty (180) consecutive days. Personal wireless service facilities in the public rights of way being utilized for other purposes, including but not limited to light standards and power poles, may be exempt from this provision where superseded by the requirements of county, state or federal regulatory agencies.~~

(2) Upon the removal of any personal wireless service facilities from the public rights-of-way, such public rights-of-way shall be completely restored to the satisfaction of the city engineer at the cost of the owner or operator

of the personal wireless service facilities in the public rights-of-way. The city engineer may require a bond or other fund sufficient to secure the restoration of the public rights-of-way.

(j) Signs and advertising. The use of any portion of a personal wireless service facility in the public rights-of-way for the posting of signs or for advertising purposes, including but not limited to the display of company name, banners and streamers is strictly prohibited, unless required by state or federal law.

(k) Inspections.

(1) Owners or operators of personal wireless service facilities in the public rights-of-way shall ensure that the city's building department has current contact information for such owner or its authorized representative.

(2) The owner or operator of a personal wireless service facility in the public rights-of-way shall submit a report to the city's building department, certifying the integrity of structures and the safety of electrical components at least once every two (2) years.

(3) Inspections evaluating the structural integrity and electrical safety of the facilities shall be conducted by an engineer licensed to practice in the state. The results of such inspections shall be provided to the building department along with certification that the engineer or engineers conducting such inspections are competent in the engineering discipline or disciplines necessary to evaluate the structural and electrical integrity of the facilities, or that the evaluation has been made by a competent engineer or engineers under his or her direction or supervision. Any personal wireless service facilities in the public rights-of-way found in such inspection or otherwise determined to be lacking structural integrity or electrical safety shall be repaired or removed as required by the building department.

(4) The building department may conduct periodic inspections of personal wireless service facilities in the public rights-of-way to ensure structural integrity and electrical safety. The owner or operator of personal wireless service facilities in the public rights-of-way may be required to have more frequent inspections of a particular facility should there be reason to believe that the structural integrity and electrical safety of said facility has been jeopardized.

(l) Actual or effective prohibition; cooperative determination. In the event an applicant demonstrates to the satisfaction of the director of community development that operation of this section results in an actual or effective

prohibition of personal wireless services or the provision of communications services, the applicant and the director of community development shall cooperate to determine an appropriate location and aesthetic design for the proposed facility. In any such cooperative determination there shall be a preference for co-location with existing personal wireless service facilities or other utility facilities, or for use of unused capacity on existing personal wireless service facilities. Where facilities cannot be co-located and no such unused capacity exists, there shall be a preference for the use of free standing stealth-type structures which are consistent, to the extent possible, with the purposes of the Land Development Code as that code is defined in Sec. 10.327. The director of community development may require a statement certifying that the proposed location is needed by a personal wireless services provider to close a significant gap in its service to the affected area. The applicant shall reimburse the reasonable costs incurred by the city for this cooperative determination.

(m) Modifications or replacements. Modification or replacement of any personal wireless service facilities or equipment in the public rights-of-way, except co-location of new transmission equipment, removal of transmission equipment or replacement of transmission equipment, shall be subject to approval of the city's building department. If such modification or replacement of facilities or equipment other than transmission equipment would, as reasonably determined by the city, result in the facility or equipment being readily discernibly different in size, type, and appearance when viewed from ground level from surrounding properties, such modification shall require approval as a special exception. Any co-location of new transmission equipment, removal of transmission equipment or replacement of transmission equipment that substantially changes the physical dimensions of an antenna node site shall be subject to approval of the city's building department. Notwithstanding anything to the contrary in this section 24-707(m), for an eligible facilities request under Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, the application shall be subject only to the building department's review and approval process.

(n) Statements and certifications. Any statement or certification submitted by or on behalf of an applicant pursuant to the provisions of this section shall be prepared applying rational analysis by one or more engineers registered and licensed in the state, or by such other person or persons designated by the applicant who are qualified to perform the required analysis. Any person or persons providing such a statement or statements shall also certify as to his or her competence in the discipline or disciplines necessary to perform the analysis and to provide the statement.

(o) Reservation of Rights.

(1) The city does not waive any rights under applicable law with respect to management of its public rights-of-way. The city shall require that owners and users of personal wireless service facilities in the public rights-of-way pay the maximum compensation to the city that is allowed by law. The city reserves the right to enforce all applicable city code provisions with respect to personal wireless service facilities in the public rights-of-way.

(2) The city does not warrant or make any representations that the public rights-of-way are available, suitable or appropriate for the construction, placement, maintenance or use of personal wireless service facilities.

(3) The city's approval of an application for the construction, placement, or modification of a personal wireless service facilities in the public rights-of-way shall not create any rights in such facilities' ability to be maintained or utilized in the public rights-of-way for any particular period of time or any rights that are inconsistent with the city code.

(4) The city reserves the right to abandon any public rights-of-way, notwithstanding the presence of any personal wireless service facilities in the public rights-of-way that have been approved by the city and the city shall have no liability or responsibility to the owner, operator, or users of such personal wireless service facilities in the public rights-of-way.

(5) The city reserves the right to require the relocation or removal of any personal wireless service facilities in the public rights-of-way consistent with its authority under applicable law. The city shall have no liability or responsibility to the owner, operator or users of the personal wireless service facilities in the public rights-of-way.

(6) The city shall have no responsibility or liability for damage to or interference with the use or maintenance of personal wireless service facilities in the public rights-of-way by any third party.

Secs. 24-707—24-799.—Reserved

Secs. 24-708—24-799. - Reserved

SECTION 5. Conflicts. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 6. Savings. All fees and other dollar amounts owed to the City under any contract, Agreement, or other provisions of the City Code as of the effective date of this Ordinance, whether known or unknown, shall not be affected by the adoption of this Ordinance and the City expressly reserves its rights with respect to such amounts.

SECTION 7. Severability. It is declared to be the intent of the City Commission of the City of Tamarac, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of the this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

SECTION 8. Inclusion in Code. It is the intent of the City Commission of the City of Tamarac that the provisions of this Ordinance shall become and be made a part of the City Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 9. Effective Date. This Ordinance shall become effective immediately upon the date of its adoption by the City Commission.

PASSED, FIRST READING this _____ day of _____, 2013.

PASSED, SECOND READING this _____ day of _____, 2013.

ATTEST: BY: _____
MAYOR BETH TALABISCO

PAT TUEFEL, CMC,
INTERIM CITY CLERK

RECORD OF COMMISSION VOTE: 1ST Reading

MAYOR TALABISCO	_____
DIST 1: COMM BUSHNELL	_____
DIST 2: COMM ATKINS-GRAD	_____
DIST 3: COMM GLASSER	_____
DIST 4: V/M DRESSLER	_____

I HEREBY CERTIFY that
I have approved this
ORDINANCE as to form:

RECORD OF COMMISSION VOTE: 2ND Reading

MAYOR TALABISCO	_____
DIST 1: COMM BUSHNELL	_____
DIST 2: COMM. ATKINS-GRAD	_____
DIST 3: COMM GLASSER	_____
DIST 4: V/M DRESSLER	_____

SAMUEL S. GOREN
CITY ATTORNEY

Temp. Ordinance # 2278

June 20, 2013

Page 13 of 13

H:_GOV CLIENTS\TAM 2704\050164 GM\ORD 2013\TO 2278 (Personal Wireless Facilities)REV4 06 06 2013 CLEAN.docx

MEMORANDUM

DATE: June 20, 2013
TO: David Tolces
FROM: William Garner
RE: Revisions to Proposed Personal Wireless Service Facilities Ordinance

The following is a summary of revisions made to the above-referenced ordinance adopted on First Reading. These revisions are based on comments provided by industry stakeholders.

Section:

24-707(a)(2):

The revision in this paragraph recognizes that site plan review and approval may not be required for every application, and amends the language which prohibits the Building and Public Services Departments from issuing permits until a site plan is approved. Under the revision, such a prohibition would be in effect only in instances where a site plan approval is required.

24-707(a)(3):

Both federal and state law have what are known as “shot clock” provisions that set time periods beyond which time it is presumed that an unreasonable amount of time has been taken to review and act on a facility siting application. Under state law, a local government may not take more than 90 business days after an application is complete to make a final determination on a siting application. Under federal law, beyond 150 calendar days is presumed to be unreasonable for an original siting application, while more than 90 calendar days is presumed to be unreasonable for a co-location application. The revision attempts to reconcile these different provisions by simply stating that the City must act within a reasonable amount of time as required by federal and state law. Provisions setting forth the method for determining when an application is complete are unchanged.

24-707(a)(5):

The Ordinance requires the applicant to certify that the construction of the proposed facilities will be done in compliance with various familiar codes and standards, but also requires the applicant to certify compliance with “any associated regulations including all electrical codes.” This language is vague, and at the request of AT&T, the revision requires certification only of specified codes and deletes language requiring certification of “any associated regulations.”

24-707(b)(1):

Revisions to this paragraph eliminate conflicts between the facility height limitations and the requirement that an antenna not extend above the height of the pole to which it is attached unless the antenna is co-located on an existing pole. The ordinance limits the height of the facility to the height of other poles or structures within 100 feet in the ROW. Another provision requires that an attached antenna cannot extend above the height of the pole to which it is attached unless it is attached to an existing pole or is attached to pole emulating a light pole. If a facility cannot have a height greater than nearby poles, then in the case of many co-location opportunities, the antenna would not be able to extend above the height of the pole. The changes eliminate this conflict.

24-707(c)(1):

The Ordinance provides that the director of community development may require the use of a “stealth antenna.” This revision deletes the undefined term “stealth antenna” and instead provides that the director may require the use of aesthetic features that cause the antenna to blend into the surrounding environment, including but not limited to the use of colors and screening devices.

24-707(d):

The revisions to this section recognize the fact that some requirements may be waived to avoid an actual or effective prohibition of an applicant’s service, and clarifies that when an applicant seeks to use an existing pole location, but must modify or replace the existing pole to attach equipment, the modified or replacement pole is still deemed an existing pole under the ordinance.

24-707(e):

This provision in the Ordinance allows the City to require a statement of approval or no objection from state agencies that regulate siting, design and construction of the applicant’s facilities. In many, if not most instances, no such additional state approval or review will be required. The change provides that such statement of approval or no objection may be required only if there is an approval or review required from a state agency.

24-707(i)(2):

Currently, the Ordinance mandates that the city engineer to require a bond or other fund sufficient to secure restoration of the ROW if a facility is removed. The revision changes this mandatory provision to a permissive provision authorizing the engineer to require security instead of mandating it.

