



CITY OF TAMARAC
REGULAR CITY COMMISSION MEETING
City Hall - Commission Chambers
July 10, 2013

CALL TO ORDER:

7:00 P.M.

ROLL CALL:

PLEDGE OF ALLEGIANCE:

Commissioner Diane Glasser

INTRODUCTION

1. PROCLAMATIONS AND PRESENTATIONS:

a. [Legislative Update - Representative Jared E. Moskowitz](#)

Legislative Update - Representative Jared E. Moskowitz

b. [Presentation of a Plaque to the Mayor and Commission by Randy Hibshman, Representing Challenger Baseball](#)

Presentation of a Plaque to the Mayor and Commission by Randy Hibshman, Representing Challenger Baseball.

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

5. PUBLIC PARTICIPATION

Any member of the public may speak to any issue that is not agendized 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 26, 2013 Regular Commission Meeting Minutes

Approval of the June 26, 2013 Regular Commission Meeting Minutes

b. TR12362 - Caporella and Sports Complex Playground Renovations

A Resolution of the City Commission of the City of Tamarac, Florida, authorizing the appropriate City Officials to award RFP #13-05R and execute an Agreement with West Construction, Inc., for the Caporella and Sports Complex Park Playground Renovations for an amount not to exceed \$372,493; a contingency amount of \$37,249 will be added to the project account for a total project budget of \$409,742; providing for an additional appropriation to fund the project budget; providing for conflicts; providing for severability; and providing for an effective date.

c. TR12369 - Stormwater Assessment

A Resolution of the City Commission of the City of Tamarac, Florida, relating to the provision of Stormwater Management provided by the City's Stormwater Utility; determining that certain real property will be specially benefited thereby; establishing and confirming the method of calculating the cost of Stormwater Management Service against the real property that will be specially benefited thereby; directing the City Manager to prepare or direct the preparation of a preliminary Stormwater Utility Management Fee Roll based upon the methodology set forth herein; establishing a public hearing for the proposed Stormwater Utility Management Fees and directing the provision of notice in connection therewith; providing for conflict; providing for severability; and providing for an effective date.

d. TR12366 - FY 2014 Fire Rescue Assessments

A Resolution of the City Commission of the City of Tamarac, Florida, relating to the provision of Fire Rescue Services, facilities and programs in the City of Tamarac, Florida; establishing the estimated assessment rate for Fire Rescue Assessments for the Fiscal Year beginning October 1, 2013; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof; providing for conflicts; providing for severability; and providing an effective date.

e. TR12368 - FY14 Preliminary Millage Resolution

A Resolution of the City Commission of the City of Tamarac, Florida, authorizing the City Manager to send a Proposed Millage rate of 7.2899 mills for General Operating purposes and a Proposed Millage rate of 0.1086 mills for Voted Debt service to the Property Appraiser for Fiscal Year 2014, and setting September 12, 2013, at 5:05 p.m. at the Tamarac Commission Chambers, 7525 N.W. 88th Avenue, Tamarac, Florida, as the date, time and place for the first public budget hearing; setting September 19, 2013 at 5:05 p.m. at the Tamarac Commission chambers, 7525 N.W. 88th Avenue, Tamarac, Florida as the date, time, and place for the second public budget hearing; providing for conflicts; providing for severability; and providing for an effective date

f. TR12370 - Nuisance Abatement Assessment

A Resolution of the City Commission of the City of Tamarac, Florida, relating to the provision of Nuisance Abatement on Certain Real Properties by the City in accordance with Chapter 9, Division V of the City's Code of Ordinances; determining that Certain Real Property has been specially benefited by the City's Abatement of Nuisances thereon; directing the City Manager to prepare or

direct the preparation of a preliminary Nuisance Abatement Assessment Roll; establishing a public hearing for the proposed levy of unpaid Nuisance Abatement Assessments on the annual tax bill and directing the provision of notice in connection therewith; providing for conflict; providing for severability; and providing for an effective date.

g. TR12367 - FY14 Preliminary Solid Waste Assessment

A Resolution of the City Commission of the City of Tamarac, Florida, relating to the provision of Residential Solid Waste Collection Services and Facilities and Programs in the City of Tamarac, Florida; providing for purpose and definitions; providing for legislative determinations; establishing the estimated rate for the Residential Solid Waste Collection Services Assessment for the Fiscal Year beginning October 1, 2013; directing the preparation of a residential solid waste collection services special assessment roll; authorizing a public hearing and directing the provision of notice thereof; and providing an effective date.

h. TR12372 - American Traffic Solutions (ATS) Addendum #2

A Resolution by the City Commission of the City of Tamarac to approve the Second Addendum to the Professional Services Agreement with American Traffic Solutions, Inc. ("ATS"); authorizing the appropriate City Officials to execute the Second Addendum; providing for conflicts; providing for severability and providing for an effective date.

i. TR12373 - Red Light Camera Fee/Clerk

A Resolution by the City Commission of the City of Tamarac designating the City's Code Enforcement Special Magistrates to serve as local hearing officers pursuant to Chapter 2013-160, Laws of Florida; authorizing the City Manager to use Code Enforcement Staff to implement Chapter 2013-160, Laws of Florida; directing the City Administration 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.

j. TR12375 - Establishing Hearing Cost For Red Light Cameras

A Resolution by the City Commission of the City of Tamarac establishing the hearing costs permitted pursuant Chapter 2013-160, Laws of Florida; providing for conflicts; providing for severability and providing for an effective date.

k. TR12356 - Agreement to Provide Bus Benches

A Resolution of the City Commission of the City of Tamarac, Florida authorizing the appropriate City officials to award and execute an agreement to furnish bus benches for the City of Tamarac through December 31, 2014 with up to two (2) two (2) year renewal options utilizing the City of Dania Beach Agreement with Insite Martin Outdoor, LLC dated December 31, 2012; providing for conflicts; providing for severability; and providing for an effective date.

l. TR12365 - School Crossing Guard Agreement

A Resolution of the City Commission of the City of Tamarac authorizing the appropriate City officials to award request for Proposal No. 13-13R entitled "School Crossing Guard Services" and accept and execute a contract with Action Labor of Florida, LLC a/k/a Staffing Connections for a period commencing September 1, 2013 through August 31, 2015 with the option to renew for two (2) additional two (2) year periods, on behalf of the City of Tamarac and members of the Southeast Florida Governmental Purchasing Cooperative, including the City of Coral Springs, the City of North Lauderdale and the City of Sunrise; providing for conflicts; providing for severability; and providing for an effective date.

m. TR12364 - Florida Land Trust Agreement

A Resolution of the City of Tamarac, Florida to authorize the establishment of a Land Trust pursuant to Section 689.071, Florida Statutes, and to authorize the transfer of property generally known as the Tamarac Village Property into the City of Tamarac Land Trust; authorizing the City Manager, Finance Director, and other City Officials to take all steps necessary and to execute the necessary documents to effectuate this resolution; providing for conflicts; providing for severability; and providing for an effective date.

n. TR12376 - Settlement /Partial Release - 13 Pleasant Hill Lane

A Resolution of the City Commission of the City of Tamarac, Florida, approving the settlement in the

amount of \$4,552.00 to partially release the Code Enforcement liens recorded against Shaker Village Condominium Association and Federal National Mortgage Association attaching to the real property located at 13 Pleasant Hill Lane, Tamarac, Florida; providing for conflicts; providing for severability; and providing an effective date

o. TR12378 - Appointing Patricia A. Teufel as City Clerk

A Resolution of the City Commission of the City of Tamarac, Florida, appointing Patricia A. Teufel as City Clerk, effective July 10, 2013; providing for conflicts; providing for severability; and providing for an effective date

7. REGULAR AGENDA

8. ORDINANCE(S) - FIRST READING

9. PUBLIC HEARING(S)

a. TR12353 FY 13/14 CDBG Annual Action Plan

A Resolution of the City Commission of the City of Tamarac, Florida, approving the projects recommended for inclusion in the Fiscal Year 2013 Annual Action Plan for expenditure of the U.S. Housing and Urban Development Community Development Block Grant funds estimated to be \$369,060 for the fourteenth program year; providing for conflicts; providing for severability; and providing for an effective date.

10. ORDINANCE(S) - SECOND READING

a. TO2282 - Sabal Palm Community Development District - Expansion

Motion to adopt an Ordinance of the City Commission of the City of Tamarac, Florida, **on second reading** expanding the boundaries of the Sabal Palm Community Development District; describing the boundaries of the area added to the district and describing the external boundaries of the expanded district; providing for severability; providing for conflicts; and providing an effective date.
PASSED ON FIRST READING JUNE 12, 2013

b. TO2283 - Temporary Housing Ordinance

Motion to adopt an ordinance of the City Commission of the City of Tamarac, Florida, **on second 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.
PASSED ON FIRST READING JUNE 26, 2013

c. TO2286 - Flood Prevention and Protection

Motion to adopt an Ordinance by the City Commission of the City of Tamarac, Florida, **on second 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.
PASSED ON FIRST READING JUNE 26, 2013

11. QUASI-JUDICIAL HEARING(S)

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.

A handwritten signature in blue ink, reading "Patricia Teufel". The signature is fluid and cursive, with the first name "Patricia" written in a larger, more prominent script than the last name "Teufel".

Patricia Teufel, CMC
Interim City Clerk



Title - 7:00 P.M.

7:00 P.M.

ATTACHMENTS:

Name:

Description:

No Attachments Available



Title - Commissioner Diane Glasser

Commissioner Diane Glasser

ATTACHMENTS:

Name:

Description:

No Attachments Available



Title - Legislative Update - Representative Jared E. Moskowitz

Legislative Update - Representative Jared E. Moskowitz

ATTACHMENTS:

Name:

Description:

No Attachments Available



Title - Presentation of a Plaque to the Mayor and Commission by Randy Hibshman, Representing Challenger Baseball

Presentation of a Plaque to the Mayor and Commission by Randy Hibshman, Representing Challenger Baseball.

ATTACHMENTS:

Name:

Description:

No Attachments Available



Title - 7:00 P.M.

7:00 P.M.

ATTACHMENTS:

Name:

Description:

No Attachments Available



Title - TR12353 FY 13/14 CDBG Annual Action Plan

A Resolution of the City Commission of the City of Tamarac, Florida, approving the projects recommended for inclusion in the Fiscal Year 2013 Annual Action Plan for expenditure of the U.S. Housing and Urban Development Community Development Block Grant funds estimated to be \$369,060 for the fourteenth program year; providing for conflicts; providing for severability; and providing for an effective date.

ATTACHMENTS:

Name:

Description:

 [TEMP RESO #12353 Staff Report.doc](#)

Staff Report

 [TEMP RESO #12353 \(CDBG 2013-14 Action Plan\).doc](#)

Resolution 12353

 [2013-2014 Annual Action Plan.docx](#)

FY 2013/2014 CDBG Action Plan

 [sf424.pdf](#)

SF 424 Form for signature

 [CertNonState.doc](#)

Certifications for signature

 [CDBG Citizen Participation Plan.doc](#)

Citizen Participation Plan

 [lowmod2005\[1\].JPG](#)

Low Mod Map

CITY OF TAMARAC
INTEROFFICE MEMORANDUM (13-06-002M)
COMMUNITY DEVELOPMENT

TO: Michael C. Cernech, City Manager DATE: 12 June 2013

FROM: Jennifer K. Bramley, Director

**RE: Approval of FY 2013/2014
CDBG Annual Action Plan
Temp. Reso. #12353
Case # 09-MI-13**

Recommendation: The Director of Community Development recommends the Mayor and the City Commission approve the projects to be funded through the U.S. Department of Housing & Urban Development (HUD) Fiscal Year 2013/2014 Community Development Block Grant (CDBG) program.

Issue: The Community Development Department received four (4) responses to the Request for Proposals for the HUD FY2013/2014 CDBG program and recommends funding the projects in addition to the program administration activities.

Background: The City of Tamarac is an entitlement recipient of federal funds from HUD under the CDBG program. The City anticipates receiving \$369,060 in Fiscal Year 2013/2014 funds to address community development, public services or housing needs in Tamarac. In order to receive these funds, the City must develop and adopt an Annual Action Plan that is consistent with the 2010/2011-2014/2015 Consolidated Plan.

To develop the Action Plan, a request for proposals was sent out to all City departments to solicit proposed projects for the grant. Four responses were received, one from Parks and Recreation, one from Public Services and two from Community Development. Each proposal was evaluated to ensure the activity would meet HUD guidelines of a national objective, and provide a direct benefit to low and moderate-income persons. The four projects satisfactorily met the criteria for inclusion in the Annual Action Plan and are consistent with the Consolidated Plan.

Funding for public service programs is limited to 15% of the CDBG funds and administration is limited to 20% of the CDBG funds. The 30-day public review and comment period was held from June 10, 2013 to July 10, 2013. No public comments have been received to date.

Staff Recommendations (FY 2013/2014 Projects)

Total Administration (20% MAXIMUM)	\$ 73,800.00
Financial Audit	\$ 5,000.00
Program Administration	\$ 68,800.00
 Total Public Service (15% MAXIMUM)	 \$ 46,160.00
<u>Parks & Recreation</u>	

P&R (Temporary Social Worker)	\$ 46,160.00	
Total Home Rehabilitation		\$219,100.00
<u>Community Development</u>		
Home Rehabilitation	\$189,100.00	
Rehabilitation Services	\$ 30,000.00	
Total Public Facilities Improvement-Area Wide Low Mod Benefit		\$ 30,000.00
<u>Public Services</u>		
Installation of Sidewalks	\$ 30,000.00	
TOTAL GRANT ALLOCATION		\$369,060.00 (100%)

Fiscal Impact: There is positive revenue of \$369,060.00 which is appropriated as part of the Fiscal Year 2013/2014 budget, and is not affected by Action Plan.

This agenda item is consistent with the City's Strategic Plan Goal #5; Safe and Vibrant Community.

Staff recommends the City Commission approve the Community Development Block Grant Program FY 2013/2014 Annual Action Plan for submission to the Department of Housing and Urban Development (HUD).

Jennifer K. Bramley, Director

JKB/ab

Attachments:

Temporary Resolution #12353

Exhibit "1" FY 2013/2014 Community Development Block Grant (CDBG) Annual Action Plan

RESOLUTION NO. 2013-R ____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, APPROVING THE PROJECTS RECOMMENDED FOR INCLUSION IN THE FISCAL YEAR 2013 ANNUAL ACTION PLAN FOR EXPENDITURE OF THE U.S. HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS ESTIMATED TO BE \$369,060 FOR THE FOURTEENTH PROGRAM YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has notified the City of Tamarac of its HUD Fiscal Year 2013 funding allocation in the estimated amount of \$369,060 under the Community Development Block Grant (CDBG) program for the City's Fourteenth Program Year; and

WHEREAS, funding received for the CDBG program must be utilized for eligible CDBG activities; and

WHEREAS, all CDBG eligible activities must meet one of three national objectives, as defined by Congress, including benefitting low and moderate income people, helping to eliminate slum and blight, or addressing existing conditions that pose a serious or immediate threat to the health and welfare of the community; and

WHEREAS, the City of Tamarac adopted the City of Tamarac Five Year Consolidated Plan for FY 2010-2015 via Resolution R-2010-102 which established the City's strategic priorities for the CDBG program during this period; and

WHEREAS, each year a new Annual Action Plan is required to detail projects, activities, and programs to be funded by that year's funding allocation in compliance with the adopted 5-Year Consolidated Plan; and

WHEREAS, the Annual Action Plan requires a public hearing process to solicit input in the development and review of the plan; and

WHEREAS, the Community Development Director and the Planning Board recommended the approval of the projects recommended for inclusion in the Fourteenth Program Year Annual Action Plan for Fiscal Year 2013; and

WHEREAS, the City of Tamarac received an additional \$5,774 reallocated from the City of Weston for a portion of their FY 2012-2013 allocation which went un-applied for; and

WHEREAS, the City Commission of the City of Tamarac, Florida deems it to be in the best interest of the citizens and residents of the City of Tamarac to approve the Fiscal Year 2013 Annual Action Plan for expenditure of the U.S. Housing and Urban Development Community Development Block Grant funds estimated to be \$369,060 for the Fourteenth Program Year.

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

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

SECTION 2. That the City Commission hereby approves the projects recommended for inclusion in the Fiscal Year 2013 Annual Action Plan, attached hereto as Exhibit "1", for expenditure of the U.S. Housing and Urban Development Community Development Block Grant funds estimated to be \$369,060 for the Fourteenth Program Year.

SECTION 3. All resolutions or parts of resolutions in conflict herewith be and the same 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 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 passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA THIS _____ DAY OF _____, 2013.

CITY OF TAMARAC, FLORIDA

BETH TALABISCO, MAYOR

ATTEST:

B. TALABISCO _____
H. DRESSLER _____
P. BUSHNELL _____
P. ATKINS-GRAD _____
D. GLASSER _____

PAT TEUFEL,
INTERIM CITY CLERK

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

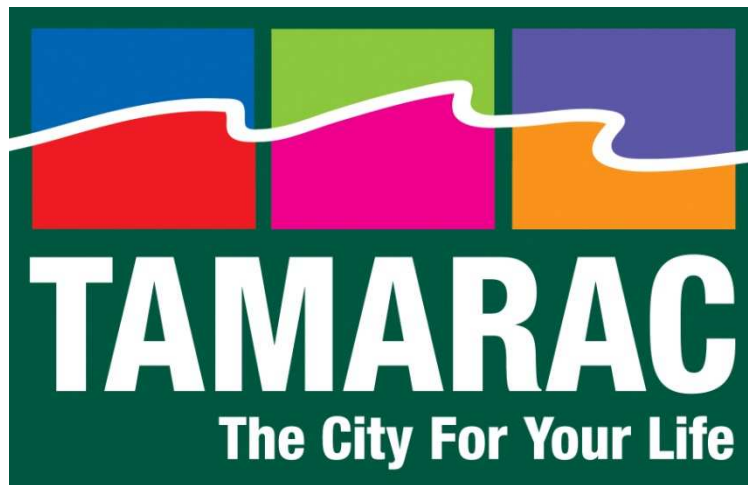
CITY ATTORNEY

Exhibit “1”

CITY OF TAMARAC, FL

Annual Action Plan Community Development Block Grant (CDBG) Program

Fiscal Years 2013/2014



Prepared by:

City of Tamarac Community Development Department
Housing Division

Submitted to:

U.S. Department of Housing and Urban Development
The Office of Community Planning and Development
Miami Field Office

TABLE OF CONTENTS

Annual Action Plan

Executive Summary 91.220(b)	4
Citizen Participation Plan 91.220 (b)	5
Resources 91.220 (c) (1) and (c) (2)	7
Annual Objectives 91.220 (c) (3)	9
Description of Activities 91.220 (d) and (e)	10
Objectives	13
Performance Measurements	14
Geographic Distribution/Allocation Priorities 91.220 (d) and (f)	15
Annual Affordable Housing Goals 91.220 (g)	15
Public Housing 91.220 (h)	16
Homeless and Special Needs 91.220 (i)	17
Barriers to Affordable Housing 91.220 (j)	21
Other Actions 91.220 (k)	27

Program Specific Requirements

CDBG 91.220 (l) (1)	23
HOME 91.220 (l) (2)	24
HOPWA 91.220 (l) (3)	26

Other Narratives and Attachments

Section 3 Initiatives	27
Davis Bacon Initiatives	27
Fair Housing	27

ATTACHMENTS:

SF-424

Certifications

Citizen Participation Plan

CDBG Low-Moderate Area Map

Resolution-Submission Approval for Annual Action Plan

CITY OF TAMARAC

FY 2013/2014 Annual Action Plan

DUNS #077270940

City of Tamarac

Mayor Beth Talabisco
Vice-Mayor Harry Dressler
Commissioner Pamela Bushnell
Commission Patricia Atkins-Grad
Commissioner Diane Glasser
City Manager Michael C. Cernech

Our Vision

The City of Tamarac, Our Community of Choice-Leading the nation in quality of life through safe neighborhoods, a vibrant community, exceptional customer service and recognized excellence.

Our Mission

We “Committed to Excellence...Always”
It is our job to foster and create an environment that:
Responds to the Customer
Creates and Innovates
Works as a Team
Achieves Results
Makes a Difference

Our Values

As stewards of the public trust, we value:
Vision
Integrity
Efficiency
Quality Service

2013-2014 *Annual Action Plan*



The CPMP Annual Action Plan includes the SF 424 and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

NAME OF JURISDICTION: ***CITY OF TAMARAC, FL***
Annual Action Plan: ***FY 2013/2014***
Consolidated Plan Time Period: ***FY 2010/2011 – FY 2014/2015***

ACTION PLAN

Annual Action Plan includes the SF 424 and is due every year no less than 45 days prior to the start of the grantee's program year start date. HUD does not accept plans between August 15 and November 15.

Executive Summary 91.220(b)

- 1. The Executive Summary is required. Include the objectives and outcomes identified in the plan and an evaluation of past performance.*

The City of Tamarac participated in the U.S. Department of Housing and Urban Development (HUD) entitlement allocation formula as a recipient of federal funds for the first time in Fiscal Year 2000. The City is recently embarked on its second five-year cycle to receive HUD Federal grant allocations providing funds to promote affordable housing initiatives and socio-economic programs to address identified community development needs. In Fiscal Year 2013-2014, it is estimated that the City of Tamarac will receive a total of **\$369,060.00** consisting of a direct allocation in the amount of **\$363,286.00** and unclaimed reallocation funds from the City of Weston in the amount of **\$5,774.00** in Community Development Block Grant (CDBG) funds, to address identified community development needs. Entitlement allocations from other HUD funds may become available in future years. To receive CDBG funding, the City must assess local housing and community development needs and resources, and socioeconomic impediments toward building viable neighborhoods.

