Call to Order
Invocation by Father Joseph Maroor, St. Paul the Apostle Catholic Church
Pledge to the Flag
Roll Call

Presentation – Florida Inland Navigation District (FIND) - Exchange Club Park
City of Pompano Beach—Reuse Water Project in their Service Area

Approval of Minutes (Regular Meeting of July 8, 2014)

Treasurer's Report

Reports of Standing Committees

Boards: Next Meetings:
   Planning & Zoning – September 2, 2014
   Code Enforcement – October 21, 2014
   Community Appearance – September 18, 2014
   Special Magistrate – September 3, 2014
   Marine Advisory – November 6, 2014

Departments
   Administration
   City Attorney
   Committees

Unfinished Business: None

New Business:

1. Appeal of Community Appearance Board decision by Zemel Real Estate, located at 5360 North Federal Highway.

2. Motion to approve continued healthcare coverage with the Florida League of Cities.

3. Waive the bid process and authorize the on-going purchase of unleaded gasoline and diesel fuel from Port Consolidated, Inc.
Ordinances:


Resolutions: None

Public Requests from the Floor

Communications

Adjournment

City Hall is wheelchair accessible and accessible parking spaces are available. Anyone needing auxiliary services, please contact City Clerk at least five (5) days prior to meeting (56 Fed. Reg. 35721, Sec. 35.160(b)) at 954-943-6500.

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and that, for such purpose, the person 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 to be based. (FS 286.0105).

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Commission of the City of Lighthouse Point is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board outside the front entrance of City Hall, a place convenient and readily accessible to the general public at all times, and said notice was posted on August 22, 2014 by 4:00 p.m.

By: ________________________________

Jennifer M. Oh, City Clerk
July 3, 2014

Mr. John Lavisky, City Administrator
2200 NE 38th Street
Lighthouse Point, FL 33064

RE: Reuse Water Quality and Safety

Dear Mr. Lavisky:

I am pleased to report that the City of Pompano Beach has been providing reuse water for irrigation for 25 years now. The Reuse Facility, located at 1799 Federal Highway, Pompano Beach, can provide up to 7.5 Million Gallons of reuse water daily. The facility and the water are regulated by the Florida Department of Environmental Protection (FDEP) through the Florida Administrative Code 62-610, and by Broward County through Chapter 27.

The facility is monitored daily by Florida State Certified Operators and continuously via computer system at the City of Pompano Beach Water Treatment Plant. The reuse effluent is monitored continuously for basic water quality parameters such as pH, chlorine, turbidity, and suspended solids. Should any of these online parameter values approach the FDEP permit limits, the plant shuts down and recirculates the water until the process meets permit requirements.

In addition to the continuous online monitoring, the water is tested daily by City staff to confirm the online testing, as well as for additional parameters such as bacteria levels and Suspended Solids. On most days the plant has no detections of bacterial fecal coliform. Once or twice a year, the result will reach 1 or 2 colonies. To offer a comparison, the beaches are not closed until the number of colonies reaches 400.

Annual testing of the reuse effluent is conducted for approximately 39 drinking water chemicals. Out of these 39 compounds, the reuse water exceeds the DRINKING WATER standards for only three: chloride, total dissolved solids and sodium. We prepare an annual water quality report to show our customers the excellent quality of the reuse water (attached).

Reuse water, and our reuse water as well, has a proven track record as being safe for irrigation. The irrigation water is piped through a completely separate piping system to the customer property. There are protective measures taken on the potable system to make sure that no property owner with reuse accidentally connects these separate systems and allows the water to be introduced into the drinking water system. The backflow and cross connection control program has been in place for many years and is regulated through the Florida Administrative Code 62-555.
Our reuse facility and reuse program has won numerous awards for overall operations as well as public education. Our most recent awards include the prestigious 2014 David York Award for best plant in the 5 to 15 Million Gallon per day category, and also the 2014 Florida Water Environment Association Award for Best Public Education Campaign.

With our new I can Water Campaign, the City of Pompano Beach has now connected over 600 single family residential customers to this water source, saving approximately 71 Million Gallons of drinking water per year, and saving our water customers money. Reuse water is costs about one third the price of drinking water. The connections have been done with no upfront cost to the customer.

I am attaching a copy of our latest annual testing report along with a copy of our annual FDEP reuse report. For more information on the safety of reuse water, go to www.icanwater.com. We are available to answer any specific questions you may have. Florida is now the largest user of reuse water in the country. We are proud to be included in that group and look forward to providing our customers in the City of Lighthouse Point with this valuable and environmentally friendly resource.

We look forward to seeing you on August 26.

Sincerely,

Maria Loucroft,
Utility Compliance & Efficiency Manager

C: Dennis W. Beach, City Manager
   Greg Harrison, Assistant City Manager
   A. Randolph Brown, Utilities Director
   John Sfiropolous, Civil Engineer III
Attachment

- Part VII – Reuse Activities, Numbers of Customers, and Backup Discharges -Question 11
  For commercial and multifamily only.

- Part IX – Rates Charged for the Use of Reclaimed Water –Question 1
  Gallonage charge (cents/1000 gal.) $0.61 for customers before 7/12/11 and $0.85 for customers connected on are after 7/12/11 – ¾”.

- Part IX – Rates Charged for the Use of Reclaimed Water –Question 2
  Flat rate ($/month/connection) – Monthly fee based on meter size
  Gallonage charge (cents/1000 gal.) $0.61/0-20Tgal.;$1.20/21-40Tgal.;$1.78/>40 Tgal.
**Metering of Reuse**

a. Every reuse connection is metered, including residential, commercial, multifamily residences, parks, medians and golf courses.

b. Not available

c. Rate structure described in attached City ordinance (availability charge increases with meter size and commodity charge increases with usage).

d. The City of Lighthouse Point receives reclaimed water through a master meter. All other services use individual meters.

e. Utility plans to continue metering all reclaimed water customers.
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<th>NAME</th>
<th>LOCATION*</th>
<th>FUNCTION</th>
<th>TYPE</th>
<th>NPDES</th>
<th>DISTANCE TO PUBLIC WATER SUPPLY WELL</th>
<th>DISTANCE TO POTABLE WATER SUPPLY WELL</th>
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* Latitude/Longitude obtained from a map
Sometimes the grass is greener...and it should be yours!

Your yard will look great in purple!

Make your water cooler.
Summary of Public Notification Program

The City of Pompano Beach uses the following notification tools:

Website with reuse information

Mailing of Annual Reuse Report to current customers (attached)

Mailing of availability letters to customers with reuse service available

Mailers for eligible residential reuse customers to encourage participation in the reuse connection program (attached)

Mailings of ‘postcards’ with benefits and sprinkler guy
Mailing of letters to customers in the almost finished reuse area

The following media items were used:
Article in City Publication (Tradewinds) in April 2013
Telephone hotline for reuse connection (954) 324-8434
Cable TV-the city’s Channel 78 for the OASIS Connection Contest
Reuse Proclamation
Interview, the Pompano Forum
Article plus photo on the Pelican (March 2013)
Article in Audubon of Florida News June 20, 2013
Article in Sun sentinel June 16, 2013
Article in Sun sentinel August 1, 2013
Photo of reuse plant on front cover of Florida Water Resources Journal
Pompano Today Magazine
Facebook, Twitter, email addresses
Electronic sign in various strategic locations

Use of Advisory signs:
The City places advisory signs at all public locations where reuse is used. See attached picture of signs.

Other Public notification Activities:
The ICANWater program is featured as a case study in this document. City staff led a presentation on the ICANWater case study at the EPA Webinar on November 8, 2012.

Handout of retrofits at various events
Mailing of retrofits to customers
Six foot Banners in public locations
Yard signs for new connections and to assist code compliance with water violators
Cable TV ad for ICANwater campaign
ICANwater cards (attached)
Parks & Recreation mentions the contest at their events
CRA took the flyers to a couple of Saturday farmers’ markets.
Utilities Department attends farmers market regularly.
The Civic Center had an event for Palm Beach Middle School students—Handing out flyers KAPOW on March 8th, 2013
Commissioner Hardin mentioned the contest in Commission meeting.
Discussions/promotion at Homeowner Association Meetings
SFWMD Water Expo participant
April 2013 OASIS Connection Contest with 4 prize winners.
Contractor Forum on 4/16/2013
Student government day 4/18/2013
Benchmarking meeting 5/31/2013
Reuse facility tour for the Red Hat Ladies Society 5/21/2013
Reuse facility tour for Bulgarian Reuse water officials 10/17/2013
Plumbers meeting 6/4/2013
Health Fair 8/7/2013 and 8/8/2013
Plant and lab tour September 2013

Awards
September 2013, Utilities Director Randy Brown became WateReuse Person of the Year
May 2013, 1000 Friends of Florida Award
April 30, 2013, the Florida Water Environment Association (FWEA) presented the City of Pompano Beach Utilities Reuse Plant with the Safety Award, Class B, and 2nd Place for Outstanding Performance and Professionalism in the Water Environment Industry.

Customer Letter & Reuse Savings Calculations – revised letter, developed calculation & ran numbers 6/17
The landscaper is a 154-pound adult working on landscapes irrigated with tertiary-treated recycled water every work day. There are 250 work days in a year, assuming a 5-day work week and two weeks of vacation. The worker is exposed to recycled water for an entire 8-hour day and is assumed to be wearing a short sleeve shirt and long pants and that 10 percent of his/her head, forearms and hands are wet with recycled water at any given moment. Incidental ingestion of recycled water occurs at a rate of 4 milliliters each hour. The exposures evaluated include absorption through the skin and incidental ingestion.

This is a high estimation of the amount of water to which a typical landscape worker could be exposed. This is done purposely to build extra margins of safety into the risk assessments in this study (see reverse). This scenario is also representative of workers that come into contact with recycled water in commercial or industrial settings.

**Explaining the Chart:** The chart on the reverse is divided into four columns: column 1 lists ten Pharmaceuticals & Personal Care Products (PPCPs); column 2 explains a little about what these compounds are and how one might come into contact with them in the normal course of daily life; column 3 compares “acceptable” concentrations of these PPCPs to what is actually measured\(^2\) in tertiary- or secondary-treated recycled water. Finally, using actual concentrations of PPCPs found in recycled water, column 4 shows the number of years that it would take, under the above scenario, for the landscaper to be exposed to the equivalent of a dose (or normal daily intake) of the compound from conventional uses.

**Interpreting the Numbers:** Let’s put it all together, using Ibuprofen as our example. Ibuprofen is an over-the-counter (OTC) non-steroidal anti-inflammatory pain reliever (column 2), such as Advil. Acceptable (safe) concentrations of Ibuprofen in recycled water used to irrigate landscapes such as highway or street medians have been calculated to be 530 micrograms per liter (μg/l) (column 3); actual concentrations measured in tertiary- or secondary-treated recycled water systems are typically less than or equal to 1/2 microgram per liter, which is far below levels considered safe. At actual concentrations, the landscape worker could take, under the above exposure scenario, for 8,600 years before being exposed to the equivalent of one Advil tablet (column 4).

**How much is a microgram?** One microgram per liter is often expressed as one part per billion and is roughly equivalent to one sugar cube in an Olympic size swimming pool.

**Why have only ten PPCPs been listed?** There are currently hundreds of Pharmaceuticals & Personal Care Products (PPCPs) that can be detected in varying concentrations throughout the environment. For the purposes of this study, 10 chemicals were chosen for their associated health risks and/or recognizability. They were carefully selected to be representative of the PPCPs that are present in most recycled water used for irrigation purposes.

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\(^1\) Acceptable concentrations are calculated concentrations at which adverse health effects are not expected from exposure to recycled water. In other words, levels at which contact with the water is deemed to be safe.

\(^2\) Actual concentrations are the 99th percentile concentrations presented in Monitoring Strategies for Chemicals of Emerging Concern (CECs) in Recycled Water; Recommendations of a Science Advisory Panel. Final Draft. California State Water Resources Board, June 25, 2010. This means that in a review of available studies in which PPCPs were measured in recycled water, 90 percent of the measured concentrations were equal to or less than the concentrations presented here.
The Golfer

The golfer is a 154-pound adult who plays on a course irrigated with tertiary-treated recycled water. The golfer plays twice a week, with each round lasting 4 hours; he/she wears a short-sleeve shirt and shorts and 10 percent of his/her hands, forearms, and lower legs are wet with recycled water during the entire round of golf. During play the golfer ingests 1 milliliter (mL) of recycled water per hour from handling and cleaning golf balls. The exposures evaluated include absorption through the skin and incidental ingestion.

This is a high estimation of the amount of water to which a typical golf course user could be exposed. This is done purposely to build extra margins of safety into the risk assessments in this study (see reverse). The scenario represents not only golfers but any other adults that frequent the course as a golfer would, such as caddies.

Explaining the Chart: The chart on the reverse is divided into four columns: column 1 lists ten Pharmaceuticals & Personal Care Products (PPCPs); column 2 explains a little about what these compounds are and how one might come into contact with them in the normal course of daily life; column 3 compares “acceptable” concentrations of these PPCPs to what is actually measured in tertiary- or secondary-treated recycled water. Finally, using actual concentrations of PPCPs found in recycled water, column 4 shows the number of years that it would take, under the above scenario, for the golfer to be exposed to the equivalent of a dose (or normal daily intake) of the compound from conventional uses.