24-707(l):

The provision in the Ordinance allows a wireless service provider to seek a cooperative determination of an appropriate location and aesthetic design of a facility if strict adherence to the code would prohibit a wireless service provider from being able to provide its service. The revisions clarify that the same

process is available to retail wireless services providers like AT&T and to neutral host-type wholesale providers like Crown Castle.

24-707(m):

Federal law limits the scope of a local government's review and approval authority when certain eligible facilities are modified or replaced. The revision provides additional language requested by AT&T clarifying that the City's process for review and approval of modifications or replacements of eligible facilities will be in compliance with federal law.



Title - TO2285 - Red Light Camera Ordinance Amendment

Motion to adopt an Ordinance of the City Commission of the City of Tamarac, Florida; **on second reading** amending Part II of the Code of Ordinances of the City of Tamarac; amending Chapter 2, Article III, Division 2 of the Code of Ordinances to update the definition of "Magistrate" and to authorize the special magistrate to enforce all matters authorized by law; amending and restating Part II, Chapter 14.5, entitled "Tamarac Dangerous Intersection Safety Act" to conform to state law, and to add a new section 14.5-5, to be entitled "Notice of Violation Hearings", to implement 2013 changes in State Law that provide for the City to conduct hearings on notices of violation; providing for severability; providing for codification; providing an effective date.

PASSED ON FIRST READING JUNE 12, 2013

ATTACHMENTS:

Name:

- ❏ [Memo-Temp Ord 2285.doc](#)
- ❏ [TO2285 \(Amending Red Light Camera Ordinance\).doc](#)

Description:

Memo-TO 2285 Red Light Camera Ordinance
TO2285 Ordinance - Revised

CITY OF TAMARAC
INTEROFFICE MEMORANDUM
FINANCE DEPARTMENT
FINANCE ADMINISTRATION

TO: Michael Cernech
City Manager

DATE: June 3, 2013

FROM: Mark C. Mason, CPA 
Director of Financial Services

RE: Temporary Ordinance # 2285
Amending various sections of
the Code for Red Light Cameras

Recommendation:

Place TO # 2285 on the June 12, 2013 City Commission Agenda for first reading with second reading to be scheduled for June 26, 2013.

Issue:

Amend various sections of the code to reflect changes in terminology from "Special Master" to "Special Magistrate" pursuant to State law and amend Section 14.5 entitled "Tamarac Dangerous Intersection Safety Act" to reflect anticipated changes in in the "Mark Wandall Traffic Safety Program" adopted by the Florida Legislature in the 2013 Session.

Background:

In 2010, the Florida Legislature adopted the "Mark Wandall Traffic Safety Program," § 316.0083, Florida Statutes (the "State Act"), which, among other things, expressly preempted to the State the subject matter of using unmanned cameras/monitoring devices, referred to as traffic infraction detectors, in the State Act and defined therein, to enforce violations of red light indications on traffic control devices as of July 1, 2010.

In 2010, the City Commission adopted Ordinance No. 2010-16, which authorized the use of unmanned traffic infraction detectors (red light cameras) to enforce red light violations within the City.

In October 2012, the City entered into an agreement with American Traffic Solutions to provide Red Light Cameras at certain intersections within the City.

During the 2013 Legislative Session, the Florida Legislature passed legislation, CS/CS/HB 7125 (hereinafter HB 7125) which upon approval by the Governor, takes effect July 1, 2013, and provides for municipalities to conduct hearings for persons that receive Notices of Violation (NOV) and request a hearing to contest such NOV with the provision of using a Code Enforcement Special Magistrate as a hearing officer and providing for charging an administrative fee up to \$250 per case.

In addition, this ordinance provides for amending the term “special master” to special magistrate” consistent with Chapter 2004-1, Laws of Florida, wherein the Florida Legislature modified Chapter 162, Florida Statutes to change all references to “special master” to “special magistrate”.

Fiscal Impact:

There is no fiscal impact with this ordinance until the Governor has approved the legislation passed by the legislature amending the Mark Wandall Traffic Safety Program and an administrative fee is calculated.

**CITY OF TAMARAC, FLORIDA
ORDINANCE NO. O-2013- _____**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA; AMENDING PART II OF THE CODE OF ORDINANCES OF THE CITY OF TAMARAC; AMENDING CHAPTER 2, ARTICLE III, DIVISION 2 OF THE CODE OF ORDINANCES TO UPDATE THE DEFINITION OF “MAGISTRATE” AND TO AUTHORIZE THE SPECIAL MAGISTRATE TO ENFORCE ALL MATTERS AUTHORIZED BY LAW; AMENDING AND RESTATING PART II, CHAPTER 14.5, ENTITLED “TAMARAC DANGEROUS INTERSECTION SAFETY ACT” TO CONFORM TO STATE LAW, AND TO ADD A NEW SECTION 14.5-5, TO BE ENTITLED “NOTICE OF VIOLATION HEARINGS”, TO IMPLEMENT 2013 CHANGES IN STATE LAW THAT PROVIDE FOR THE CITY TO CONDUCT HEARINGS ON NOTICES OF VIOLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Part II, Chapter 2, Article III, Division 2 of the City of Tamarac Code of Ordinances establishes and defines a “special master” and grants the authority to enforce violations of the City’s code pursuant to Chapter 162, Florida Statutes; and,

WHEREAS, throughout Part II of the City’s Code of Ordinances, there are references to the “special master”; and,

WHEREAS, pursuant to Chapter 2004-1, Laws of Florida, the Florida Legislature modified Chapter 162, Florida Statutes to change all references to “special master” to “special magistrate”; and,

WHEREAS, the City seeks to update Part II of its Code of Ordinances to change all references to “special master” to “special magistrate” so that the Code is consistent with Chapter 162, Florida Statutes; and,

WHEREAS, the City Commission of the City of Tamarac finds it is in the best interest of the City to adopt an ordinance to update the nomenclature used to identify the special magistrate.

WHEREAS, Part II, Chapter 2, Article III, Division 2 of the City of Tamarac Code of Ordinances specifies the duties of the special magistrate; and,

WHEREAS, the special magistrate duties set forth in Part II, Chapter 2, Article III, Division 2 limit the authority of the special magistrate to enforcement of violations of the City's Code of Ordinances; and,

WHEREAS, the City seeks to expand the authority of the special magistrate such that the special magistrate may enforce any and all violations which are authorized by law, including red light camera traffic infractions; and,

WHEREAS, the City Commission of the City of Tamarac finds it is in the best interest of the City to adopt an ordinance to expand the enforcement authority of the special magistrate.

WHEREAS, in 2010, the Florida Legislature adopted the "Mark Wandall Traffic Safety Program," § 316.0083, Florida Statutes (the "State Act"), which, among other things, expressly preempted to the State the subject matter of using unmanned cameras/monitoring devices, referred to as traffic infraction detectors, in the State Act and defined therein, to enforce violations of red light indications on traffic control devices as of July 1, 2010; and,

WHEREAS, in 2010, the City Commission adopted Ordinance No. 2010-16, which authorized the use of unmanned traffic infraction detectors (red light cameras) to enforce red light violations within the City; and,

WHEREAS, during the 2013 Legislative Session, the Florida Legislature passed legislation, Chapter 2013-160, Laws of Florida, which takes effect July 1, 2013, and

provides for municipalities to conduct hearings for persons that receive Notices of Violation (NOV) and request a hearing to contest such NOV; and,

WHEREAS, the City Commission of the City of Tamarac finds it is in the best interest of the City to adopt an ordinance to authorize the local hearings on NOVs as required by Chapter 2013-160, Laws of Florida.

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Part II of the City of Tamarac Code of Ordinances shall be amended as follows: any and all references to the phrase "special master" shall be changed to "special magistrate".

Section 3. Part II, Chapter 2, Article III, Division 2 of the City of Tamarac Code of Ordinances shall be amended as follows:

Sec. 2-71. - Intent.

It is the intention of this article to promote, protect, and improve the health, safety and welfare of the citizens and residents of the city by authorizing the creation of an administrative board and a special ~~master~~ magistrate, both with authority to impose administrative fines and other noncriminal penalties to provide an equitable, expeditious, effective, and inexpensive method of enforcing this Code and ordinances in force in the city where a pending or repeated violation continues to exist. The special magistrate shall also have the authority to adjudicate cases and impose fines and penalties for any and all matters authorized by Florida law, including civil traffic infractions.

...

Sec. 2-73.01. - Definitions.

...

Special ~~master~~ magistrate. The city special ~~master~~ magistrate appointed by the city commission to hear code enforcement violation cases, civil traffic infractions as authorized by law, and any and all other matters authorized by law.

Sec. 2-73.02. - Establishing a special magistrate. ~~master.~~

...

(b) The rules and regulations as found in Fla. Statute Ch. 162, as currently enacted or as may be amended from time to time, shall be adopted herein by reference. Additional rules and regulations, consistent with the provisions of ~~Fla. Statute Ch. 162~~ state law, necessary to carry out the provisions of this chapter may be adopted by resolution of the city commission.

...

Sec. 2-73.06. - Conducting hearings.

(a) The clerk for the special ~~master~~ magistrate shall set a time and date for the hearing and notify the alleged violator and the code prosecutor. Unless otherwise provided by law, the violator shall be given at least seven working days' written notification of the hearing. The conduct of the hearing shall be consistent with ~~Fla. Statute Ch. 162, Fla. Statute Ch. Chapters 162 and 316,~~ Florida Statutes, or any other applicable Florida law as currently enacted or as amended from time to time.

(c) Unless otherwise provided by law, hearsay evidence may be accepted for the purpose of supplementing or explaining any direct evidence, but hearsay evidence shall not, in and of itself, be considered sufficient to support a finding or decision unless the evidence would be admissible over objections in a civil action.

...

(f) Unless otherwise provided by law, the burden of proof shall be with the code inspector, police officer, or traffic infraction enforcement officer to show by the greater weight of the evidence that a ~~code~~ violation exists and that the alleged violator committed or was responsible for maintaining the violation.

(h) Unless otherwise provided by law, the special ~~master~~ magistrate may, for good cause shown, postpone or continue a hearing.

(i) If any of the hearing procedures specified in this Code conflict with state law, the procedure(s) set by state law shall prevail.

Section 4. Chapter 14.5 of the Code of Ordinances of the City of Tamarac, entitled Tamarac Dangerous Intersection Safety Act, shall be amended and restated as follows:

Sec. 14.5-1. Intent.

The purpose of this chapter is to authorize the use of traffic infraction detectors to promote compliance with red light signal directives as defined in and prescribed by ~~Laws of Florida, Chapter 2010-80 (the "State Act")~~ §316.0083, Florida Statutes, as may be amended from time to time ("State Act"). Consistent with state law, this chapter will also supplement law enforcement personnel in the enforcement of red light signal violations and shall not prohibit law enforcement officers from issuing a citation for a red light signal violation in accordance with other statutory traffic enforcement techniques.