The statutes for the HUD CDBG grant programs set forth three basic goals which are closely related to the major commitments and priorities of the U.S. Department of Housing and Urban Development (HUD).

Each of these goals must primarily benefit very low, low and moderate income persons within the context described below:

1. To provide suitable living environment
2. To provide decent housing
3. To expand economic opportunities

This annual action plan incorporates priorities and programs addressing these goals.

EXISTING PROGRAM

The City of Tamarac receives federal funding under both the CDBG and HOME program. Additional funds are received from the State's, State Housing Initiative Partnership (SHIP) Program. To date activities approved using these funding sources focus on housing assistance (home rehabilitation), public service, and public facilities improvements. These activities benefit residents by direct assistance or indirectly through area-wide or limited clientele activities based on low-moderate income determinations.

ACCOMPLISHMENTS

Over the last year, U.S Department of Housing and Urban Development (HUD) funds (CDBG & HOME) have assisted with the following:

- ✓ Provided home rehabilitation for owner-occupied homes.
- ✓ Installed and repaired sidewalks and accessibility pads.
- ✓ Provided a full-time temporary social worker that assisted residents in obtaining referrals, counseling and other social service needs.

Citizen Participation 91.220(b)

2. *Provide a summary of the citizen participation and consultation process (including efforts to broaden public participation in the development of the plan.*

Citizen Participation and Consultation

The *Citizen Participation Plan* in accordance with the Housing and Community Development Act of 1974, as amended and 24 CFR Part 91, Subpart B: Citizen Participation and Consultation sets forth the citizen participation plan requirements. This section of the Act provides for and encourages citizen participation with particular emphasis on persons of low and moderate income, in addition to slum and blighted areas. Consistent with the Act, the City of Tamarac provides citizens reasonable and timely access to local meetings, information and records. In addition, technical assistance is made available to low and moderate income representative groups. The Citizen Participation Plan details the process to develop needs, review proposed activities and program performance as well as the manner in which hearings are advertised and conducted. **(Citizen Participation Plan-attached hereto)**

The City published a public notice on June 9, 2013 for the 30-day public review period which began June 10, 2013 and ended July 10, 2013. A public hearing was held during the City Commission meeting on July 10, 2013 which by resolution adopted the Annual Action Plan and authorized its submission to the U.S. Department of Housing and Urban Development prior to the July 15, 2013 deadline.

The citizen participation process provides ample time for written complaints and grievances. Through the on-going efforts of our Neighborhood Partnership Program, the City stimulates and enhances neighborhood vitality and customer satisfaction by addressing the concerns and special needs of neighborhoods through progressive and collaborative planning. In the spirit of collaboration the City staff serves as consultants and facilitators. Throughout all stages of the program, the City of Tamarac Community Development Department staff is responsible for the effective development and inclusion of citizen comments in all phases of the CDBG Program.

All projects must be proven feasible prior to receiving HUD funds, as many require documentation indicating financial feasibility and conformance with applicable regulations and constraints (i.e. zoning, land use, flood plan, etc.). Projects will not be funded if the proposed project duplicates an existing program which the public sector administers.

Community Development/Housing to solicit project recommendations from Department heads	May 24, 2013
Advertisement for 30-day review period and Public Hearing on proposed FY 13/14 Annual Action Plan	June 9, 2013
Beginning of 30-day review period	June 10, 2013
End of 30-day review period	July 10, 2013
Planning Board approval of recommended activities	July 3, 2013
Commission approval and review/public hearing of recommended activities for final approval	July 10, 2013
Send HUD RROF Form 7015.15	Sept. 30, 2013
Wait for HUD Clearance to commit funds Funding Agreement from HUD issued	October 1, 2013

3. *Provide a summary of citizen comments or views on the plan.*

No comments were received on the Annual Action Plan.

4. *Provide a written explanation of comments not accepted and the reasons why these comments were not accepted.*

Had any comments been received, the City would have responded and considered accordingly. No comments were received.

Resources 91.220(c)(1) and (c)(2)

5. *Identify the federal, state, and local resources (including program income) the jurisdiction expects to receive to address the needs identified in the plan. Federal resources should include Section 8 funds made available to the jurisdiction, Low-Income Housing Tax Credits, and competitive McKinney-Vento Homeless Assistance Act funds expected to be available to address priority needs and specific objectives identified in the strategic plan.*

As an entitlement recipient of CDBG, HOME and SHIP funds, the City intendeds to allocate according to priority need. For the next year, the City expects the housing market to continue its slow recovery from the drastic slump it has been in since 2005. The appropriate federal and state resources described below will be utilized and applications will be submitted and or supported in achieving the City's listed projects and actions outlined in this section.

FEDERAL RESOURCES

Community Development Block Grant (CDBG)

The Community Development Block Grant (CDBG) was first authorized by the U.S. Congress in 1974, by the Housing and Community Development Act of 1974 (HCDA), with subsequent amendments. The primary purpose of the HCDA is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. At least 70% of all CDBG funds must be spent on activities which benefit low or moderate income persons. Funds are used for housing to benefit low and moderate income persons, public facilities and improvements, expanded public services that include employment training, child care, fair housing counseling or recreational needs; rehabilitation of private or publicly owned buildings; economic development activities that create or retain jobs for low and moderate income persons.

Home Investment Partnerships Program (HOME)

In FY 2002, the City of Tamarac became a member of the Broward County HOME Consortium along with the Entitlement Cities of Tamarac, Margate, Deerfield Beach, Sunrise, Lauderhill, Plantation, Davie, Pembroke Pines, Miramar, and Coconut Creek was recently added. The United States Congress passed the National Affordable Housing Act In 1990. This Act created a variety of affordable housing programs, including the Home Investment Partnerships Act (HOME).

The City of Tamarac receives an allocation of these funds as a member of the Consortium. The purpose of the HOME program is to provide funds to local jurisdictions to strengthen public-private partnerships to provide more affordable housing through acquisition, rehabilitation, and new construction of housing, and tenant based rental assistance. In addition, HUD rules require that at least 15% of HOME funds be set aside for community housing development organizations to develop affordable housing. HOME funds may be used to provide: affordable

renter/owner occupied units; tenant based rental assistance; administrative and planning costs; and payment of operating expenses of community housing development organizations. Housing development costs include acquisition, new construction, re-construction, pre-development and financing costs.

STATE RESOURCES

State Housing Initiative Partnership (SHIP) Program

The City of Tamarac typically receives an annual allocation under this program. Florida Housing administers the State Housing Initiatives Partnership program (SHIP), which provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The program was designed to serve very low, low and moderate income families.

When the program is funded, SHIP funds are distributed on an entitlement basis to all 67 counties and 53 Community Development Block Grant entitlement cities in Florida. In order to participate, local governments must establish a local housing assistance program by ordinance; develop a local housing assistance plan and housing incentive strategy; amend land development regulations or establish local policies to implement the incentive strategies; form partnerships and combine resources in order to reduce housing costs; and ensure that rent or mortgage payments within the targeted areas do not exceed 30 percent of the area median income limits, unless authorized by the mortgage lender.

SHIP dollars may be used to fund emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-downs, acquisition of property for affordable housing, matching dollars for federal housing grants and programs, and homeownership counseling. SHIP funds may be used to assist units that meet the standards of chapter 553; SHIP funds may also be used to assist manufactured housing constructed after June 1994 in accordance with the installation standards defined in the rules of the Department of Highway Safety and Motor Vehicles.

A minimum of 65 percent of the funds must be spent on eligible homeownership activities; a minimum of 75 percent of funds must be spent on eligible construction activities; at least 30 percent of the funds must be reserved for very-low income households (up to 50 percent of the area median income or AMI); an additional 30 percent may be reserved for low income households (up to 80 percent of AMI); and the remaining funds may be reserved for moderate-income households (up to 120 percent of AMI.). It is important to note that no more than 5 percent of SHIP funds may be used for administrative expenses. However, if a local government makes a finding of need by resolution, a local government may use up to 10 percent for administrative expenses. Funding for this program was established by the passage of the 1992 William E. Sadowski Affordable Housing Act. Funds are allocated to local governments each month on a population-based formula. These funds are

derived from the collection of documentary stamp tax revenues, which are deposited into the Local Government Housing Trust Fund. Total actual disbursements are dependent upon these documentary stamp collections.

No SHIP funds are expected for fiscal year 2013/2014.

6. *Explain how federal funds will leverage resources from private and non-federal public sources.*

To the extent of the activities described in this Annual Action Plan, private or non-federal leveraging is not likely. Most of the leveraging comes from private sources under the State SHIP Program under the Down Payment Assistance Program from lending institutions in the form of the first mortgage.

In FY 2008 and 2010, the City received grant allocations under the Neighborhood Stabilization Program (Round 1 and Round 3). These programs also provide homeownership opportunities utilizing private lending institutions which may be leveraged with CDBG funds.

Annual Objectives 91.220(c)(3)

****If not using the CPMP Tool:*** Complete and submit Table 3A.

****If using the CPMP Tool:*** Complete and submit the Summary of Specific Annual Objectives Worksheets or Summaries.xls

Goals and objectives to be carried out during the action plan period are indicated by placing a check in the following boxes.

<input type="checkbox"/>	Objective Category Decent Housing <i>Which includes:</i>	<input type="checkbox"/>	Objective Category: Expanded Economic Opportunities <i>Which includes:</i>	<input type="checkbox"/>	Objective Category: Expanded Economic Opportunities <i>Which includes:</i>
<input type="checkbox"/>	<i>assisting homeless persons obtain affordable housing</i>	<input type="checkbox"/>	<i>improving the safety and livability of neighborhoods</i>	<input type="checkbox"/>	<i>job creation and retention</i>
<input type="checkbox"/>	<i>assisting persons at risk of becoming homeless</i>	<input checked="" type="checkbox"/>	<i>eliminating blighting influences and the deterioration of property and facilities</i>	<input type="checkbox"/>	<i>establishment, stabilization and expansion of small business (including micro-businesses)</i>
<input checked="" type="checkbox"/>	<i>retaining the affordable housing stock</i>	<input checked="" type="checkbox"/>	<i>increasing the access to quality public and private facilities</i>	<input type="checkbox"/>	<i>the provision of public services concerned with employment</i>
<input type="checkbox"/>	<i>increasing the availability of affordable permanent</i>	<input type="checkbox"/>	<i>reducing the isolation of income groups within areas through</i>	<input type="checkbox"/>	<i>the provision of jobs to low-income persons living in areas affected by those</i>

	<i>housing in standard condition to low-income and moderate-income families, particularly to members of disadvantaged minorities without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability</i>		<i>spatial deconcentration of housing opportunities for lower income persons and the revitalization of deteriorating neighborhoods</i>		<i>programs and activities under programs covered by the plan</i>
<input type="checkbox"/>	<i>increasing the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS) to live in dignity and independence</i>	<input type="checkbox"/>	<i>restoring and preserving properties of special historic, architectural, or aesthetic value</i>	<input type="checkbox"/>	<i>availability of mortgage financing for low income persons at reasonable rates using non-discriminatory lending practices</i>
<input type="checkbox"/>	<i>providing affordable housing that is accessible to job opportunities</i>	<input checked="" type="checkbox"/>	<i>conserving energy resources and use of renewable energy sources</i>	<input type="checkbox"/>	<i>access to capital and credit for development activities that promote the long-term economic social viability of the community</i>

Description of Activities 91.220(d) and (e)

***If not using the CPMP Tool:** Complete and submit Table 3C

***If using the CPMP Tool:** Complete and submit the Projects Worksheets and the Summaries Table.

7. Provide a summary of the eligible programs or activities that will take place during the program year to address the priority needs and specific objectives identified in the strategic plan.

Public Service (Full-Time Social Worker)

\$ 46,160.00

This activity will include funding for a full-time social worker to provide information and referral services to elderly residents, ongoing case management, implementation of the Senior Program and the Volunteer Program, addressing calls and managing an on-going caseload. Approximately one hundred (100) unduplicated clients will be served by the Social Worker this fiscal year. These

activities are eligible under 24 CFR section 570.201(e), and will benefit low and moderate income persons as qualified under 570.208(a)(2), limited clientele.

Residential Rehabilitation (Minor Home Repair) \$189,100.00

This activity will provide minor home repairs to a minimum of seven (7) low to moderate-income households who are experiencing conditions in and around the home that pose a threat to health, safety, and welfare of the household occupants. This project will be carried out on a citywide basis. This activity is eligible under 24 CFR Section 570.202(a) and will benefit low and moderate-income households on an area-wide basis.

Rehabilitation Services \$ 30,000.00

This program activity includes marketing, application in-take and review and verification for eligibility, communication with general contractors, specification review and on site problem solving inspections and other services related to the completion of residential rehabilitation projects.

Area-Wide Low-Moderate Neighborhood Benefit (Installation of Sidewalks) \$ 30,000.00

The activity will provide for installation of sidewalks in low-moderate income neighborhoods. There are currently no existing and accessible sidewalks at these locations and the installation will improve accessibility and allow for area-wide benefit. This activity is eligible under 24 CFR Section 570.208 (a) (1)

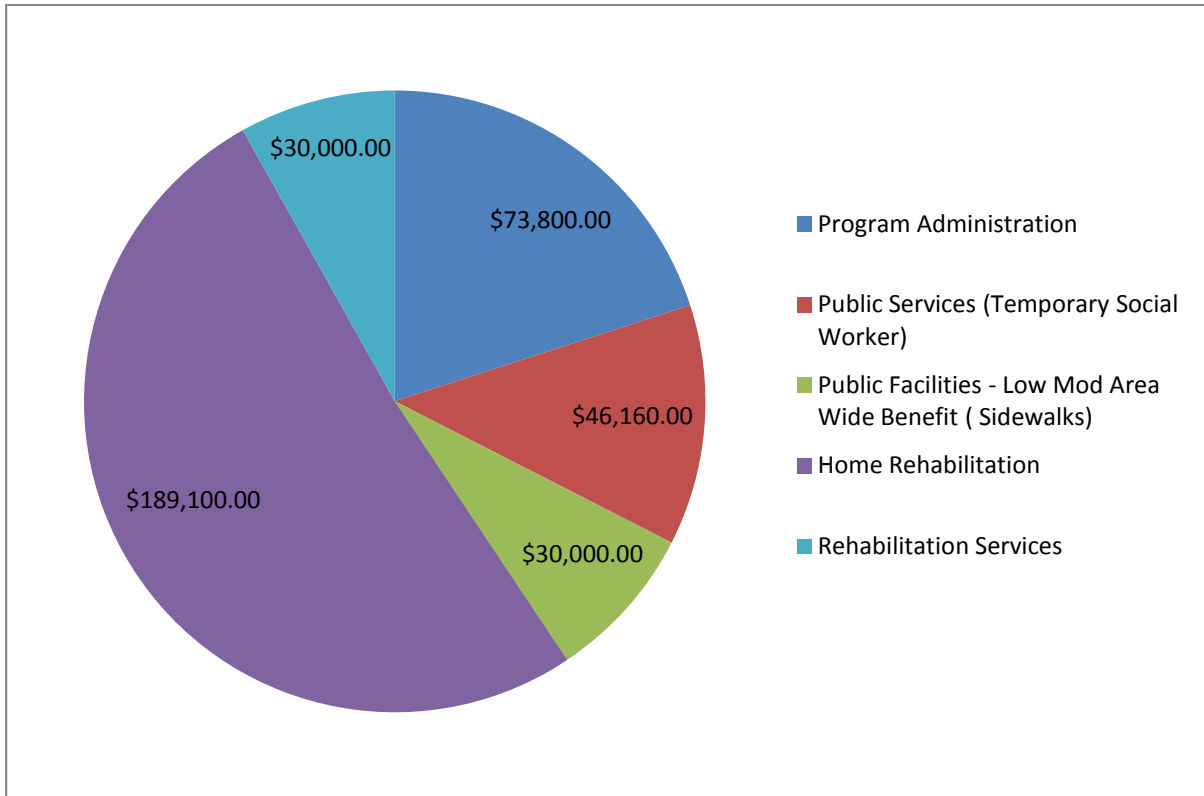
Auditing Services \$ 5,000.00

Since the FY 2010 CDBG program is an expenditure driven program that may result in total federal expenditures exceeding \$500,000, the City is required under the U.S. Single Audit Act and the OMB Circular A-133 to have an annual compliance audit conducted. These activities are presumed to benefit low and moderate-income persons and are eligible under 24 CFR 570.206(a).

Program Administration \$ 68,800.00

This activity will provide general management, oversight, and coordination of the programs. Also, this activity will provide for an annual grant audit, and provide provision of fair housing services designed to further the fair housing objectives of the Fair Housing Act, 42 U.C.C. 3601-20. These activities are presumed to benefit low and moderate-income persons and are eligible under 24 CFR 570.206(a).

FY 2013/2014 Activity Distribution



HOME FY 2013-2014 PROPOSED PROJECTS DESCRIPTIONS

(Broward County Consortium Member)

Home Rehabilitation

Minimum of 3 recipients

SHIP FY 2013-2014 PROPOSED PROJECTS DESCRIPTIONS

SHIP is not funded for FY 2013/2014

NEIGHBORHOOD STABILIZATION PROGRAM (ROUND 3) DESCRIPTIONS

Foreclosure/Abandoned Property Acquisition & Rehabilitation for the purpose of re-sale to income eligible homebuyers in areas of greatest need as identified in the City's FY2010/2011 Substantial Action Plan Amendment.

Describe the outcome measures for activities in accordance with Federal Register Notice dated March 7, 2006, i.e., general objective category (decent housing, suitable living environment, economic opportunity) and general outcome category (availability/accessibility, affordability, sustainability).

The City plans to fund the above activities to produce outcomes that fulfill HUD's objectives as follows:

- * **Accessibility, Affordability, and Sustainability** for the purpose of creating **suitable living environments.**

Project: Public Service

Social Worker

Project: Area-wide Low Mod Benefit

Installation of Sidewalks

- * **Accessibility, Affordability, and Sustainability** for the purpose **providing decent affordable housing.**

Project: Home Rehabilitation

Home Rehabilitation

Rehabilitation Services

Home Rehabilitation

**PERFORMANCE
MEASUREMENTS**

FY 2013-2014

ACTIVITY #	SPECIFIC OBJECTIVE	SOURCE OF FUNDS	PERFORMANCE INDICATORS	EXPECTED NUMBER	OUTCOME / OBJECTIVE **
Housing					
1	Home Rehabilitation	CDBG, HOME, NSP	Number of homes assisted	7 -CDBG PER YEAR 3 – HOME PER YEAR 4 – NSP ROUND 3	DH-3
2	Rehabilitation Services	CDBG, NSP	Application intake, review and processing for above homes		DH-3
Public Services					
3	Full-Time Social Worker	CDBG & CITY	Number of unduplicated clients/cases	100 unduplicated residents PER YEAR	SL-1
Area-Wide Low Mod Benefit					
4	Installation of Sidewalks	CDBG	Number of areas/locations	1 Community location PER YEAR	SL-1
** Outcome/Objective Codes		Availability/ Accessibility	Affordability	Sustainability	
Decent Housing		DH-1	DH-2	DH-3	
Suitable Living Environment		SL-1	SL-2	SL-3	
Economic Opportunity		EO-1	EO-2	EO-3	

Geographic Distribution/Allocation Priorities 91.220(d) and (f)

8. *Describe the geographic areas of the jurisdiction (including areas of low income families and/or racial/minority concentration) in which assistance will be directed during the next year. Where appropriate, the jurisdiction should estimate the percentage of funds the jurisdiction plans to dedicate to target areas.*

The City utilizes data from the 2000 Census to create a low-moderate income map for the City. All projects proposed take place within those designated areas. The City will update its low-moderate income map upon the release of the 2010 Census data. **(Low-Moderate Income Map-attached hereto)**

9. *Describe the reasons for the allocation priorities, the rationale for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA) during the next year, and identify any obstacles to addressing underserved needs.*

The main focus is maintaining affordable housing and public services to all low-moderate income residents of Tamarac, including those with special needs.

The major obstacle is funding, or lack thereof. Both federal and state allocations fluctuate and are often decreased from year to year making planning for the future and meeting the needs of the underserved difficult.

Another obstacle may be the lack of data to justify allocating funds to what may appear to be an unmet need. The 2000 Census is out dated, certain data sets from the 2010 Census is not available yet, and local resources may be unavailable to confirm an unmet need.

Annual Affordable Housing Goals 91.220(g)

****If not using the CPMP Tool:*** Complete and submit Table 3B Annual Housing Completion Goals. ****If using the CPMP Tool:*** Complete and submit the Table 3B Annual Housing Completion Goals.

10. *Describe the one-year goals for the number of homeless, non-homeless, and special-needs households to be provided affordable housing using funds made available to the jurisdiction and one-year goals for the number of households to be provided affordable housing through activities that provide rental assistance, production of new units, rehabilitation of existing units, or acquisition of existing units using funds made available to the jurisdiction. The term affordable housing shall be defined in 24 CFR 92.252 for rental housing and 24 CFR 92.254 for homeownership.*

Home Rehabilitation will be the affordable housing activity funded in the FY 2013/2014 Annual Action Plan. It is anticipated that a minimum of seven (7) dwelling units for FY 2013/2014 will receive assistance under this program.