Interpreting the Numbers: Let’s put it all together, using Ibuprofen as our example. Ibuprofen is an over-the-counter (OTC) non-steroidal anti-inflammatory pain reliever (column 2), such as Advil. Acceptable (safe) concentrations of Ibuprofen in recycled water used to irrigate landscaping, such as a golf course, have been calculated to be 1,600 micrograms per liter (μg/l) (column 3); actual concentrations measured in tertiary- or secondary-treated recycled water systems are typically less than or equal to 1/2 microgram per liter, which is far below levels considered safe. At actual concentrations, the golfer could enjoy playing, under the above exposure scenario, for 26,000 years before being exposed to the equivalent of one Advil tablet (column 4).

How much is a microgram? One microgram per liter is often expressed as one part per billion and is roughly equivalent to one sugar cube in an Olympic size swimming pool.

Why have only ten PPCPs been listed? There are currently hundreds of Pharmaceuticals & Personal Care Products (PPCPs) that can be detected in varying concentrations throughout the environment. For the purposes of this study, 10 chemicals were chosen for their associated health risks and/or recognizability. They were carefully selected to be representative of the PPCPs that are present in most recycled water used for irrigation purposes.

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1 Acceptable concentrations are calculated concentrations at which adverse health effects are not expected from exposure to recycled water. In other words, levels at which contact with the water is deemed to be safe.
2 Actual concentrations are the 90th percentile concentrations presented in Monitoring Strategies for Chemicals of Emerging Concern (CECs) in Recycled Water: Recommendations of a Science Advisory Panel. Final Draft. California State Water Resources Board, June 25, 2010. This means that in a review of available studies in which PPCPs were measured in recycled water, 90 percent of the measured concentrations were equal to or less than the concentrations presented here.
Child at Play

The child is 33-pounds and plays on the grass at a playground one day per week immediately following irrigation with tertiary-treated recycled water, which occurs six months of the year (26 days). He/she plays for one hour each day and his/her entire hands, forearms, and lower legs are wet with recycled water for the entire hour. The child indirectly ingests 10 milliliters of recycled water during each play session, which is estimated to be 1/5 the amount of water ingested by a child who swims for an hour. The exposures evaluated include absorption through the skin and incidental ingestion.

This is a high estimation of the amount of water to which a typical child at play could be exposed. This is done purposely to build extra margins of safety into the risk assessments in this study (see reverse). The scenario not only represents a child on a playground, but also at the park or on a school athletic field.

**Explaining the Chart:** The chart on the reverse is divided into four columns: column 1 lists ten Pharmaceuticals & Personal Care Products (PPCPs); column 2 explains a little about what these compounds are and how one might come into contact with them in the normal course of daily life; column 3 compares “acceptable” concentrations of these PPCPs to what is actually measured in tertiary- or secondary-treated recycled water. Finally, using actual concentrations of PPCPs found in recycled water, column 4 shows the number of years that it would take, under the above scenario, for the child to be exposed to the equivalent of a dose (or normal daily intake) of the compound from conventional uses.

**Interpreting the Numbers:** Let’s put it all together, using Ibuprofen as our example. Ibuprofen is an over-the-counter (OTC) non-steroidal anti-inflammatory pain reliever (column 2), such as Advil. Acceptable (safe) concentrations of Ibuprofen in recycled water used to irrigate landscaping, such as a park or school playground, have been calculated to be 890 micrograms per liter (μg/L) (column 3); actual concentrations measured in tertiary- or secondary-treated recycled water systems are typically less than or equal to 1/2 microgram per liter, which is far below levels considered safe. At actual concentrations, the child could enjoy playing, under the above exposure scenario, for 67,000 years before being exposed to the equivalent of one Advil tablet (column 4).

**How much is a microgram?** One microgram per liter is often expressed as one part per billion and is roughly equivalent to one sugar cube in an Olympic size swimming pool.

**Why have only ten PPCPs been listed?** There are currently hundreds of Pharmaceuticals & Personal Care Products (PPCPs) that can be detected in varying concentrations throughout the environment. For the purposes of this study, 10 chemicals were chosen for their associated health risks and/or recognizability. They were carefully selected to be representative of the PPCPs that are present in most recycled water used for irrigation purposes.

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1 Acceptable concentrations are calculated concentrations at which adverse health effects are not expected from exposure to recycled water. In other words, levels at which contact with the water is deemed to be safe.
2 Actual concentrations are the 90th percentile concentrations presented in Monitoring Strategies for Chemicals of Emerging Concern (CECs) in Recycled Water, Recommendations of a Science Advisory Panel. Final Draft. California State Water Resources Board, June 25, 2010. This means that in a review of available studies in which PPCPs were measured in recycled water, 90 percent of the measured concentrations were equal to or less than the concentrations presented here.
The agricultural worker is a 154-pound adult that works in fields that are irrigated 3 days per week for 6 months per year, totaling 78 days of exposure to tertiary-treated recycled water per year. The worker is exposed to recycled water for an entire 8-hour day and it is assumed that 10 percent of his/her head, forearms and hands are wet with recycled water at any given moment. Incidental ingestion of recycled water occurs at a rate of 4 milliliters each hour. The exposures evaluated include absorption through the skin and incidental ingestion.

This is a high estimation of the amount of water to which a typical field worker could be exposed. This is done purposely to build extra margins of safety into the risk assessments in this study (see reverse).

Explaning the Chart: The chart on the reverse is divided into four columns: column 1 lists ten Pharmaceuticals & Personal Care Products (PPCPs); column 2 explains a little about what these compounds are and how one might come into contact with them in the normal course of daily life; column 3 compares “acceptable” concentrations of these PPCPs to what is actually measured2 in tertiary- or secondary-treated recycled water. Finally, using actual concentrations of PPCPs found in recycled water, column 4 shows the number of years that it would take, under the above scenario, for the worker to be exposed to the equivalent of a dose (or normal daily intake) of the compound from conventional uses.

Interpreting the Numbers: Let’s put it all together, using Ibuprofen as our example. Ibuprofen is an over-the-counter (OTC) non-steroidal anti-inflammatory pain reliever (column 2), such as Advil. Acceptable (safe) concentrations of Ibuprofen in recycled water used to irrigate agricultural land and crops have been calculated to be 1,700 micrograms per liter (µg/l) (column 3); actual concentrations measured in tertiary- or secondary-treated recycled water systems are typically less than or equal to 1/2 microgram per liter, which is far below levels considered safe. At actual concentrations, the agricultural worker could toil, under the above exposure scenario, for 28,000 years before being exposed to the equivalent of one Advil tablet (column 4).

How much is a microgram? One microgram per liter is often expressed as one part per billion and is roughly equivalent to one sugar cube in an Olympic-size swimming pool.

Why have only ten PPCPs been listed? There are currently hundreds of Pharmaceuticals & Personal Care Products (PPCPs) that can be detected in varying concentrations throughout the environment. For the purposes of this study, 10 chemicals were chosen for their associated health risks and/or recognizability. They were carefully selected to be representative of the PPCPs that are present in most recycled water used for irrigation purposes.

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2 Actual concentrations are the 90th percentile concentrations presented in Monitoring Strategies for Chemicals of Emerging Concern (CECs) in Recycled Water, Recommendations of a Science Advisory Panel, Final Draft. California State Water Resources Board, June 25, 2010. This means that in a review of available studies in which PPCPs were measured in recycled water, 90 percent of the measured concentrations were equal to or less than the concentrations presented here.
The City of Pompano Beach invites you to join

The Great OASIS Connection
Contest of 2013
Win Great Prizes!
Now through April 5, 2013

Encourage others to connect to OASIS - Pompano Beach's reuse water irrigation system - now through April 5, 2013, and you could be a BIG winner.

The four participants who get the most reuse customers signed up will receive the following, respectively:

**First Place** - two (2) seats on the Goodyear Blimp ($1,000 value)

**Second Place** - one (1) day Golf Pass for Four (4) players on the Greg Norman Signature Golf Course ($260 value)

**Third Place** - outdoor Gas Grill donated by Lowe's, ($199 value)

**Fourth Place** - outdoor Gas Fire Pit donated by Lowe's, ($199 value)

Participants may only recruit single-family residential property owners who have City of Pompano Beach reuse water available. Renters, commercial and multifamily designated properties are not eligible to be recruited through this program.

*(This contest is promoted and sponsored by the City of Pompano Beach. There are approximately 690 reuse customers available for recruitment.)*

For more information, call or click:

(954) 324-8434
www.iCanWater.com
April 9, 2014

Ms. Andrea Zavodska Gibbs
Environmental Protection Department/Wastewater Section
1 North University Drive – Suite 2010
Plantation, FL 33324


Dear Ms. Zavodska Gibbs:

I've enclosed the 2014 Annual Reuse Plant Analysis Report as required in License WWTP-2400-13. The samples were analyzed by Florida Spectrum Environmental Services, Ft. Lauderdale, FL, Certification E86006.

Please contact me at (954) 545-7018 if you need any additional information.

Respectfully,

[Signature]

Fran Oney
Laboratory Manager

Enclosure

C: Maria Loucraft, Utilities Compliance and Efficiency Manager
   Phil Hyer, Utilities Water Plants Superintendent
   James Clark, Water Plant Supervisor
   Robert Moore, Operator II
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EDB and DBCP by EPA Method 504.1
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### Laboratory Analysis Report

#### Organochlorine Pesticides & PCBs by EPA 508

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#### Purgeable Organic Compounds by EPA Method 524.2

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Florida-Spectrum Environmental Services, Inc.
1460 W. McNab Road, Fort Lauderdale, FL 33309

Pembroke Laboratory
528 Gooch Rd.
Fort Mead, FL 33841

Big Lake Laboratory
610 Parrot Ave. N.
Okatie, SC 29907

Spectrum Laboratories
630 Indian St.
Savannah, GA 31401

www.flenviro.com
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<tr>
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### Laboratory Analysis Report

#### Purgeable Organic Compounds by EPA Method 524.2

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<th>Units</th>
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<th>PQL</th>
<th>Method</th>
<th>Date Ext.</th>
<th>Date Analy.</th>
<th>Analyst</th>
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<tr>
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### Purgeable Organic Compounds by EPA Method 524.2

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<th>Date Analy.</th>
<th>Analyst</th>
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<td>Vinyl chloride</td>
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<td>02/04 18:43</td>
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### Subcontracted Analyses

| Gross Alpha        | 2.3±1.3 | U  | pCi/L | 1  | 2.30  | 6.90 | EPA 900.0 | 02/06 06:16 | 02/07 13:34 | SUB     |
| Radium-226         | 0.2±0.1 | U  | pCi/L | 1  | 0.200 | 0.600 | EPA 903.1 | 02/04 08:48 | 02/11 10:54 | SUB     |
| Radium-228         | 1.0±0.6 | U  | pCi/L | 1  | 1.00  | 3.00  | EPA Ra-05 | 02/04 08:48 | 02/11 13:13 | SUB     |

### Trihalomethanes by EPA Method 524.2

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<th>Method</th>
<th>Date Ext.</th>
<th>Date Analy.</th>
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<td>µg/L</td>
<td>1</td>
<td>0.08</td>
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<tr>
<td>Bromoform</td>
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<td>U</td>
<td>µg/L</td>
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<td>U</td>
<td>µg/L</td>
<td>1</td>
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<tr>
<td>Dibromochloromethane</td>
<td>3.95</td>
<td>U</td>
<td>µg/L</td>
<td>1</td>
<td>0.12</td>
<td>0.36</td>
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<td>02/04 18:43</td>
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</table>
CHAPTER 54: REUSE WATER AND CROSS-CONNECTON CONTROL

Section

54.01 Definitions
54.02 Intent
54.03 Purpose
54.04 Connection required
54.05 Connection charges and rates
54.06 Policies and regulations adopted; compliance required
54.07 Design and construction of new reclaimed water facilities
54.08 City responsibility
54.09 Customer responsibility
54.10 Discontinuance procedures
54.11 Backflow preventer criteria
54.12 Permits
54.13 Existing in-use backflow preventers
54.14 Unauthorized work on reclaimed water system
54.15 Conditions of use and ownership
54.16 Unauthorized use
54.17 Liability regarding public employees
54.18 Violation, liability
54.19 Code enforcement authority
54.20 Appeals
54.21 Aquifer protection

§ 54.01 DEFINITIONS.
The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**APPROVED.** Accepted by the Director as meeting an applicable specification stated or cited in this chapter, or as suitable for the proposed use.

**APPROVED BACKFLOW PREVENTER.** Only the following may be considered to be approved backflow preventers:

1. Air gap separation - A physical separation between the free-flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An "approved air gap separation" shall be at least double the diameter of the supply pipe measured vertically above the top of the rim of the vessel. In no case shall it be less than one inch.

2. Reduced pressure zone ("RPZ") backflow preventer - A device containing within its structure a minimum of two independently acting approved check valves, together with an automatically operating pressure differential relief valve located between the two check valves. The first check valve reduces the supply pressure a predetermined amount so that during normal flow and at cessation of normal flow the pressure between the checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks less than the supply pressure. The unit shall include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks.

3. Atmospheric vacuum breaker - A backflow prevention device which is operated by atmospheric pressure in combination with the force of gravity. The unit is designed to work on a vertical plane only. The one moving part consists of a poppet valve which must be carefully sized to slide in a guided chamber and effectively shut off the reverse flow water when a negative pressure exists.