Sec. 14.5-2. Authorization for enforcement program.

Effective July 1, 2010, the city shall enforce compliance with red light signal directives pursuant to the State Act, as may be amended from time to time. This chapter shall not supersede, infringe, curtail or impinge upon state laws related to red light signal violations or conflict with such laws.

Sec. 14.5-3. Implementation of general law.

The city manager, or his designee, is authorized to implement the provisions and requirements of the State Act, as may be amended from time to time, and may take any action which is necessary for such purpose.

Sec. 14.5-4 Notice of Violation Hearings

Upon the effective date of state law authorizing Notice of Violation Hearings to be conducted by the City, the City authorizes its code enforcement special magistrates, as may be appointed from time to time by the City Commission, to serve as the City's Local Hearing Officer, as defined by §316.003(91), Florida Statutes, as amended from time to time. The Local Hearing Officer shall conduct hearings in accordance with the requirements of §316.0083, Florida Statutes, as amended from time to time. Administrative Costs shall be assessed in those cases in which the violation is upheld, in an amount to be established by Resolution of the City Commission.

~~Sec. 14.5-3. Definitions.~~

~~The definitions set forth in the State Act, as may be amended, shall apply to the city's implementation and application of the State Act. In addition, the following definitions shall apply to this chapter:~~

~~*Notice of violation* means initial notification from the city to the registered owner of a motor vehicle involved in a violation, notifying the registered owner of the violation, and containing information required by the State Act.~~

~~Recorded images~~ means images recorded by a traffic infraction detector, which includes but is not limited to photographic or electronic images or streaming video.

~~Traffic citation~~ means notification to the registered owner of a motor vehicle involved in a violation who failed to timely pay the fine pursuant to a notice of violation, and containing all information required by the State Act.

~~Traffic infraction enforcement officer~~ means the city police department employee designated pursuant to section 14.5-4 herein, who meets the requirements of the State Act and who shall review the recorded images and issue notices of violation and traffic citations pursuant to the requirements of this chapter and the State Act.

~~Violation~~ means violation of F.S. §§ 316.074(1) or 316.075(1)(c)1.

~~Sec. 14.5-4. Traffic infraction enforcement officer.~~

~~The city's police chief shall designate traffic infraction enforcement officers, who shall meet the qualifications set forth in the State Act.~~

- ~~(1) A traffic infraction enforcement officer shall review the recorded images that comply with the requirements of the State Act, prior to the issuance of a notice of violation pursuant to the State Act. Once the traffic infraction enforcement officer has verified the accuracy of the recorded images he or she shall note the violation and a notice of violation shall be sent to the registered owner of the involved vehicle pursuant to the State Act no later than thirty (30) days after the violation. The notice of violation shall be sent by first class mail.~~
- ~~(2) The State Act provides that in the event of non-payment of the notice of violation, the city shall issue a traffic citation to the vehicle owner. In the event of non-payment of the notice of violation within thirty (30) days of notification, the recorded images will be reviewed again by a traffic infraction enforcement officer, who will take all necessary action required by the State Act to send a traffic citation to the registered owner of the involved vehicle pursuant to the State Act no later than sixty (60) days after the violation. The traffic citation shall be sent by certified mail.~~

Section 5. The City Administration, including without limitation the City Manager, the Finance Department, the Police Department, Code Enforcement, and the City Attorney,

are authorized to take all steps necessary to implement the Notice of Violation hearings required by state law.

Section 6. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 7. Inclusion in Code. It is the intention of the City Commission of the City of Tamarac, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Tamarac Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 8. Effective Date. This Ordinance shall become effective as provided by law.

PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, THIS ____ DAY OF _____, 2013.

PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THIS ____ DAY OF _____, 2013.

BY: _____
MAYOR BETH TALABISCO

ATTEST:

PATRICIA TEUFEL, CMC,
INTERIM CITY CLERK

I HEREBY CERTIFY that I have
approved this ORDINANCE as to form:

SAMUEL S. GOREN
CITY ATTORNEY

RECORD OF COMMISSION VOTE: 1ST Reading

MAYOR TALABISCO	_____
DIST 1: COMM BUSHNELL	_____
DIST 2: COMM ATKINS-GRAD	_____
DIST 3: COMM GLASSER	_____
DIST 4: V/M DRESSLER	_____

RECORD OF COMMISSION VOTE: 2ND Reading

MAYOR TALABISCO	_____
DIST 1: COMM BUSHNELL	_____
DIST 2: COMM. ATKINS-GRAD	_____
DIST 3: COMM GLASSER	_____
DIST 4: V/M DRESSLER	_____

SSG:MDC:SHB

H:_GOV CLIENTS\TAM 2704\050164 GM\ORD 2013\2013-_____(Amending Red Light Camera Ordinance).doc



Title - TR12358 - Cradle to Crayons Special Exception

A Resolution of the City Commission of the City of Tamarac, Florida, approving a Special Exception petition to allow a daycare use for the Cradle to Crayons Pre-school project with an underlying zoning classification of B-2 (Planned Community Business District) pursuant to the Permitted Uses Master List, Section 24-434, Tamarac Code of Ordinances; for the property located at 5341-5343 North State Road 7 (all of Commercial Plaza, according to the Plat thereof, as recorded in the Plat Book 82, Page 50, of the public records of Broward County, Florida) (Case No. 6 - Z -13); providing for conflicts; providing for severability; and providing for an effective date.

ATTACHMENTS:

Name:

Description:

 [1306004m Cradle to Crayons Memo.pdf](#)

TR12358 - Memo

 [12358reso Cradle to Crayons Special Exception.doc](#)

TR12358 - Cradle to Crayons Resolution

 [TR12358 - Justification Letter.pdf](#)

TR12358 - Cradle to Crayons - Justification Letter

 [Cradle to Crayons Site Location Map.pdf](#)

TR12358 - Site Location Map

 [TR12358 - Site Plan.pdf](#)

TR12358 - Site Plan

CITY OF TAMARAC
INTEROFFICE MEMORANDUM 13-06-003M
COMMUNITY DEVELOPMENT DEPARTMENT

TO:	Michael C. Cernech, City Manager	DATE:	June 12, 2013
FROM:	Jennifer K. Bramley, Director of Community Development	RE:	Cradle to Crayons Pre-School – Special Exception
		CASE#:	6-Z-13 TEMP. RES. NO. 12358
		MF#:	47-76

RECOMMENDATION: The Director of Community Development recommends that the City Commission approve the Special Exception at its June 26, 2013 meeting.

ISSUE: The applicant, Latoya Cain, the business owner, is requesting special exception approval to allow a daycare use on the property located at 5341-5343 North State Road 7, also known as Commercial Plaza.

PUBLIC NOTIFICATION: Section 2-370 of the Code of Ordinances requires all property owners within four hundred feet (400') of the subject property to be notified of the application. According to the affidavit submitted by the petitioner, a total of 180 property owners were notified of this petition through the public notification process.

BACKGROUND: The subject location has a Future Land Use designation of Commercial, with an underlying zoning classification of B-2 (Planned Community Business District). Existing uses surrounding the property include commercial to the north, south and east, and multi-family residential to the west. The zoning classifications of these adjacent properties are B-2 to the north and south, and R-4A (Planned Apartment District) to the west; the City of North Lauderdale lies east across North State Road 7. Existing uses within the shopping plaza include a bar, beauty shops, an ethnic grocery store, restaurants, a check cashing store, and a bar and nightclub.

In March, the petitioner submitted an application for a Minor Revised Site Plan to the plaza to incorporate an outdoor play area for the proposed daycare facility (Case No. 9-SP-13). The site plan for the outdoor play area was conditionally approved by the Development Review Committee on April 18, 2013, with the condition that the special exception for the daycare use is approved pursuant to Section 24-434 of the Code of Ordinances.

ANALYSIS: The purpose of a special exception is to provide for certain uses which cannot be well adjusted to their environment in particular locations and to offer full protection to surrounding properties by rigid application of the district regulations, and due to the nature of the uses, the importance of their relationship to the comprehensive plan and the possible impact on neighboring properties, to require the exercise of planning judgment on their location and site plan. A special exception request is approved by the City Commission.

Any use that seeks relief by a special exception must ensure that the request is consistent with Section 24-548 of the Code of Ordinances. The following actions must be completed or are proposed to be completed through a site plan revision or building permit prior to approval by the City Commission:

- (1) The entire site in which the proposed use is located shall be in compliance with the current landscaping requirements to the greatest extent possible as stated in the City's Landscaping Code (Chapter 11 of the Code of Ordinances).*

The landscaping on the subject property is currently coming into compliance with the City's Landscaping Code through the overall Major Revised Site Plan application from this site. This update has been completed in phases. The initial phases, which resulted in upgraded front facades of the existing shopping center, have been completed. The final phase will upgrade the parking lot and all landscaping areas within this property.

- (2) All vehicular use areas shall be in compliance with the current requirements to the greatest extent possible as stated in chapter 9, Health, Sanitation and Nuisances, Chapter 24, Zoning in the City's Engineering Standards.*

The vehicular use areas on the subject property are currently coming into compliance with the City's Landscaping Code through the overall Major Revised Site Plan application from this site. This update has been completed in phases. The initial phases, which resulted in upgraded front facades of the existing shopping center, have been completed. The final phase will upgrade the parking lot and all landscaping areas within this property.

- (3) The entire site shall be void of any pre-existing code violations.*

There are no pre-existing code violations for the project area.

Operation:

The daycare will operate between 7 am to 6 pm Monday through Friday. It will offer services for children between the ages of 3 months to 5 years old. Ten staff members will be employed to run the daily functions of this daycare and provide direct supervision for the children.

The playground area will be located at the rear of the bay that will house the daycare. It will be fenced on both the north and south sides of this bay, while the existing perimeter wall to the west will provide the third section of security for the playground area. All play equipment will be restricted to no more than 4 feet in height so that it will be screened by the existing 5 foot perimeter wall to the west. Additionally, this equipment will be brought inside on a nightly basis.

CONCLUSION: This request supports Policy 1.5 of the Future Land Use Element of the City's Comprehensive Plan for promoting "quality development," and Strategic Plan #2, providing for a "Healthy Financial Environment," and Goal #5 for encouraging a "vibrant community". The project is responsive to the area's commercial needs, and provides a balanced approach to business attraction and retention.

FISCAL IMPACT: There will be no direct budgetary impact. This application is funded by an application/processing fee.