The City of Tamarac intends to allocate funds to sustaining the existing housing stock, making funds available for barrier free accessibility, and preserving homes through strengthening and mitigation, and ensuring there is affordability in homeownership. In conjunction with the City's HOME and NSP program funds, the City will provide funding for Home Rehabilitation, including Disaster Mitigation, Barrier Free Accessibility, Code Correction, and Emergency Repairs, as well as Down Payment Assistance to low-moderate income households. The total rehabilitation cost may be limited to a minimum of five hundred dollars (\$500) to a high of thirty thousand dollars (\$30,000). The program will target low income households. However, moderate-income households will also be eligible to participate utilizing non-CDBG funds.

The housing units that are considered for rehabilitation will be classified in one of three groups. The categories are:

- (i) Standard Condition
- (ii) Substandard Condition, or
- (iii) Dilapidated Condition

Typically, most units will be classified as "standard condition" indicating that they do not have major physical damage. Repair work will include façade treatment, painting, minor exterior wood and/or masonry repairs, and energy efficiency improvements.

Units that are classified as "Substandard" will typically require repairs in the frame, foundation, roof or superstructure of the unit. Additionally, improvements may include repair and/or replacement of exterior doors and windows. Lastly, a unit may be determined to be "substandard" if it is missing some or all of the plumbing facilities.

As part of the Home Rehabilitation activity, the City will provide inspections, bid write-up, financial counseling for the homeowner and underwriting for each rehab job. All work will be based on a competitive bid process from a pre-approved list of participating contractors. All participating contractors will be State licensed contractors with the necessary bonding (if required) and insurance. The contractors will be paid directly from CDBG funds.

The housing rehabilitation will be in the form of a deferred loan grant to eligible low and moderate income homeowners.

Public Housing 91.220(h)

The service provider for public and rental subsidy housing for the City of Tamarac is the Broward County Housing Authority (BCHA). This agency receives referrals via the

North County Satellite office of the Broward County Bureau of Family and Children Services. Families renting in Tamarac, and in need of public housing, can receive assistance from the County's North Satellite office. To date, there is no public housing sites located in the city's jurisdiction. However, there is one HUD housing project that was built in 1974 in the adjacent City of Coral Springs; a majority of the units are for the elderly.

11. Describe the manner in which the plan of the jurisdiction will help address the needs of public housing and activities it will undertake during the next year to encourage public housing residents to become more involved in management and participate in homeownership.

Residents wishing to participate in homeownership activities are required to attend an 8-hour Housing Counseling course. Additionally, residents seeking guidance which are not yet ready for homeownership are recommended to visit a local housing counseling agency for both group sessions as well as one-on-one sessions to determine their weaknesses and become educated on the ways to best become "buyer ready".

12. If the public housing agency is designated as "troubled" by HUD or otherwise is performing poorly, the jurisdiction shall describe the manner in which it will provide financial or other assistance in improving its operations to remove such designation during the next year.

The Broward County Housing Authority (BCHA) is not a "troubled" agency. They received grant funds for numerous sources due to their quality programming and staff. As a HUD Certified Housing Counseling Agency, they assist residents from all over the South Florida area as well as participate regularly in outreach and educational workshops.

Homeless and Special Needs 91.220(i)

The City of Tamarac does not currently fund any homeless or homeless prevention strategies. Any homeless identified within the City are assisted through the Homeless Initiative Program (HIP). The City of Tamarac's Social Service Division is also available to assist residents with resources within the County.

A Point in Time survey was conducted in January 2013. Although dispersed throughout the entire county, the vast majority of homeless persons were concentrated within the older communities of Pompano Beach, Fort Lauderdale, and Hollywood, where the majority of services to the homeless are provided and shelters are located.

As a partner of the Broward Homeless Initiative Partnership (HIP), Tamarac participates in regular meetings and workshops to assist in addressing the needs of the County's homeless population.

The Broward County 2013 Point-in-Time Count, conducted in a 24-hour time period on January 24-25, identified that 2,810 individuals and families were homeless according to the federal definition of homelessness: they were living in places not meant for human habitation, emergency shelters or transitional housing programs. The count is required by U.S. Housing and Urban Development (HUD) and Florida's Office on Homelessness.

An additional 783 were counted as “at-risk” of homelessness, which is generally defined as an individual or family seeking permanent housing but who stayed the previous night at an institution; a hotel paid by self; a jail, prison or detention center; a family or friend's house; or were facing imminent eviction; or in foster care.

The total number of **sheltered and unsheltered** persons experiencing homelessness in Broward County decreased by 12 percent, from 3,183 to 2,810; and the number of unsheltered persons **decreased by 35 percent** from 1,268 to 829, based on HUD's biennial point-in-time count and survey as compared to the same count done in January 2011-12.

The Broward Regional Health Planning Council (BRHPC), Hands on Broward, 2-1-1 Broward and the Homeless Initiative Partnership Advisory (Partnership) Board headed up the 2013 Point-in-Time Count effort in collaboration with approximately 190 volunteers, consisting of County staff, homeless services agencies, law enforcement agencies, individuals, advocates, faith-based, foster care providers, youth and community-based organizations. Trained volunteers fanned out across the County to homeless encampments, labor pools, meal programs and homeless shelters. The results were tabulated by Dr. Patrick Hardigan of Nova Southeastern University.

The Partnership Board identified the following as contributing factors for the reduction in this year's count:

- successful programmatic efficiencies implemented during the past two years; and
- lack of participation by non-continuum affiliated agencies/programs.

Broward County HIP provided the following data for the January 2013 Point In Time count for Broward County.

Point In Time Summary for FL-601 - Ft Lauderdale/Broward County CoC

Date of PIT Count: 1/25/2013

Population: Sheltered and Unsheltered Count

Persons in Households with at least one Adult and one Child

	Sheltered		Unsheltered	Total
	Emergency	Transitional		
Total Number of Households	100	185	4	289
Total Number of persons (Adults & Children)	358	536	16	910
Number of Persons (under age 18)	251	331	0	582
Number of Persons (18 - 24)	28	43	8	79
Number of Persons (over age 24)	79	162	8	249
Average Household Size				3.1

Persons in Households with only Children (Under Age 18)

	Sheltered		Unsheltered	Total
	Emergency	Transitional		
Total number of households	14	2	0	16
Number of one-child Households	14	2	0	16
Number of multi-child Households	0	0	0	0
Total number of persons (under age 18)	14	2	0	16
Number of children in multi- child households	0	0	0	0
Average Household Size				1.0

Persons in Households without Children

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Safe Haven		
Total Number of Households	404	609	35	795	1,843
Total Number of Persons (Adults)	406	630	35	813	1884
Number of Persons (age 18 - 24)	71	31	2	44	148
Number of Persons (over age 24)	335	599	33	769	1,736

Average Household Size **1.0**

Total Households and Persons

	Sheltered			Unsheltered	Total
	Emergency	Transitional	Safe Haven		
Total Number of Households	518	796	35	799	2,148
Total Number of Persons	778	1,168	35	829	2,810
Number of Children (under age 18)	265	333		0	598
Number of Persons (18 to 24)	99	74	2	52	227
Number of Persons (over age 24)	414	761	33	777	1985
Average Household Size					1.3

Chronically Homeless Subpopulations

	Sheltered		Un-sheltered	Total
	Emergency Shelters	Safe Havens		
Chronically Homeless Individuals	111	35	262	408
Chronically Homeless Families (Total Number of Families)	1		0	1
Chronically Homeless Families (Total Persons in Household)	3		0	3

Other Homeless Subpopulations

	Sheltered	Un-sheltered	Total
	Persons in emergency shelters, transitional housing and safe havens		
Total Number of Veterans (including female Veterans)	128	97	225
Number of Female Veterans (subset of all Veterans)	21	6	27
Severely Mentally Ill	461	158	619
Chronic Substance Abuse	549	218	767
Persons with HIV/AIDS	161	8	169
Victims of Domestic Violence	182	18	200

13. *Describe, briefly, the jurisdiction's plan for the investment and use of available resources and describe the specific planned action steps it will take over the next year aimed at eliminating chronic homelessness.*

As part of the Broward County Homeless Consortium, the City takes part in on-going communication with HIP and local homeless advocates to consider funding options those cities may incorporate into the Annual Action Plans. Additionally, the County has hired a consultant to prepare an updated report on the status of the County's homeless population with action steps to consider.

14. *Describe specific action steps to address the needs of persons that are not homeless identified in accordance with 91.215(e).*
15. *Homelessness Prevention—Describe planned action steps over the next year to address the individual and families with children at imminent risk of becoming homeless.*

Barriers to Affordable Housing 91.220(j)

16. *Describe the actions that will take place during the next year to remove barriers to affordable housing.*

The City continues to support affordable housing efforts by focusing on the grants available through the CDBG, SHIP, HOME and NSP programs. By partnering with Broward County Home Consortium and Florida Housing Finance Authority, the City is able to refer residents for home ownership counseling and lender's programs as a way to negate predatory lending. The City also has lender requirements which must be met in order to fund individual requests for assistance to ensure fair housing practices.

The City of Tamarac is a participating member of the Broward Housing and Community Development Task Force which allows for participating agencies to share commons barriers to affordable housing and important resources to overcoming them. The Task Force addresses foreclosure prevention, fair housing, incentives, and any other topics related to housing and community development.

Additionally, the City currently has several incentive strategies for builders and developers working with affordable housing programs that target very low, low and moderate households.

Incentive Strategies:

- Permits, as defined in s. 163.3164(7) and (8), for affordable housing projects are expedited to a greater degree than other projects.
- The City expedites the processing of affordable housing permits through a pre-application conference.

- Affordable housing projects are identified by sales price consistent with the SHIP program's housing value limits.
- The building and Community Development Departments have employees that serve as liaisons with developers of affordable housing to assist in the permit process.
- Affordable housing projects are stamped "EXPEDITED."

Other Actions 91.220(k)

17. Describe the actions that will take place during the next year to address obstacles to meeting underserved needs, foster and maintain affordable housing, evaluate and reduce the number of housing units containing lead-based paint hazards, reduce the number of poverty-level families develop institutional structure, enhance coordination between public and private agencies (see 91.215(a), (b), (i), (j), (k), and (l)).

The City has been working with Broward County to create an Affordable Housing Policy. This policy will lay out the City's plans to foster and maintain affordable housing, ensure future housing needs are met and development is in coordination with the City's Comprehensive and Consolidated Plans. In addition to the long-term goals of the policy, the Housing Division will continue to provide lead-based paint assessments and abatement on properties identified and containing hazards.

Recently the City was invited to be a member of an "Affordable Housing Website Users Group" committee initiated by Broward County Housing Finance to create a website incorporating all local, regional, state and federal resources. The website is intended to give residents a starting point to identify resources including but not limited to: grant programs, housing counseling agencies, foreclosure prevention programs, tenant based rental programs and projects, and education and outreach events. The website is a work in progress and the City intends to continue as a member to offer feedback and ideas to improve the availability of resources to the residents of Tamarac as well as the local community.

18. Describe the actions to coordinate its housing strategy with local and regional transportation planning strategies to ensure to the extent practicable that residents of affordable housing have access to public transportation.

Throughout the year, City staff participate in several community events, outreach efforts, educational workshops, public service announcements, and invitational guest speaking opportunities at various communities, boards, organizations, non-profits, and for-profits to assess the needs of the community and share information with the residents of Tamarac as to the availability of funds

Several members of City staff are members of general local government planning boards, committees and sub-committees at which county-wide coordination is

reached on issues pertaining to planning, transportation, housing, community development and neighborhood revitalization.

PROGRAM SPECIFIC REQUIREMENTS

CDBG 91.220(l)(1)

1. *Identify program income expected to be received during the program year, including:*
 - *amount expected to be generated by and deposited to revolving loan funds;*
 - *total amount expected to be received from each new float-funded activity included in this plan; and*
 - *amount expected to be received during the current program year from a float-funded activity described in a prior statement or plan.*

Program Income is only generated when a previous recipient of CDBG funds breaks the terms of their deferred loan and repayment is due to the City. The City's Home Rehabilitation activity is the only activity in which funds are issued as a deferred loan.

Recapture Terms/Affordability Period for the Housing activities are as such:

Deferred loan secured by a lien against the property for a period of ten (10) years with zero (0) percent interest with a principal reduction of twenty (20) percent beginning in year six. At the end of the tenth year, the loan is forgiven. The pro-rated repayment is due upon the sale or transfer of the property or if cash equity is taken out within the ten (10) year loan term.

The City's loan documents provide that the obligation for repayment shall continue for the entire recapture terms even in the event of the death of the homeowner. The obligation to repay funds during the recapture period in the event of the sale of the property, or due to failure to comply with the obligations as stated in the loan document shall transfer to any heir or beneficiary of the deceased property owner.

The sale, transfer of ownership of the Property, refinancing of the Property with a cash payment to the Owner-Occupant, or the Owner-Occupant's vacation of the property as a primary residence during the ten (10) year term of the Agreement shall constitute a default. The prorated amount of the principal balance of the Deferred Payment Loan that is remaining to be paid at the time of the default shall be payable, in full, to the City of Tamarac.

2. *Program income received in the preceding program year that has not been included in a statement or plan.*

No CDBG Program Income has been received over the past year.

3. *Proceeds from Section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in its strategic plan.*
4. *Surplus funds from any urban renewal settlement for community development and housing activities.*
5. *Any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.*
6. *Income from float-funded activities.*
7. *Urgent need activities, only if the jurisdiction certifies.*
8. *Estimated amount of CDBG funds that will be used for activities that benefit persons of low- and moderate income.*

All CDBG funds will benefit low-moderate income persons, households or areas.

It is proposed that \$158,500.00 will be allocated to Home Rehabilitation for low-moderate income households, and \$43,500 will be allocated to Public Service activities for low-moderate income persons.

HOME 91.220(l)(2)

In FY 2002, the City of Tamarac became a member of the Broward County HOME Consortium along with the Entitlement Cities of Tamarac, Margate, Deerfield Beach, Sunrise, Lauderdale, Plantation, Davie, Pembroke Pines, Miramar and Coconut Creek which recently joined the Consortium. The United States Congress passed the National Affordable Housing Act In 1990. This Act created a variety of affordable housing programs, including the Home Investment Partnerships Act (HOME).

With the additional HOME funds, the City can increase the resources available for home rehabilitation. An additional three to four homeowners can be assisted because of fiscal year 2013/2014 HOME funds.

Participation in the Broward County HOME Consortium also provides advantages beyond additional funding. The consortium allows the cities to collaborate on best practices, share knowledge, leverage resources, and exchange technology on the provision of affordable housing. The ultimate and cumulative advantage of participating in the consortium is the enhanced capacity of the consortium members to provide their residents with affordable housing. The added values of quality housing in these cities include the ability to attract new businesses and working families and a reduction in code compliance issues that can translate into reduced crime and vandalism.

City Staff is able to provide the residents with direct access and assistance in the applying for, and processing of HOME funds.

In May 2009, the City of Tamarac renewed their commitment to the Broward County HOME Consortium by entering into a new three years Interlocal Agreement.

1. *Describe other forms of investment. (See Section 92.205)*
If grantee (PJ) plans to use HOME funds for homebuyers, did they state the guidelines of resale or recapture, as required in 92.254.

HOME funds are typically allocated to Home Rehabilitation; however, with the receipt of NSP3 funds, the City may re-allocate a portion of its HOME funds to homebuyers in the form of Down Payment Assistance. Should this occur, the City will incorporate resale or recapture guidelines similar to those outline in the City's Local Housing Assistance Plan (LHAP).

2. *If grantee (PJ) plans to use HOME funds to refinance existing debt secured by multifamily housing that is being rehabilitated with HOME funds, state its refinancing guidelines required under 24 CFR 92.206(b).*
3. *Resale Provisions -- For homeownership activities, describe its resale or recapture guidelines that ensure the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4).*

Should HOME funds be allocated to homeownership activities, the recapture guidelines will be as follows:

Terms of the award; Recapture and Default.

Include pay back terms in the event of default (failure to make required payments on a loan secured by a first mortgage which leads to foreclosure and/or loss of property ownership).

Deferred loan secured by a lien against the property for a period of ten (10) years with zero (0) percent interest with a principal reduction of twenty (20) percent beginning in year six. At the end of the tenth year, the loan is forgiven. The pro-rated repayment is due upon the sale or transfer of the property or if cash equity is taken out within the ten (10) year loan term

The City's loan documents provide that the obligation for repayment shall continue for the entire recapture terms even in the event of the death of the homeowner. The obligation to repay funds during the recapture period in the event of the sale of the property, or due to failure to comply with the obligations as stated in the loan document shall transfer to any heir or beneficiary of the deceased property owner.

The sale, transfer of ownership of the Property, refinancing of the Property with a cash payment to the Owner-Occupant, or the Owner-Occupant's vacation of the property as a primary residence during the ten (10) year term of the Agreement shall constitute a default. The prorated amount of the principal balance of the Deferred Payment Loan that is remaining to be paid at the time of the default shall be payable, in full, to the City of Tamarac HOME program.

4. *HOME Tenant-Based Rental Assistance -- Describe the local market conditions that led to the use of HOME funds for tenant based rental assistance program.*

If the tenant based rental assistance program is targeted to or provides a preference for a special needs group, that group must be identified in the Consolidated Plan as having an unmet need and show the preference is needed to narrow the gap in benefits and services received by this population.

5. *If a participating jurisdiction intends to use forms of investment other than those described in 24 CFR 92.205(b), describe these forms of investment.*
6. *Describe the policy and procedures it will follow to affirmatively market housing containing five or more HOME-assisted units.*
7. *Describe actions taken to establish and oversee a minority outreach program within its jurisdiction to ensure inclusion, to the maximum extent possible, of minority and women, and entities owned by minorities and women, including without limitation, real estate firms, construction firms, appraisal firms, management firms, financial institutions, investment banking firms, underwriters, accountants, and providers of legal services, in all contracts, entered into by the participating jurisdiction with such persons or entities, public and private, in order to facilitate the activities of the participating jurisdiction to provide affordable housing under the HOME program or any other Federal housing law applicable to such jurisdiction.*
8. *If a jurisdiction intends to use HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds, state its financing guidelines required under 24 CFR 92.206(b).*

HOPWA 91.220(l)(3)

The City of Tamarac is not a recipient of HOPWA funds.

1. *One year goals for the number of households to be provided housing through the use of HOPWA activities for: short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family, tenant-based rental assistance, units provided in housing facilities that are being developed, leased, or operated.*

OTHER NARRATIVES AND ATTACHMENTS

Include any action plan information that was not covered by a narrative in any other section. If optional tables are not used, provide comparable information that is required by consolidated plan regulations.

Section 3

The City has drafted a new Section 3 Plan which is included in all solicitations utilizing federal funds incorporated Section 3 language.

Under the Home Rehabilitation Program, the City partnered with a local Section 3 agency, Step-Up, for its millwork. As a Section 3 agency, Step-Up was incorporated into the program and all participating general contractors agreed to allow the Step-Up Program to bid on millwork opposed to utilizing their own millwork sub-contractors. In 2014, with the next General Contractors solicitation, Section 3 determination will be made a part of the award process. General Contractors will be asked to complete the Section 3 Business and/or Resident certifications.

Additionally, the City has hired consultants under the Neighborhood Stabilization Program – Round 3 within the “vicinity hiring” guidelines. A realtor located in the City of Tamarac was selected to assist with acquisition, property management and disposition of NSP3 properties. A local lawn maintenance company was also selected to maintain the lawns at NSP3 properties while owned by the City.

City staff has attended local Section 3 training and will continue to improve the incorporation of Section 3 into grant funded projects.

Davis Bacon

In addition to creating the above Section 3 Plan, the City recently completed its Davis Bacon Plan. All solicitations incorporate Davis Bacon requirements when federally funded. CDBG funds have been allocated to the installation of sidewalks over the past 3-4 years. Davis Bacon activities took place ensuring compliance on these jobs. Staff is invited to the award conference notifying the awarded contractor of its Davis Bacon obligations and conducts on-site interviews with labor personnel confirming labor standards are being met.

Fair Housing

Fair Housing in the City of Tamarac is promoted during community events, workshops, and as part of the one-on-one housing counseling at the staff level through Broward County Housing Authority and other local counseling agencies.

The Fair Housing Action Plan consists of updating the City's Analysis of Impediments, conducting Fair Housing educational outreach sessions, distributing Fair Housing and Predatory Lending educational materials, conducting in partnership with other jurisdictions a National Fair Housing Month event, and publishing several Public Service Announcements.

The City has an updated Analysis of Impediments on record and has been reviewed and approved by HUD's Fair Housing and Equal Opportunity office.

Additionally, the H.O.P.E. Inc. Discrimination Hotline phone number has been added the City's website and it published in the City's Tam-A-Gram newsletter once per year.

The City maintains an annual Scope of Work Agreement with H.O.P.E. Inc. for all its Fair Housing initiatives and needs. A new Analysis of Impediments will take place once the new regulations are set forth.