4. Pressure vacuum breaker - A pressure vacuum breaker is similar to an atmospheric vacuum breaker except that the checking unit "poppet valve" is activated by a spring. This type of vacuum breaker does not require a negative pressure to react and can be used on a pressure side of a valve.

5. Double check valve assembly - An assembly composed of two single, independently acting, check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve. A check valve is a valve that is drip-tight in the normal direction of flow when the inlet pressure is one psi and the outlet pressure is zero. The check valve shall permit no leakage in a direction reverse to the normal flow. The closure element (e.g. clapper) shall be internally weighted or otherwise internally loaded to promote rapid and positive closure.

6. Residential Dual Check - A compact unit manufactured with two independent spring actuated check valves. The residential dual check is acceptable only at single-family residential properties with an auxiliary water supply for irrigation.

Additional restrictions and criteria regarding the acceptable type of approved backflow preventer are contained in Chapter 62-555, Florida Administrative Code, the Florida Plumbing Code, and throughout this chapter.
The approved backflow preventer shall be installed in agreement with and under the supervision of the city or its designated representative (plumbing inspector, etc.) at the customer’s meter, at the property line of the customer when a meter is not used, or at a location designated by the supplier of water or the Department. Such devices shall be manufactured in full conformance with the standards established by the American Water Works Association titled “AWWA C510 - Standard for Double Check Valve Backflow Prevention Assembly”, latest revision, and “AWWA C511 Standard for Reduced Pressure Principle Backflow Prevention Assembly”, latest revision, and meet completely the laboratory and field performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California established by “Specification of Backflow Prevention Assemblies” - Section 10 of the most current issue of the “Manual of Cross-Connection Control”. The AWWA and FCCHR standards and specifications have been adopted by the city. Final approval shall be evidenced by a certificate of approval issued by an approved testing laboratory certifying full compliance with said AWWA standards and FCCHR specifications. An approved list of qualified laboratories will be available from the Department. Backflow preventers that may be subjected to back pressure or back-siphonage that have been fully tested and have been granted a certificate of approval by an approved laboratory and are listed on that laboratories’ current list of approved backflow preventers may be used without further testing or qualification. The approved backflow preventer device shall be installed in compliance with the requirements of the Florida Plumbing Code.

**AUXILIARY WATER SUPPLY.** Any water supply on, or available to the premises other than the city’s approved public potable water supply.

**BACK-SIPHONAGE.** The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

**BACKFLOW.** The flow of water or other liquids, mixture or substances, under positive or reduced pressure into the distribution pipes of a potable water supply from any source other than its intended source.

**BACKFLOW PREVENTER.** An assembly or means designed to prevent backflow or back-siphonage.

**CERTIFIED BACKFLOW TESTER.** A person who has successfully completed at least a 32 hour backflow prevention course and has a current Certificate of Completion from one of the schools endorsed by the Florida Section AWWA.

**CONTAINMENT.** A method of backflow prevention which requires a backflow preventer at the potable water service connection.

**CONTAMINANT.** A physical, chemical, biological or radiological substance or matter in water.

**CROSS-CONNECTION.** Any physical arrangement whereby a public water supply is connected, directly, or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other assembly which contains or may contain contaminated or polluted water, sewage, or other waste, or liquid of unknown or unsafe quality which may be capable of imparting contamination or pollution to the public water supply as a result of backflow or back-siphonage. By-pass arrangements, jumper connections, removable sections, swivel or
changeable assemblies, and other temporary or permanent assemblies through which or because of which backflow or backsiphonage could occur are considered to be cross-connections.

**CUSTOMER.** Any person, firm or corporation, or governmental entity, using or receiving water from the city’s utility system.

**CUSTOMER WATER SYSTEM.** Includes those parts of water system facilities beyond the point of delivery that are utilized to convey potable or reclaimed water to the customer’s points of use.

**DEPARTMENT.** The City of Pompano Beach Utility Department.

**DIRECTOR.** The Utilities Director or delegated representative, in charge of the City Utilities Department, who is hereby invested with the authority and responsibility for the implementation of a cross-connection control program and for the enforcement of the provisions of this chapter.

**FIRE SERVICE.** A potable water service for a customer which is used to supply a fire protection system.

**FLORIDA PLUMBING CODE.** The Florida Plumbing Code as published by the State of Florida, and adopted by the Broward County Board of Rules and Appeals.

**POINT OF DELIVERY.** The terminal end of service from the public potable water system or reclaimed water system at the meter. This is the point at which the public potable water system loses jurisdiction and sanitary control over the potable water system and the operation of the reclaimed water system becomes the responsibility of the customer.

** POLLUTANT.** A foreign substance that, if permitted to get into the potable water system, will degrade its quality so as to impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such water for domestic use.

**POTABLE WATER.** Water from any source which has been approved for human consumption by the Public Health Unit.

**PUBLIC HEALTH UNIT.** The health authority having jurisdiction in the county.

**RECLAIMED WATER.** Water that is flowing out of the city’s water reclamation facility.

**RECLAIMED WATER SYSTEM.** Facilities consisting of distribution mains, valves and appurtenances used to distribute reclaimed water to customers.

**RECLAIMED WATER FACILITIES.** All facilities required for the production, storage, transmission, distribution and use of reclaimed water.

**WATER SERVICE CONNECTION.** The point in the customer’s water system beyond the sanitary control of the Department; it is generally considered to be the outlet end of the approved backflow device for single-family residential customers and always before any unprotected branch. It is the outlet end of the water meter for all other units.

**WATER SERVICE INSTALLATION.** The establishment of a new point of delivery, reuse of an existing point of delivery for a new or different customer, or the modification of an existing point of delivery from the city’s potable water system for any customer.
§ 54.02 INTENT.

The City Commission has determined that the use of reclaimed water is necessary and in the best interests of the citizens of Pompano Beach. It is intended that this chapter will accomplish the objectives of providing for the safe and beneficial use of reclaimed water to protect the environment and conserve Florida's limited potable water supplies, and the City Commission does hereby find that it is necessary for the protection and promotion of the health, safety, and welfare of the people served by the city's water system, to adopt cross-connection control standards which establish minimum requirements for the design, construction and maintenance of connections to the public water supply.

(Ord. 2002-65, passed 9-10-02)

§ 54.03 PURPOSE.

The purpose of this chapter shall be:

(A) To protect the public potable water supply served by the city water system from the possibility of contamination or pollution by containment at the point of the customers' water service connection to the city's water system and by isolating, within its customer's water systems, such contaminants or pollutants which could backflow or back-siphon into the public water system.

(B) To promote the elimination or control of existing cross-connections, actual or potential, between a customer's private potable water system and nonpotable systems.

(C) To provide for the maintenance of a continuing program of cross-connection control which will effectively prevent the contamination or pollution of all potable water systems.

(Ord. 2002-65, passed 9-10-02)

§ 54.04 CONNECTION REQUIRED.

(A) Where available, the owner of every lot or parcel of land within the city utility service district developed for public, commercial, office, industrial, warehousing and/or multifamily use(s) shall connect or cause to be connected, with the reclaimed water distribution system.

(B) Single-family home developments constructed after the effective date of this chapter shall include reclaimed water distribution mains, and shall connect to the system when reclaimed water service becomes available.

(C) Connection to the system is voluntary for all existing residential customers; however, an availability charge will be assessed where reclaimed water service becomes available.

(D) All connections shall be made in accordance with policies and regulations adopted by the
commission. This provision shall not be construed to entitle any person to cross the property of
another to make such connections.

(E) For the purposes of this chapter, the term “available” or “availability” shall mean contiguous
to or within 100 feet of any property line.

(F) At such time as reclaimed water service becomes available, required connection shall be
made within 90 days of notification by the city.

(G) Upon connection of a lot or parcel of land to the reclaimed water system, returning to potable
water connections for irrigation purposes is prohibited.

(H) Relief.

(1) Any person affected by the provisions of this section may make application to the City
Manager or his designee, for relief if compliance would impose a unique, unnecessary and
inequitable hardship on such person. Relief may be granted only upon a demonstration that such
hardship is peculiar to the person or the affected property and is not self-imposed, and that the grant
of relief will be consistent with the general intent and purpose of this section. Any application for
relief or appeal shall be sent by certified mail, return receipt requested.

(2) Upon receiving an application for relief, the City Manager or his designee shall render a
decision on the type of relief, if any, within 20 working days. Denial of the relief may be appealed to
the City Commission within 30 days of such person's receipt of the notice of denial.

(3) An application for relief, and/or the granting of relief, shall operate prospectively, and shall
not affect any pending enforcement action against the violator pursuant to the provisions of this
section.

(Ord. 2002-65, passed 9-10-02, Am. Ord. 2011-59, passed 7-12-11)

§ 54.05 CONNECTION CHARGES AND RATES.

(A) Connection charges to the reclaimed water system are based on the size of the reclaimed
water service system. The connection charges consist of two components. The first component is the
tapping fee, which includes the costs to tap the reclaimed water distribution main and run a service
line to the property line. The second component is the meter set fee which includes the cost for
installing the meter and meter box. The customer shall be responsible for any charges incident to the
installation and connection to the reclaimed water system as follows:

<table>
<thead>
<tr>
<th>Reclaimed Water Service Size</th>
<th>If no existing tap, Tapping Fee</th>
<th>Meter Set Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot; - 1&quot;</td>
<td>$576</td>
<td>$225</td>
</tr>
<tr>
<td>1 1/2&quot;</td>
<td>$668</td>
<td>$267</td>
</tr>
<tr>
<td>2&quot;</td>
<td>$668</td>
<td>$433</td>
</tr>
</tbody>
</table>
The monthly service availability charge shall be charged to all water customers 90 days after reclaimed water service becomes available regardless of whether the customer is connected to the reclaimed water distribution system.

(2) Commodity charges per 1,000 gallons:

<table>
<thead>
<tr>
<th>Meter Size (Inches)</th>
<th>Commodity Charge ($/kgal)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Effective 1/1/11 Class One</td>
</tr>
<tr>
<td>3/4</td>
<td>0.61</td>
</tr>
<tr>
<td>1</td>
<td>0.26</td>
</tr>
<tr>
<td>1 1/2</td>
<td>0.52</td>
</tr>
<tr>
<td>2</td>
<td>0.25</td>
</tr>
<tr>
<td>3</td>
<td>0.25</td>
</tr>
<tr>
<td>4</td>
<td>0.25</td>
</tr>
<tr>
<td>6</td>
<td>0.50</td>
</tr>
<tr>
<td>8</td>
<td>0.80</td>
</tr>
<tr>
<td>10</td>
<td>1.00</td>
</tr>
</tbody>
</table>

Class One - Customers connected to the system prior to July 12, 2011.

Class Two - Customers connected to the system subsequent to July 12, 2011.

(3) Service outside city limits. All rates, charges and deposits specified in this chapter will be increased by 25% for reclaimed water service outside of the incorporated limits of the city. Specific agreements with other governmental entities may govern the date and charges to be applied pursuant to such agreements.

(H) To encourage connection to the reclaimed water system by existing city utility customers, the City Commission may, by resolution, temporarily amend or suspend various elements of the fee structure established in this section.


§ 54.06 POLICIES AND REGULATIONS ADOPTED; COMPLIANCE REQUIRED.
All reclaimed water connections larger than two inches will be based on consumption and the installation cost determined by the Director.

Notwithstanding the above, first-time connection to the reclaimed water system for single-family residential homes and installation of approved city-owned dual-check devices shall be at no cost to the single-family residential customer through January 1, 2018. Any city-owned residential dual check devices installed by the city as backflow protection and used in conjunction with another layer of protection per state regulations to allow for reuse service are the property and responsibility of the city.

In addition, the city shall replace approved backflow preventer for single-family residential customers existing as of adoption of this ordinance, with city-owned dual check devices at no cost to the existing single-family residential customer, in accordance with state regulations and the “AWWA M-14 Manual”.

(B) All charges associated with the reclaimed water utility shall be governed by § 50.06 of the Municipal Code of Ordinances.

(C) For the purpose of this chapter, the provisions set forth in §§ 50.02 and 50.03(C) of the Municipal Code of Ordinances shall apply.

(D) Re-connection. A customer whose service has been voluntarily discontinued or disrupted for nonpayment may resume reclaimed water service after paying any past due amounts and a re-connection fee of $20.

(E) Violation. Where service has been disconnected for violation of an ordinance or regulation regarding reclaimed water, such service shall not be reconnected until the Director, or designee, receives adequate assurances and guarantees that such a violation will not recur.

(F) Illegal/nonconsent fee. When an unauthorized connection is made to the reclaimed water system or a connection to the system is made without the prior authorization of the city having been obtained, an inspection fee of $50 will be charged in addition to those fees provided for in Chapter 50 for theft of service situations.

(G) There is hereby levied and established a system of rates and charges against each and every person, firm, partnership, corporation, or other legal entity provided reclaimed water service in accordance with the following schedule:

Territory: Applicable within the Pompano Beach water service area where reclaimed water service is available.

(1) Monthly service availability charge:

<table>
<thead>
<tr>
<th>Meter Size (Inches)</th>
<th>#ERC's</th>
<th>$/Month Effective 10/1/08</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4 x 5/8</td>
<td>1</td>
<td>$7.84</td>
</tr>
</tbody>
</table>
The city adopts by reference the “Reuse Water System Program Manual,” dated April 2007. Compliance with the policies and regulations is hereby required.