RECOMMENDATION: Staff recommends that the City Commission approve the Special Exception for the Cradle to Crayons daycare use at its June 26, 2013 meeting.

INTERVENING ACTION: At its June 5, 2013 meeting, the Planning Board voted unanimously 4-0 (Hubert Klombers was absent and excused) to forward a favorable recommendation to the City Commission at its June 26, 2013 meeting regarding the Cradle to Crayons Special Exception application, Case No. 6-Z-13.



Jennifer K. Bramley,
Director of Community Development

Attachments: Temporary Resolution No. 12358
 Justification Letter
 Site Map
 Site Plan

JKB/FLZ/alg

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2013-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, APPROVING A SPECIAL EXCEPTION PETITION TO ALLOW A DAYCARE USE FOR THE CRADLE TO CRAYONS PRE-SCHOOL PROJECT WITH AN UNDERLYING ZONING CLASSIFICATION OF B-2 (PLANNED COMMUNITY BUSINESS DISTRICT) PURSUANT TO THE PERMITTED USES MASTER LIST, SECTION 24-434, TAMARAC CODE OF ORDINANCES; FOR THE PROPERTY LOCATED AT 5341-5343 NORTH STATE ROAD 7 (ALL OF COMMERCIAL PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE PLAT BOOK 82, PAGE 50, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA) (CASE NO. 6-Z-13); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Tamarac, Florida provides for the granting of a Special Exception to allow a daycare use for the Cradle to Crayons Pre-school project with an underlying zoning classification of B-2 (Planned Community Business District) pursuant to the Permitted Uses Master List, Section 24-434, Tamarac Code of Ordinances; for the property located at 5341-5343 North State Road 7 (all of Commercial Plaza, according to the Plat thereof, as recorded in the Plat Book 82, Page 50, of the public records of Broward County, Florida); and

WHEREAS, the proposed Special Exception is in compliance with the City's Comprehensive Plan as it supports the City's Goals, Objectives and Policies regarding neighborhoods (residential and nonresidential) that are attractive, well maintained, and that contribute to the health, safety, and welfare of their residents and users; and

WHEREAS, the proposed Special Exception is consistent with the adjacent residential neighborhoods relative to the proposed intensity, building mass, and aesthetic impact of the requested use; and

WHEREAS, the Planning Board recommended approval of this application at its June 5, 2013 public hearing; and

WHEREAS, the City Commission of the City of Tamarac finds that granting the petition for Special Exception would be in keeping with the public health, safety and general welfare of the City of Tamarac; and

WHEREAS, the City Commission of the City of Tamarac, Florida deems it to be in the best interests of the citizens and residents of the City of Tamarac to approve this Special Exception petition to allow a daycare use for the Cradle to Crayons Pre-school project with an underlying zoning classification of B-2 (Planned Community Business District) pursuant to the Permitted Uses Master List, Section 24-434, Tamarac Code of Ordinances; for the property located at 5341-5343 North State Road 7 (all of Commercial Plaza, according to the Plat thereof, as recorded in the Plat Book 82, Page 50, of the public records of Broward County, Florida).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: 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 this Special Exception petition to allow a daycare use for the Cradle to Crayons Pre-school project with an underlying zoning classification of B-2 (Planned Community Business District) pursuant to the Permitted Uses Master List, Section 24-434, Tamarac Code of Ordinances; for the property located at 5341-5343 North State Road 7 (all of Commercial Plaza, according to the Plat thereof, as recorded in the Plat Book 82, Page 50, of the public records of Broward County, Florida) is HEREBY APPROVED.

SECTION 3: All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

PASSED, ADOPTED AND APPROVED this day of , 2013.

BETH TALABISCO,
MAYOR

ATTEST:

PATRICIA TUEFEL,
INTERIM CITY CLERK

I HEREBY CERTIFY that I
have approved this
RESOLUTION as to form.

SAMUEL S. GOREN,
CITY ATTORNEY

To: Community Development Unit "City of Tamarac"

Fr: Cradles to Crayon Pre-School Center

CITY OF TAMARAC

2013 MAY -6 AM 9:32

RE: ~~RE~~-CASE DEVELOPMENT APPLICATION "JUSTIFICATION LETTER"

Special Exception

TO WHOM IT MAY CONCERN

This letter seeks to provide details on the proposed project named Cradles to Crayon Pre-School Center located at 5341-5343 SR 7 Tamara Fl. I will provide information on the scope of work, size, history of the above mentioned project, benefits of development that it will bring to the city, tenants/companies, etc.

The scope of work of a daycare center began with the U.S Department of Health and Human Services which established the Federal Child Care Bureau Act. Their vision was to enhance the quality, affordability and availability of child care for all families. This Act was implemented to promote healthy child development and family self-sufficiency, quality services, safe and health learning environments, parental involvement, training and support for providers, continuity of care. The Act also lobbied for child care services that are linked to health, family support, community agencies, information and referral, consumer education, public awareness, outreach to the private sector and community services. Cradles to Crayon history is but fairly new; but Because of the U.S Department of Health and Human Services Act Cradles to Crayon Pre-School Center scope of work is aimed at promoting guidance to parents to make informed choice for selecting quality child care within the city of Tamara. Cradles to Crayon program is geared towards promoting development of quality child care programs that are responsive to local concerns and meet the needs of low income families who are working or training and need child care services. It also seeks to support a two-generational approach to child care that not only meets the needs of young children for healthy growth and development, but assists families to participate in the pre-school activities within the center.

Cradles to Crayon parcel size is (1800 sq.ft); as a result child care facilities licensed after October 1,1992 must have a minimum of 35 square feet of usable indoor space per child; which allows Cradles to Crayon to house at least 50 children within its facility. As a result the facility will provide 3 toilets, 4 sinks, 1 tub/shower, 2 water fountains; one indoor and one outdoor. Because the outdoor play space must be $\frac{1}{2}$ of the licensed indoor capacity, the facility outdoor

play space will be in back of the pre-school building; which will give also adequate shade, it will be safe because of its wall and the installed fence; its play equipments will be below wall height for safety reasons; because of the City of Tamara codes/regulations regarding this, because of the National Program for Playground Safety (NPPS), Cradles to Crayon will provide proper supervision of children, design age-appropriate playground, provide proper surfacing, and properly maintain playground equipments.

The proposed mentioned site will be offering services to children 3 months-5 years of age and older; which comprises of full time and part time after care; the groups will be Infants, Toddlers, Pre-School, and After Care; these groups will not be mixed. This wide age range of children which we will serve; shows that direct supervision is required at all times, the facility will be hiring 10 staff members to provide direct supervision to the facility children. Direct supervision means watching and directing the children's activities within close proximity within the same room inside or within a designated outdoor play area and responding to each child's needs. All staff members hired to it facility will have to have background screening, which also includes its owners/directors; all staff must have background screening requirements, including fingerprinting prior to the first day of beginning work in a child care facility. Prior to the first day of employment, the facility will have on file a signed statement of good health, an employment information form. All staff will be First Aid and Pediatric CPR trained; a staff member will always be on the premises at have the mentioned training on the premises at all times. All teachers must have either a high school diploma, GED, four years of training or experience in a child care program. All our staff members will complete the necessary training within the required time frame.

Cradles to Crayon hours of operation will be from 7am-6pm Monday-Friday; we will only close our door in observation of national holidays, or if of any tropical disasters. Because of this we will be operated at all times on a daily schedule, children's activity will be posted, and all schedules will be age appropriate and balanced. Food permits, Annual Fire Inspection, Licensing Inspections will also be posted within the facility. Daily attendance, Daily Routines, Daily activities, Daily food log; will be documented in each child chart daily for parent to have access to.

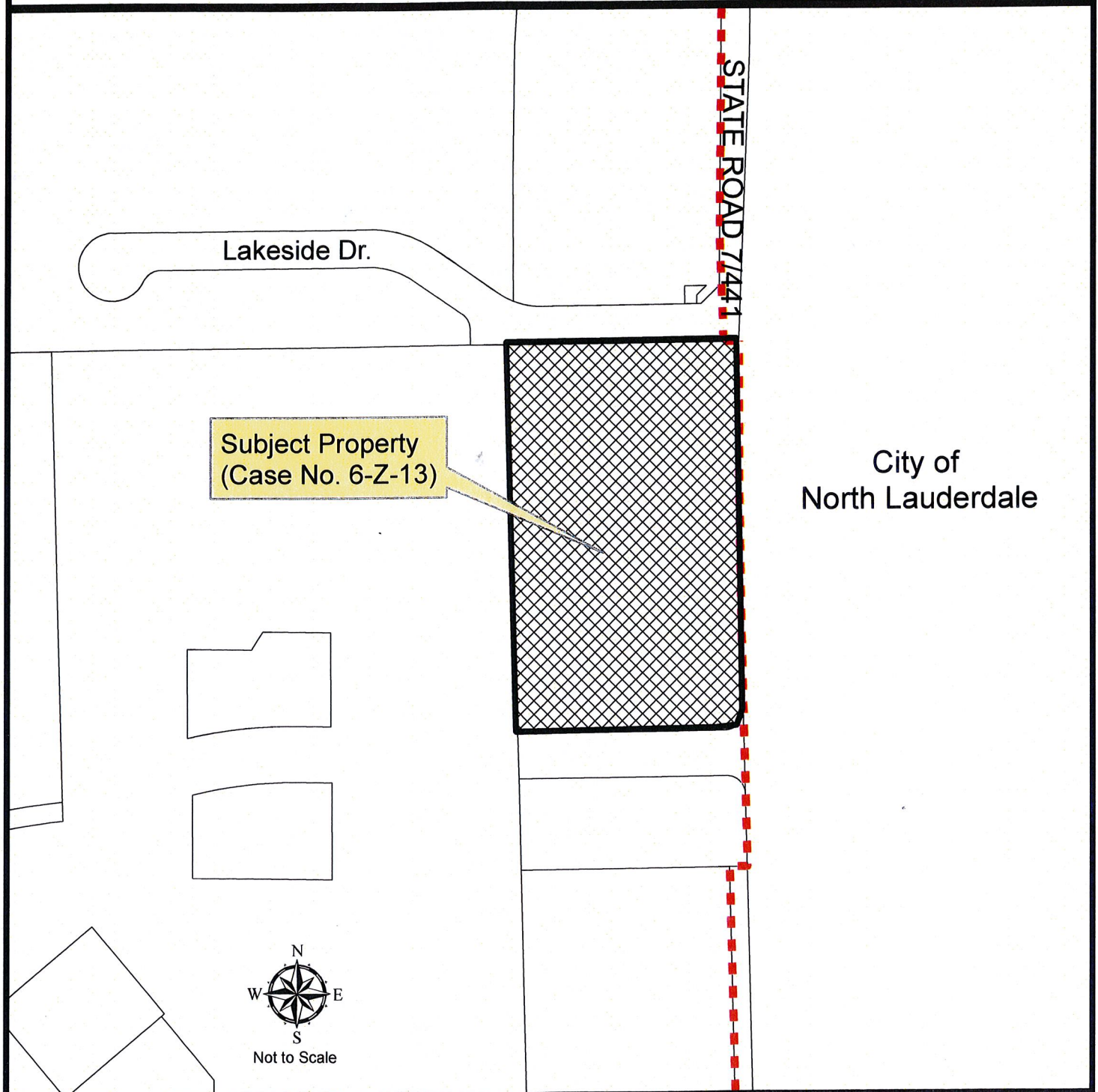
Safety is what we want/ hope to promote at all times to the consumers that we will be serving; our main doors will be closed/locked during hours of operation, individuals wishing to visit facility must show identification at the door, then be bused in. Surveillance cameras will be installed on the premises to reinforced safety practices by all within the facility. Keeping safety in mind that we want to maintain, Cradles to Crayon facility children will be signed in and signed out by parents/guardians to drop off and pick up child/children, proper identification must be provided, and if an individual is not listed on the pickup information sheet of those child/children the child/children will not be released. All child/children will be drop off by vehicle, by using the appropriate marked child care parking which is available for used only by the Pre-School consumers.