Application for Federal Assistance SF-424

Version 02

*1. Type of Submission:

☐ Preapplication☒ Application☐ Changed/Corrected Application

*2. Type of Application

☒ New☐ Continuation☐ Revision

* If Revision, select appropriate letter(s)

*Other (Specify)

3. Date Received:

6/12/13

4. Applicant Identifier:

5a. Federal Entity Identifier:

*5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

*a. Legal Name: City of Tamarac, FL

*b. Employer/Taxpayer Identification Number (EIN/TIN):

59-1039552

*c. Organizational DUNS:

077270940

d. Address:*Street 1: 7525 NW 88 Avenue

Street 2: _____

*City: TamaracCounty: Broward*State: FL

Province: _____

*Country: US*Zip / Postal Code 33321**e. Organizational Unit:**

Department Name:

City Manager's Office

Division Name:

Community Development Dept

f. Name and contact information of person to be contacted on matters involving this application:Prefix: Mr.*First Name: MichaelMiddle Name: C.*Last Name: Cernech

Suffix: _____

Title: City Manager

Organizational Affiliation:

City of Tamarac

*Telephone Number: 954-597-3510

Fax Number: 954-597-3520

*Email: michael.cernech@tamarac.org

Application for Federal Assistance SF-424

Version 02

***9. Type of Applicant 1: Select Applicant Type:**

C. City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

*Other (Specify)

10 Name of Federal Agency:*US Department of HUD****11. Catalog of Federal Domestic Assistance Number:**

14-218

CFDA Title:

Community Development Block Grant

***12 Funding Opportunity Number:**

*Title:

CDBG FY 13/14

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):**City of Tamarac*****15. Descriptive Title of Applicant's Project:**

Home Rehabilitation

Public Services

Public Facilities Improvements

Program Administration

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

*a. Applicant: 19, 20, 23

*b. Program/Project: 19, 20, 23

17. Proposed Project:

*a. Start Date: 10/01/2013

*b. End Date: 09/30/2014

18. Estimated Funding (\$):

*a. Federal	<u>369,060.00</u>
*b. Applicant	<u> </u>
*c. State	<u> </u>
*d. Local	<u> </u>
*e. Other	<u> </u>
*f. Program Income	<u> </u>
*g. TOTAL	<u>369,060.00</u>

***19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on _____
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E. O. 12372

***20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

☐ Yes ☒ No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

Authorized Representative:

Prefix:	<u>Mr.</u>	*First Name: <u>Michael</u>
Middle Name:	<u>C.</u>	
*Last Name:	<u>Cernech</u>	
Suffix:	<u> </u>	

*Title: City Manager

*Telephone Number: 954-597-3510

Fax Number: 954-597-3520

* Email: michael.cernech@tamarac.org

*Signature of Authorized Representative:

*Date Signed:

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form (including the continuation sheet) required for use as a cover sheet for submission of preapplications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the Federal agency (agency). Required items are identified with an asterisk on the form and are specified in the instructions below. In addition to the instructions provided below, applicants must consult agency instructions to determine specific requirements.

Item	Entry:	Item	Entry:
1.	Type of Submission: (Required): Select one type of submission in accordance with agency instructions. <ul style="list-style-type: none"> • Preapplication • Application • Changed/Corrected Application – If requested by the agency, check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this to submit changes after the closing date. 	10.	Name Of Federal Agency: (Required) Enter the name of the Federal agency from which assistance is being requested with this application.
		11.	Catalog Of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions. <ul style="list-style-type: none"> • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (specify) 	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
		13.	Competition Identification Number/Title: Enter the Competition Identification Number and title of the competition under which assistance is requested, if applicable.
		14.	Areas Affected By Project: List the areas or entities using the categories (e.g., cities, counties, states, etc.) specified in agency instructions. Use the continuation sheet to enter additional areas, if needed.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	15.	Descriptive Title of Applicant's Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For preapplications, attach a summary description of the project.
4.	Applicant Identifier: Enter the entity identifier assigned by the Federal agency, if any, or applicant's control number, if applicable.		
5a.	Federal Entity Identifier: Enter the number assigned to your organization by the Federal Agency, if any.	16.	Congressional Districts Of: (Required) 16a. Enter the applicant's Congressional District, and 16b. Enter all District(s) affected by the program or project. Enter in the format: 2 characters State Abbreviation – 3 characters District Number, e.g., CA-005 for California 5 th district, CA-012 for California 12 th district, NC-103 for North Carolina's 103 rd district. <ul style="list-style-type: none"> • If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland. • If nationwide, i.e. all districts within all states are affected, enter US-all. • If the program/project is outside the US, enter 00-000.
5b.	Federal Award Identifier: For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned Federal award identifier number. If a changed/corrected application, enter the Federal Identifier in accordance with agency instructions.		
6.	Date Received by State: Leave this field blank. This date will be assigned by the State, if applicable.	17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the State, if applicable.		
8.	Applicant Information: Enter the following in accordance with agency instructions: a. Legal Name: (Required): Enter the legal name of applicant that will undertake the assistance activity. This is the name that the organization has registered with the Central Contractor Registry. Information on registering with CCR may be obtained by visiting the Grants.gov website. b. Employer/Taxpayer Number (EIN/TIN): (Required): Enter the Employer or Taxpayer Identification Number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444. c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting the Grants.gov website. d. Address: Enter the complete address as follows: Street address (Line 1 required), City (Required), County, State (Required, if country is US), Province, Country (Required), Zip/Postal Code (Required, if country is US). e. Organizational Unit: Enter the name of the primary organizational unit (and department or division, if applicable) that will undertake the	18.	Estimated Funding: (Required) Enter the amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
		19.	Is Application Subject to Review by State Under Executive Order 12372 Process? Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the

	assistance activity, if applicable.		State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State																								
	f. Name and contact information of person to be contacted on matters involving this application: Enter the name (First and last name required), organizational affiliation (if affiliated with an organization other than the applicant organization), telephone number (Required), fax number, and email address (Required) of the person to contact on matters related to this application.	20.	Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. If yes, include an explanation on the continuation sheet.																								
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions.	21.	Authorized Representative: (Required) To be signed and dated by the authorized representative of the applicant organization. Enter the name (First and last name required) title (Required), telephone number (Required), fax number, and email address (Required) of the person authorized to sign for the applicant. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)																								
	<table border="1"> <tr> <td>A. State Government</td><td>M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)</td></tr> <tr> <td>B. County Government</td><td>N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education)</td></tr> <tr> <td>C. City or Township Government</td><td>O. Private Institution of Higher Education</td></tr> <tr> <td>D. Special District Government</td><td>P. Individual</td></tr> <tr> <td>E. Regional Organization</td><td>Q. For-Profit Organization (Other than Small Business)</td></tr> <tr> <td>F. U.S. Territory or Possession</td><td>R. Small Business</td></tr> <tr> <td>G. Independent School District</td><td>S. Hispanic-serving Institution</td></tr> <tr> <td>H. Public/State Controlled Institution of Higher Education</td><td>T. Historically Black Colleges and Universities (HBCUs)</td></tr> <tr> <td>I. Indian/Native American Tribal Government (Federally Recognized)</td><td>U. Tribally Controlled Colleges and Universities (TCCUs)</td></tr> <tr> <td>J. Indian/Native American Tribal Government (Other than Federally Recognized)</td><td>V. Alaska Native and Native Hawaiian Serving Institutions</td></tr> <tr> <td>K. Indian/Native American Tribally Designated Organization</td><td>W. Non-domestic (non-US) Entity</td></tr> <tr> <td>L. Public/Indian Housing Authority</td><td>X. Other (specify)</td></tr> </table>	A. State Government	M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)	B. County Government	N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education)	C. City or Township Government	O. Private Institution of Higher Education	D. Special District Government	P. Individual	E. Regional Organization	Q. For-Profit Organization (Other than Small Business)	F. U.S. Territory or Possession	R. Small Business	G. Independent School District	S. Hispanic-serving Institution	H. Public/State Controlled Institution of Higher Education	T. Historically Black Colleges and Universities (HBCUs)	I. Indian/Native American Tribal Government (Federally Recognized)	U. Tribally Controlled Colleges and Universities (TCCUs)	J. Indian/Native American Tribal Government (Other than Federally Recognized)	V. Alaska Native and Native Hawaiian Serving Institutions	K. Indian/Native American Tribally Designated Organization	W. Non-domestic (non-US) Entity	L. Public/Indian Housing Authority	X. Other (specify)		
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CPMP Non-State Grantee Certifications

Many elements of this document may be completed electronically, however a signature must be manually applied and the document must be submitted in paper form to the Field Office.

- | |
|--|
| <input type="checkbox"/> This certification does not apply.
<input checked="" type="checkbox"/> This certification is applicable. |
|--|

NON-STATE GOVERNMENT CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will –
 - a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted –
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

8. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
9. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
10. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Beth Talabisco

Name

Mayor

Title

7525 NW 88 Avenue

Address

Tamarac, FL 33321

City/State/Zip

954-597-3460

Telephone Number

- | |
|---|
| <input type="checkbox"/> This certification does not apply. |
| <input checked="" type="checkbox"/> This certification is applicable. |

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

11. Maximum Feasible Priority - With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
12. Overall Benefit - The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2013, 2014, 2__, (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
13. Special Assessments - It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

14. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

15. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K and R, of title 24;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Name

Title

Address

City/State/Zip

Telephone Number

- ☒ This certification does not apply.
☐ This certification is applicable.

OPTIONAL CERTIFICATION CDBG

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities, which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Signature/Authorized Official

Date

Name

Title

Address

City/State/Zip

Telephone Number

- ☐ This certification does not apply.
☒ This certification is applicable.

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Signature/Authorized Official

Date

Beth Talabisco

Name

Mayor

Title

7525 NW 88 Avenue

Address

Tamarac, FL 33321

City/State/Zip

954-597-3460

Telephone Number

- ☒ This certification does not apply.
☐ This certification is applicable.

HOPWA Certifications

The HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building -- Any building or structure assisted under that program shall be operated for the purpose specified in the plan:

1. For at least 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

Signature/Authorized Official

Date

N/A

Name

Title

Address

City/State/Zip

Telephone Number

- | |
|---|
| <input checked="checked" type="checkbox"/> This certification does not apply.
<input type="checkbox"/> This certification is applicable. |
|---|

ESG Certifications

I, _____, Chief Executive Officer of **Error! Not a valid link.**, certify that the local government will ensure the provision of the matching supplemental funds required by the regulation at 24 *CFR* 576.51. I have attached to this certification a description of the sources and amounts of such supplemental funds.

I further certify that the local government will comply with:

1. The requirements of 24 *CFR* 576.53 concerning the continued use of buildings for which Emergency Shelter Grants are used for rehabilitation or conversion of buildings for use as emergency shelters for the homeless; or when funds are used solely for operating costs or essential services.
2. The building standards requirement of 24 *CFR* 576.55.
3. The requirements of 24 *CFR* 576.56, concerning assurances on services and other assistance to the homeless.
4. The requirements of 24 *CFR* 576.57, other appropriate provisions of 24 *CFR* Part 576, and other applicable federal laws concerning nondiscrimination and equal opportunity.
5. The requirements of 24 *CFR* 576.59(b) concerning the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
6. The requirement of 24 *CFR* 576.59 concerning minimizing the displacement of persons as a result of a project assisted with these funds.
7. The requirements of 24 *CFR* Part 24 concerning the Drug Free Workplace Act of 1988.
8. The requirements of 24 *CFR* 576.56(a) and 576.65(b) that grantees develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted with ESG funds and that the address or location of any family violence shelter project will not be made public, except with written authorization of the person or persons responsible for the operation of such shelter.
9. The requirement that recipients involve themselves, to the maximum extent practicable and where appropriate, homeless individuals and families in policymaking, renovating, maintaining, and operating facilities assisted under the ESG program, and in providing services for occupants of these facilities as provided by 24 *CFR* 76.56.
10. The requirements of 24 *CFR* 576.57(e) dealing with the provisions of, and regulations and procedures applicable with respect to the environmental review

responsibilities under the National Environmental Policy Act of 1969 and related authorities as specified in 24 *CFR* Part 58.

11. The requirements of 24 *CFR* 576.21(a)(4) providing that the funding of homeless prevention activities for families that have received eviction notices or notices of termination of utility services will meet the requirements that: (A) the inability of the family to make the required payments must be the result of a sudden reduction in income; (B) the assistance must be necessary to avoid eviction of the family or termination of the services to the family; (C) there must be a reasonable prospect that the family will be able to resume payments within a reasonable period of time; and (D) the assistance must not supplant funding for preexisting homeless prevention activities from any other source.
12. The new requirement of the McKinney-Vento Act (42 *USC* 11362) to develop and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons. I further understand that state and local governments are primarily responsible for the care of these individuals, and that ESG funds are not to be used to assist such persons in place of state and local resources.
13. HUD's standards for participation in a local Homeless Management Information System (HMIS) and the collection and reporting of client-level information.

I further certify that the submission of a completed and approved Consolidated Plan with its certifications, which act as the application for an Emergency Shelter Grant, is authorized under state and/or local law, and that the local government possesses legal authority to carry out grant activities in accordance with the applicable laws and regulations of the U. S. Department of Housing and Urban Development.

Signature/Authorized Official

Date

N/A

Name

Title

Address

City/State/Zip

Telephone Number

- ☐ This certification does not apply.
- ☒ This certification is applicable.

APPENDIX TO CERTIFICATIONS

Instructions Concerning Lobbying and Drug-Free Workplace Requirements

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code) Check if there are workplaces on file that are not identified here. The certification with regard to the drug-free workplace is required by 24 CFR part 21.

Place Name	Street	City	County	State	Zip
Tamarac City Hall	7525 NW 88 AVE	Tamarac	Broward	FL	33321

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules: "Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15); "Conviction" means a finding of guilt (including a plea of *nolo contendere*) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any

controlled substance; "Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including:

- a. All "direct charge" employees;
- b. all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and
- c. temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Note that by signing these certifications, certain documents must be completed, in use, and on file for verification. These documents include:

1. Analysis of Impediments to Fair Housing
2. Citizen Participation Plan
3. Anti-displacement and Relocation Plan

Signature/Authorized Official

Date

Beth Talabisco

Name

Mayor

Title

7525 NW 88 Avenue

Address

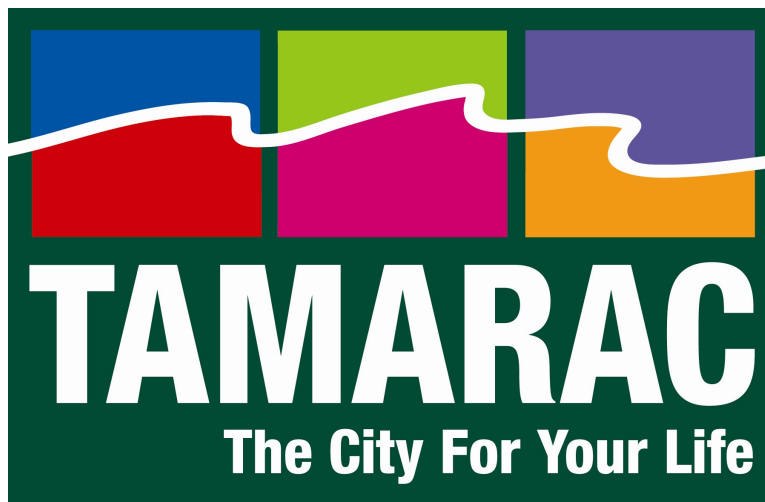
Tamarac, FL 33321

City/State/Zip

954-597-3460

Telephone Number

**CITY OF TAMARAC, FLORIDA
CITIZEN PARTICIPATION PLAN**



**In compliance with 24 CFR Part 91
Consolidated Submissions for Community Planning and
Development Programs
Subpart B: Citizen Participation and Consultation
U.S. Department of Housing and Urban Development**

**CITIZEN PARTICIPATION PLAN
CITY OF TAMARAC, FLORIDA**

Table of Contents

Introduction	3
Information to be Provided	3
Public Hearings	4
<u>Hearing Notice</u>	4
<u>Hearing Location(s)</u>	5
<u>Citizen Comment</u>	5
Amendment to the Consolidated Plan	5
<u>Publication</u>	5
<u>Criteria for Amendment</u>	6
<u>Substantial Change Amendment</u>	6
Performance Report	6
<u>Public Notice</u>	6
Access to Records	7
Technical Assistance	7
Complaints	7

Introduction

The citizen participation component of all Community Development Block Grant (CDBG) funded activities for the City of Tamarac is an important element of our Community Development Program and, if effectively implemented, can yield substantial benefits to the City both in assessing need and establishing priorities.

As a recipient of Department Housing and Urban Development (HUD) CDBG funds, the City of Tamarac is required to adopt a Citizen Participation Plan to comply with the provisions of 24 CFR Part 91: Consolidated Submissions for Community Planning and Development Programs; Subpart B: Citizen Participation and Consultation.

These requirements are designed especially to encourage participation by low and moderate income persons. Additionally, the City will take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with mobility, visual or hearing impairments.

In response to the above requirements of 24 CFR Part 91, Subpart E, the City of Tamarac Consolidated Plan Citizen Participation Plan will be implemented in a manner that encourages citizen participation in the development of the consolidated plan, any amendments to the plan, and the performance report, with appropriate information furnished to citizens.

The Citizen Participation Plan provides for the implementation of practices that encourage resident participation in the development of the Consolidated Plan, any amendments to the Plan, the Annual Action Plan, and the Consolidated Annual Performance Evaluation Report. The Citizen Participation Plan was prepared with the opportunity for resident comment.

Information to be Provided

Before the City adopts a consolidated plan, the City will make available to citizens, public agencies, and other interested parties information that included the amount of assistance the City expects to receive and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income and the plans to minimize displacement of persons and to assist any persons displaced. This information will be included in a summary of the proposed consolidated plan, which the City will publish for comment.

The summary will be published in the Sun Sentinel or Miami Herald, newspapers of general circulation, and also may be published in other local newspapers at the City's discretion.

The summary will describe the contents and purpose of the consolidated plan, and will state that copies of the entire proposed plan may be examined at the Community Development Department, Housing Division, located at 7525 NW 88 Avenue, Tamarac, FL 33321, and at other government offices, libraries or public places that the City may deem appropriate.

The summary will be published to allow a period of not less than 30 days to receive comments from citizens on the proposed consolidated plan before the plan is finalized. The City will consider any comments or views of citizens received in writing, or orally at public hearings, in preparing the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the final consolidated plan.

Notification of the availability of the consolidated plan as adopted will be published in the "Sun Sentinel", a newspaper of general circulation, and also may be published in other local newspapers at the City's discretion.

The notification will state that copies of the adopted consolidated plan can be examined at City Hall, Community Development Department, Housing Division, located at 7525 NW 88 Avenue, Tamarac, FL 33321 and at other government offices, libraries or public places that the City may deem appropriate.

Public Hearings

The City will conduct at least two (2) public hearings annually to obtain citizens' views and to respond to proposals and questions. The hearings will be conducted at a minimum of two different stages of the program year. Together, these hearings will address housing and community development needs, development of proposed activities, and review of program performance. In order to obtain the views of citizens on housing and community development needs, including priority non-housing community development needs, at least one of these hearings will be held before the summary of the proposed consolidated plan is published for comment. The City is not required to hold a public hearing to amend the consolidated plan, although one of the public hearings could accommodate such a discussion.

Adequate advance notice of each hearing will be given to citizens, with sufficient information published about the subject of the hearing to permit informed comment.

Hearing Notice

Each public hearing notice will be published in the Sun Sentinel or Miami Herald, newspapers of general circulation, and also may be published in other local newspapers at the City's discretion. Each notice will be published in advance of the public hearing date.

The City will allow for a 30-day public review period for each Annual Action Plan prior to the public hearing date at which the City Commission is scheduled to approve the

Annual Action Plan. During this 30-day public review period, the Action Plan will be available for review at various locations throughout City Hall to receive citizen comment. All comments will be reflected in the Action Plan.

Hearing Location(s)

Public hearings will be held at times and locations convenient to potential and actual beneficiaries, and with accommodations for persons with disabilities. Public hearings may be held during regularly scheduled City Commission meetings. In cases where a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, a translator will be provided to meet the communication needs of the non-English speaking residents.

Citizen Comment

The City will consider any comments or views of citizens received in writing, orally at the public hearings, in preparing the final consolidated plan, amendments of the plan or the performance report. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the adopted consolidated plan, amendments of the plan, or performance report.

Amendment to the Consolidated Plan

Publication

When the City decides to make a change that requires an amendment of the consolidated plan, the City will provide citizens with reasonable notice of the change and an opportunity to comment on it. A summary of the proposed amended consolidated plan will be published in the Sun Sentinel or Miami Herald, newspapers of general circulation, and also may be published in other local newspapers at the City's discretion.

The summary will be published to receive comments from citizens on the proposed amended consolidated plan, prior to finalization and submission to HUD. The City will consider the comments or views received in writing in preparing the final amendment of the plan. A summary of these public comments or views, and a summary of any comments or views not accepted and reasons therefore, will be attached to the adopted amended consolidated plan.

The City will make the adopted amended consolidated plan available to the public at the time it is submitted to HUD and before it implements changes stipulated in the amendment. The above noted published summary will state that copies of the amended consolidated plan will be available to be examined at the Community Development Department, 7525 NW 88th Avenue, Tamarac, FL 33321, and at other governmental offices, libraries or public places that the City may deem appropriate.

Criteria for Amendment

The City will amend its approved plan whenever it makes one of the following decisions:

1. To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan; or
2. To make substantial change in its allocation priorities or a substantial change in the method of distribution of funds; or
3. To substantially change the purpose, scope, location, or beneficiaries of an activity.