(Ord. 2002-65, passed 9-10-02; Am. Ord. 2011-59, passed 7-12-11)

§ 54.07 DESIGN AND CONSTRUCTION OF NEW RECLAIMED WATER FACILITIES.

All reclaimed water facilities shall be designed and constructed in accordance with applicable state, county and city policies, standards and specifications including, but not limited to, the “Reuse Water System Program Manual,” and construction standards of other agencies authorized by the city to distribute reclaimed water. A copy of the “Reuse Water System Program Manual” is available for review on the city web page under customer service.

(A) The applicant shall design, permit and construct, at the applicant’s expense, the off-site reclaimed water mains, valves and accessories necessary to extend city reclaimed water service to the development.

(B) The applicant shall design, permit and construct, at the applicant’s expense, the reclaimed water distribution system to provide reclaimed water service to individual customers within the development.

(Ord. 2002-65, passed 9-10-02; Am. Ord. 2011-59, passed 7-12-11)

§ 54.08 CITY RESPONSIBILITY.

(A) The city will operate a cross-connection control program, to include the keeping of necessary records, which fulfills the requirements of this chapter, and is consistent with American Water Works Association (AWWA) Manual of Water Supply Practices, —14, most current edition, and the requirements of Florida Administrative Code 62-555 and 62-610.

(B) No reclaimed water service connection shall be installed on the premises of any customer unless the city potable water system is protected as required by this chapter.

(C) The city will not allow any cross-connection between the reclaimed water system and the potable water system.

(D) The city shall ensure that all permitted and testable approved backflow preventers are tested and repaired at least once per year. This testing shall be performed by a certified backflow tester and a report provided to the city at the customer’s expense. The city shall ensure that all city-owned residential dual check prevention devices are replaced according to state requirements.

(Ord. 2002-65, passed 9-10-02; Am. Ord. 2005-62, passed 6-28-05; Am. Ord. 2011-59, passed 7-12-11)

§ 54.09 CUSTOMER RESPONSIBILITY.

(A) The customer shall prevent contaminants and pollutants from entering the city’s potable
water supply system from the customer’s water system. The customer shall protect the customer’s private water system against actual or potential cross-connection, backflow or back-siphonage, as required by the Florida Plumbing Code, this chapter, and other applicable regulations. The customer shall be responsible for the elimination or protection of all cross-connections on the customer’s premises, except that city-owned residential dual check devices installed by the city as backflow protection and used in conjunction with another layer of protection per state regulations to allow for reuse service are the property and responsibility of the city.

(B) The customer shall follow the provisions of this chapter and the city’s program.

(C) Upon written notification by the city, the customer shall obtain any permit required for the installation of approved backflow preventers for new or existing water service connections; and shall pay for the installation of approved backflow preventers to serve the premises as provided in this chapter.

(D) The city shall inspect the customer’s water system and make recommendations as to the type of backflow preventer that should be installed on the customer’s private water system to ensure the quality of the water entering upon the property beyond the outlet end of the backflow preventer.

(E) Owners of backflow preventers shall have certified inspections and operational tests made at least once per year. In those instances where the Director deems the hazard to be great enough, certified inspections may be required at more frequent intervals. The cost for inspection and testing shall be borne by the owner of the assembly and shall be performed by a certified backflow tester. The cost for the backflow preventer repair, overhaul, or replacement shall be borne by the owner of the assembly. Records of such tests, repairs and overhaul shall be kept and made available (copy provided) to the Director.

(F) The customer shall inform the city of any proposed or modified cross-connections and also any existing cross-connections of which the customer is aware but has not been found by the city.

(G) The customer shall not install a by-pass around any backflow preventer unless there is an approved backflow preventer of the same type on the by-pass. Customers who cannot shut down operation for testing or repair of approved backflow preventers must provide a parallel installation to allow for testing or repair to take place.

(H) For the purpose of making any inspection or installation of a backflow preventer, or discharging the duties imposed by this chapter, a city employee shall be granted access to all utility equipment located on the customer’s premises. Each customer, as a condition of the continued delivery to his premises of water from the city’s water system, shall be considered as having consented to entry upon his premises and agrees to defend and hold harmless the city from all claims and judgments arising therefrom by any person.

(I) No person shall connect to, operate, maintain or allow to remain any connection to the potable water system for domestic or for any purpose which is on the city utility side of the backflow preventer. No such connections shall be permitted without the prior written approval from the Director and that such installation shall also require an additional approved backflow preventer that meets city approval.

(J) Failure to perform tests within the stated period may result in the suspension of reclaimed or potable water service until such time as the necessary tests are conducted and accepted by the City
of Pompano Beach.


§ 54.10 DISCONTINUANCE PROCEDURES.

(A) The city shall attempt to inform the water account customer and the property owner by letter at the addresses provided to the city's utility department of any failure to comply with the conditions of this chapter or a permit issued hereunder. The city will allow an additional 15 days for the correction after the final notice is sent. In the event the customer fails to comply with the necessary correction within this time frame, the city may terminate the customer's water service until corrective action is taken or until the necessary approved backflow preventer is installed, repaired, replaced or tested.

As an alternative to termination of service due to failure to take required corrective action for the specified backflow preventers, the city will include with the final notice of the required corrective action for the backflow preventer, a Backflow Preventer Installation, Repair, Replacement or Testing, Waiver and Hold Harmless Agreement for the property owner. The agreement will allow the city to contract with an outside plumbing contractor to install, repair, replace or test the backflow preventer. The property owner may either complete and submit the agreement or be subject to termination of service.

Upon receipt of the completed and properly executed agreement, the city will solicit a quotation to install, repair, replace or test the required backflow preventer from a qualified plumbing or fire sprinkler contractor, depending on the class of the service, and the installation, repair, replacement or test will be completed.

Where the property owner is also the water account customer, a charge will be placed on the water bill for the contractor's costs of testing, repair, replacement or installation of the backflow preventer and permit fees, if applicable. In the case of a new installation, repair or replacement, the costs will be distributed over a 12 month period payable in monthly installments and will include an administrative fee of 15% of the contractor's fee. In addition, the full amount due will be placed on the water account and on the monthly water bill until paid in full, with credit shown for any payment made. When the owner needs only a backflow test, the entire fee will be placed on the next water bill and will include an administrative fee of 10% of the contractor's fee and be payable within 30 days. Upon failure to timely remit any payment due, the full remaining amount due may be placed as a lien on the property and filed in the public records of Broward County.

When the property owner who has entered into an agreement is not the water account customer, the fee will be filed as a lien against the property in the public records of Broward County if not paid in full within 30 days of installation, repair, replacement or testing.

(B) Delivery of potable or reclaimed water to any customer may be discontinued by the Director if any approved backflow preventer required by this chapter has been removed, tampered with or bypassed. Service shall not be resumed until conditions at the customer's premises have been corrected to the satisfaction of the Director. It is the responsibility of the owner of the approved backflow preventer to repair or replace the device or assembly and bear all costs. If the approved
backflow preventer is not repaired within five working days from the day the approved backflow preventer was determined to be defective or malfunctioning, the city may turn off the potable water supply until the approved backflow preventer has been repaired or replaced.

(C) If the city determines at any time that a serious threat to the public health exists, the appropriate service will be terminated immediately.

(D) In addition to the above procedures, the Director may cite to the County Court any customer for violation of the provisions of this chapter.


§ 54.11 BACKFLOW PREVENTER CRITERIA.

(A) The Director will evaluate the hazards inherent in supplying a customer’s water system using applicable standards and codes. If in the judgment of the Director an approved backflow preventer is required at the customer’s water service connection or within the customer’s water system, the Director shall give written notice to the customer of the specific locations, types, and sizes of the required assemblies or devices.

(B) Failure or refusal or inability on the part of the customer to provide for the installation, testing or repair of customer owned and required approved backflow preventers shall constitute grounds for discontinuing potable or reuse water service to the premises until such approved backflow preventers have been properly installed.

(C) Wherever the following conditions exist, an approved backflow preventer shall be installed on each service line to a customer’s water system at or near the property line, but in all cases, before the first branch line leading off the service line:

1. In the case of premises having an auxiliary water supply that is not or may not be of safe bacteriological or chemical quality, the public water system shall be protected against backflow from the premises by installing an approved backflow preventer in the service line, at or near the point of delivery appropriate to the degree of hazard as determined by the city.

2. In the case of premises on which any industrial fluids or any other objectionable substances are handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow by installing an approved backflow preventer in the service line, at or near the point of delivery appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system that have been subject to deterioration in quality.

(D) The type of approved backflow preventer required shall depend upon the degree of hazard that exists as determined by the Florida Plumbing Code or Director as follows:

1. In the case of any premises where there is an auxiliary water supply and it is not subject to any of the following rules, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow preventer.
(2) In the case of any premises where there is water or substance that would be objectionable but not hazardous to health if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.

(3) In the case of any premises where there is any material danger to health that is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow preventer. Examples of premises where these conditions include, but are not limited to, sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.

(4) In the case of any premises where there are uncontrolled cross-connections, either actual or potential, the public water system shall be protected by an approved air gap separation or an approved reduced pressure principle backflow preventer at the service connection.

(5) In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved air gap separation or an approved reduced pressure principle backflow preventer on each service.

(6) In the case of any premises where, in the opinion of the Director, an undue health threat is posed because of the presence of extremely toxic substances, the Director may require an air gap separation or reduced principle backflow preventer at the service connection to protect the public water system.

(7) In the case of any premises where there is reclaimed water service for irrigation, there shall be no physical connection between the reclaimed water system and the customer’s potable water system. An approved double check valve assembly shall be required at all premises that are served by reclaimed water on the water service at or near the point of delivery, with the exception of single family residences, which may use an approved residential dual check device. Single family residences using another auxiliary water source for irrigation shall as a minimum use an approved dual check device.

(8) In the case where the metered use of potable water is permitted directly from a fire hydrant or other water system fixture for filling tank type vehicles (i.e. lawn maintenance and pest control), the water system shall be protected by an air gap separation or a reduced pressure zone backflow preventer.

(9) In the case where temporary use of water is permitted directly from a fire hydrant or other water system fixture through a portable meter (i.e. construction activity), the water system shall be protected by a double check valve assembly or reduced pressure zone backflow preventer.

(Ord. 2002-65, passed 9-10-02; Am. Ord. 2005-62, passed 6-28-05; Am. Ord. 2011-59, passed 7-12-11)

§ 54.12 PERMITS.

(A) The city shall not permit a cross-connection within the public water supply system.
(B) Cross-connection permits required for the installation or replacement of approved backflow preventers are obtained from the city. Permits are required for double check valve assemblies, reduced pressure zone backflow preventers and other assemblies or devices that may be required for backflow prevention. Permits are not required for city-owned dual check devices.


§ 54.13 EXISTING IN-USE BACKFLOW PREVENTERS.

(A) Any backflow preventer existing as of the effective date of this chapter that is properly installed and properly functioning shall be allowed by the city to continue in service unless the degree of hazard is such as to supersede the effectiveness of the present backflow preventer, or result in an unreasonable risk to the public health. Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, the existing backflow preventer must be upgraded to ensure an appropriate assembly is installed consistent with the increased degree of hazard. A permit must be obtained from the city.

(B) All approved backflow preventers installed as of the effective date of this chapter that do not meet the requirements of this chapter shall be removed and replaced with a backflow preventer meeting the requirements of this chapter. The customer shall pay for all costs of replacement and obtain any required permit from the city. However, single-family residential customers shall receive replacement city-owned dual check devices at no cost through January 1, 2018.

(Ord. 2002-65, passed 9-10-02; Am. Ord. 2005-62, passed 6-28-05; Am. Ord. 2011-59, passed 7-12-11)

§ 54.14 UNAUTHORIZED WORK ON RECLAIMED WATER SYSTEM.

(A) Unauthorized work prohibited. No person, unless expressly authorized by the Director of utilities or designee, shall tamper with, work on, or in any way alter or damage any city reclaimed water facility. Tampering or work shall include, but is not limited to, opening or closing of city valves, or causing of any water to flow from the system. No unauthorized person shall cut into or make any connection with the system. The offending person(s) or property owner(s) shall be liable for the cost of all charges attributable to the correcting of such tampering, including legal expenses, but payments of or correcting of such damage shall not relieve the offending person from civil penalties the city or a court may impose for a violation of city ordinance.

(B) Maintenance required. The owner or controller of the property must properly maintain the reclaimed water system and approved backflow preventers upon the premises. However, the city shall be responsible for any maintenance of any city-owned residential dual check device and the associated reclaimed water system. Additionally, the owner or controller of the property will maintain the irrigation system to avoid excessive overspray onto streets, public sidewalks, canals, swimming pools, hot tubs or wading pools. Also included is maintenance of pipes and valves so as not to cause damage to city streets or utilities. Failure to keep the system in repairs shall result in discontinuance of service.
CHAPTER 54. REUSE WATER AND CROSS-CONNECTION CO...

§ 54.15 CONDITIONS OF USE AND OWNERSHIP.

(A) Each customer of reclaimed water shall not have any recourse against the city for the loss of reclaimed water supply due to treatment plant disruptions such as power loss, main distribution system down times, or for damage to vegetation or any other damages occasioned by use of the reclaimed water.

(B) All reclaimed water distribution systems and facilities constructed by an applicant in public easement or right-of-way shall be conveyed to the city for operation and maintenance in accordance with existing city policies for acceptance of water and wastewater facilities. If the reclaimed water distribution systems and facilities have to be conveyed to other agencies authorized by the city to distribute reclaimed water, then the conveyance shall be in accordance with existing policies of such agencies for acceptance of water and wastewater facilities.