In closing Cradles to Crayon do hope that this justification letter, justifies its intent to the community in which it seeks to offer quality care serves to. We do hope that our neighborhoods can see that we are a facility whose principles and strategies are presented to make child care centers even a better place for growing and proper development for our children. Cradles to Crayon wants when parents look for child care, they want a place where their child will be safe, where they can share information about the child with teachers, where the child will be prepared for elementary school, and where the child can enjoy a warm and caring relationship with teachers.

Remember a child learns best in an environment that is built on his or her unique needs and strengths which are designed to help the child fully develop cognitively, socially, physically, and emotionally in a manner appropriate to his or her age and stage of development. This is the principle that Cradles to Crayon intended to use as its guide, to help children attain the highest level of educational and social proficiency they can in the future.

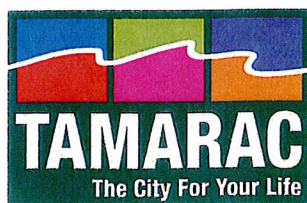
Cradle to Crayons Pre-School Special Exception

Case No. 6-Z-13



City Commission

June 26, 2013



Jennifer Bramley, Director
Community Development
7525 NW 88 Avenue
Tamarac, FL 33321
Telephone (954) 597-3530

Temporary Resolution No. 12358

Cradle to Crayons – Special Exception

**Site Plan is on file in
the Office of the City Clerk**



Title - TR12357 - New Harvest Ministries Church - New Development Site Plan

A Resolution of the City Commission of the City of Tamarac, Florida, issuing Revised Development Order No. 208.3 and granting New Development Site Plan approval (with conditions) for the New Harvest Preparation Ministries Church project, to allow for the development of a 3-story, 23,007 sq. ft. church facility, for the property located at the southeast corner of Rock Island Road and Bailey Road, (specifically all of Parcels B, C, and D of the Lakes of Carriage Hills II, according to the Plat thereof, as recorded in Plat Book 123, Page 7 of the public records of Broward County, Florida) (Case No. 25-SP-11); providing for conditions; providing for conflicts; providing for severability; and providing for an effective date.

ATTACHMENTS:

Name:

Description:

- 📎 [1306005m New Harvest Church Memo.pdf](#)
- 📎 [TR12357-New Harvest Church - NDSP.doc](#)
- 📎 [TR12357 - Justification Letter.pdf](#)
- 📎 [Exhibit 1 - Development Review Status Sheet.doc](#)
- 📎 [New Harvest Site Location Map.pdf](#)
- 📎 [TR12357 - Proposed Site Plan.pdf](#)

- TR12357 - New Harvest Memo
- TR12357 - New Harvest Resolution
- TR12357 - New Harvest Justification Letter
- TR12357 - Exhibit 1 - Development Review Sheet
- TR12357 - Site Location Map
- TR12357 - Proposed Site Plan

CITY OF TAMARAC
INTEROFFICE MEMORANDUM 13-06-005M
COMMUNITY DEVELOPMENT DEPARTMENT

TO: Michael C. Cernech,
City Manager

DATE: June 12, 2013

FROM: Jennifer K. Bramley,
Director of Community Development

RE: New Harvest Preparation Ministries
Church – New Development Site
Plan

CASE#: 25-SP-11 **TEMP. RESO. NO.** 12357

MF#: 08-82

RECOMMENDATION: The Director of Community Development recommends that the City Commission approve the New Development Site Plan for the New Harvest Preparation Ministries Church with a condition of approval (page 2) at its June 26, 2013 meeting.

ISSUE: Jaime Plana/Plana International Consultants, LLC, the designated agent for the property owner, Harvest Preparation Apostolic Ministries, Inc. is requesting approval for the development of a 3-story, 23,007 sq. ft. church facility.

PUBLIC NOTIFICATION: Section 2-370 of the Code of Ordinances requires all property owners within four hundred feet (400') of the subject property to be notified of the application. According to the affidavit submitted by the petitioner, a total of 540 property owners were notified of this petition through the public notification process.

BACKGROUND: The subject parcel is located at the southeast corner of Rock Island Road and Bailey Road, and is 5.39± acres in size. The property has a Future Land Use designation of "Commercial" with an underlying zoning classification of B-1 (Neighborhood Business District). The property is primarily vacant with vegetation; there is an existing construction trailer on site and the southwest corner of the property has been paved with asphalt.

Existing uses adjacent to the subject property include single-family residential to the north, a bank (Bank of America) to the south, and multi-family residential to the east (Sabal Palm Villages) and west (The Gate condominium). The zoning of these adjacent properties are B-1 to the south, and R-4A (Planned Apartment District) to the east and west; the City of North Lauderdale is directly north of the subject site. The existing uses are consistent with the respective zoning designation.

ANALYSIS: The site plan proposes a 23,007 sq. ft. church facility with associated drive aisles, parking and landscaping. A 10,478 sq. ft. assembly area comprised of a sanctuary (7,034 sq. ft. with a capacity of 562 persons) and fellowship hall (3,444 sq. ft. with a capacity of 200 persons) will be provided. The proposed project will share the entrance with the existing bank site to the south.

The project will provide 292 parking spaces, which exceeds the minimum Code requirement for parking for the proposed use. From the 292 parking spaces, 103 parking spaces will be provided in a Florida Power and Light (FPL) utility easement. The applicant has submitted a FPL Right-of-Way (ROW) Consent Agreement between FPL and the property owners, which grants the property owners the use of the ROW for parking, dry retention, a monument sign and landscaping for the project.

A summary of additional impacts are provided below:

Architecture:

A colored rendering of the proposed building elevations is provided within the attached site plan (sheet A-1). The building height is staggered throughout the cross-section of the building topping out at 45 feet at its highest point. The main building color is a soft pediment beige color while the base of the building and the fascia is a darker bittersweet brown color. The roof trim and coping is accented with a soft lupine blue color. The building is accented with blue and white canvas awnings over various entrances and windows.

Traffic Impact Analysis:

A traffic study for the proposed project was completed by Dennis Cress, P.E. on October 11, 2013. A review of the traffic study by the City's Traffic Consultant revealed that traffic impacts are likely to be minimal; however, it is suggested that the City periodically monitor the traffic operations at the proposed facility. Should the traffic volumes exceed those estimated by the traffic study or should the congregation increase in size in the future, consideration should be given to utilizing off-duty law enforcement personnel to manage the traffic flow at this facility during peak time periods of the church.

The existing ingress/egress from the site is located on the southern end of the property providing for a fully functional right/left turn out onto Rock Island Road and a right/left turn into the site from Rock Island Road. A cross access agreement exists at this location as it serves as the ingress/egress for the Bank of America property.

Landscaping:

The site will be landscaped with 297 trees and palms. Additionally, over 6600 shrubs and groundcovers will be planted to provide for a lush landscaping throughout the site. A tree removal permit will be obtained from Broward County to accommodate various existing trees that are required to be removed for this development.

Water and Sewer:

Water and sewer at this location will be provided by Broward County. Approval from that agency will be required prior to the issuance of an Engineering Permit.

Drainage:

Pursuant to Section 10-221 of the Code, adequate drainage facilities must be provided on-site. Based on the review by the Public Services/Engineering Department, adequate drainage facilities will be provided for this project.

CONDITION OF APPROVAL:

1. The church shall provide an off-duty traffic detail during high peak times such as Christmas and Easter to facilitate the ingress and egress of traffic along Rock Island Road. This determination will be coordinated with the Broward County Sheriff's Office prior to the opening of the church facility.

CONCLUSION: The proposed development supports the City's Strategic Goal #5 "A Vibrant Community." The development is an appropriate use for the site, and the proposed use would provide service at the community level.

The project is also consistent with Future Land Use Element Policy 10.8, which requires the City to facilitate the development of commercial land uses to ensure compatibility with adjacent land uses. The proposed church use is a compatible use with existing properties adjacent to the subject site. The impacts will be minimal with the proposed development.

RECOMMENDATION: Staff recommends that the City Commission approve the New Development Site Plan for the New Harvest Preparation Ministries Church with the above stated condition of approval at its June 26, 2013 meeting.

FISCAL IMPACT: There will be no direct budgetary impact. This application is being funded by an application/processing fee.

INTERVENING ACTION: At its June 5, 2013 meeting, the Planning Board voted unanimously 4-0 (Hubert Klombers was absent and excused) to forward a favorable recommendation with the previously discussed condition of approval to the City Commission at its June 26, 2013 meeting.

Several residents around the subject property voiced concern regarding traffic exiting the church property onto Rock Island Road. This discussion led to the condition of approval (above) regarding the Broward County Sheriff's office detail that will be required during high peak times for church attendance.