Substantial Change Amendment

The City will apply the following criteria in determining whether a change in an activity or project represents a substantial change:

- A. Cancellation of an activity or project previously described in the consolidated plan.
- B. The movement of funds from one eligible activity to another by more than 25% of the costs of the total projects involved as projected in the consolidated plan. Projects included in the consolidated plan whose actual costs exceed the estimates presented in the consolidated plan are exempt from this policy when contingency funds are used to complete the project.
- C. The activity will not meet the National Objective that has been designated by the City in the consolidated plan.
- D. The aggregate use of CDBG funds fails to principally benefit very low- and low-income families in a manner that ensures that at least 70 percent of the amount expended is for activities that benefit such persons during the designated period.

Performance Report

Public Notice

The City will submit its Consolidated Annual Performance Evaluation Report to HUD within 90 days after the close of the City's program year. Notification of availability of the performance report will be published in the Sun Sentinel or Miami Herald, newspapers of general circulation, and may be published in other local newspapers at the City's discretion.

The notification will be published prior to public hearing to receive comments from citizens on the performance report, prior to finalization and submission to HUD.

A summary of these public comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the performance report.

As stated in the Public Hearings section of this Citizen Participation Plan, performance will also be discussed at one of the two public hearings, at a minimum.

Access to Records

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the City's consolidated plan and the City's use of assistance under the programs covered by 24 CFR Part 91. To request information, interested parties may contact the Community Development Department at 7525 NW 88th Avenue, Tamarac, FL 33321.

Technical Assistance

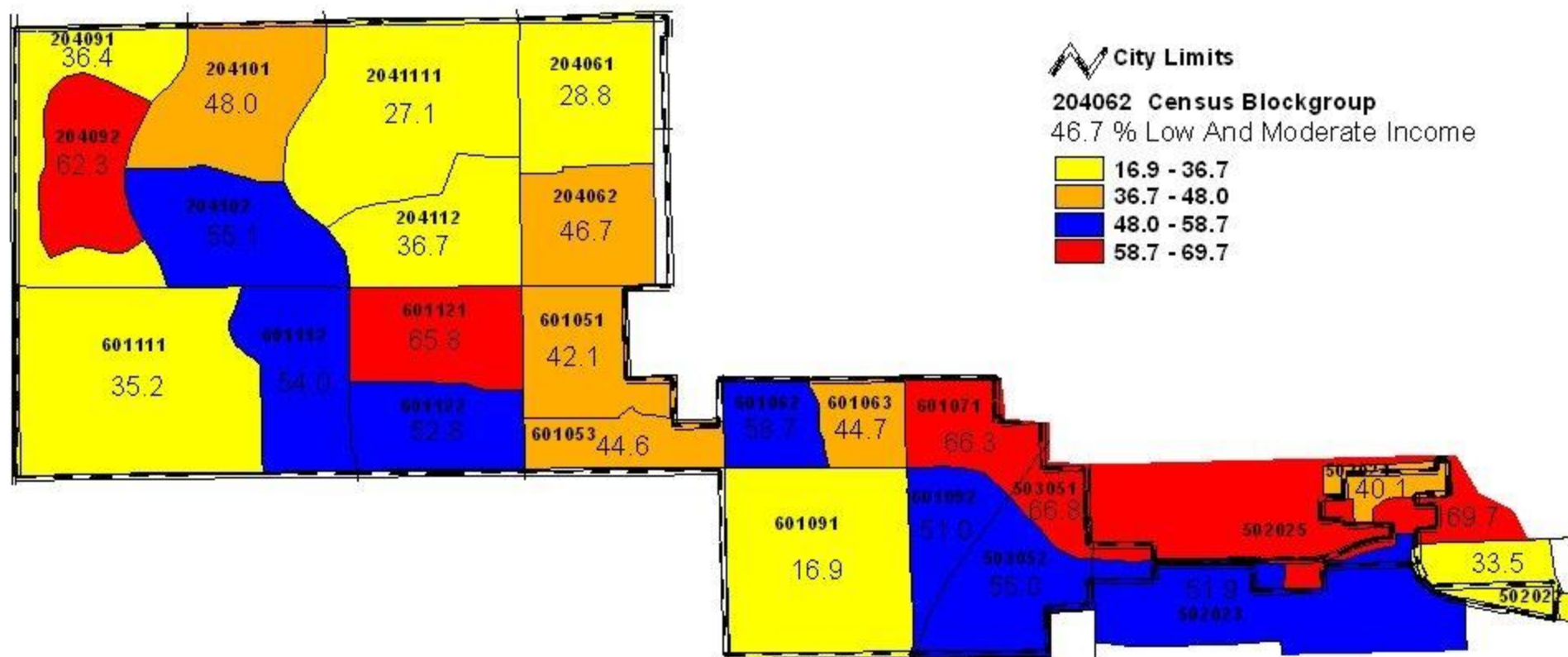
The City will provide technical assistance to groups representative of persons of very low- and low-income that request such assistance in developing proposals for funding assistance under any of the programs covered by the consolidated plan, with the level and type of assistance determined by the City.

City Staff is available year-round for presentations or assistance to all interested parties, including appearances before homeowners' associations, as well as civic community action groups operating in areas traditionally affected by CDBG projects and activities.

Complaints

The City will respond to all complaints from citizens related to the consolidated plan, amendments of the plan, or the performance report. The City will provide a timely, substantive written response to every written citizen complaint, within 15 working days, where practical. Complaints registered orally will be logged in the Complaint Register located in the Community Development Department, with all pertinent information recorded. The complaint will be responded to orally, or in writing, as deemed appropriate by the City.

Low and Moderate Income % By Blockgroup



1 0 1 Miles

Data Source: Table 6 of CDGB Consolidated Plan
This map is for general display purposes only.
May 31, 2005.





Title - TO2282 - Sabal Palm Community Development District - Expansion

Motion to adopt an Ordinance of the City Commission of the City of Tamarac, Florida, **on second reading** expanding the boundaries of the Sabal Palm Community Development District; describing the boundaries of the area added to the district and describing the external boundaries of the expanded district; providing for severability; providing for conflicts; and providing an effective date.

PASSED ON FIRST READING JUNE 12, 2013

ATTACHMENTS:

Name:

Description:

- 📎 [1203004m Sabal Palm-CDD.pdf](#)
- 📎 [2013-2282 \(Amending Sabal Palm CDD\) .rev.doc](#)
- 📎 [Exhibit A.pdf](#)
- 📎 [Exhibit B.pdf](#)
- 📎 [Exhibit C.pdf](#)
- 📎 [Expansion of Sabal Palm CDD Location Map.pdf](#)

- TO2282 - Memo
- TO2282 - Ordinance
- TO2282 - Exhibit A
- TO2282 - Exhibit B
- TO2282 - Exhibit C
- TO2282 - Site Location Map

CITY OF TAMARAC
INTEROFFICE MEMORANDUM (13-05-015M)
COMMUNITY DEVELOPMENT

TO: Michael C. Cernech,
City Manager

DATE: May 29, 2013

FROM: Jennifer K. Bramley,
Director of Community Development

RE: TO No. 2282 - Allowing for the
Expansion of the Sabal Palm
Community Development
District

Recommendation: The Director of Community Development recommends that the City Commission approve on first reading, Temporary Ordinance 2282, allowing for the expansion of the Sabal Palm Community Development District at its June 12, 2013 meeting and set second reading for July 10, 2013.

Issue:

The City Commission approved the Sabal Palm Community Development District (SPCDD) in March 2012. The district encompasses the Sabal Palm community located immediately north and south of Commercial Boulevard, between Rock Island Road to the west and Florida's Turnpike to the east. The SPCDD includes the 434 single family homes in the 109.03 acre community.

Background:

A Community Development District (CDD) is a local special purpose governmental entity authorized by Chapter 190 of the Florida Statutes (as amended) to plan, finance, construct, operate and maintain community-wide infrastructure in planned developments.

CDD's possess several powers as a legal entity, such as the right to enter into contracts; the right to own both real and personal property; adopt by-laws, rules and regulations and orders; to sue and be sued; to obtain funds by borrowing; to issue bonds and levy assessments. CDD's provide a mechanism for the financing and management of new communities. The community development district may impose and levy taxes or assessments, or both taxes and assessments, on the property.

Analysis:

Community Development Districts

Community Development Districts are permitted under Chapter 190 of the Florida State Statutes and have been allowed in Florida since 1980. Taxes and assessments pay the construction, operation and maintenance costs of certain public facilities and services of the district and are set annually by the governing board of the district. These taxes and assessments are in addition to county and other local governmental taxes and assessments and all other taxes and assessments provided for by law.

A CDD is governed by its Board of Supervisors which is elected initially by the landowners, then begins transitioning to residents of the CDD after six years of operation. Like all municipal, county, state, and national elections, the Office of the Supervisor of Elections oversees the vote, and CDD Supervisors are subject to state ethics and financial disclosure laws.

The CDD's business is conducted in the "Sunshine", which means all meetings and records are to open to the public. Public hearings are held on CDD assessments and the CDD's budget is subject to annual independent audit.

A CDD is a unit of local government like a county or a city, although it does not have the regulatory and many other powers of a county or city. Board meetings must be noticed in a local newspaper and are always conducted in public. CDDs must make district records available for public inspection during normal business hours. Supervisors are subject to the same financial disclosure requirements as other local officials.

Since CDDs are subject to public scrutiny, this provides other local governments and permitting agencies with a level of comfort for the governmental powers that CDDs have been given by the Legislature. The CDD will own, operate and maintain all common areas within the district. Given that the CDD has a guaranteed funding source and will be administered by professionals, the proper long-term maintenance of common areas such as roads, waterways and buffers will be assured.

Expansion of the Sabal Palm Community Development District

Florida Statutes permit expansion of the community development district. In keeping with statutory requirements, the City received a request from the Sabal Palm Community Development District Board to expand its boundaries by adding 59.95 acres that encompass the Palm Cove development located east of Florida's Turnpike and south of Commercial Boulevard (see attached location map). Staff believes that the expansion is in the public interest given that the CDD has a guaranteed funding source, is administered by professionals, and that the proper long-term maintenance of common areas such as roads, waterways and buffers will be assured.

The City Attorney's Office and Public Services Department has reviewed the applicant's petition, and find it legally and professionally sufficient.

City support of this initiative is consistent with the City's Strategic Plan, Goals 2 and 5:

Goal 2: "The City of Tamarac will utilize financial management to develop and maintain a healthy financial environment, encouraging and supporting economic development and redevelopment".

Goal 5: "The City of Tamarac will provide resources, initiatives and opportunities to continually revitalize our community and preserve the environment".

Fiscal Impact: There is no cost to the City to expand the Sabal Palm Community Development District. The developer has paid a \$5,000 application fee and will pay all costs incurred for required legal advertisements.



Jennifer K. Bramley
Director of Community Development

JKB/alg

Attachment: Temporary Ordinance No. 2282
Applicant's Petition – Exhibit A – Petition
 - Exhibit B – Legal Description of Additional Area
 - Exhibit C – Description of Boundaries
Site Location Map

ORDINANCE NO. 2013- _____**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, EXPANDING THE BOUNDARIES OF THE SABAL PALM COMMUNITY DEVELOPMENT DISTRICT; DESCRIBING THE BOUNDARIES OF THE AREA ADDED TO THE DISTRICT AND DESCRIBING THE EXTERNAL BOUNDARIES OF THE EXPANDED DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, on April 25, 2012, the City Commission enacted Ordinance No. 2012-08, establishing the Sabal Palm Community Development District (the "District"), as a community development district pursuant to Chapter 190, Florida Statutes, and its external boundaries; and

WHEREAS, the external boundaries of the District currently contain approximately 109.03 acres of real property located entirely within the jurisdictional boundaries of the City; and

WHEREAS, pursuant to Section 190.046(1), Florida Statutes, the Board of Supervisors of the District has submitted a petition (the "Petition") to the City, a copy of which is attached hereto and incorporated herein as **Exhibit "A"**, requesting that the boundaries of the District be expanded to include an additional 52.95 acres, confined within the Monterey Plat, so that thereafter, approximately 161.98 acres of real property will be located within the jurisdictional boundaries of the District; and

WHEREAS, the City Commission of the City of Tamarac finds that the District is the best method available to deliver community development services and facilities to the area served by the District, that the services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

SSG:DNT:SRW

and facilities, and that the area to be served by the District is amenable to governance by the District; and

WHEREAS, the City Commission of the City of Tamarac deems the expansion of the District, to include the property identified in the Petition, to constitute a timely, efficient and effective way to deliver community development services to the area described, and therefore, to be in the best interests of the citizens and residents of the City.

NOW THEREFORE, BE IT ORDAINED 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 Ordinance. All exhibits attached hereto are hereby incorporated herein by this reference.

SECTION 2: AUTHORITY FOR THIS ORDINANCE. The City of Tamarac, Florida (the "City"), is authorized to adopt this ordinance under the authority granted by the provisions of Chapters 166 and 190, Florida Statutes, as amended, and other applicable provisions of law.

SECTION 3: FINDINGS. It is hereby found and determined that:

- A. The City Commission, after proper published notice, conducted a local, public, legislative and information gathering hearing as required by law, and hereby finds that:
 - 1. The Petition is complete in that it meets the requirements of Section 190.046(1), Florida Statutes, and all statements contained in the Petition are true and correct;
 - 2. The appropriate administrative staff personnel of the City of Tamarac have reviewed and approved the Petition for the expansion of the District boundaries;
 - 3. The land to be expanded into the District does not exceed 50% of the acres initially located within the District and the Board of Supervisors of the District has not previously petitioned the City for the expansion or

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Words in underlined type are additions.

SSG:DNT:SRW

contraction of the District's boundaries;

4. The costs to the City and government agencies for the expansion of the District are nominal. There is no adverse impact on competition or employment from District expansion. The persons affected by the expansion are the future landowners, present landowners, the City and its taxpayers and the State of Florida. There is a net economic benefit flowing to these persons from the District boundary expansion, as the District will manage and finance the statutory services identified in the area to be included in the District. The impact of District expansion and function on competition and the employment market is generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs of not approving the expansion, is as economically viable as expanding the District. The statement of estimated regulatory costs for this Petition is adequate.
5. Expansion of the District's boundaries is not inconsistent with any applicable elements or portion of the State of Florida's comprehensive plan or of the effective City comprehensive plan.
6. The area of land within the proposed revised boundaries of the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable with the balance of the District as one functional interrelated community.
7. The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District.
8. The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.
9. The area that will be served by the District following expansion of the District's boundaries is amenable to a combined special district government.
10. All notice requirements of law were met and complete notice was timely given.

- B. The City now desires to grant the Petition and to expand the District, as more fully set forth herein.

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

SSG:DNT:SRW

SECTION 4. DISTRICT NAME. The City hereby grants the Petition. The District as herein expanded will continue to be known as the "Sabal Palm Community Development District."

SECTION 5. EXPANSION OF DISTRICT. The Sabal Palm Community Development District, as created by general law, is hereby expanded to include the expansion property, as described in the Petition, attached hereto as **Exhibit "A"**, and the new, expanded boundaries of the Sabal Palm Community Development District (including the expansion property) shall include the real property described in **Exhibit "B"**. The District upon the effective date of this Ordinance, shall be duly and legally authorized to exist on all of the real property described in **Exhibit "C"**, and to exercise its general and special powers, in accordance with, and as granted by, its uniform community development district charter as provided in Chapter 190, Florida Statutes, without question as to the District's expansion, and its continued rights and authority and power to exercise its limited powers under the law.

SECTION 6. CONSENT TO EXERCISE OF SPECIAL POWERS. The District, as expanded, shall continue to exercise those specific powers that were granted to it in Ordinance No. 2012-08, namely, the general and special powers which the District is authorized to exercise pursuant to sections 190.011 and 190.012(1), Florida Statutes. Additionally, the City hereby consents to the exercise by the District, as expanded, of the special powers set forth in subsections (a) and (d) of section 190.012(2), Florida Statutes, which authorize the District to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for the following:

- (a) Parks and facilities for indoor and outdoor recreational, cultural, and educational uses;

* * *

- (d) Security, including, but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, when authorized by proper governmental agencies; except that the district may not exercise any police power, but may contract with the appropriate local general-purpose government agencies for an increased level of such services within the district boundaries.

SECTION 7. 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 8. 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 shall be considered as eliminated and so not effecting the validity of the remaining portions or applications remaining in full force and effect.

SECTION 9. This Ordinance shall become effective immediately upon its passage and adoption.

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

SSG:DNT:SRW

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

SSG:DNT:SRW

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, 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

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

SSG:DNT:SRW

EXHIBIT "A"

PETITION TO EXPAND EXTERNAL BOUNDARIES OF THE DISTRICT

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

SSG:DNT:SRW

EXHIBIT "B"

LEGAL DESCRIPTION OF ADDITIONAL AREA TO BE ADDED TO DISTRICT

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

SSG:DNT:SRW

EXHIBIT "C"

DESCRIPTION OF PROPERTY AND EXTERNAL BOUNDARIES OF THE DISTRICT

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

SSG:DNT:SRW

EXHIBIT "A"

PETITION TO EXPAND EXTERNAL BOUNDARIES OF THE DISTRICT

2012 DEC 27 AM 10 03

RECEIVED
CITY OF TAMARAC
CITY MANAGER

**CITY COMMISSION
CITY OF TAMARAC, FLORIDA**

**IN RE: PETITION PURSUANT TO
SECTION 190.046(1), FLORIDA STATUTES,
TO EXPAND THE BOUNDARIES OF
SABAL PALM COMMUNITY
DEVELOPMENT DISTRICT**

**PETITION TO EXPAND BOUNDARIES OF SABAL PALM
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors (the “Board”) of the Sabal Palm Community Development District, an independent special district established pursuant to Chapter 190, Florida Statutes (the “District”), and Ordinance No. 2012-08 of the City of Tamarac, Florida (the “City”) adopted on April 25, 2012 (the “Ordinance”), hereby petitions the **CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA** (the “City Commission”), in accordance with Section 190.046(1) of the Uniform Community Development Act of 1980, Chapter 190, Florida Statutes (the “Act”), to expand the boundaries of the District and in support thereof, hereby attests as follows:

1. That approximately 109.03 acres, more or less, are currently within the external boundaries of the District.
2. That the Board desires to expand the boundaries of the District by adding approximately 52.95 acres, more or less, as described on Exhibit A-1. Following such expansion of the District’s boundaries, all lands in the District will continue to be located wholly within the City’s boundaries.

3. That the real property to be included within the external boundaries of the District does not exceed 50% of the acres initially located within the boundaries of the District and all petitions of the District, including this petition, submitted to the City Commission subsequent to the initial petition seeking establishment of the District do not encompass more than a total of 500 acres.

4. That annexed hereto as Exhibit A-2 and made a part hereof is a metes and bounds description of the external boundaries of the District following the proposed expansion of such boundaries. No real property within the external boundaries of the District as proposed is to be excluded therefrom.

5. That annexed hereto as Exhibit B is the proposed timetable for construction of any District services to the area to be newly included in the District and the estimated cost of constructing the proposed services.

6. That annexed hereto as Exhibit C and made a part hereof is evidence of the written consent to the inclusion of its property in the District by the owner (directly or as attorney in fact) of one hundred percent (100%) of the real property to be newly included within the District.

7. That annexed hereto as Exhibit D and made a part hereof is a designation of the future general distribution, location, and extent of public and private uses of land proposed for the area to be included in the District by the future land use plan element of the effective local government comprehensive plan.

8. That annexed hereto as Exhibit E and made a part hereof is a statement of estimated regulatory costs in accordance with the requirements of Section 120.541, Florida Statutes.

9. That following the proposed expansion of the District's boundaries (i) the property within the District will not be inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan; (ii) the property comprising the District will be of sufficient size, compactness, and contiguity to be developable as one functional interrelated community; (iii) the District will continue to present the best alternative available for delivering the community development facilities and services to the property that will be served by the District; (iv) the community development facilities and services of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and (v) the property comprising the District will be amenable to separate special-purpose government.

10. That all statements contained within this Petition are true and correct.

WHEREFORE, Petitioner, the Board of Supervisors of the Sabal Palm Community Development District, hereby respectfully requests the Commission to:

A. Direct its staff to notice, as soon as practicable, a local public non-emergency hearing pursuant to the requirements of Section 190.046(1)(b) of the Act to consider whether to grant the petition for the expansion of the District's boundaries and to amend the Ordinance establishing the District to reflect the new boundaries of the District.

B. Grant the petition and enact an ordinance pursuant to applicable law amending the Ordinance establishing the District to reflect the new boundaries of the District.

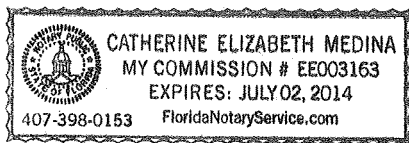
RESPECTFULLY SUBMITTED this 20th day of December, 2012

SABAL PALM COMMUNITY
DEVELOPMENT DISTRICT

By: Charles Morris
Name: Charles B. Morris, Sr.
Title: Chairman

STATE OF FLORIDA
COUNTY OF Miami-Dade)

The foregoing instrument was acknowledged before me this 20 day of December, 2012, by Charles Morris, the Chairman of the BOARD OF SUPERVISORS OF SABAL PALM COMMUNITY DEVELOPMENT DISTRICT, who is personally known to me [☒] or produced _____ as identification.



Catherine Medina
Notary Public
Catherine Medina
Typed, printed or stamped name of Notary Public

EXHIBIT A-1

LEGAL DESCRIPTION OF AREA TO BE ADDED TO DISTRICT

All of the Plat of Monterey by Prestige, according to the Plat thereof, as recorded in Plat Book 178, Page 119, of the Public Records of Broward County, Florida, less and except Tract "D" and Tract "E" thereof.