(Ord. 2002-65, passed 9-10-02; Am. Ord. 2011-59, passed 7-12-11)

§ 54.16 UNAUTHORIZED USE.

(A) No person shall allow any reclaimed water to be consumed by any human being or animal. Additionally, no person shall use reclaimed water for any purpose which would knowingly endanger the health of any person, animal or plant. No hose bibs are allowed on the reclaimed water system, with the exception of utility approved locked boxes meeting city specifications.

(B) Theft of reclaimed water service shall be subject to the provisions of § 50.10.

(Ord. 2002-65, passed 9-10-02; Am. Ord. 2005-62, passed 6-28-05; Am. Ord. 2011-59, passed 7-12-11)

§ 54.17 LIABILITY REGARDING PUBLIC EMPLOYEES.

No provision of this chapter designating the duties of any city officer or employee shall be construed as to make such officer or employee liable for any fine or penalty for failure to perform such duty.

(Ord. 2002-65, passed 9-10-02)

§ 54.18 VIOLATION, LIABILITY.

(A) Any person or customer found guilty of violating any of the provisions of this chapter or any written order of the city pursuant thereto, shall be punishable in accordance with § 10.99 of the Municipal Code of Ordinances. In addition, such person or customer shall pay all costs and expenses involved in the case, including attorney's fees. Notice of such violation shall be given by delivering
the same to the premises and a copy thereof mailed to the billing address as it appears on the city's billing records. Each day upon which a violation of this chapter occurs, shall constitute a separate and additional violation.

(B) Any person or customer in violation of any of the provisions of this chapter shall become liable to the city for any expense, loss or damage incurred by the city by reason of such violation, including attorney's fees and costs of correcting the unauthorized work, tampering or damage to the system.

(C) In addition to any penalty provided by law for the violation of any provision of this chapter, the city may bring suit in the appropriate court to enjoin, restrain, or otherwise prevent the violation.

(Ord. 2002-65, passed 9-10-02)

§ 54.19 CODE ENFORCEMENT AUTHORITY.

As an additional means of ensuring compliance with the provisions of this chapter, the Pompano Beach Special Magistrate in Code Enforcement shall have jurisdiction and authority to hear and decide alleged violations occurring in the corporate limits of the city.

(Ord. 2002-65, passed 9-10-02; Am. Ord. 2005-62, passed 6-28-05)

§ 54.20 APPEALS.

(A) An applicant aggrieved by a discretionary determination made by the Director pursuant to the authority granted in this chapter may appeal such decision to the City Manager. The appeal must be submitted in writing, within 30 calendar days of the Director's written decision. Such request shall include a summary of the decision being appealed.

(B) The City Manager shall hold a hearing on the appeal. At least ten calendar days' written notice of the hearing shall be provided to the applicant. The City Manager shall either affirm or reverse the Director's determination.

(C) The applicant may appeal the City Manager's decision within 30 calendar days to the City Commission, which shall hold a public hearing on the appeal. At least ten calendar days' written notice of the hearing shall be provided to the applicant. At the close of the hearing, the board shall uphold or reverse the City Manager's determination.

(Ord. 2002-65, passed 9-10-02)

§ 54.21 AQUIFER PROTECTION.

New wells requested by city permit in those areas supplied by the reuse utility customers will be denied.

(Ord. 2005-62, passed 6-28-05)
ANNUAL REUSE REPORT

Part I - Instructions

1. This form is to be submitted on or before January 1 following the completion of each fiscal year (October 1 through September 30). Submittal is required by Rule 62-610.870, F.A.C. This report will be used to develop and maintain a reuse inventory. It will not be used for determination of compliance with permit limitations, other than requirements to submit this report. If flow monitoring information is not available for individual reuse types or types of users, please provide your best estimates of flows allocated to individual reuse types or types of users.

2. Submit one copy (including all attachments) to each of the following three addresses:
   
a. DEP Water Reuse Coordinator
      Mail Station 3540
      2600 Blair Stone Road
      Tallahassee, Florida 32399-2400

b. The appropriate DEP district office (attention Domestic Wastewater Program).

c. The appropriate water management district.

3. Please type or print legibly. Submit all pages of this form.

4. Completion of this report is required for all domestic wastewater facilities having permitted capacities of 0.1 mgd or larger which contribute reclaimed water to one or more reuse systems permitted under Chapter 62-610, F.A.C. This form is to be completed annually for each separate reuse system. For purposes of this form, “reuse system” means a network of pipes, pumping facilities, storage facilities, and appurtenances designed to convey and distribute reclaimed water from one or more domestic wastewater treatment facilities to one or more users of reclaimed water.

5. Use the units specified in the form. For flows, show annual average flows (in mgd). This can be obtained by averaging daily flows over a 365-day period, dividing the total annual volume by 365, or by averaging the 12 monthly average flow values.

6. Be sure to submit the required attachments (see Part X on pages 8 and 9 of this form).

7. The cover sheet of your permit will identify portions of your project classified as “reuse” and portions classified as “effluent disposal.” Rule 62-610.810, F.A.C., lists the criteria for classifying projects (or portions of projects) as “reuse” or “effluent disposal.”
Part II - General Information

1. Reporting Period: October 1, 2012 through September 30, 2013

2. Date Submitted December 23, 2013

3. Person Completing This Form
   Name  A. Randolph Brown
   Title  Utilities Director
   Organization  City Of Pompano Beach
   Mailing Address  1205 NE 5th Avenue
   City/State/Zip Code  Pompano Beach, Florida 33060
   Telephone  (954) 545-7043
   E-mail  randolph.brown@copbfl.com

4. Reuse System Name  Pompano Beach Reuse Facility

5. Domestic Wastewater Treatment Facilities Providing Reclaimed Water to This Reuse System
   a. Location of Facilities
      City  Pompano Beach
      County  Broward

DEP District (check one):
   □ Northwest (Pensacola)
   □ Northeast (Jacksonville)
   □ Southwest (Tampa)
   □ Central (Orlando)
   ■ Southeast (West Palm Beach)
   □ South (Ft. Myers)

Water Management District (check one):
   □ Northwest Florida (Havana)
   □ Suwannee River (Live Oak)
   □ Southwest Florida (Brooksville)
   □ St. Johns River (Palatka)
   ■ South Florida (West Palm Beach)
b. Domestic Wastewater Treatment Facility Information

Enter the name of the facility, the DEP identification number, disinfection level, permitted capacity, and annual average flow for each treatment facility providing reclaimed water to this reuse system.

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>DEP Identification Number</th>
<th>Disinfection Level</th>
<th>Permitted Capacity (mgd)</th>
<th>Average Flow (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pompano Beach Reuse Facility</td>
<td>FLA13581</td>
<td>HI</td>
<td>7.5</td>
<td>1.799</td>
</tr>
</tbody>
</table>

Total Treated Wastewater

---

* Enter one of the following codes for disinfection level for each treatment facility:
  - HI = High-level disinfection, as described in Rule 62-600.440(5), F.A.C.
  - IM = Intermediate disinfection, as described in Rule 62-600.440(6), F.A.C.
  - BA = Basic disinfection, as described in Rule 62-600.440(4), F.A.C.
  - LL = Low-level disinfection, as described in Rule 62-600.440(7), F.A.C.
  - HB = High-level disinfection & basic disinfection for portions of the treated flow.
  - FT = Full treatment disinfection, as described in Rule 62-610.563(3)(b), F.A.C.

---

Part III - Reclaimed Water and/or Effluent Available for Reuse or Disposal

<table>
<thead>
<tr>
<th>Source of Water</th>
<th>Average Flow (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treated Wastewater [Enter the total from bottom of table in Part II]</td>
<td>1.799</td>
</tr>
<tr>
<td>Supplemental Water Supplies (Enter the flow for each supplemental water source added by the utility)</td>
<td></td>
</tr>
<tr>
<td>Surface Water</td>
<td></td>
</tr>
<tr>
<td>Stormwater</td>
<td></td>
</tr>
<tr>
<td>Ground Water</td>
<td></td>
</tr>
<tr>
<td>Drinking Water</td>
<td></td>
</tr>
<tr>
<td>Demineralization Concentrate (Blended with final reclaimed water only)</td>
<td></td>
</tr>
<tr>
<td>Water Recovered from ASR b</td>
<td></td>
</tr>
<tr>
<td>Total Water Available for Reuse or Disposal [Should equal the total in Part VI of this form]</td>
<td>1.799</td>
</tr>
</tbody>
</table>

---

* Aquifer Storage and Recovery (ASR) - This activity is described in Rule 62-610.466, F.A.C. If you have an ASR system included in your permit for the reuse system, please make separate entries in both Part III (for the total average flow withdrawn from the ASR well) and in Part VI (for the total average flow injected into the ASR well).
**Part IV - Reuse**

For each reuse activity, enter the permitted capacity, average flows, and acreage. Do not duplicate any of these entries in Part V of this form. Using available flow records, other available information, and your best judgment, please allocate the average flows for all treatment facilities among the reuse types listed in this part. Make discrete entries (do not show ranges). Show totals at the bottom of the table.

<table>
<thead>
<tr>
<th>Reuse Type</th>
<th>Reuse Sub-Type</th>
<th>Part</th>
<th>Capacity (mgd)</th>
<th>Flow (mgd)</th>
<th>Area (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Access Areas &amp;</td>
<td>Golf Course Irrigation</td>
<td>III</td>
<td>1.025</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Landscape Irrigation</td>
<td>Residential Irrigation</td>
<td>III</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other Public Access Areas</td>
<td>III</td>
<td>0.805</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Agricultural Irrigation &amp;</td>
<td>Edible Crops (Be sure to attach the inventory of edible crop irrigation. See Part X of this form.)</td>
<td>III</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sprayfields</td>
<td>Grass, Pasture, Other Crops</td>
<td>II</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ground Water Recharge &amp;</td>
<td>Rapid Infiltration Basins</td>
<td>IV</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect Potable Reuse</td>
<td>(Including Some Perc Ponds) c</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Absorption Fields c</td>
<td>IV</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Surface Water Augmentation</td>
<td>V</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Discharge to Class I Waters)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Injection to Potable Aquifers</td>
<td>V</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>At Treatment Plant</td>
<td>VII</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>At Other Facilities</td>
<td>VII</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Toilet Flushing</td>
<td></td>
<td>III</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Protection</td>
<td></td>
<td>III</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wetlands</td>
<td></td>
<td>III</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (Specify)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Reuse</strong></td>
<td>[Enter total flow on Line 1 in Part VI of this form.]</td>
<td></td>
<td>1.830</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

c To be considered “reuse,” either of the following conditions must exist:

- There are multiple basins or absorption fields that are routinely wetted, dried, and maintained in accord with Part IV of Chapter 62-610, F.A.C., or
- Continuously-loaded ponds must meet the higher treatment/disinfection requirements in Rule 62-610.525, F.A.C. If neither condition is met, the perc pond or absorption field is “effluent disposal” and should be recorded in Part V in this form (under “Other”).
Part V - Effluent Disposal

For each effluent disposal activity, enter the permitted capacity and average flow. Do not duplicate any of these entries in Part IV of this form. Using available flow records, other available information, and your best judgment, please allocate the average flows for all treatment facilities among the effluent disposal types listed in this part. Make discrete entries (do not show ranges) for capacity and flow. Show totals at the bottom of the table.

<table>
<thead>
<tr>
<th>Disposal Type</th>
<th>Disposal Sub-Type</th>
<th>Permitted Capacity (mgd)</th>
<th>Average Flow (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surface Water Discharges</td>
<td>Ocean Outfall</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>To Coastal or Estuarine Waters</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>To Wetlands</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>To Other Surface Waters</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deep Well Disposal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td>Broward County Sewers</td>
<td></td>
<td>.095</td>
</tr>
<tr>
<td>Total Flow Disposed [Enter total flow on Line 2 in Part VI of this form.]</td>
<td></td>
<td></td>
<td>.095</td>
</tr>
</tbody>
</table>

Part VI - Summary of Reuse and Disposal

<table>
<thead>
<tr>
<th>Reuse or Disposal Activity</th>
<th>Average Flow (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Reuse (From bottom of Part IV of this form)</td>
<td>1.830</td>
</tr>
<tr>
<td>2. Effluent Disposal (From bottom of Part V)</td>
<td>.095</td>
</tr>
<tr>
<td>3. Flow Stored in ASR (See note b on ASR in Part III.)</td>
<td></td>
</tr>
<tr>
<td>Total (Should equal the total in Part III of this form.) d</td>
<td>1.925</td>
</tr>
</tbody>
</table>

d The totals in Parts III and VI will not be equal if one of the following conditions exists (check as appropriate):

☐ The reuse system includes an ASR system and the amounts injected and withdrawn during the year differ.
☐ The reuse system includes one or more reuse activities in which reclaimed water is returned to the treatment facility after its use, where it is then available for reuse or disposal.
Part VII – Reuse Activities, Numbers of Customers, and Backup Discharges

1. How many single-family residences have reclaimed water service? 503

2. How many golf courses are irrigated using reclaimed water? 2

3. How many parks or playgrounds are irrigated using reclaimed water? 5

4. How many schools are irrigated using reclaimed water? 2

5. Is reclaimed water used to flush toilets? □ Yes □ No If yes, list locations where reclaimed water is used for toilet flushing.