Jennifer K. Bramley,
Director of Community Development

Attachments: Temporary Resolution No. 12357
 Justification Letter
 Exhibit "1" – Development Review Status Sheet
 Site Map
 Site Plan

JKB/FLZ/alg

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2013-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, ISSUING REVISED DEVELOPMENT ORDER NO. 208.3 AND GRANTING NEW DEVELOPMENT SITE PLAN APPROVAL (WITH CONDITIONS) FOR THE NEW HARVEST PREPARATION MINISTRIES CHURCH PROJECT, TO ALLOW FOR THE DEVELOPMENT OF A 3-STORY, 23,007 SQ. FT. CHURCH FACILITY, FOR THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ROCK ISLAND ROAD AND BAILEY ROAD, (SPECIFICALLY ALL OF PARCELS B, C, AND D OF THE LAKES OF CARRIAGE HILLS II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123, PAGE 7 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA) (CASE NO. 25-SP-11); PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the instructions of the City Commission of the City of Tamarac, Florida, a public meeting has been advertised in accordance with applicable law of the date, time and place of the meeting regarding the review of the application for a Revised Development Order and New Development Site Plan for development approval with conditions; and

WHEREAS, the Director of Community Development recommends approval; and

WHEREAS, the Planning Board recommended approval on June 5, 2013; and

WHEREAS, the City Commission has examined the application, the staff and Planning Board recommendations, and the Development Review Status Sheet dated June 12, 2013 (attached hereto as Exhibit "1", incorporated therein and made a specific part thereof); and

WHEREAS, the City Commission has determined that the application is in compliance with all elements of the Comprehensive Plan, or will be in compliance with all elements of the Comprehensive Plan prior to the issuance of a Certificate of Occupancy for the development; and

WHEREAS, the City Commission of the City of Tamarac, Florida deems it to be in the best interests of the citizens and residents of the City of Tamarac to issue Revised Development Order No. 208.3 and granting New Development Site Plan approval (with conditions) for the New Harvest Preparation Ministries Church project, to allow for the development of a 3-story, 23,007 sq. ft. church facility, for the property located at the southeast corner of Rock Island Road and Bailey Road, (specifically all of Parcels B, C, and D of the Lakes of Carriage Hills II, according to the Plat thereof, as recorded in Plat Book 123, Page 7 of the public records of Broward County, Florida).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

SECTION 2: That the application of the New Development Site Plan for the New Harvest Preparation Ministries Church project, to allow for the development of a 3-story, 23,007 sq. ft. church facility, for the property located at the southeast corner of Rock Island Road and Bailey Road, (specifically all of Parcels B, C, and D of the Lakes of Carriage Hills II, according to the Plat thereof, as recorded in Plat Book 123, Page 7 of the public records of Broward County, Florida) is HEREBY APPROVED, subject to the following condition:

1. The church shall provide an off-duty traffic detail during high peak times such as Christmas and Easter to facilitate the ingress and egress of traffic along Rock Island Road. This determination will be coordinated with the Broward County Sheriff's Office prior to the opening of the church facility.

SECTION 3: All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 5: This Resolution shall become effective immediately upon its adoption.

PASSED, ADOPTED AND APPROVED this day of , 2013.

BETH TALABISCO,
MAYOR

ATTEST:

PATRICIA TEUFEL, CMC
INTERIM CITY CLERK

I HEREBY CERTIFY that I
have approved this
ORDINANCE as to form.

SAMUEL S. GOREN,
CITY ATTORNEY

PLANA INTERNATIONAL CONSULTANTS, L.L.C.

Architecture and Planning

JUSTIFICATION LETTER AND NARRATIVE DESCRIBING PROJECT DETAILS

Project: New Harvest Preparation Ministries Church. Project includes three uses within one building, a Sanctuary (7,034 sf), a Fellowship Hall (3,444 sf), and a Youth Activity Center (12,126 sf).
location: 6150 Rock Island Road, Tamarac, FL 33319 / S.E. corner of Bailey and Rock Island Road

Client: New Harvest Preparation Ministries Church, Anthony Yorke, Pastor

The client purchased the current site in March 2011, for the purpose of developing a church building to accommodate the growth in their congregation. The church congregation has decided to build a new church building of approximately 23,007 sq. ft., with a sanctuary to seat approximately 562 persons, and a social fellowship hall to seat 200 persons, for their community activities. The plan includes religious instruction areas, which are similar to "Sunday School" type classrooms, and youth activity areas as well. The church proposes to provide paved parking and maximize grass parking area to be environmentally friendly. The new church building will be stucco walls and both flat and some sloping curved roofs, with colors and textures intended to relate to the neighboring structures in a harmonious way.

This project shares its vehicular and pedestrian entrance with the neighboring Bank of America to the south, with a recorded cross access agreement, and will share its parking with the bank during business hours, per the cross parking agreement currently in force with the bank. The project site provides all of the required 271 parking spaces on site, but chooses to share the bank's 14 parking spaces to provide for unexpected overflow, should it become necessary.

The Church has been a good neighbor to the community during the years in its present location in Tamarac, and will remain committed to maintain and continually improve its property and is an asset to the neighborhood and the City of Tamarac. There is no negative economic impact to the City.

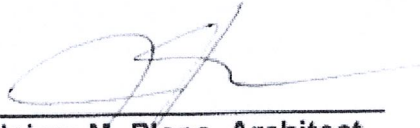
Responses to ULDR Sections

Neighborhood Commercial Zoning District requirements.
We have complied with all of the requirements.

Parking requirements
We have complied with all of the requirements.

Landscaping Requirements.
We have complied with all of the requirements. We have also complied with the Adequacy Requirements. We have also complied with the Neighborhood compatibility requirements.

Very truly yours,


Jaime M. Plana, Architect

6/4/13
date

CITY OF TAMARAC
7525 NORTHWEST 88 AVENUE TAMARAC, FLORIDA 33321
TELEPHONE (954) 597-3530
DEVELOPMENT REVIEW STATUS SHEET

Date: June 12, 2013

Rev. Dev. Order: 208.3

Project: New Harvest Preparation Ministries Church – New Development Site Plan

Master File: 08-82

Location: Southwest corner of Rock Island Road and Bailey Road

Developer: Plana International Consultants, LLC.

Owner: New Harvest Preparation Ministries Church

Zoning: B - 1 (Neighborhood Business District)

Future Land Use Designation: Commercial

Acres: 5.39 acres, more or less

Recommended Date for Commission Action: June 26, 2013

1. DEVELOPMENT ORDER FOR: NEW DEVELOPMENT SITE PLAN APPROVAL

Comments: Subject to Findings.

2. PLANNING BOARD RECOMMENDATION: APPROVAL

Date of Action: June 5, 2013

Planning Board findings of compliance with certified Plan: Yes

3. FINAL ENGINEERING DRAWINGS:

On file in the City Engineer's Office upon issuance of an Engineering Permit through the Engineering Division

4. LANDSCAPE PLAN: May 1, 2013

5. BROWARD COUNTY DEVELOPMENT REVIEW COMMITTEE REPORT: N/A

6. DEVELOPERS AGREEMENTS/FEES (where applicable)

- A. Water and Sewer Developer's Agreement:
- City Engineer: Required before Building or Engineering Construction Permits are issued.
- B. Other Development Agreements (Covenants, Stipulations, etc.)
- Utility Easement, Blanket Public Safety Ingress/Egress Easement and Public Utility Easement
- C. Water & Sewer Contribution Charges Fee Amount: To be determined by Water/Sewer Developer's Agreement.
- D. Water and Sewer Developer's Agreement Review Fee, if more than 9 ERC's Fee Amount: \$750.00
- E. Local Parks/Recreation Fee Amount: N/A
- F. Engineering Permit Fees Fee Amount: 10% of Infrastructure construction costs, to be determined by a certified Cost Estimate
- G. Bonds (Utilities, Public Works) Bond Amount: Determined by certified Cost Estimates.
- H. On Site Beautification Fee Amount: N/A
- I. Local Traffic Impact Fees: Fee Amount: N/A

7. DEVELOPMENT REVIEW REQUIREMENTS

- A. Potable Water Service
Certification of Utilities Engineer or Consulting Engineer of Availability Service:
AVAILABLE X WILL BE AVAILABLE NOT AVAILABLE
- B. Waste Water Treatment and Disposal Service
Certification of Utilities Engineer or Consulting Engineer of Availability Service:
AVAILABLE X WILL BE AVAILABLE NOT AVAILABLE
- C. Solid Waste Disposal Service
Determination of Availability of Service:
AVAILABLE WILL BE AVAILABLE X NOT AVAILABLE