EXHIBIT A-2

LEGAL DESCRIPTION OF NEW DISTRICT BOUNDARIES

DESCRIPTION

LEGAL DESCRIPTION:

A PORTION OF SABAL PALM BY PRESTIGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 71 THROUGH 87, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 13, 14 AND 15 OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND A PORTION OF TRACT 3 OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, "FORT LAUDERDALE TRUCK FARMS SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 00°13'45" WEST, ALONG THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 60.01 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 87.38 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 44°41'35" WEST, A DISTANCE OF 49.03 FEET; THENCE NORTH 00°13'45" WEST, ALONG A LINE 53.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 1,220.65 FEET, TO A POINT 5.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID TRACT 13; THENCE SOUTH 89°09'25" EAST, ALONG A LINE 5.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID TRACTS 13, 14 AND 15 A DISTANCE OF 3,908.21 FEET, TO THE EAST LINE OF SAID TRACT 15; THENCE SOUTH 00°12'55" EAST ALONG THE EAST LINE OF SAID TRACT 15, A DISTANCE OF 381.98 FEET; THENCE SOUTH 44°01'43" WEST, A DISTANCE OF 197.50 FEET; THENCE SOUTH 77°27'33" WEST, A DISTANCE OF 174.15 FEET; THENCE NORTH 78°34'08" WEST, A DISTANCE OF 369.90 FEET; THENCE SOUTH 52°55'08" WEST, A DISTANCE OF 276.97 FEET; THENCE SOUTH 27°01'40" WEST, A DISTANCE OF 358.82 FEET; THENCE SOUTH 39°57'13" WEST, A DISTANCE OF 684.60 FEET; THENCE NORTH 47°52'28" WEST, A DISTANCE OF 43.36 FEET; THENCE SOUTH 41°54'19" WEST, A DISTANCE OF 15.00 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 41°54'19" WEST FROM THE LAST DESCRIBED POINT; THENCE NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,014.93 FEET, A CENTRAL ANGLE OF 41°03'44" AND AN ARC LENGTH OF 727.37 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 9.75 FEET; THENCE NORTH 00°50'35" EAST, A DISTANCE OF 603.00 FEET; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 80.00 FEET; THENCE NORTH 00°50'35" EAST, A DISTANCE OF 191.77 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 353.00 FEET; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 323.00 FEET, TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 80°00'00" AND AN ARC LENGTH OF 324.63 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 59°09'25" EAST, A DISTANCE OF 293.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 135.00 FEET, A CENTRAL ANGLE OF 116°26'13" AND AN ARC LENGTH OF 274.35 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 43°33'39" AND AN ARC LENGTH OF 547.40 FEET, TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE EASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS 220.00 FEET, A CENTRAL ANGLE OF 31°41'55" AND AN ARC LENGTH OF 121.71 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 19°16'00" EAST FROM THE LAST DESCRIBED POINT; THENCE EASTERLY, NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 198°25'25" AND AN ARC LENGTH OF 415.58 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST ALONG A LINE 275.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID TRACTS 13, 14 AND 15, A DISTANCE OF 2,210.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY, SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 234°18'53" AND AN ARC LENGTH OF 490.75 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 775.53 FEET; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 276.77 FEET; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 509.68 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 51°49'54" AND AN ARC LENGTH 140.22 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 39°00'41" WEST, A DISTANCE OF 162.33 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 38°10'06" AND AN ARC LENGTH OF 103.26 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 235.38 FEET, THE LAST TWENTY DESCRIBED COURSES BEING COINCIDENT WITH THE BOUNDARY OF "THE MAINLANDS OF TAMARAC LAKES 7th SECTION" RECORDED IN PLAT BOOK 68, PAGE 4, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 89°09'25" WEST, ALONG A LINE 60.00 FEET NORTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 762.76 FEET TO THE POINT OF BEGINNING.

(CONTINUED)

SHEET 1 OF 4

A PORTION OF
SABAL PALM BY PRESTIGE
(P.B. 178, PG. 71-87, B.C.R.)

D
GERCHAR, INC.
SURVEYORS AND MAPPERS
12075 N.W. 40th Street, Bay 1
Coconut Springs, Florida 33065
(954) 540-4025 • Fax: (954) 255-2584

DESCRIPTION

(CONTINUED)

LESS AND EXCEPT THEREFROM THE FOLLOWING:

A PORTION OF TRACT 13 OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" RECORDED IN PLAT BOOK 4, PAGE 31, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 00°13'45" WEST, ALONG THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 60.01 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 87.36 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 44°41'35" WEST, A DISTANCE OF 49.03 FEET; THENCE NORTH 00°13'45" WEST, ALONG A LINE 53.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 1,220.65 FEET, TO A POINT 5.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF TRACT 13 OF SAID SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST; THENCE SOUTH 89°09'25" EAST, ALONG SAID LINE 5.00 FEET SOUTH OF THE NORTH LINE OF SAID TRACT 13, A DISTANCE OF 600.00 FEET; THENCE SOUTH 00°13'45" EAST, A DISTANCE OF 334.48 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 61°33'50" EAST, FROM THE LAST DESCRIBED POINT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 57°19'51" AND AN ARC LENGTH OF 120.07 FEET (THE LAST DESCRIBED CURVE ALSO BEING THE WESTERLY LINE OF "THE MAINLANDS AT TAMARAC LAKES 7TH SECTION", AS RECORDED IN PLAT BOOK 68, PAGE 4, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA); THENCE SOUTH 00°13'45" EAST, A DISTANCE OF 805.39 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST COMMERCIAL BOULEVARD; THENCE NORTH 89°09'25" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF WEST COMMERCIAL BOULEVARD AND ALONG A LINE 60.00 FEET NORTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 565.65 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PORTION OF SABAL PALM BY PRESTIGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 71 THROUGH 87, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 4 AND 5 OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, RECORDED IN PLAT BOOK 4, PAGE 31, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13, THENCE SOUTH 89°09'25" EAST, ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 375.08 FEET; THENCE SOUTH 00°13'00" EAST, A DISTANCE OF 67.01 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 00°13'00" EAST, A DISTANCE OF 1,345.52 FEET; THENCE SOUTH 89°47'00" WEST, A DISTANCE OF 325.00 FEET; THENCE SOUTH 00°13'00" EAST, ALONG A LINE 50.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 960.00 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 50th STREET, AS SHOWN ON THE PLAT "THE MAINLANDS OF TAMARAC LAKES 6th SECTION", RECORDED IN PLAT BOOK 65, PAGE 46, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, (SAID POINT BEING FURTHER DESCRIBED AS BEING ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 89°47'00" EAST, FROM THE LAST DESCRIBED POINT); THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°47'00" EAST, A DISTANCE OF 175.00 FEET; THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE OF N.W. 50th STREET; THENCE NORTH 00°13'00" WEST, A DISTANCE OF 505.00 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 135.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 212.06 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°47'00" EAST, A DISTANCE OF 268.00 FEET; THE LAST THREE DESCRIBED COURSES BEING COINCIDENT WITH WESTERLY AND NORTHERLY BOUNDARY LINES OF BLOCK 118, OF SAID PLAT OF "THE MAINLANDS OF TAMARAC LAKES 6th SECTION"; THENCE NORTH 00°13'00" WEST, ALONG THE WESTERLY LINE OF LOT 1, BLOCK 118, OF SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6th SECTION" AND NORTHERLY PROJECTION OF THE WESTERLY BOUNDARY LINE OF BLOCK 107 OF SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6th SECTION", A DISTANCE OF 1,549.41 FEET; THENCE NORTH 89°47'00" EAST, A DISTANCE OF 90.00 FEET; THENCE NORTH 00°13'00" WEST, A DISTANCE OF 116.82 FEET; THENCE NORTH 44°41'15" WEST, A DISTANCE OF 25.03 FEET; THENCE NORTH 89°09'25" WEST, ALONG A LINE 67.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 347.52 FEET TO THE POINT OF BEGINNING.

(CONTINUED)

SHEET 2 OF 4

A PORTION OF
SABAL PALM BY PRESTIGE
(P.B. 178, PG. 71-87, B.C.R.)

D. GERCHAR, INC.
SURVEYORS AND MAPPERS
12075 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 • Fax: (954) 255-6584

DESCRIPTION

(CONTINUED)

TOGETHER WITH THE FOLLOWING:

A PORTION OF SABAL PALM BY PRESTIGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 71 THROUGH 87, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 2, 3, 4, 5, 6 AND 12 OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, RECORDED IN PLAT BOOK 4, PAGE 31, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH 89°09'25" EAST, ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 784.12 FEET; THENCE SOUTH 00°13'00" EAST, A DISTANCE OF 85.48 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 00°13'00" EAST, A DISTANCE OF 242.58 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 967.55 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 626.93 FEET, A CENTRAL ANGLE OF 50°36'05" AND AN ARC LENGTH OF 553.68 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 38°33'14" EAST, A DISTANCE OF 101.04 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 145.00 FEET, A CENTRAL ANGLE OF 76°50'37" AND AN ARC LENGTH OF 194.47 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 38°17'30" WEST, A DISTANCE OF 2,595.07 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 950.00 FEET, A CENTRAL ANGLE OF 35°56'40" AND AN ARC LENGTH OF 595.98 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 36°15'32" WEST, FROM THE LAST DESCRIBED POINT; THENCE SOUTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 230°17'12" AND AN ARC LENGTH 502.40 FEET, TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,150.00 FEET, A CENTRAL ANGLE OF 37°06'41" AND AN ARC LENGTH OF 744.87 FEET; THENCE NORTH 51°42'30" WEST, A DISTANCE OF 25.36 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 520.00 FEET, A CENTRAL ANGLE OF 48°03'10" AND AN ARC LENGTH OF 436.11 FEET, THE LAST SIX DESCRIBED COURSES BEING COINCIDENT WITH THE BOUNDARY OF "THE MAINLANDS OF TAMARAC LAKES 6th SECTION", RECORDED IN PLAT BOOK 65, PAGE 46, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°47'00" WEST, A DISTANCE OF 175.94 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET, TO THE POINT OF TANGENCY, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE SOUTHERLY BOUNDARY OF N.W. 50th STREET, AS SHOWN ON SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6th SECTION"; THENCE SOUTH 00°13'00" EAST ALONG A LINE 50.00 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 174.48 FEET, TO A POINT ON THE NORTH LINE OF SAID TRACT 12; THENCE NORTH 89°15'42" WEST, ALONG THE NORTH LINE OF SAID TRACT 12, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°13'00" EAST, ALONG A LINE 40.00 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 1,320.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID TRACT 12; THENCE SOUTH 89°15'42" EAST, ALONG THE SOUTH LINE OF SAID TRACT 12, A DISTANCE OF 384.22 FEET, TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHOSE RADIUS BEARS SOUTH 64°47'25" EAST, FROM THE LAST DESCRIBED POINT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 7,789.44 FEET, A CENTRAL ANGLE OF 1°04'55" AND AN ARC LENGTH OF 1,778.52 FEET TO THE POINT OF TANGENCY; THENCE NORTH 38°17'30" EAST, A DISTANCE OF 2,088.09 FEET, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY LINE OF SUNSHINE STATE PARKWAY; THENCE NORTH 33°56'43" WEST, A DISTANCE OF 601.27 FEET; THENCE NORTH 41°54'19" EAST, A DISTANCE OF 8.00 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 41°54'19" WEST FROM THE LAST DESCRIBED POINT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 887.93 FEET, A CENTRAL ANGLE OF 41°03'44" AND AN ARC LENGTH OF 636.35 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, ALONG A LINE 67.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 853.91 FEET; THENCE SOUTH 45°18'46" WEST, A DISTANCE OF 25.87 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

SHEET 3 OF 4

**A PORTION OF
SABAL PALM BY PRESTIGE
(P.B. 178, PG. 71-87, B.C.R.)**

**D
G** GERCHAR, INC.
SURVEYORS AND MAPPERS
12075 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 • Fax: (954) 255-8584

All of the Plat of Monterey by Prestige, according to the Plat thereof, as recorded in Plat Book 178, Page 119, of the Public Records of Broward County, Florida, less and except Tract "D" and Tract "E" thereof.

EXHIBIT B

CONSTRUCTION TIMETABLE AND COST ESTIMATE FOR AREA TO BE INCLUDED WITHIN DISTRICT BOUNDARIES

<u>IMPROVEMENTS</u>	<u>COST ESTIMATE</u>	<u>START CONSTRUCTION</u>	<u>COMPLETE CONSTRUCTION</u>
Water Management and Control Facilities	\$1,245,000	August, 2013	December, 2013
Water System	\$470,000	September, 2013	January, 2014
Sanitary Sewer System	\$800,000	September, 2013	January, 2014
Wetlands Mitigation	\$100,000	December, 2013	January, 2014
Undergrounding of Electric Utility Lines	\$105,000	December, 2013	February, 2014
Open Spaces, Entry Features, Walls and Landscaping	\$950,000	December, 2013	March, 2014
Total:	\$3,670,000		

EXHIBIT C

EVIDENCE OF WRITTEN CONSENT OF OWNER TO INCLUSION OF PROPERTY WITHIN THE EXTERNAL BOUNDARIES OF SABAL PALM COMMUNITY DEVELOPMENT DISTRICT

On this 19th day of December, 2012, personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, E. Daniel Lopez, who, after being duly sworn, deposes and says:

1. Affiant, E. Daniel Lopez, is the manager of LDC Monterey Ventures, LLC, a Florida limited liability company (the "Company").

2. The Company is the fee title owner of the following described property, to wit:

All of the Plat of Monterey by Prestige, according to the Plat thereof, as recorded in Plat Book 178, Page 119, of the Public Records of Broward County, Florida, less and except Tract "D" and Tract "E" thereof (the "Property")

3. Affiant hereby represents that he has full authority to execute all documents and instruments on behalf of the Company, including the Petition Pursuant to Section 190.046(1), Florida Statutes, To Expand the Boundaries of the Sabal Palm Community Development District before the City Commission of the City of Tamarac, Florida.

4. The Property consists of approximately 52.95 acres, more or less, of real property located in the City of Tamarac, Florida.

5. Affiant, on behalf of the Owner, as the fee simple owner of the Property in the capacity described above, hereby gives its full consent to the expansion of the external boundaries of the Sabal Palm Community Development District to include the Property therein.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of December, 2012.

LDC Monterey Ventures, LLC, a Florida limited liability company

By: [Signature]
Name: E. Daniel Lopez
Title: V.P.

STATE OF FLORIDA)
COUNTY OF Florida - Miami-Dade) SS:

The foregoing instrument was acknowledged before me this 19th day of December, 2012, by E. Daniel Lopez, as Manager of LDC Monterey Ventures, LLC, a Florida limited liability company, on behalf of the Company. He/she is personally known to me [] or produced _____ as identification.

[Signature]
Notary Public

Typed, printed or stamped name of Notary Public

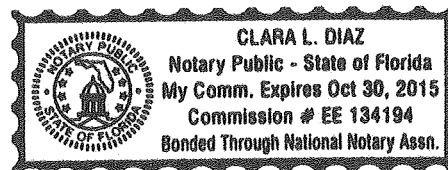


EXHIBIT D

**DESIGNATION OF THE FUTURE GENERAL DISTRIBUTION, LOCATION AND
EXTENT OF PUBLIC AND PRIVATE USES OF LAND PROPOSED FOR
THE AREA TO BE INCLUDED WITHIN THE DISTRICT**

LEGEND

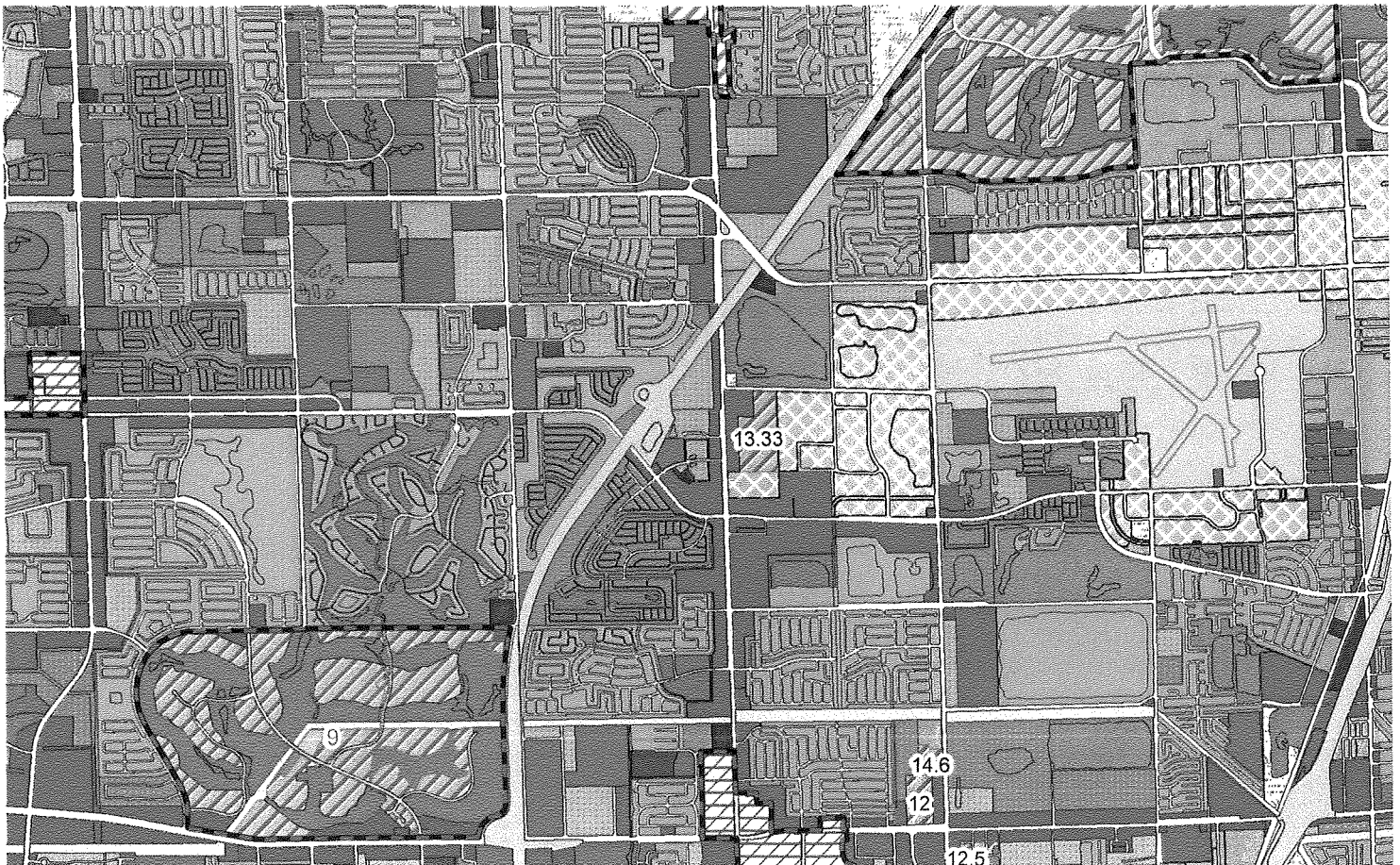
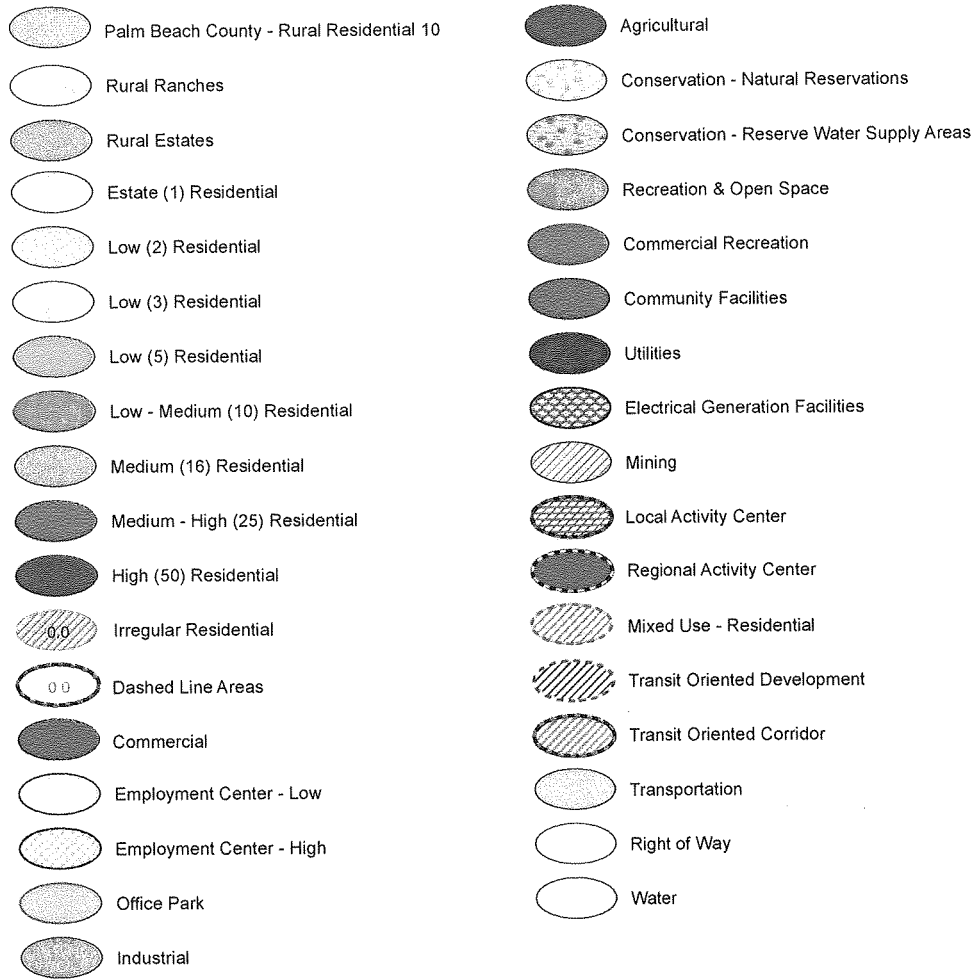


EXHIBIT E

STATEMENT OF ESTIMATED REGULATORY COSTS

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to expand the boundaries of the **Sabal Palm Community Development District** (the "District"). The District currently comprises approximately 109.03 gross acres of land located within the City of Tamarac (the "City"), Florida. The District desires to expand the boundaries of the District by adding approximately 52.95 acres (the "Expanded Area"). The limitations on the scope of this SERC are explicitly set out in Section 190.002 (2) (d), Florida Statutes as follows:

"That the process of establishing such a district pursuant to uniform general law shall be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant."