6. Is reclaimed water used for fire protection? □ No □ Yes, in sprinkler systems □ Yes, in fire hydrants □ Yes, other (please describe)

7. How many cooling towers use reclaimed water from this reuse system? 0

8. List or describe any unique or unusual uses of reclaimed water. N/A

9. Is there a surface water discharge that serves as a backup discharge for the reuse system?
   □ No □ Yes, a Limited Wet Weather Discharge permitted under Rule 62-610.860, F.A.C. □ Yes, permitted under the APRICOT Act [Section 403.086(7), F.S.] □ Yes, permitted under other rules governing surface water discharges

10. Do you require construction of reclaimed water piping in new residential or other developments?
    □ Yes □ No

11. Do you require connection to the reclaimed water system when reclaimed water service becomes available?
    □ Yes □ No For Commercial and Multifamily Only
Part VIII – Cross-Connection Control Activities

Rule 62-610.469, F.A.C., imposes cross-connection control requirements on reuse systems permitted under Part III of Chapter 62-610, F.A.C. This includes requirements for the implementation of cross-connection control programs by all public water supply systems serving areas that are within the general reclaimed water service area. Color-coding, labeling, and separation distance requirements are included. In addition, inspections within the reclaimed water service area are required. For purposes of this form, "cross-connection" means a pipe-to-pipe connection between drinking water pipes and reclaimed water pipes.

1. Are all public water supply systems serving areas that are within the general reuse service area actively implementing and enforcing their cross-connection control programs? □ Yes □ No

Have all of these cross-connection control programs been accepted by the DEP or the approved county health department? □ Yes □ No

2. How many illegal cross-connections have been identified during the reporting period? 0

How many of these cross-connections have been eliminated? N/A

Please, attach a description of identified cross-connections and efforts taken to eliminate them.

3. How many new connections were made to the reclaimed water system during the reporting period? 2.14

How many of the new reclaimed water connections were inspected at the time of initial connection? 214

4. How often are the reclaimed water connections of existing residential reclaimed water customers inspected (i.e., daily, weekly, monthly, annually)? upon connection & every 7 years

How often are the reclaimed water connections of existing non-residential reclaimed water customers inspected (i.e., daily, weekly, monthly, annually)? upon connection & every 7 years

5. In addition to the number of new connections inspected in Item 3 above, how many existing connections were inspected during the reporting period? NONE

Part IX - Rates Charged for the Use of Reclaimed Water

Please, list the fees charged for the use of reclaimed water. Please do not enter wastewater or sewer charges. If reclaimed water is provided at no cost, enter zeroes in both blanks. If the fee structure includes both flat rate and gallonage charge components, make a positive entry in both spaces. Make all entries in the units shown.

1. How much do you charge a single-family residential customer (assume a 0.2-acre lot) for the use of reclaimed water?

Flat rate ($/month/connection) $7.84 for 3/4" meter

Gallonage charge (cents/1000 gal.) See Attachment

DEP Form 62-610.300(4)(a)2
March 9, 2006
2. How much do you charge non-residential customers, such as golf courses, (assume 0.1 mgd on a 50-acre site) for the use of reclaimed water?

Flat rate ($/month/connection)  Fee based on meter size
Gallonage charge (cents/1000 gal.)  See Attachment

Part X - Required Attachments

Check, as appropriate, and attach the required documentation.

☐ Inventory of Edible Crop Irrigation - If reclaimed water is used to irrigate edible crops at commercial agricultural sites, attach a copy of the current edible crop irrigation inventory as required by Rules 62-610.475 and 62-610.870, F.A.C. The inventory shall include the following information:

a. Name of the agricultural operation.
b. Name and telephone number of the owner or operator of the agricultural operation.
c. Address of the agricultural operation.
d. Edible crops irrigated using reclaimed water.
e. Type of application (irrigation) method used.
f. Approximate area (acres) under irrigation using reclaimed water on which edible crops are grown.

☐ Inventory of Storage Facilities - If this reuse system was permitted under Part III of Chapter 62-610, F.A.C., attach a copy of the current inventory of storage facilities, as required by Rules 62-610.464, 62-610.830, and 62-610.870, F.A.C. The inventory shall include the following information:

a. Name or identifier for the storage system.
b. Location.
c. Function of the storage system (system storage or reject storage).
d. Type of facility (covered tank, uncovered tank, lined pond, unlined pond).
e. Indication of whether or not the storage facility is a water of the state or discharges to a water of the state.
f. Distance to the nearest public water supply well.
g. Distance to the nearest potable water supply well, which is not a public water supply well.
h. Volume of each storage tank/pond and the total storage volume of all storage tanks and ponds (in units of million gallons).

☐ Summary of Public Notification Program - If this reuse system was permitted under Part III of Chapter 62-610, F.A.C., attach a summary of the public notification program activities during the reporting period, as required by Rule 62-610.468(6), F.A.C. The summary shall include the following:

a. Details of written public notification activities (include copies of written notices).
b. Summary of activities involving the news media.
c. Use of advisory signs.
d. Other public notification activities.

☐ Summary of Metering and Rate Structure - As noted in 403.064(16), Florida Statutes, utilities implementing reuse projects are encouraged to meter use of reclaimed water by all end users and to charge for the use of reclaimed water based on the actual volume used when such metering and charges can be shown to encourage water conservation. Metering and the use of volume-based rates are effective water management tools for the following reuse activities: residential irrigation, agricultural irrigation, industrial uses, landscape irrigation, irrigation of other public access areas, commercial and institutional uses such as toilet flushing, and transfers to other reclaimed water utilities. As required by 403.064(16),
F.S., if this reuse system provides reclaimed water for any of the uses listed above, attach a summary of the utility's metering activities and the rate structure that the utility currently employs or plans to employ. The summary shall include the following:

a. Number of meters employed to monitor volume of reclaimed water used by customers.
b. If information is available, please provide per capita reclaimed water use for areas that meter and for unmetered areas. If available, please provide historical per capita usage data for before and after the utility began metering reclaimed water.
c. Provide information on the type of rate structure (i.e., inclining or declining block rates) for reclaimed water employed by the utility.
d. Provide a description of the utility's use of master meters (i.e., for a subdivision) or the use of individual meters (i.e., for single-family residential customers).
e. Provide a summary of the utility's plans for metering reclaimed water customers.

☐ None of these items are required for this reuse system.

Part XI - Permittee's Certification

I certify that the statements made in this report of reclaimed water utilization are true, correct, and complete to the best of my knowledge and belief.

Date: 12/19/2013

Signature

Phone: (954) 545-7043

A. Randolph Brown, Utilities Director

Name and Title (please print/type)

Company Name: City Of Pompano Beach Utilities

Address: 1205 NE 5th Avenue

City/State/Zip Code: Pompano Beach, Florida 33060

E-Mail: randolph.brown@copbfl.com
KNOCK KNOCK

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REUSE WATER UTILITIES

Who?
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City of Pompano Beach
Utilities Department
1205 NE 5 Avenue
Pompano Beach, FL 33060

(954) 324-8434 • www.iCanWater.com
The City Commission meeting was held in Fletcher Hall, located at 2200 N.E. 38 Street, Lighthouse Point, Florida 33064.

Call to Order

Commission President Maucker called the regular City Commission meeting for the City of Lighthouse Point, Florida, to order at 7:30 p.m.

Invocation and Pledge to the Flag

Invocation was given by Pastor Dennis Redstone, Trinity United Methodist Church, and was followed by the Pledge of Allegiance.

Roll Call

Mayor Glenn Troast                  City Clerk Jennifer M. Oh
Commission President Earl Maucker   Finance Director Frank DiPaolo
Commission Vice President Becky Lysengen Fire Chief David Donzella
Commissioner Sandy Johnson          Library Director Christy Keyes
Commissioner Michael S. Long        Police Commander Mike Oh
Commissioner Kyle Van Buskirk       Public Works Director Charles Schramm, Jr.
City Administrator John D. Lavisky  Recreation Director John Trudel
City Attorney Michael D. Cirullo, Jr.

The Florida Inlet Navigation District was scheduled to give a presentation to the City Commission, however, they cancelled and will reschedule at a later date.

Approval of Minutes

A motion to approve the Regular Meeting of June 24, 2014, was made by Commissioner Van Buskirk, seconded by Commissioner Johnson, and CARRIED 5:0 as follows:
Yes:   Commissioners Johnson, Long, Lysengen, Van Buskirk, and Maucker

Treasurer's Report

City Administrator Lavisky read the Treasurer's Report for the period ending July 8, 2014.

Boards:  Next Meetings:
Planning & Zoning – August 5, 2014
Code Enforcement – July 15, 2014
Community Appearance – July 17, 2014
Special Magistrate – August 6, 2014
Marine Advisory – August 7, 2014
Departments

Public Works Director Schramm provided an update on the Kingfisher Bridge construction project.

Administration

City Attorney

City Attorney Cirullo provided a report on medical marijuana and suggested preparing an ordinance for a moratorium to be heard on an October agenda.

City Attorney Cirullo updated the City Commission on the moratorium for liquid nicotine and reported that the Planning and Zoning Board will review an ordinance in August.

Committees

Presentation – Senator Maria Sachs

Unfinished Business: None

New Business: None

Ordinances:

| 1. Second reading and public hearing of an ordinance establishing regulations for open air shade structures. |

A motion to read the title of the ordinance was made by Commissioner Johnson, seconded by Commissioner Van Buskirk, and CARRIED unanimously. City Attorney Cirullo read the title of the ordinance.

The public hearing was opened. Lighthouse Point residents Artie Soperstein, Tom Gallagher, Leo Bentz, and Paul Rondino expressed their concerns about the ordinance. The public hearing was then closed.

Fire Chief Donzella addressed the City Commission about the amendment made at first reading with regard to open air shade structures being treated with fire retardant material. Fire Chief Donzella will not require the structures be treated with fire retardant material.

Discussion ensued and consensus of the City Commission was to proceed with the following change to the proposed ordinance: Page 5, Sec. 42-371 (14)(c) shall read: “For any Open Air Shade Structure constructed with combustible thatched materials, no portion of the structure shall be closer than five (5) feet from the residential structure.”

A motion to amend the ordinance as stated, was made by Commissioner Long, seconded by Commissioner Van Buskirk, and CARRIED 5:0 as follows:

Yes: Commissioners Johnson, Long, Lysengen, Van Buskirk and Maucker
Further discussion ensued with regard to an Administrative Deviation being granted due to hurricane damage. Consensus of the City Commission was to amend Page 6, Sec. 42-371 (14) (c)(1) by adding a final sentence to read: “An Administrative Deviation shall permit the structure to remain as a legal non-conforming use.” To clarify, if the structure is destroyed, it will have to be rebuilt according to the Building Code in effect at that time.

A motion to amend the ordinance as stated, was made by Commissioner Lysengen, seconded by Commissioner Johnson, and CARRIED 5:0 as follows:
Yes: Commissioners Johnson, Long, Lysengen, Van Buskirk and Maucker

A motion to approve the ordinance establishing regulations for open air shade structures on second and final reading, was made by Commissioner Johnson, seconded by Commissioner Lysengen, and CARRIED 4:1 on a roll call vote as follows:
Yes: Commissioners Johnson, Long, Lysengen, and Maucker
No: Commissioners Van Buskirk

The ordinance on second and final reading carries the following title:

ORDINANCE NO. 2014 – 0911

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, RELATING TO RESIDENTIAL OPEN AIR SHADE STRUCTURES; AMENDING CHAPTER 42, ENTITLED “LAND DEVELOPMENT CODE,” ARTICLE IV, ENTITLED “ZONING” BY AMENDING DIVISION 1, ENTITLED “DEFINITIONS,” TO DEFINE “OPEN AIR SHADE STRUCTURE” AND AMENDING DIVISION 5, ENTITLED “SUPPLEMENTAL REGULATIONS AND REQUIREMENTS FOR SPECIFIC USES,” SECTION 42-271 ENTITLED “YARD ENCROACHMENTS,” TO PERMIT OPEN AIR SHADE STRUCTURES AS EXCEPTIONS TO YARD ENCROACHMENTS AND PROVIDE FOR REGULATIONS FOR SUCH AND TO AMEND THE PROHIBITION OF GAZABOS, CABANAS, AND CHICKEE HUTS INTO ENCROACHMENTS; PROVIDING FOR PROCESS TO GRANT ADMINISTRATIVE DEVIATION FROM REQUIREMENTS FOR CERTAIN EXISTING OPEN AIR SHADE STRUCTURES; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Commissioner Long recommended that moving forward, the City Commission consider reviewing the possibility of permitting verandas as attachments to the exterior of a house.

City Administrator Lavisky asked the City Commission to consider establishing a $100 fee for Administrative Deviations, which would cover administrative costs. He explained the current fee for an appeal to the Planning and Zoning Board is $125.

A motion to establish a $100 Administrative Deviation fee, was made by Commissioner Lysengen, seconded by Commissioner Johnson, and CARRIED 5:0 as follows:
Yes: Commissioners Johnson, Long, Lysengen, Van Buskirk, and Maucker
Resolutions:

2. Resolution adopting “Proposed” Millage Rates for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, and establishing the date, time, and place of the first Budget Hearing.

A motion to read the title of the resolution was made by Commissioner Van Buskirk, seconded by Commissioner Johnson, and CARRIED unanimously. City Attorney Cirullo read the title of the resolution.