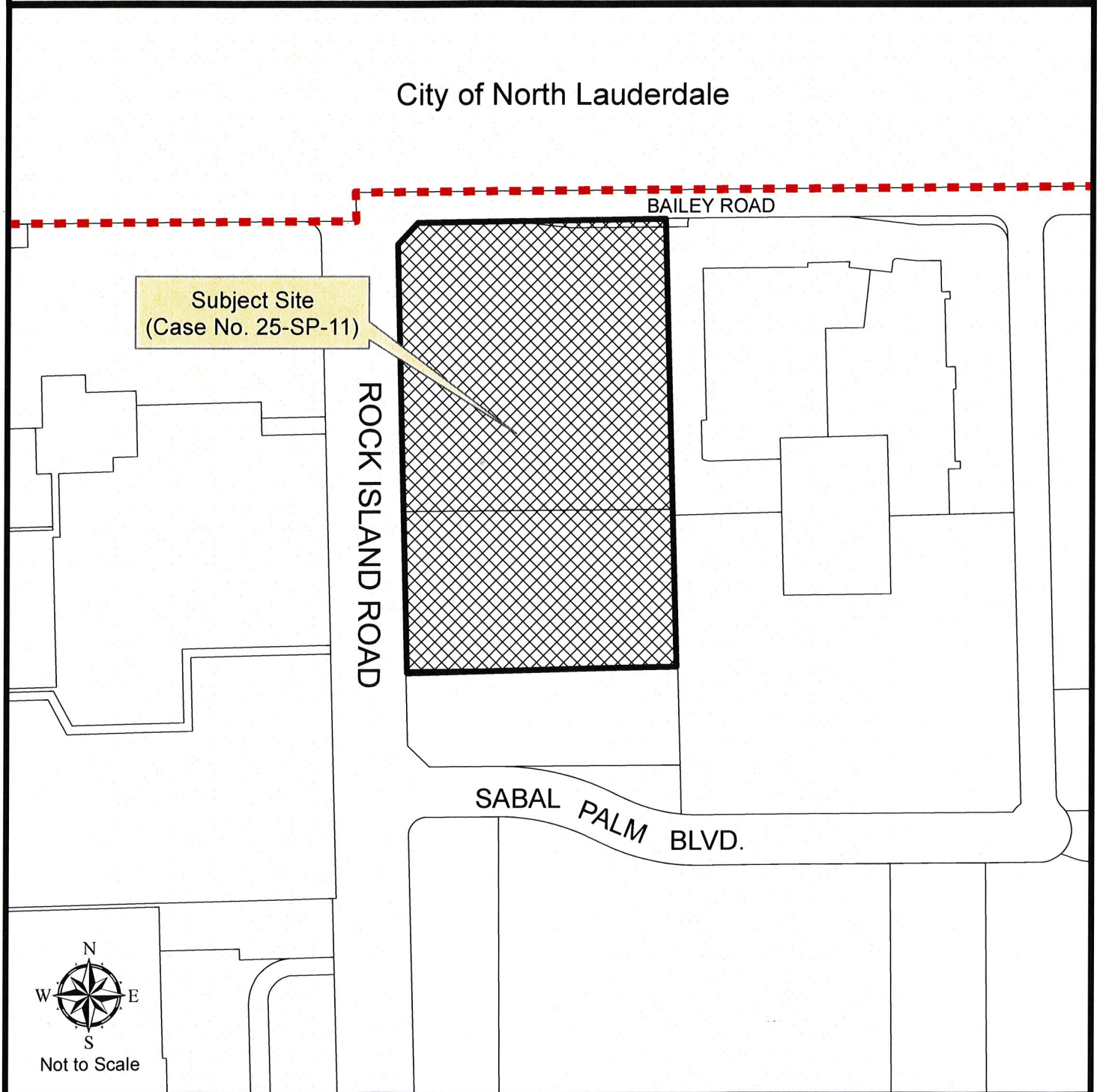
EXHIBIT "1"
TEMP RESO #12357

- D. Drainage Adequately
Certification of City Engineer or Consulting City Engineer of Adequacy of
Drainage
ADEQUATE WILL BE ADEQUATE X NOT ADEQUATE
- E. Regional Transportation Network
Compliance with Minimum Standards:
COMPLIES X WILL COMPLY DOES NOT COMPLY
- F. Local Streets and Roads
Compliance with Minimum Standards:
COMPLIES X WILL COMPLY DOES NOT COMPLY
- G. Police Protection Service
Compliance with Minimum Standards:
COMPLIES WILL COMPLY X DOES NOT COMPLY
- H. Local Parks (Parks and Recreation Facilities) N/A
- I. School Sites: N/A

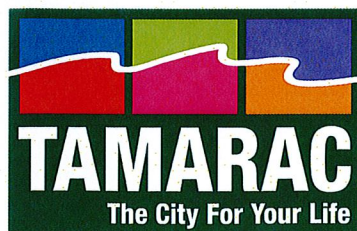
8. PROCESSING FEES (PAID)

New Development Site Plan	\$3,000.00
Engineering Review	\$300.00

New Harvest Preparation Ministries Church New Development Site Plan Case No. 25-SP-11



City Commission
June 26, 2013



Jennifer Bramley, Director
Community Development
7525 NW 88 Avenue
Tamarac, FL 33321
Telephone (954) 597-3530

Temporary Resolution No. 12357

New Harvest Preparation Ministries Church

New Development Site Plan Project

Proposed Site Plan is on file in the

Office of the City Clerk



Title - TR12346 - Hampton Inn Cell Tower - Special Exception

A Resolution of the City Commission of the City of Tamarac, Florida, approving a Special Exception petition to allow for the erection of a telecommunication tower and associated support structures for the Hampton Inn project located within a B -2 (Planned Community Business) Zoning District, specifically located at 4499 West Commercial Boulevard (Parcel A of the Wynne Commercial Plat according to the Plat thereof, as recorded in Plat Book 162, Page 43 of the Public Records of Broward County, Florida) pursuant to Section 24-702 (a) and (b), of the Tamarac Code of Ordinances; providing for conflicts; providing for severability; and providing for an effective date.

TABLED FROM THE JUNE 12, 2013 MEETING

ATTACHMENTS:

Name:

Description:

- 📎 [1305008M- Hampton Inn - Cell Tower.pdf](#)
- 📎 [12346reso Hampton Inn Cell Tower - Special Exception 3-Z-13.doc](#)
- 📎 [CC-Hampton Inn - Site Location Map.pdf](#)
- 📎 [TR12346 - Justification Letter.pdf](#)
- 📎 [TR12346 - Proposed Site Plan.pdf](#)

TR12346 - Memo
TR12346 - Resolution
TR12346 - Site Location Map
TR12346 - Justification Letter
TR12346 - Proposed Site Plan

CITY OF TAMARAC
INTEROFFICE MEMORANDUM 13-05-008M
COMMUNITY DEVELOPMENT DEPARTMENT

TO:	Michael C. Cernech, City Manager	DATE:	May 29, 2013
FROM:	Jennifer K. Bramley, Director of Community Development	RE:	Hampton Inn Telecommunication Tower – Special Exception
		CASE#:	3-Z-13 TEMP. RESO. NO. 12346
		MF#:	02-95

RECOMMENDATION: The Director of Community Development recommends that the City Commission deny the Special Exception application to erect a telecommunication tower and associated support structures at its June 12, 2013 meeting.

ISSUE: H. Lee Chapman, III, the Designated Agent for the proposed project, is requesting approval for the placement and construction of a one hundred (100) foot tall telecommunication tower at the southeast corner of the Hampton Inn property located at 4499 West Commercial Boulevard (see Site Map).

PUBLIC NOTIFICATION: Section 2-370 of the Code of Ordinances requires that all property owners within 400 feet of the subject property be notified of this application. To that end 248 property owners were notified regarding the Special Exception petition.

BACKGROUND: The subject property is approximately 3.91 acres, has a Future Land Use designation of Commercial, and a zoning classification of B-2 (Planned Community Business District). The existing use on the subject property is a hotel use.

The zoning designations adjacent to the subject property are comprised of R-4A (Planned Apartment District) to the north and east, B-2 (Planned Community Business District) to the south and B-1 (Neighborhood Business District) to the west. The existing uses adjacent to the subject property are comprised of residential apartments to the north, residential apartments and public utilities to the east, Sunshine Plaza to the south, and a vacant lot to the west.

The associated Minor Revised Site Plan for this proposed tower was reviewed by the City's Development Review Committee (DRC) on July 19, 2012. The DRC committee voted unanimously to not approve the proposed site plan submittal.

ANALYSIS: The applicant is requesting approval of a Special Exception to allow the placement and construction of a one hundred (100) foot telecommunication tower at the southeast corner of the subject property. Pursuant to Section 24-702(a) of the City's Code of Ordinances, a telecommunications tower that is not proposed on City-owned property must be approved by special exception, and comply with the minimum standards and location requirements for a telecommunications tower in Section 24-702(b) of the Code.

City Manager
Hampton Inn Cell Tower – Special Exception
Temporary Resolution No. 12346
May 29, 2013 - Page 2

Staff bases its recommendation of denial on the following code requirements:

Section 24-702(b) (3) (c)

The proposed location of the tower is located within two hundred and fifty (250) feet of the residential districts to the north and east (R-4A). The residential properties to the north and east are comprised of a City owned utility plant and the Island Club Apartments residential development. The proposed location of the tower will be approximately 210 feet from the closest portion of the Island Club Apartments property and 235 feet from the closest residential building. The residentially zoned land that contains the City utility structures is approximately 62 feet away (see Proposed Site Plan).

Section 24-348 (c) (1)

The proposed location of the support buildings for the tower are located less than 50 feet from the side property line. The above code section requires a minimum side setback of 50 feet for commercial properties that abut residentially zoned properties (see Proposed Site Plan).

To meet the required setbacks for both the telecommunication tower and the support buildings for the tower, these structures would have to be placed just adjacent to the pool area for the hotel. This is not an appropriate location as stated in the petitioner's justification letter (attached).

CONCLUSION: Policy 1.4 of the City's Comprehensive Plan states that the Community Development Department will continue to review land use plan amendments, zoning amendments, site plans, and plat approval requests for compatibility with adjacent land uses as currently required in the Code of Ordinances. The Land Development Code revisions should address criteria to be used in reviews for determining whether there is compatibility among adjacent land uses. The Community Development Department will continue to review the Planning Commission Board agendas of surrounding cities to identify land use proposals which might affect the City of Tamarac. The addition of a telecommunication tower less than 250 feet from both residential zoning districts and residential buildings does not meet this vital policy.

Additionally, the requested Special Exception does not meet the City's Strategic Plan Goal #5, A Vibrant Community, by allowing a 100 foot telecommunication tower to exist less than 250 feet from both residential zoning districts and buildings. This structure will be counter-productive to the goal of "preserving and enhancing community appearance."

Finally, uses permitted only by special exception may be approved by the City Commission in accordance with the procedures and standards of section 24-552 and shall not adversely affect the public health, safety, and general welfare of the city. Uses permitted only by special exception shall conform to all city ordinances and other applicable regulations for the uses in the district in which the special exception is located unless otherwise specified in this article. If any criteria for a special exception is found by a court of competent jurisdiction to be inadequate, the legislative intent is for that use to be prohibited in the district for which special exception approval had previously been required. The proposed use does not conform to all city ordinances and other applicable regulations for the uses in the district in which this structure would be located (required setbacks for both the tower and accessory support structures).

Staff recommends that the City Commission deny the Special Exception application to erect a telecommunication tower and associated support structures.

INTERVENING ACTION: At its May 1, 2013 meeting, the Planning Board voted unanimously, 3-0 (Hubert Klombers and James Griffin were absent and excused) to forward an unfavorable recommendation to the City Commission at its June 12, 2013 meeting regarding the Special Exception to erect a telecommunication tower and associated support structures, Case No. 3-Z-13.

During the course of the public hearing, the applicant questioned the requirement for a Special Exception in this instance since the proposed tower is considered stealth. Staff has done additional research regarding a past Special Exception application for a similar 100-foot tall stealth telecommunication tower (flagpole) and associated support structures. This tower is located on the northeast corner of N.W 57 Street and N.W. 91 Avenue. This establishes precedent regarding the requirement for a Special Exception for a stealth tower not located on City property.

The City Commission at that time approved this tower, which is currently within the City's Tamarac Village mixed-use project. The City is currently exploring the possibilities to relocate this tower to a less obtrusive location as it is in a targeted key location for the development for Tamarac Village.