1.2 Overview of the Sabal Palm Community Development District

The District is designed to provide community infrastructure, services, and facilities along with their operations and maintenance to the Sabal Palm Community Development District. Sabal Palm Community Development District Expanded Area will encompass approximately 52.95 gross acres.

The development plan for the Expanded Area within the District, proposed by LDC Monterey Ventures, LLC, a Florida limited liability company (the "Developer") includes the construction of approximately 164 townhome units and 61 single family units. All are authorized for inclusion within the District. A Community Development District ("CDD") is an independent unit of special purpose local government authorized by Chapter 190, Florida Statutes, to plan, finance, construct, operate and maintain community-wide infrastructure in large, planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure to service projected growth without overburdening other governments and their taxpayers." Section 190.002 (1) (a) F.S.

A CDD is not a substitute for the local, general purpose, government unit, e.g., the City in which the CDD lies. A CDD does not have the permitting, zoning or police powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating, and maintaining community infrastructure for planned developments, such as the Sabal Palm CDD. The scope of this SERC is limited to evaluating the consequences of approving the proposal to establish the District.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541 (2), a statement of estimated regulatory costs must contain:

- (a) An economic analysis showing whether the rule directly or indirectly; is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- (b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.
- (c) A good faith estimate of the cost to the agency¹, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.
- (d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule. As used in this paragraph, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the cost of monitoring and reporting.
- (e) An analysis of the impact on small businesses as defined by Section 288.703, Florida Statutes and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes. (the City of Tamarac is not defined as a small city for purposes of this requirement).
- (f) Any additional information that the agency determines may be useful.
- (g) In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

¹ For the purposes of this SERC, the term "agency" means the City and the term "rule" means the ordinance(s) which the City will enact in connection with the creation of the District.

2.0 Adverse impact on economic growth, business competitiveness or increased regulatory costs, in excess of \$1 million.

It is unlikely the creation of the District will meet any of the triggers in Section 120.541(2)(a). The basis for this determination is provided in the discussions in Section 3.0 through Section 6.0.

3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

As noted above, the development plan for the Expanded Area of Sabal Palm Community Development District is a residential community designed for up to 164 townhome units and 61 single family units. Expansion of the District boundaries would put all of the Expanded Area under the jurisdiction of the District.

4.0 Good faith estimate of the cost to state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues.

4.1 Costs of Governmental Agencies of Implementing and Enforcing Rule

State Government Entities

There will be only modest costs to various State governmental entities to implement and enforce the proposed expansion of the District boundaries. The District, as expanded will encompass under 1,000 acres; therefore the City is the establishing entity under 190.005 (1) F.S. The costs to review the record of the local hearing, the transcript of the hearing, and the resolutions adopted by the local general purpose government will be offset by the filing fee required under 190.005 (1), Florida Statutes. The modest costs to various State entities to implement and enforce the proposed rule relate strictly to the receipt and processing of various reports that the District, as expanded, is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those State agencies that will receive and process the District's reports are very small, because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 169.412, Florida Statutes, the District, as expanded, must pay an annual fee to the State of Florida Department of Economic Opportunity, which offsets such costs.

City of Tamarac

The proposed land for the Expanded Area is located within the City and consists of approximately

52.95 gross acres. The City and its staff may process and analyze the petition, conduct public hearings with respect to the petition, and vote upon the petition to expand the District boundaries. These activities will absorb some resources.

These costs to the City are modest for a number of reasons. First, review of the petition to expand the District boundaries does not include analysis of the project itself. Second, the petition itself provides much of the information needed for a staff review. Third, local governments already possess the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, potential costs are offset by the required filing fee. Finally, local governments routinely process similar petitions for land uses and zoning charges that are far more complex than is the petition to expand the District boundaries of a community development district.

The annual costs to the City because of the expansion of the District boundaries are also minimal. The District, as expanded, is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City.

4.2 Impact on State and Local Revenues

Adoption of the proposed rule will have no negative impact on State and local revenues. The District is an independent unit of local government. It is designed to provide community facilities and services to serve the development. It has its own sources of revenue. No state or local subsidies are required or expected.

In this regard it is important to note that any debt obligations incurred by the District, as expanded, to construct its infrastructure, or for any other reason, are not debts of the State of Florida or any unit of local government. In accordance with State law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs are likely to be incurred by individuals and entities required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the District may provide to the Expanded Area. The water management and control facility, water distribution system, sanitary sewer system, wetlands mitigation, undergrounding of electric utility lines, open space improvements including landscaping, walls and entry features, and related incidental costs, as described in Table 1, will be funded by the District.

Table 1. Sabal Palm Community Development District Proposed Facilities and Services For the Expanded Area.

FACILITY	FUNDED BY	OWNERSHIP	O&M
Water System	CDD	CTWSD	CTWSD
Sanitary Sewer System	CDD	CTWSD	CTWSD
Water Management and Control Facility	CDD	CDD	CDD
Wetland Mitigation	CDD	CDD	CDD
Undergrounding of Electric Utility Lines	CDD	CDD	CDD
Open Spaces, Entry Features, Walls and Landscaping	CDD	CDD	CDD

Key: CDD=Community Development District, CTWSD=City of Tamarac Water and Sewer Department, O&M=Operations and Maintenance

The Developer's engineer has estimated the design and development costs for providing the capital facilities outlined in Table 1. The cost estimates are shown in Table 2 below. Total design and development costs for these facilities are estimated to be approximately \$3,843,000. The District may issue special assessments or other revenue bonds to fund the development of these facilities. These bonds would be repaid through non ad valorem assessments levied on properties in the Expanded Area that may benefit from the District's capital improvement program as outlined in Table 1.

Prospective future landowners in the District may be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bond issuance. In addition to the levy of non-ad valorem assessments for debt service, the District may also impose a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services.

Furthermore, the actions of the new landowner to locate in the District are completely voluntary. So, ultimately, all owners and users of land within the District choose to accept the non-ad valorem assessments as a tradeoff for the numerous benefits and facilities that the District provides.

A CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed charges. The District is an alternative means to finance necessary community services. District financing is no more expensive, and often less expensive, than the alternatives of a municipal service taxing unit (MSTU), a neighborhood association, or through developer equity and/or bank loans.

In considering these costs it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those property owners and businesses in the District will receive a higher level of public services and amenities sooner than would otherwise be the case.

Second, a District is a mechanism for assuring that the community services and amenities will be completed concurrently with development of lands within the District. This satisfies the Florida growth management legislation, and assures that growth pays for itself without undue burden on other consumers. Expansion of the District boundaries will ensure that the landowners in the Expanded Area will pay for the provision of facilities, services and improvements to these lands.

Third, a District is the sole form of governance which allows District landowners, through landowner voting and ultimately electoral voting for resident elected boards, to determine the type, quality and expense of the District services they receive, provided they meet the City's overall requirements.

The cost impact on the ultimate landowners in the District is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above what the landowners would have paid to install infrastructure via an alternative financing mechanism. Given the low cost of capital for a CDD, the cost impact to landowners is negligible. This incremental cost of the high quality infrastructure provided by the District is likely to be fairly low.

Table 2. Cost Estimate for District Facilities in the Expanded Area

Category	Cost
Water Distribution System	\$ 526,000
Sanitary Sewer System	\$ 898,000
Water Management and Control Facilities	\$ 1,156,000
Wetlands Mitigation	\$ 100,000
Undergrounding of Electric Utility Lines	\$ 123,000
Open Spaces, Entry Features, Walls and Landscaping	\$ 1,040,000
Total Projected Costs of Improvements	<u>\$ 3,843,000</u>

6.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, Florida Statutes.

There will be no impact on small businesses because of the expansion of the District boundaries. If anything, the impact may be positive. This is because the District must competitively bid all of

its contracts. This affords small businesses the opportunity to bid on District work.

The City has an estimated population that is greater than 10,000 according to the 2010 U.S Census. Therefore the City is not defined as a "small city" according to Section 120.52 (18), Florida Statutes.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Developer's Engineer and other professionals associated with the Developer.

8.0 In the statement or revised statement, whichever applies, a description of any good faith written proposal submitted under paragraph (1) (a) and either a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

There have been no good faith written proposals submitted to the agency as described in Section 120.541(1)(a), Florida Statutes.

*Prepared by:
Governmental Management Services - South Florida, LLC
December 14, 2012*

APPENDIX A Reporting Requirements

Florida Special District Handbook

APPENDIX A: REPORTING REQUIREMENTS AT A GLANCE

Submission Requirement	Statutory / Rule Reference	Applicable Special Districts	Due Date
AUDITOR GENERAL, LOCAL GOVERNMENT SECTION Room 401, Claude Pepper Building, 111 West Madison Street, Tallahassee, Florida 32399-1450			
Annual Financial Audit Report	Section 218 39, F.S. Chapter 10.550, <i>Rules of the Auditor General</i> . Handbook Section 2 - 4	<p>All special districts with either revenues or expenditures of more than \$100,000.00.</p> <p>All special districts with revenues or expenditures/expenses between \$50,000.00 and \$100,000.00 that have not been subjected to a financial audit for the two preceding fiscal years.</p> <p>A dependent special district that is a component unit of a county or municipality may provide for an annual financial audit by being included in the audit of that county or municipality. In such instances, that audit report must clearly state that the special district is a component unit of the county or municipality.</p>	Annually within 45 days after delivery of the audit report to the governmental entity, but no later than 12 months after fiscal year end. Two copies of the annual financial audit report must be submitted to the Auditor General.

Abbreviations: F.A.C. = *Florida Administrative Code*; F.S. = *Florida Statutes*

Florida Special District Handbook

Submission Requirement	Statutory / Rule Reference	Applicable Special Districts	Due Date
DEPARTMENT OF COMMUNITY AFFAIRS, SPECIAL DISTRICT INFORMATION PROGRAM 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100			
Creation Documents and Amendments, including Codified Act, if applicable	Section 189.418, F.S. Handbook Section 1 - 4	All special districts.	Within 30 days after adoption / approval.
Written Status Statement	Section 189.418, F.S. Handbook Section 1 - 4	All special districts.	Within 30 days after adoption / approval of creation document.
Dissolution Documents	Section 189.4042, F.S. Handbook Section 1 - 4	All special districts.	Within 30 days of the dissolution effective date.
Merger Documents	Section 189.418, F.S. Section 189.4042, F.S. Handbook Section 1 - 4	All special districts.	Within 30 days of the merger's effective date.
Special District Map and Amendments	Section 189.418, F.S. Handbook Section 1 - 4	All special districts.	Within 30 days after adoption / approval.
Special District Fee Invoice (\$175.00) and Update Form	Section 189.427, F.S. Rule 9B-50.003, F.A.C. Handbook Section 1 - 3	All special districts.	Annually, by the due date on the Form (sent to all special districts around October 1).
Registered Agent and Office Initial Designation	Section 189.416, F.S. Section 189.418, F.S. Handbook Section 1 - 4	All special districts.	Within 30 days after the first governing board meeting.
Registered Agent and Office Changes	Section 189.416, F.S. Section 189.418, F.S. Handbook Section 1 - 4	All special districts.	Upon making the change.
Disclosure of Public Financing	Section 190.009, F.S.	All Community Development Districts.	At all times public financing is imposed.

Abbreviations: F.A.C. = Florida Administrative Code; F.S. = Florida Statutes

Florida Special District Handbook

Submission Requirement	Statutory / Rule Reference	Applicable Special Districts	Due Date
DEPARTMENT OF FINANCIAL SERVICES, BUREAU OF ACCOUNTING 200 East Gaines Street, Tallahassee, Florida 32399-0354			
Annual Financial Report with a copy of the Annual Financial Audit Report attached, if required	Section 189.418, F.S. Section 218.31, F.S. Section 218.32, F.S. Handbook Section 2 - 3	All Housing Authorities; All independent special districts; All dependent special districts that are not component units of a local governmental entity.	Annually within 12 months of fiscal year end (9/30) and 45 days of audit completion. If no audit is required, file by April 30.
DEPARTMENT OF FINANCIAL SERVICES, BUREAU OF COLLATERAL MANAGEMENT 200 East Gaines Street, Tallahassee, Florida 32399-0345			
Public Depositor Annual Report to the Chief Financial Officer (Form DFS-J1-1009)	Section 280.17, F.S. Handbook Section 3 - 5	All special districts.	Annually by November 30.
Public Deposit Identification and Acknowledgment Form (Form DFS-J1-1295)	Section 280.17, F.S. Handbook Section 3 - 5	All special districts.	Execute at the time of opening the account and keep on file. Submit only in case of default of the qualified public depository.

Abbreviations: F.A.C. = Florida Administrative Code; F.S. = Florida Statutes

Florida Special District Handbook

DEPARTMENT OF MANAGEMENT SERVICES, DIVISION OF RETIREMENT Bureau of Local Retirement Systems, Cedars Executive Center, Building C, 2639-C North Monroe Street, Tallahassee, Florida 32399-1560			
Actuarial Impact Statement for Proposed Plan Amendments	Section 112.63, F.S. Rule Chapter 60T-1.001, F.A.C. Handbook Section 2 - 6	Any special district proposing benefit changes to its defined benefit retirement plan.	When considering plan changes.
Defined Contribution Report	Section 112.63, F.S. Rule Chapter 60T-1.004, F.A.C. Handbook Section 2 - 6	Special districts with defined contribution plans.	Within 60 days of the reporting period's ending date.
Actuarial Valuation Report	Section 112.63, F.S. Rule Chapter 60T-1, F.A.C. Handbook Section 2 - 6	Special districts with defined benefit retirement plans.	At least every three years, within 60 days of completion.
DEPARTMENT OF REVENUE, PROPERTY TAX ADMINISTRATION PROGRAM, TRIM COMPLIANCE SECTION P.O. Box 3000, Tallahassee, Florida 32315-3000			
Truth-in-Millage Form DR421	Section 200.068, F.S. Handbook Section 3 - 3	Special districts that can levy taxes but will not do so during the year.	Annually by November 1.
Truth-in-Millage Compliance Package Report	Section 200.068, F.S. Handbook Section 3 - 3	Special districts levying property taxes.	No later than 30 days following the adoption of the property tax levy ordinance/resolution.
COMMISSION ON ETHICS P.O. Drawer 15709, Tallahassee, Florida 32317-5709			
Quarterly Gift Disclosure (Form 9)	112.3148, F.S. Handbook Section 3 - 1	Everyone required to file Form 1, receiving a gift worth over \$100.00, unless the person did not receive any gifts during the calendar quarter.	By the last day of the calendar quarter following any calendar quarter in which a reportable gift was received.

Abbreviations: F.A.C. = Florida Administrative Code, F.S. = Florida Statutes

Florida Special District Handbook

Submission Requirement	Statutory / Rule Reference	Applicable Special Districts	Due Date
LEGISLATURE <i>PRESIDENT OF THE SENATE (Florida Capitol, Suite 409, Tallahassee, Florida 32399-1100)</i> <i>SPEAKER OF THE HOUSE OF REPRESENTATIVES (Florida Capitol, Suite 420, Tallahassee, Florida 32399-1300) and EACH APPROPRIATE STANDING COMMITTEE OF THE LEGISLATURE</i>			
Agency Rule Report	Section 120.74, F.S. Handbook Section 1 - 4	Certain Special Districts with adopted rules (see Handbook Section 1 - 4, page 20).	Initial by October 1, 1997, then by October 1 of every other year thereafter.
SPECIAL DISTRICT'S GOVERNING BOARD MEETING MINUTE RECORDER			
Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers (Form 8B)	Section 112.3143, F.S. Handbook Section 3 - 1	Special District Local Officers with Voting Conflicts.	Within 15 days after the vote occurs.
SPECIAL DISTRICT'S GOVERNING BOARD MEMBERS (EACH MEMBER)			
Actuarial Valuation Report	See Department of Management Services, Division of Retirement.		
Annual Financial Audit Report	See Auditor General, Local Government Section.		

Abbreviations: F.A.C. = Florida Administrative Code; F.S. = Florida Statutes

Florida Special District Handbook

Submission Requirement	Statutory / Rule Reference	Applicable Special Districts	Due Date
SPECIAL DISTRICT'S LOCAL GOVERNING AUTHORITY(IES)/LOCAL GENERAL-PURPOSE GOVERNMENT(S) (if municipality, file at the place they designate; if county(ies), file with the (each) clerk of the board of county commissioners)			
Budget or Tax Levy	Section 189.418, F.S. Handbook Section 2 - 2	All special districts.	When requested, provide to the local governing authority within the district's boundaries.
Public Facilities Initial Report	Section 163.3191, F.S. Section 189.415(2), F.S. Rule Chapter 9J-33, F.A.C. Handbook Section 1 - 6	Independent special districts (See Handbook Section 1 - 6, page 31).	Within one year of the special district's creation.
Public Facilities Annual Notice of Any Changes	Section 163.3191, F.S. Section 189.415(2), F.S. Rule Chapter 9J-33, F.A.C. Handbook Section 1 - 6	Independent special districts (See Handbook Section 1 - 6, page 31).	Annually. Contact each local general-purpose government for the due date.
Public Facilities Updated Report	Section 189.415(2)(a), F.S. Rule Chapter 9J-33, F.A.C. Handbook Section 1 - 6 Appendix B	Independent special districts (See Handbook Section 1 - 6, page 31).	Every five years, at least 12 months before the due date that each local general-purpose government must submit its Report to the Department of Community Affairs. See Appendix B.
Registered Agent and Office Initial Designation	Section 189.416, F.S. Section 189.418, F.S. Handbook Section 1 - 4	All special districts.	Within 30 days after the first governing board meeting.
Registered Agent and Office Changes	Section 189.416, F.S. Section 189.418, F.S. Handbook Section 1 - 4	All special districts.	Upon making the change.
Regular Public Meeting Schedule	Section 189.417, F.S. Section 189.418, F.S. Handbook Section 3 - 2	All special districts.	Quarterly, semiannually, or annually.

Abbreviations: F.A.C. = *Florida Administrative Code*; F.S. = *Florida Statutes*

Florida Special District Handbook

Submission Requirement	Statutory / Rule Reference	Applicable Special Districts	Due Date
<i>SPECIAL DISTRICT'S LOCAL LEGISLATIVE DELEGATION</i>			
Draft Codified Charter as a Local Bill	Section 189.429, F.S. Handbook Section 1 - 4	All special districts with more than one Special Act.	December 1, 2004
<i>SPECIAL DISTRICT'S RESIDENTS AND PROSPECTIVE RESIDENTS AND RESIDENTIAL DEVELOPERS (GIVE SUFFICIENT NUMBER OF COPIES TO THE DEVELOPERS FOR DISTRIBUTION TO EACH PROSPECTIVE INITIAL PURCHASER OF PROPERTY)</i>			
Disclosure of Public Financing	Section 190.009, F.S.	All Community Development Districts.	At all times public financing is imposed.
<i>STATE BOARD OF ADMINISTRATION, FINANCIAL OPERATIONS 1801 Hermitage Boulevard, Suite 100, Tallahassee, Florida 32308</i>			
Investment Pool Systems Input Documentation	Handbook Section 3 - 6	All special districts investing funds with the State Board of Administration or Local Government Trust Fund.	At the time of making any changes or updates to the account.
Resolution for Investment of Surplus Funds	Section 218.407, F.S. Handbook Section 3 - 6	All special districts investing funds with the State Board of Administration or Local Government Trust Fund.	At the time of investing surplus funds.