A motion to approve the resolution adopting “Proposed” Millage Rates for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, and establishing the date, time, and place of the first Budget Hearing, was made by Commissioner Long, seconded by Commissioner Van Buskirk, and CARRIED 5:0 as follows:
Yes: Commissioners Johnson, Long, Lysengen, Van Buskirk, and Maucker

The resolution as adopted carries the following title:

RESOLUTION NO. 2014 – 1969

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ADOPTING A PROPOSED MILLAGE RATE OF 3.5893 FOR GENERAL OPERATING FUND PURPOSES AND A PROPOSED MILLAGE RATE OF 0.2282 FOR DEBT SERVICE FUND PURPOSES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015; SETTING FORTH THE DATE, TIME AND PLACE OF THE FIRST PUBLIC HEARING TO CONSIDER THE PROPOSED MILLAGE RATES FOR GENERAL FUND AND DEBT SERVICE FUND PURPOSES, AND THE TENTATIVE BUDGET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

3. Preliminary resolution establishing non-ad valorem assessment rate for Fire Protection Services for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015.

A motion to read the title of the resolution was made by Commissioner Johnson, seconded by Commissioner Lysengen, and CARRIED unanimously. City Attorney Cirullo read the title of the resolution.

A motion to approve the resolution establishing non-ad valorem assessment rate for Fire Protection Services for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, was made by Commissioner Johnson, seconded by Commissioner Van Buskirk, and CARRIED 5:0 as follows:
Yes: Commissioners Johnson, Long, Lysengen, Van Buskirk, and Maucker
The resolution as adopted carries the following title:

**RESOLUTION NO. 2014 – 1970**

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF LIGHTHOUSE POINT, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE PROTECTION SPECIAL ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

4. Preliminary resolution establishing non-ad valorem assessment rate for Stormwater Utility Services for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015.

A motion to read the title of the resolution was made by Commissioner Long, seconded by Commissioner Johnson, and CARRIED unanimously. City Attorney Cirullo read the title of the resolution.

A motion to approve the resolution establishing non-ad valorem assessment rate for Stormwater Utility Services for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, was made by Commissioner Lysengen, seconded by Commissioner Johnson, and CARRIED 5:0 as follows:
Yes: Commissioners Johnson, Long, Lysengen, Van Buskirk, and Maucker

The resolution as adopted carries the following title:

**RESOLUTION NO. 2014 – 1971**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, 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 THE METHOD OF ASSESSING THE COST OF STORMWATER MANAGEMENT SERVICE AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITED THEREBY; DIRECTING THE CITY ADMINISTRATOR TO PREPARE OR DIRECT THE PREPARATION OF A PRELIMINARY STORMWATER ASSESSMENT ROLL FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2014 BASED UPON THE METHODOLOGY SET FORTH HEREIN; ESTABLISHING A PUBLIC HEARING FOR THE PROPOSED STORMWATER ASSESSMENTS AND DIRECTING THE PROVISION OF NOTICE IN CONNECTION THEREWITH; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
5. Resolution approving an Interlocal Agreement between Broward County and the City of Lighthouse Point providing for Household Hazardous Waste Collection.

A motion to read the title of the resolution was made by Commissioner Johnson, seconded by Commissioner Van Buskirk, and CARRIED unanimously. City Attorney Cirullo read the title of the resolution.

A motion to approve the resolution approving an Interlocal Agreement between Broward County and the City of Lighthouse Point providing for Household Hazardous Waste Collection, was made by Commissioner Van Buskirk, seconded by Commissioner Lysengen, and CARRIED 5:0 as follows:
Yes: Commissioners Johnson, Long, Lysengen, Van Buskirk, and Maucker

The resolution as adopted carries the following title:

RESOLUTION NO. 2014 – 1972

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR OPTIONAL COUNTY SERVICES FOR HOUSEHOLD HAZARDOUS WASTE, BULK TRASH, AND YARD WASTE DROP-OFF PROGRAMS; AND PROVIDING FOR AN EFFECTIVE DATE.

6. Resolution approving a First Amendment to the Amended and Restated Solid Waste and Recycling Collection Contract between the City of Lighthouse Point and Waste Management, Inc. of Florida.

A motion to read the title of the resolution was made by Commissioner Long, seconded by Commissioner Johnson, and CARRIED unanimously. City Attorney Cirullo read the title of the resolution.

A motion to approve the resolution approving a First Amendment to the Amended and Restated Solid Waste and Recycling Collection Contract between the City of Lighthouse Point and Waste Management, Inc. of Florida, was made by Commissioner Long, seconded by Commissioner Johnson, and CARRIED 5:0 as follows:
Yes: Commissioners Johnson, Long, Lysengen, Van Buskirk, and Maucker

The resolution as adopted carries the following title:

RESOLUTION NO. 2014 – 1973

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE AMENDED AND RESTATED SOLID WASTE AND RECYCLING COLLECTION CONTRACT WITH WASTE MANAGEMENT, INC. OF FLORIDA FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION; AND PROVIDING FOR AN EFFECTIVE DATE.
Public Requests from the Floor:  None

Communications:

Mayor Troast thanked the City Commission for their consideration of the ordinance on open air shade structures.

Mayor Troast reported that the Playground 2015 Committee, led by Commissioner Lysengen, will be hosting a cornhole tournament on August 16th.

Commissioner Maucker asked the City Commission to consider doing something to commemorate former Mayor Fred Schorr, and suggested naming the Municipal Complex after him.

Adjournment:  There being no further business the meeting was adjourned at 9:55 p.m.

ATTESTED  APPROVED

By:  By:
Jennifer M. Oh, City Clerk  Earl Maucker, Commission President
SUBJECT: Appeal of Community Appearance Board decision by Zemel Real Estate, located at 5360 North Federal Highway.

1. BACKGROUND/HISTORY

At the July 17, 2014 Community Appearance Board meeting, Zemel Real Estate located at 5360 North Federal Highway requested approval to install a monument sign and a monument sign panel. The Community Appearance Board approved the monument sign and the monument sign panel was approved with the following conditions: 1) the words “Merchants” and “International Beer Depot” be removed, 2) the red stripe to be more narrow, and 3) the additional size to be distributed to the tenant panel area.

Language for the pole sign for the property was approved by the City’s Community Appearance Board in November, 2009, and currently reads: “67 Wine & Spirits International Beer Depot” and includes additional tenant information. It does not appear that the Community Appearance Board was made aware that the current pole sign had been previously considered and approved by the Board.

Zemel had filed two applications for a proposed monument sign due to the City Code that prohibits pole signs and requires monument signs. One application is for the signage for the main business on the property. The second application is for approval of a master sign plan for the tenant spaces on the monument sign (so that the sign faces for tenants could be changed in the future without the need for approval by the Board so long as they met the terms of the approved plan).

The Community Appearance Board approved the master sign plan for the tenant spaces on the monument sign, but increased their dimensions based upon its changes to the main sign, relating to 67 Wine & Spirits. Should any action be taken that changes the portion of the sign for 67 Wine & Spirits, the master sign plan would need to be reviewed as well to return to the dimensions originally requested by the applicant.

2. FINDINGS/CURRENT ACTIVITY

On July 28, 2014, the City received a written request on behalf of the owner, Mr. Joseph Zemel, to appeal the decision of the Community Appearance Board to the City Commission.
3. ATTACHMENTS

   a) Letter requesting appeal
   b) July 17, 2014 Community Appearance Board minutes
   c) Application and material provided to the Community Appearance Board
   d) Chapter 14, Article III, Community Appearance Board

4. FINANCIAL IMPACT

   N/A

5. ACTION OPTIONS/RECOMMENDATION

   Recommend that the City Commission sit as the Board of Appeals to consider such appeal based upon the record. The City Administration would be supportive of providing the Community Appearance Board an opportunity to reconsider the applications since it is unclear whether the Board was aware of its previous approval relating to the pole sign.
July 24, 2014

Office of the City Clerk
2200 NE 38 Street
Lighthouse Point, FL 33064

To Whom It May Concern:

I, Joseph Zemel of Zemel Real Estate Holding Co, and proprietor of 67 Wine and Spirits Merchants wish to appeal the decision of the community appearance board as of July 17, 2014 regarding the sign copy for my business located at 5360 N. Federal Highway in Lighthouse Point.

Sincerely,

Joseph Zemel

Zemel Real Estate Holdings
Call to Order:

Chairman Michael McLain called the meeting of the Community Appearance Board of the City of Lighthouse Point, Florida, to order at 7:30 P.M.

Roll Call:
Present: Kevin Cavaioli, Suzanne Marquette Esposito, Luis Piedra, Thomas Sheehan, Leo Bentz, Michael McLain, Michael Cirullo, City Attorney, Kimberly Maxwell, Building and Permitting Clerk
Absent: Mark Maki, Jan Nouss, Marvin Scharf

Approval of Minutes:
Minutes of the June 19, 2014 Community Appearance Board meeting were unanimously approved.

All those wishing to give testimony were sworn in.

Administer Oath to Board Members.

Cases:

CAB #14-38, Packy’s Sports Pub, 4480 N Federal Hwy., building sign. Jeremy Darden, Packy’s Sports Pub, 4480 N Federal Hwy Lighthouse Point, FL, testified. A motion to approve the application was made by Thomas Sheehan, seconded by Leo Bentz. Passed unanimously.

CAB #14-39, Pibus Burgers, 2476 N. Federal Hwy., building sign. Art Zimmerman, Interstate Sign Crafters, 130 Commerce Rd., Boynton Beach, FL, testified. A motion to approve the application was made by Thomas Sheehan, seconded by Kevin Cavaioli. Passed unanimously.

CAB #14-40, Pibus Burgers, 2476 N. Federal Hwy., window sign. Art Zimmerman, Interstate Sign Crafters, 130 Commerce Rd., Boynton Beach, FL, testified. A motion to approve the application with the condition that the “dot” over the lower case “i” be added and the last line to read “Brazilian Style Burgers” was made by Thomas Sheehan, seconded by Luis Piedra. Passed unanimously.
CAB #14-41, Betty Rogers, 2121 NE 40th Ct., fence, Misael Rojas, Lawn & Garden Service, PO Box 9157, Fort Lauderdale, FL, testified. A motion to approve the application was made by Leo Bentz, seconded by Thomas Sheehan. The motion passed with a 4:2, Thomas Sheehan and Luis Piedra voting no.

CAB #14-42, Zemel Real Estate, 5360 N. Federal Hwy., monument sign, Lisa Snyder, McNeill Signs, 555 S Dixie Hwy., FL, testified. A motion to approve the application was made by Luis Piedra, seconded by Leo Bentz. Passed unanimously.

CAB #14-43, Zemel Real Estate, 5360 N. Federal Hwy., monument sign panel, Lisa Snyder, McNeill Signs, 555 S Dixie Hwy., FL, testified. A motion to approve the application with the condition that the word “merchants” and “international Beer Depot” be removed, the red stripe to be narrower and the additional size be distributed to the tenant panel area, was made by Luis Piedra, seconded by Thomas Sheehan. Passed unanimously.

CAB #14-44, Zemel Real Estate, 5360 N. Federal Hwy., master sign plan, Lisa Snyder, McNeill Signs, 555 S Dixie Hwy., FL, testified. A motion to approve the application was made by Thomas Sheehan, seconded by Luis Piedra. Passed unanimously.

Clerk Report: No report.

Board Comments: No comments.

Board Attorney Report: No comments.

Adjournment: There being no further business, the meeting was adjourned at 8:30 P.M.

By: ___________________________ By: ___________________________
   Michael McLain               Kimberly Maxwell
   Chairperson                  Building and Permit Clerk
<table>
<thead>
<tr>
<th><strong>Applicant:</strong></th>
<th>McNeill Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Business Name:</strong></td>
<td>Zemel Real Estate, 67 Wine and Spirits</td>
</tr>
<tr>
<td><strong>Address:</strong></td>
<td>5360 N Federal Hwy</td>
</tr>
<tr>
<td><strong>Phone Number:</strong></td>
<td>Fax Number:</td>
</tr>
<tr>
<td><strong>Proposed Business Type:</strong></td>
<td>Retail</td>
</tr>
<tr>
<td>(ie retail, medical, etc)</td>
<td></td>
</tr>
<tr>
<td><strong>Lineal Footage of Property:</strong></td>
<td>206.50”</td>
</tr>
<tr>
<td><strong>Lineal Footage of Business:</strong></td>
<td>107”</td>
</tr>
<tr>
<td><strong>Type of Sign:</strong></td>
<td>Monument sign tenant panel</td>
</tr>
<tr>
<td><strong>Distance from normal ground level to the base of the sign:</strong></td>
<td>0</td>
</tr>
<tr>
<td><strong>Distance from normal ground level to the top of the sign:</strong></td>
<td>7’</td>
</tr>
<tr>
<td><strong>Size of the cabinet:</strong></td>
<td>5’x8’</td>
</tr>
<tr>
<td><strong>Wording:</strong></td>
<td>67 Wine &amp; Spirits Merchants International Beer Depot</td>
</tr>
<tr>
<td><strong>Size of all letters:</strong></td>
<td>8”, 10”</td>
</tr>
<tr>
<td><strong>Style:</strong></td>
<td>Standard Standard Italicized</td>
</tr>
<tr>
<td><strong>Color:</strong></td>
<td>Red &amp; white</td>
</tr>
<tr>
<td><strong>Materials:</strong></td>
<td>Laquer painted</td>
</tr>
<tr>
<td><strong>Mounting Details:</strong></td>
<td>n/a</td>
</tr>
</tbody>
</table>
For Official Use Only

Meeting Date: July 17, 2014

Number of Monument Signs Allowed at Location: 1
Proposed: 1

Zoning: Yes

Total Square Footage Allowed = n/a square feet
Proposed Square footage = n/a square feet
Required Setback = n/a feet

Staff Comments:
The applicant is proposing to install a new tenant panel.