Jennifer K. Bramley,
Director of Community Development

Attachments: Temporary Resolution No. 12346
Site Map
Petitioner's Justification Letter
Proposed Site Plan

JKB/FLZ/alg

CITY OF TAMARAC, FLORIDA

RESOLUTION NO. R-2013-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, APPROVING A SPECIAL EXCEPTION PETITION TO ALLOW FOR THE ERECTION OF A TELECOMMUNICATION TOWER AND ASSOCIATED SUPPORT STRUCTURES FOR THE HAMPTON INN PROJECT LOCATED WITHIN A B-2 (PLANNED COMMUNITY BUSINESS) ZONING DISTRICT, SPECIFICALLY LOCATED AT 4499 WEST COMMERCIAL BOULEVARD (PARCEL A OF THE WYNNE COMMERCIAL PLAT ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 162, PAGE 43 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA) PURSUANT TO SECTION 24-702 (a) AND (b), OF THE TAMARAC CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 24-702 (a) and (b) of the Code of Ordinances of the City of Tamarac, Florida provides for the granting of a Special Exception for a telecommunication tower that is not proposed on City owned property in compliance with the minimum standard and location requirements: and

WHEREAS, H. Lee Chapman, III designated agent for the property owner, Wynne Building Corp., is requesting approval of a Special Exception petition to allow for the erection of a telecommunication tower and associated support structures for the Hampton Inn project located within a B-2 (Planned Community Business) zoning district pursuant to Section 24-702 (a) and (b), of the City's Code of Ordinances, for the property located 4499 West Commercial Boulevard (Parcel A of the Wynne Commercial Plat according to the Plat thereof, as recorded in Plat Book 162, Page 43 of the public records of Broward County, Florida); and

WHEREAS, the proposed Special Exception is in compliance with the City's Comprehensive Plan as it supports the City's Goals, Objectives and Policies regarding neighborhoods (residential and nonresidential) that are attractive, well maintained, and that contribute to the health, safety, and welfare of their residents and users; and

WHEREAS, the proposed Special Exception is consistent with the adjacent residential neighborhoods relative to the proposed intensity, building mass, and aesthetic impact of the requested use; and

WHEREAS, the Planning Board recommended denial of this application at its May 1, 2013 public hearing; and

WHEREAS, the City Commission of the City of Tamarac finds that granting the petition for Special Exception would be in keeping with the public health, safety and general welfare of the City of Tamarac; and

WHEREAS, the City Commission of the City of Tamarac, Florida deems it to be in the best interests of the citizens and residents of the City of Tamarac to approve this Special Exception petition to allow for the erection of a telecommunication tower and associated support structures for the Hampton Inn project located within a B-2 (Planned Community Business) zoning district pursuant to Section 24-702 (a) and (b), of the City's Code of Ordinances, for the property located 4499 West Commercial Boulevard (Parcel A of the Wynne Commercial Plat according to the Plat thereof, as recorded in Plat Book 162, Page 43 of the public records of Broward County, Florida).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA:

SECTION 1: 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 this Special Exception petition to allow for the erection of a telecommunication tower and associated support structures for the Hampton Inn project located within a B-2 (Planned Community Business) zoning district pursuant to Section 24-702 (a) and (b), of the City's Code of Ordinances, for the property located 4499 West Commercial Boulevard (Parcel A of the Wynne Commercial Plat according to the Plat thereof, as recorded in Plat Book 162, Page 43 of the public records of Broward County, Florida) is HEREBY APPROVED.

SECTION 3: All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portions or applications of this Resolution.

PASSED, ADOPTED AND APPROVED this day of , 2013.

BETH TALABISCO,
MAYOR

ATTEST:

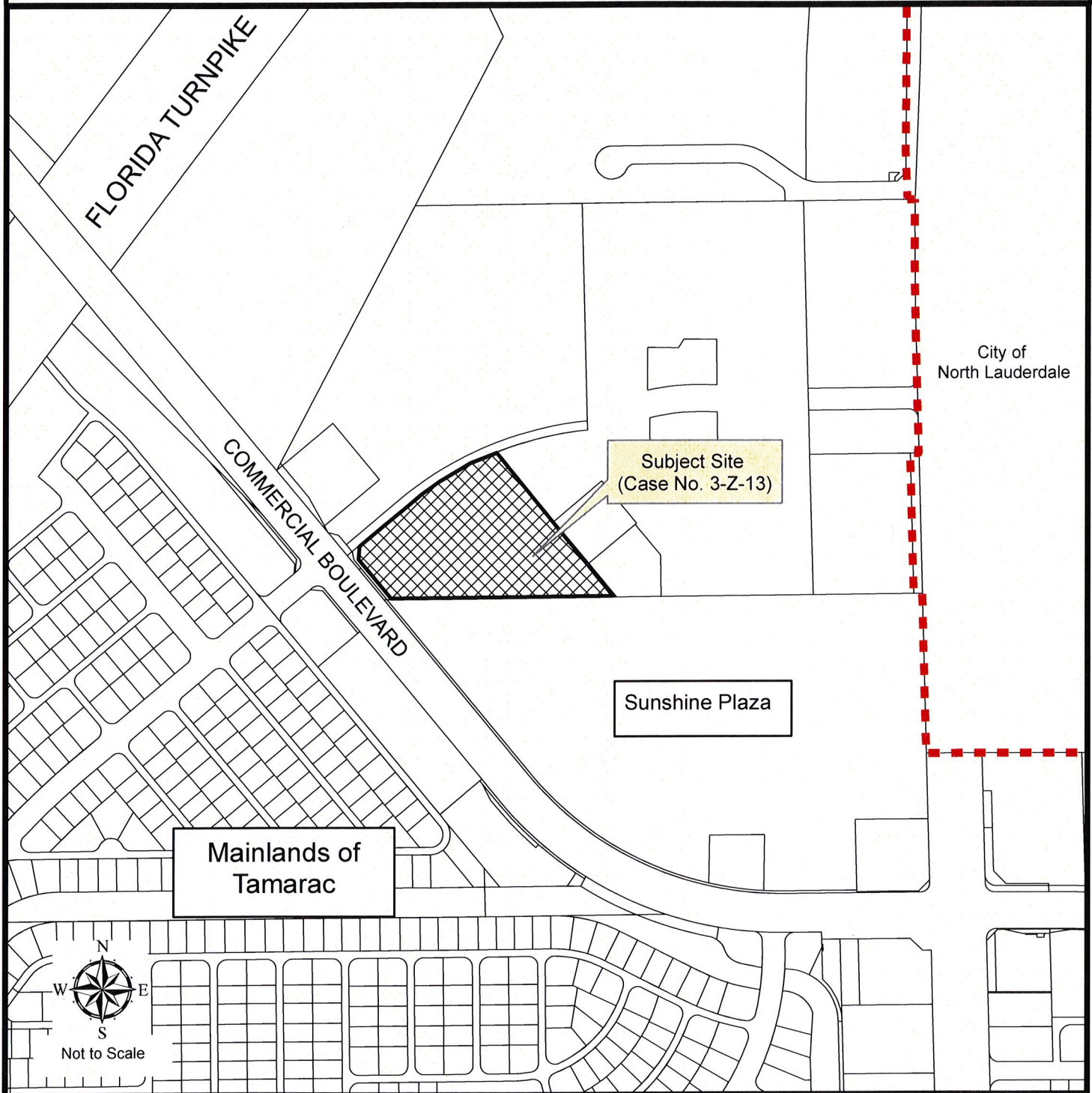
PATRICIA TUEFEL,
INTERIM CITY CLERK

I HEREBY CERTIFY that I
have approved this
RESOLUTION as to form.

SAMUEL S. GOREN,
CITY ATTORNEY

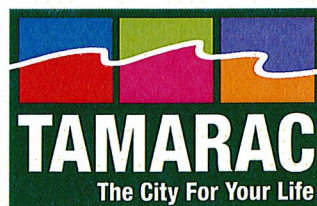
Hampton Inn Stealth Tower Special Exception

Case No. 3-Z-13



City Commission

June 12, 2013



Jennifer Bramley, Director
Community Development
7525 NW 88 Avenue
Tamarac, FL 33321
Telephone (954) 597-3530

2013 MAR -8 PM 1:08

We, SCI Towers, L.L.C., propose the development of a communications tower on the commercial property located at 4499 West Commercial Boulevard known as the *Hampton Inn*. The communication tower we are proposing is a 100-foot tall stealth facility. The stealth tower proposed is a flag pole as it would be the best stealth application to appear as an ancillary use with the hotel.

There are multiple factors that influence the need for this communication tower. The lack of existing towers in close proximity to this location is the heart of our justification for our request. The movement today from wired to wireless phones and the added services obtained and demanded from the wireless phones are part of what is driving the demand for wireless coverage. Today, nearly 1/3 of all home use wireless service only compared to about 10% in 2006. The area of our proposed site is influenced by high traffic volume and the high density of commercial and residential properties. Our proposed project will support these demanded services as well as the surrounding users.

Below is a map of the proposed tower and the existing towers. As can be seen, this tower supports both the traffic on the Florida Turnpike and Commercial Boulevard.



Our proposed tower will be limited to 100 feet in height but it will be designed to house antenna on a minimum of 4 levels. Each antenna compartment inside the pole is a ten (10) foot segment. Therefore, one of the limitations of the number of tenants would be the height of the pole. At some point the

compartments within the pole will fill up and the last tenant will have to determine if the lowest level on the tower is suffice. The only solution to this would be the raise the height and/or change the tower design to one that allows more than 3 antennas per level. As we are putting this proposal together, our first tenant appears to be AT&T Wireless. We will not build an empty tower and would be willing to make it a condition of our building permit to supply the city with an executed lease with a wireless carrier.

We are asking for a special exception allowance from the City of Tamarac. In Section 24-702 (b) of your code it states, "Except where a special exception is granted, every telecommunications tower must meet the following minimum standards:" One of these minimum standards of the code requires a setback from residential property of 250 feet. While this setback can be attained on the subject property, it would require the tower to be placed on the site in a location that would not be inappropriate for the use of the hotel operation. Where we are proposing the tower, we are within the 250 foot setback requirement but the only residential properties impacted are under the same ownership as the hotel. Therefore, it is an internal decision by the property owner to strategically place the tower on his land where it best fits all the existing uses. The unique nature of the waiver request would not set a precedent that would open other properties to undermine the existing code as this is a special exception.

The spirit and intent of the code is to theoretically protect the surrounding land owners from the development impacts of towers. In this instance, the land owner, and it is important to note the distinction of the one common owner, is wanting to protect all of his improvements. This special exception request does mirror the Intent and purpose of your zoning code Section 24-700 which states;

The regulations and requirements of this article are intended to:

- (1) Promote the health, safety and general welfare of the citizens by regulating the siting of telecommunications towers;**
- (2) Provide for the appropriate location and development of telecommunications towers and antennas within the city;**
- (3) Minimize adverse visual effects of telecommunications towers and antennas through careful design, siting, landscape screening and innovative camouflaging techniques;**
- (4) Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures;**
- (5) Protect residential areas and land uses from potential adverse impacts of telecommunications towers and antennas by maximizing use of any new or existing telecommunications towers through shared use, i.e., co-location, to reduce the number of towers needed.**

(Ord. No. 97-3, § 3, 4-9-97)

Temp. Reso. No. 12346
Hampton Inn Cell Tower
Special Exception
Proposed Site Plan
on file in the
Office of the City Clerk