Abbreviations: F.A.C. = Florida Administrative Code; F.S. = Florida Statutes

Florida Special District Handbook

Submission Requirement	Statutory / Rule Reference	Applicable Special Districts	Due Date
<i>STATE BOARD OF ADMINISTRATION, DIVISION OF BOND FINANCE</i> 1801 Hermitage Boulevard, Suite 200, P.O. Box 13300, Tallahassee, Florida 32317-3300			
Advance Notice of Bond Sale	Section 218.38, F.S. Handbook Section 2 - 5	All special districts as applicable.	<u>Before</u> selling certain general obligation bonds & revenue bonds or closing on any similar long-term debt instruments.
Bond Information Form/Bond Disclosure Form (BF2003/2004A & B)	Section 189.418, F.S. Section 218.38, F.S. Handbook Section 2 - 5	All special districts as applicable. New bond issues only.	Within 120 days after delivery of general obligation bonds and revenue bonds.
Bond Verification Form (BF2005)	Handbook Section 2 - 5	All special districts as applicable.	Within 45 days of the Division of Bond Finance's request.
Final Official Statement (Bonds)	Section 218.38, F.S. Handbook Section 2 - 5	All special districts as applicable.	Within 120 days after delivery of the bonds, if prepared.
IRS Form 8038 (Bonds)	Section 159.345(1), F.S. Section 159.475(1), F.S. Section 159.7055, F.S. Handbook Section 2 - 5	Special districts issuing Industrial Development or Research and Development Bonds.	Submit with the Bond Information Form & Official Statement, if any is published.

Abbreviations: F.A.C. = Florida Administrative Code; F.S. = Florida Statutes

Florida Special District Handbook

Submission Requirement	Statutory / Rule Reference	Applicable Special Districts	Due Date
SUPERVISOR OF ELECTIONS (LOCAL) In the County of the Reporting Person's Permanent Residence			
Statement of Financial Interests (Form 1)	Section 112.3145, F.S. Handbook Section 3 - 1	All "special district local officers" appointed to a special district or special district's board.	Within 30 days of accepting the appointment, then every year thereafter by July 1.
		All "special district local officers" elected to a special district's board.	During the qualifying period, then every year thereafter by July 1.
Final Statement of Financial Interests (Form 1F)	Section 112.3145, F.S. Handbook Section 3 - 1	All "special district local officers" who are required to file Form 1 and are leaving a public position.	Within 60 days of leaving a public position.
Quarterly Client Disclosure (Form 2)	Section 112.3145(4), F.S. Handbook Section 3 - 1	Certain special district local officers, depending upon their position, business or interests (See Handbook Section 3 - 1).	No later than the last day of the calendar quarter following the calendar quarter during which the representation was made.
Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses (Form 10)	Section 112.3148, F.S. Section 112.3149, F.S. Handbook Section 3 - 1	All special district local officers who file Form 1 and who received a reportable gift or expense.	Annually by July 1.
SUPERVISOR OF ELECTIONS (LOCAL) In the County in which the Special District of the Reporting Person has its Principal Office			
Interest in Competitive Bid for Public Business (Form 3A)	Section 112.313(12)(e), F.S. Handbook Section 3 - 1	Certain special district local officers (See Handbook Section 3 - 1).	Before or at the time of the submission of the bid.

Abbreviations: F.A.C. = Florida Administrative Code; F.S. = Florida Statutes

EXHIBIT "B"

LEGAL DESCRIPTION OF ADDITIONAL AREA TO BE ADDED TO DISTRICT

All of the Plat of Monterey by Prestige, according to the Plat thereof, as recorded in Plat Book 178, Page 119, of the Public Records of Broward County, Florida, less and except Tract "D" and Tract "E" thereof.

EXHIBIT "C"

DESCRIPTION OF PROPERTY AND EXTERNAL BOUNDARIES OF THE DISTRICT

DESCRIPTION

LEGAL DESCRIPTION:

A PORTION OF SABAL PALM BY PRESTIGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 71 THROUGH 87, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 13, 14 AND 15 OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST, AND A PORTION OF TRACT 3 OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, "FORT LAUDERDALE TRUCK FARMS SUBDIVISION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 31, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 00°13'45" WEST, ALONG THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 60.01 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 87.36 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 44°41'35" WEST, A DISTANCE OF 49.03 FEET; THENCE NORTH 00°13'45" WEST, ALONG A LINE 53.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 1,220.65 FEET, TO A POINT 5.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID TRACT 13; THENCE SOUTH 89°09'25" EAST, ALONG A LINE 5.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID TRACTS 13, 14 AND 15 A DISTANCE OF 3,908.21 FEET, TO THE EAST LINE OF SAID TRACT 15; THENCE SOUTH 00°12'55" EAST ALONG THE EAST LINE OF SAID TRACT 15, A DISTANCE OF 381.98 FEET; THENCE SOUTH 44°01'43" WEST, A DISTANCE OF 197.50 FEET; THENCE SOUTH 77°27'33" WEST, A DISTANCE OF 174.15 FEET; THENCE NORTH 78°34'08" WEST, A DISTANCE OF 369.90 FEET; THENCE SOUTH 52°55'08" WEST, A DISTANCE OF 276.97 FEET; THENCE SOUTH 27°01'40" WEST, A DISTANCE OF 358.82 FEET; THENCE SOUTH 39°57'13" WEST, A DISTANCE OF 684.60 FEET; THENCE NORTH 47°52'28" WEST, A DISTANCE OF 43.36 FEET; THENCE SOUTH 41°54'19" WEST, A DISTANCE OF 15.00 FEET TO AN INTERSECTION WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 41°54'19" WEST FROM THE LAST DESCRIBED POINT; THENCE NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,014.93 FEET, A CENTRAL ANGLE OF 41°03'44" AND AN ARC LENGTH OF 727.37 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 9.75 FEET; THENCE NORTH 00°50'35" EAST, A DISTANCE OF 603.00 FEET; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 90.00 FEET; THENCE NORTH 00°50'35" EAST, A DISTANCE OF 191.77 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 353.00 FEET; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 323.00 FEET, TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 80°00'00" AND AN ARC LENGTH OF 324.63 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 59°09'25" EAST, A DISTANCE OF 293.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE SOUTHEASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 135.00 FEET, A CENTRAL ANGLE OF 116°26'13" AND AN ARC LENGTH OF 274.35 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 43°33'39" AND AN ARC LENGTH OF 547.40 FEET, TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE EASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS 220.00 FEET, A CENTRAL ANGLE OF 31°41'55" AND AN ARC LENGTH OF 121.71 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 19°16'00" EAST FROM THE LAST DESCRIBED POINT; THENCE EASTERLY, NORTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 198°25'25" AND AN ARC LENGTH OF 415.58 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST ALONG A LINE 275.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID TRACTS 13, 14 AND 15, A DISTANCE OF 2,210.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY, SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 234°18'53" AND AN ARC LENGTH OF 490.75 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 775.53 FEET; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 276.77 FEET; THENCE NORTH 89°09'25" WEST, A DISTANCE OF 509.68 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 51°49'54" AND AN ARC LENGTH 140.22 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 39°00'41" WEST, A DISTANCE OF 162.33 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 155.00 FEET, A CENTRAL ANGLE OF 38°10'06" AND AN ARC LENGTH OF 103.26 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 00°50'35" WEST, A DISTANCE OF 235.38 FEET, THE LAST TWENTY DESCRIBED COURSES BEING COINCIDENT WITH THE BOUNDARY OF "THE MAINLANDS OF TAMARAC LAKES 7th SECTION" RECORDED IN PLAT BOOK 88, PAGE 4, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE NORTH 89°09'25" WEST, ALONG A LINE 60.00 FEET NORTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 762.76 FEET TO THE POINT OF BEGINNING.

(CONTINUED)

SHEET 1 OF 4

A PORTION OF
SABAL PALM BY PRESTIGE
(P.B. 178, PG. 71-87, B.C.R.)

D
GERCHAR, INC.
SURVEYORS AND MAPPERS
12075 N.W. 40th Street, Bay I
Coral Springs, Florida 33065
(954) 540-6225 • Fax: (954) 255-6584

DESCRIPTION

(CONTINUED)

LESS AND EXCEPT THEREFROM THE FOLLOWING:

A PORTION OF TRACT 13 OF SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" RECORDED IN PLAT BOOK 4, PAGE 31, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE NORTH 00°13'45" WEST, ALONG THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 60.01 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 87.36 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 44°41'35" WEST, A DISTANCE OF 49.03 FEET; THENCE NORTH 00°13'45" WEST, ALONG A LINE 53.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 12, A DISTANCE OF 1,220.65 FEET, TO A POINT 5.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF TRACT 13 OF SAID SECTION 12, TOWNSHIP 49 SOUTH, RANGE 41 EAST; THENCE SOUTH 89°09'25" EAST, ALONG SAID LINE 5.00 FEET SOUTH OF THE NORTH LINE OF SAID TRACT 13, A DISTANCE OF 600.00 FEET; THENCE SOUTH 00°13'45" EAST, A DISTANCE OF 334.48 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 61°33'50" EAST, FROM THE LAST DESCRIBED POINT; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 57°19'51" AND AN ARC LENGTH OF 120.07 FEET (THE LAST DESCRIBED CURVE ALSO BEING THE WESTERLY LINE OF "THE MAINLANDS AT TAMARAC LAKES 7TH SECTION", AS RECORDED IN PLAT BOOK 68, PAGE 4, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA); THENCE SOUTH 00°13'45" EAST, A DISTANCE OF 805.39 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST COMMERCIAL BOULEVARD; THENCE NORTH 89°09'25" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF WEST COMMERCIAL BOULEVARD AND ALONG A LINE 60.00 FEET NORTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 565.65 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PORTION OF SABAL PALM BY PRESTIGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 71 THROUGH 87, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 4 AND 5 OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, RECORDED IN PLAT BOOK 4, PAGE 31, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13, THENCE SOUTH 89°09'25" EAST, ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 375.06 FEET; THENCE SOUTH 00°13'00" EAST, A DISTANCE OF 67.01 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 00°13'00" EAST, A DISTANCE OF 1,345.52 FEET; THENCE SOUTH 89°47'00" WEST, A DISTANCE OF 325.00 FEET; THENCE SOUTH 00°13'00" EAST, ALONG A LINE 50.00 FEET EAST OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 960.00 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF N.W. 50th STREET, AS SHOWN ON THE PLAT "THE MAINLANDS OF TAMARAC LAKES 6th SECTION", RECORDED IN PLAT BOOK 65, PAGE 46, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, (SAID POINT BEING FURTHER DESCRIBED AS BEING ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS NORTH 89°47'00" EAST, FROM THE LAST DESCRIBED POINT); THENCE SOUTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°47'00" EAST, A DISTANCE OF 175.00 FEET; THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE OF N.W. 50th STREET; THENCE NORTH 00°13'00" WEST, A DISTANCE OF 505.00 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 135.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 212.06 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 89°47'00" EAST, A DISTANCE OF 265.00 FEET; THE LAST THREE DESCRIBED COURSES BEING COINCIDENT WITH WESTERLY AND NORTHERLY BOUNDARY LINES OF BLOCK 118, OF SAID PLAT OF "THE MAINLANDS OF TAMARAC LAKES 6th SECTION"; THENCE NORTH 00°13'00" WEST, ALONG THE WESTERLY LINE OF LOT 1, BLOCK 118, OF SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6th SECTION" AND NORTHERLY PROJECTION OF THE WESTERLY BOUNDARY LINE OF BLOCK 107 OF SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6th SECTION", A DISTANCE OF 1,549.41 FEET; THENCE NORTH 89°47'00" EAST, A DISTANCE OF 90.00 FEET; THENCE NORTH 00°13'00" WEST, A DISTANCE OF 116.82 FEET; THENCE NORTH 44°41'13" WEST, A DISTANCE OF 25.03 FEET; THENCE NORTH 89°09'25" WEST, ALONG A LINE 67.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 347.52 FEET TO THE POINT OF BEGINNING.

(CONTINUED)

SHEET 2 OF 4

A PORTION OF
SABAL PALM BY PRESTIGE
(P.B. 178, PG. 71-87, B.C.R.)

D. GERCHAR, INC.
SURVEYORS AND MAPPERS
12875 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-6025 • Fax: (954) 255-6564

DESCRIPTION

(CONTINUED)

TOGETHER WITH THE FOLLOWING:

A PORTION OF SABAL PALM BY PRESTIGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 178, PAGES 71 THROUGH 87, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 2, 3, 4, 5, 6 AND 12 OF "FORT LAUDERDALE TRUCK FARMS SUBDIVISION" OF SECTION 13, TOWNSHIP 49 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, RECORDED IN PLAT BOOK 4, PAGE 31, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH 89°09'25" EAST, ALONG THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 784.12 FEET; THENCE SOUTH 00°13'00" EAST, A DISTANCE OF 85.48 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH 00°13'00" EAST, A DISTANCE OF 242.58 FEET; THENCE SOUTH 89°09'25" EAST, A DISTANCE OF 867.55 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 628.93 FEET, A CENTRAL ANGLE OF 50°36'05" AND AN ARC LENGTH OF 553.68 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 38°33'14" EAST, A DISTANCE OF 101.04 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE EASTERLY AND SOUTHERLY AND WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 145.00 FEET, A CENTRAL ANGLE OF 76°50'37" AND AN ARC LENGTH OF 194.47 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 38°17'30" WEST, A DISTANCE OF 2,596.07 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 950.00 FEET, A CENTRAL ANGLE OF 35°56'40" AND AN ARC LENGTH OF 595.98 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 36°15'32" WEST, FROM THE LAST DESCRIBED POINT; THENCE SOUTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 230°17'12" AND AN ARC LENGTH 502.40 FEET, TO A POINT OF COMPOUND CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,150.00 FEET, A CENTRAL ANGLE OF 37°06'41" AND AN ARC LENGTH OF 744.87 FEET; THENCE NORTH 51°42'30" WEST, A DISTANCE OF 25.36 FEET, TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE RIGHT; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 520.00 FEET, A CENTRAL ANGLE OF 48°03'10" AND AN ARC LENGTH OF 436.11 FEET, THE LAST SIX DESCRIBED COURSES BEING COINCIDENT WITH THE BOUNDARY OF "THE MAINLANDS OF TAMARAC LAKES 6th SECTION", RECORDED IN PLAT BOOK 65, PAGE 46, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE SOUTH 89°47'00" WEST, A DISTANCE OF 175.94 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND AN ARC LENGTH OF 39.27 FEET, TO THE POINT OF TANGENCY, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE SOUTHERLY BOUNDARY OF N.W. 50th STREET, AS SHOWN ON SAID PLAT "THE MAINLANDS OF TAMARAC LAKES 6th SECTION"; THENCE SOUTH 00°13'00" EAST ALONG A LINE 50.00 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 174.48 FEET, TO A POINT ON THE NORTH LINE OF SAID TRACT 12; THENCE NORTH 89°15'42" WEST, ALONG THE NORTH LINE OF SAID TRACT 12, A DISTANCE OF 10.00 FEET; THENCE SOUTH 00°13'00" EAST, ALONG A LINE 40.00 FEET EAST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 1,320.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID TRACT 12; THENCE SOUTH 89°15'42" EAST, ALONG THE SOUTH LINE OF SAID TRACT 12, A DISTANCE OF 384.22 FEET, TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE RIGHT, WHOSE RADIUS BEARS SOUTH 64°47'26" EAST, FROM THE LAST DESCRIBED POINT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 7,789.44 FEET, A CENTRAL ANGLE OF 13°04'55" AND AN ARC LENGTH OF 1,778.52 FEET TO THE POINT OF TANGENCY; THENCE NORTH 38°17'30" EAST, A DISTANCE OF 2,088.09 FEET, THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE WESTERLY RIGHT-OF-WAY LINE OF SUNSHINE STATE PARKWAY; THENCE NORTH 33°56'43" WEST, A DISTANCE OF 601.27 FEET; THENCE NORTH 41°54'19" EAST, A DISTANCE OF 8.00 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, WHOSE RADIUS POINT BEARS SOUTH 41°54'19" WEST FROM THE LAST DESCRIBED POINT; THENCE WESTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 887.93 FEET, A CENTRAL ANGLE OF 41°03'44" AND AN ARC LENGTH OF 636.35 FEET TO THE POINT OF TANGENCY; THENCE NORTH 89°09'25" WEST, ALONG A LINE 67.00 FEET SOUTH OF, AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF SAID SECTION 13, A DISTANCE OF 953.91 FEET; THENCE SOUTH 45°18'48" WEST, A DISTANCE OF 25.87 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

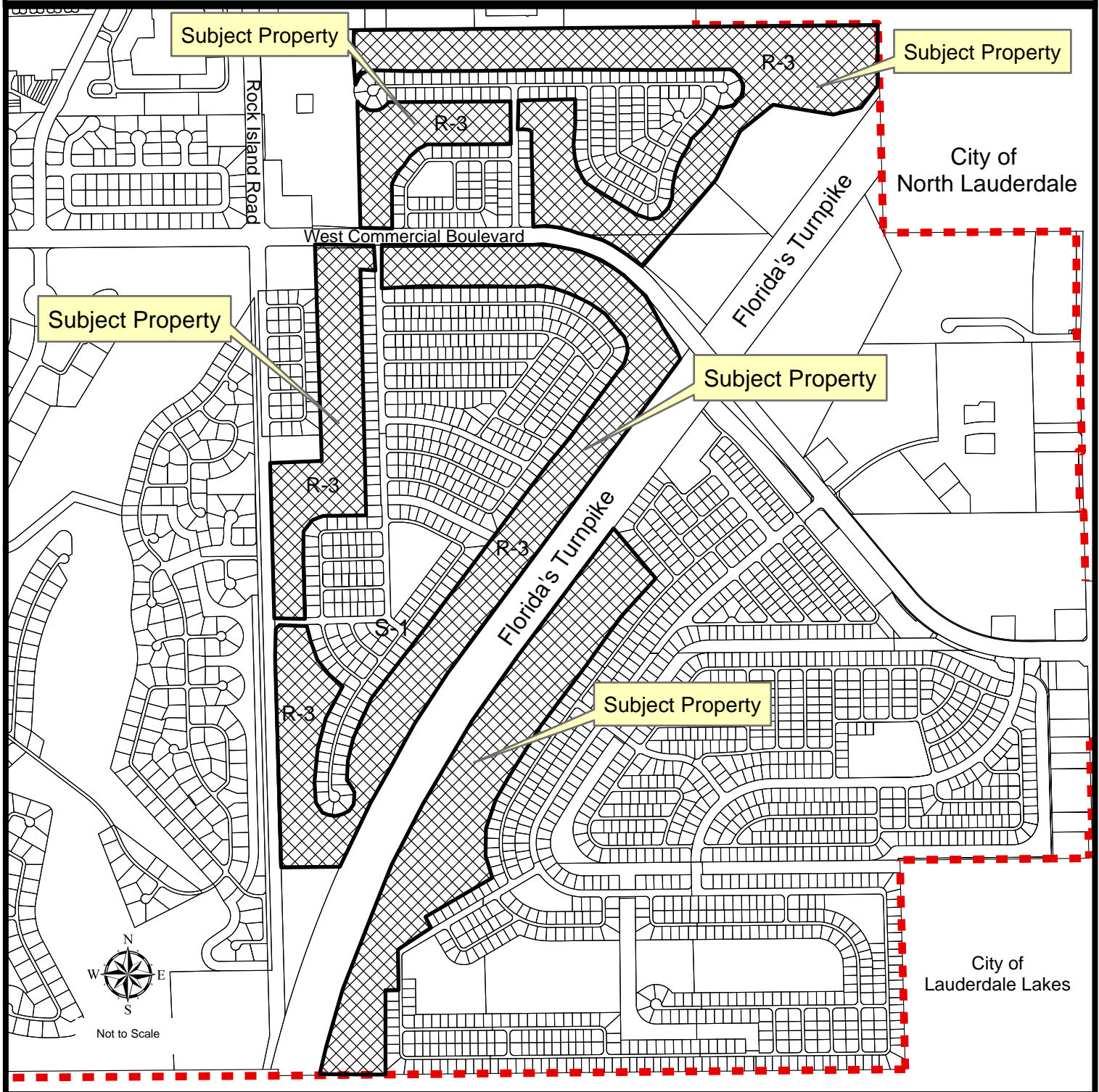
SHEET 3 OF 4

**A PORTION OF
SABAL PALM BY PRESTIGE
(P.B. 178, PG. 71-87, B.C.R.)**

**D
G** ERCHAR, INC.
SURVEYORS AND MAPPERS
12075 N.W. 40th Street, Bay 1
Coral Springs, Florida 33065
(954) 340-4025 • Fax: (954) 255-8584

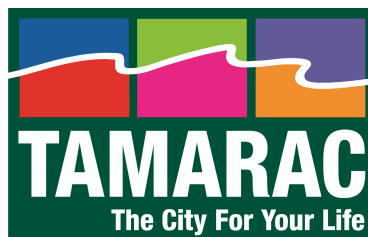
All of the Plat of Monterey by Prestige, according to the Plat thereof, as recorded in Plat Book 178, Page 119, of the Public Records of Broward County, Florida, less and except Tract "D" and Tract "E" thereof.

Expansion of Sabal Palm Community Development District



City Commission
June 12, 2013

Temp. Ord. No. 2282



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



Title - TO2283 - Temporary Housing Ordinance

Motion to adopt an ordinance of the City Commission of the City of Tamarac, Florida, **on second 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.

PASSED ON FIRST READING JUNE 26, 2013

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: 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:

SAMUEL S. GOREN
CITY ATTORNEY

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 _____



Title - TO2286 - Flood Prevention and Protection

Motion to adopt an Ordinance by the City Commission of the City of Tamarac, Florida, **on second 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.

PASSED ON FIRST READING JUNE 26, 2013

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:

With the effective date of the new 2010 Florida Building Code on March 15, 2012, it makes it necessary for communities to take action to adopt a new flood ordinance and code amendments that is in compliance with the requirements of the National Flood Insurance Program (NFIP) and the flood provisions of the 2010 Florida Building Code.

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	_____