Fee: $25.00
ARTICLE III. - COMMUNITY APPEARANCE BOARD

Sec. 14-76. - Creation of community appearance board, purpose.
The community appearance board is hereby created. This board has been established by the city commission of the City of Lighthouse Point for the purpose of enhancing the aesthetic beauty of the city and particularly the relationship of new construction or renovation of old structures as they relate to existing or future planned structures in the city. The task of this board is, therefore, to preserve various elements of urban beauty and require that new projects or redevelopment enhance those which already exist.

(Ord. No. 731, § 1, 2-9-99)

Sec. 14-77. - Members, terms, appointments, qualifications of members, organization.

(a) The board shall be composed of seven regular members and three alternate members. Alternate members shall serve whenever there are less than seven regular members available at any meeting of the board. Four of the regular members shall be appointed to a term of two years. The remaining three regular members shall be appointed for a three-year term. Alternate members shall be appointed for a three-year term. Thereafter all appointments shall be for three-year terms. All members, regular or alternate, shall be appointed by the city commission but shall nevertheless during any such term serve at the pleasure of the city commission, and a member may be removed by a majority vote of the commission without cause.

(b) A member of the community appearance board shall reside within the city.

(c) At least one member of the board shall be a Florida registered architect and at least one other member shall be a Florida registered landscape architect, and, if practicable, another member shall be a sign contractor. The remaining members of the board, to the extent possible, shall be a Florida registered professional engineer, or a Florida licensed general contractor, or an urban planner, or a Florida registered real estate sales person or broker, or a Florida licensed attorney, or an owner of a business located within the city, or shall have a fine arts degree, or possess a similarly related background, or a person not engaged in any one of the aforementioned disciplines may serve on the board in place of any one of the foregoing.

(d) The community appearance board shall elect a chairman and vice chairman to preside at its meetings and shall also elect such other officers as the board may deem necessary. The board shall formulate its rules and regulations for the conduct of its business.

(Ord. No. 731, § 1, 2-9-99; Ord. No. 741, § 1, 8-10-99; Ord. No. 759, § 1, 9-11-2000; Ord. No. 2010-0885, § 2, 3-9-2010; Ord. No. 2012-0900, § 2, 5-22-2012)

Sec. 14-78. - Meetings, records, approval of plans.

(a) The community appearance board shall meet at least once per month, on a regularly scheduled basis, or more often as may be required in order to consider pending applications without unnecessary delay. All meetings shall be open to the public and the order of business and procedure to be followed shall be as prescribed by the rules and regulations as adopted by the board. All testimony before the board shall be under oath, and the applicant, city staff, and members of the public shall be permitted to speak on any application. The board may consider any and all documents, evidence and testimony it considers relevant to the application. Formal rules of evidence shall not apply but fundamental due process shall be observed and shall govern the proceedings.

(b) Four members of the board shall constitute a quorum and the affirmative vote of four members of the board shall be necessary for any action thereon. The mayor is authorized to appoint a secretary for the board. A record of the proceedings of the board shall be kept showing its action on each question considered. Such record shall be filed in the office of the city clerk of the city and shall be open for public inspection.

(Ord. No. 731, § 1, 2-9-99; Ord. No. 735, § 1, 4-27-99; Ord. No. 759, § 1, 9-11-2000)

Sec. 14-79. - Powers and duties.

(a) The community appearance board shall review the following types of improvements, except for single-family and duplex residences, unless referred to site plan review pursuant to section 42-111:

Library\lighthouse_point\code_of_ordinances\PTICICO_CH42LRADEC0_ARTIIADENC0_DIV4SIPL2D_SIINGE_S42-111MASIPLAP\(c) of this Code:

(1) All signs except directional and identification signs;

(2) Any and all additions or modifications to existing structures, including, without limitation, awnings;

(3) Any and all new construction;

(4) The following types of landscaping revisions or modifications on existing developed property:

a. Changes to 25 percent of the area of the existing landscaping on the site, or alterations to landscaping on the site that increases or decreases the area of the existing landscaping by 25 percent or more. For purposes of this section, the area of existing landscaping shall be determined by the square footage of the existing landscaping at the site at the time of the application, or at the time immediately prior to commencing work on the requested change.

b. Removal of 25 percent or more of the existing trees on the site.

(5) Exterior painting of any structure or improvement where the color of such is materially different than the existing color.

(6) Any matter specifically referred to the board by the city's planning and zoning board, mayor, or city commission.

(7) Any matter determined by the city's planning department to involve significant aesthetic impact notwithstanding the type of development or permit application that is not specifically listed herein.

(8) Master sign programs for shopping centers.

https://www.municode.com/blank.html 7/31/2014
1. BACKGROUND/HISTORY

The Employee Handbook and appropriate labor contracts require the City to offer health insurance coverage to all full-time employees who are required to enroll in one of the City provided health insurance options or show proof of other health insurance coverage. The City’s contract with a health carrier typically lasts for one fiscal year, which requires either an annual renewal or a contract with a new carrier.

2. FINDINGS/CURRENT ACTIVITY

The City’s broker of record for health insurance, The Gehring Group, solicited competitive quotations for coverage effective October 1, 2014. Aside from the renewal quote from the City’s current insurer, Florida Municipal Insurance Trust (FMIT), several carriers submitted quotations including Cigna, Florida Blue, and Humana.

The quotations received from other carriers were based on the City’s current plan configuration – a low out-of-pocket cost Point of Service (POS) plan and a High Deductible Health Plan (HDHP), also a POS plan.

The plan options proposed by the competing carriers would shift more of the cost to the employees, through higher deductibles, higher copays/coinsurance for services and prescription drugs (both in and out of network), and lack of coverage for certain items. Additionally, the premiums for these plans are significantly higher than the City’s renewal quote with FMIT, when compared with the City’s current cost:

<table>
<thead>
<tr>
<th>Carrier</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>FMIT (current)</td>
<td>11.5%</td>
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<tr>
<td>Cigna</td>
<td>20.2%</td>
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<tr>
<td>Florida Blue</td>
<td>35.3%</td>
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<tr>
<td>Humana</td>
<td>39.7%</td>
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</tbody>
</table>

3. ATTACHMENTS

Medical Insurance Renewal Evaluation prepared by Gehring Group
Breakdown of 2014-15 Health Premium Rates
4. **FINANCIAL IMPACT**

The renewal premium indicates an overall premium cost increase of 11.5%. The proposed budget assumed a 5% increase in insurance premiums. The exact dollar cost of the quoted renewal rates is dependent upon open enrollment results that will occur after the City Commission authorizes the carrier. However, the 11.5% increase in premiums will result in an increase of approximately $60,000 to the FY 2014-15 budget.

Current enrollment includes 46 employees, retirees, and COBRA participants in Plan 4 and 44 from all groups in Plan 5. Based upon labor agreements and past practice, the City contributes 100% of the premium for employee only coverage for either plan. For bargaining unit employees, the City contributes an additional $1,625 annually toward employee and spouse or employee and children coverage. Family coverage draws a $2,400 annual City contribution. For management and exempt employees, employee coverage is paid by the City. And while dependent coverage is not subsidized for those employees, they receive a City contribution to their flexible spending account which can be applied toward the premium for dependent coverage.

5. **ACTION OPTIONS/RECOMMENDATION**

Recommend the City Commission, by motion, authorize the renewal of health insurance coverage with Florida Municipal Insurance Trust, FMIT Plans 4 and 5 and the premiums shown on the attached health insurance renewal rate comparison for FY 2014-15.
### City of Lighthouse Point
### Medical Plans Renewal Evaluation
### Effective Date: October 1, 2014

#### SCHEDULE OF BENEFITS

<table>
<thead>
<tr>
<th>Plan Basics</th>
<th>Florida League of Cities</th>
<th><strong>CURRENT</strong></th>
<th>Florida League of Cities</th>
<th><strong>REVIS D RENEWAL</strong></th>
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<tbody>
<tr>
<td>In Network</td>
<td>In Network</td>
<td>Dual Choice</td>
<td>Out of Network</td>
<td>Dual Choice</td>
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<td>Incl. coins. &amp; ded.</td>
<td>Incl. coins. &amp; ded.</td>
<td>Includes All Costs</td>
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<tr>
<td>Single</td>
<td>$3,000</td>
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<td>$3,750</td>
<td>$7,500</td>
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<tr>
<td>Family</td>
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<td>$12,000</td>
<td>$7,500</td>
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<td>Coinsurance (Member Responsibility)</td>
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<td>Non Hospital Services</td>
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<td></td>
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<tr>
<td>Primary Care Physician</td>
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<td>Preventive Services</td>
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<td>Laboratory Services (Doctor’s OV)</td>
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<td>Advanced Imaging - CT, PET, MRI</td>
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<td>Spinal Manipulation Therapy</td>
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<td>Hospital Services</td>
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<td>Inpatient Hospital</td>
<td>CYD + 20%</td>
<td>CYD + 30%</td>
<td>CYD + 10%</td>
<td>CYD + 30%</td>
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<tr>
<td>Outpatient Hospital</td>
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<td>CYD + 10%</td>
<td>CYD + 30%</td>
</tr>
<tr>
<td>Physician Services at Hospital</td>
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<td>CYD + 30%</td>
<td>CYD + 10%</td>
<td>CYD + 30%</td>
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<td>Emergency Room</td>
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<tr>
<td>Ambulance</td>
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<td>CYD + 10%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mental Health/Sub. Abuse</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inpatient Hospital</td>
<td>CYD + 20%</td>
<td>CYD + 30%</td>
<td>CYD + 10%</td>
<td>CYD + 30%</td>
</tr>
<tr>
<td>Outpatient Services</td>
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<td>CYD + 30%</td>
<td>CYD + 10%</td>
<td>CYD + 30%</td>
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<tr>
<td>Retail Pharmacy Plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tier 1 drugs</td>
<td>$10</td>
<td></td>
<td>$10 after CYD</td>
<td></td>
</tr>
<tr>
<td>Tier 2 drugs</td>
<td>$30</td>
<td></td>
<td>$30 after CYD</td>
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<td>Tier 3 drugs</td>
<td>$50</td>
<td></td>
<td>$50 after CYD</td>
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<tr>
<td>Mail Order Pharmacy Plan</td>
<td>After CYD</td>
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<tr>
<td>Tier 1 / Tier 2 / Tier 3 (90 Days)</td>
<td>2.5 X Retail</td>
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<td>2.5 X Retail</td>
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<tr>
<td>Monthly Premium</td>
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<td>Plan 4</td>
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## City of Lighthouse Point
### Medical Plans Renewal Evaluation
### Effective Date: October 1, 2014

### Plan Basics
<table>
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<tr>
<th>In Network</th>
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<th>Out of Network</th>
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<tbody>
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<tr>
<td><strong>Out of Pocket Max</strong></td>
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### Non Hospital Services

#### Primary Care Physician
- In Network: $20
- Out of Network: CYD + 30%

#### Specialist
- In Network: $40
- Out of Network: CYD + 30%

#### Preventive Services
- In Network: No Charge
- Out of Network: Not Covered

#### Laboratory Services (Doctor’s OV)
- In Network: No Charge
- Out of Network: CYD + 30%

#### Advanced Imaging - CT, PET, MRI
- In Network: CYD + 20%
- Out of Network: CYD + 10%

#### Spinal Manipulation Therapy
- In Network: $20
- Out of Network: CYD + 30%

#### Urgent Care Center
- In Network: $35
- Out of Network: CYD + 40%

### Hospital Services

#### Inpatient Hospital
- In Network: CYD + 20%
- Out of Network: CYD + 30%

#### Outpatient Hospital
- In Network: CYD + 20%
- Out of Network: CYD + 30%

#### Physician Services at Hospital
- In Network: CYD + 20%
- Out of Network: CYD + 30%

#### Emergency Room
- In Network: $125
- Out of Network: CYD + 10%

#### Ambulance
- In Network: CYD + 20%
- Out of Network: CYD + 10%

### Mental Health/Sub. Abuse

#### Inpatient Hospital
- In Network: CYD + 20%
- Out of Network: CYD + 30%

#### Outpatient Services
- In Network: $20
- Out of Network: CYD + 30%

### Retail Pharmacy Plan

#### Tier 1 drugs
- In Network: $10
- Out of Network: $10 after CYD

#### Tier 2 drugs
- In Network: $30
- Out of Network: $30 after CYD

#### Tier 3 drugs
- In Network: $50
- Out of Network: $50 after CYD

### Mail Order Pharmacy Plan

#### Tier 1 / Tier 2 / Tier 3 (90 Days)
- In Network: 2.5 X Retail
- Out of Network: Not Covered

### Monthly Premium

<table>
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<td>Employee &amp; Family</td>
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### Total Monthly Cost
- In Network: $67,892.66
- Out of Network: $38,956.76

### Total Annual Cost
- In Network: $81,636.22
- Out of Network: $50,641.24

### Monthly Cost
- In Network: $28,935.90
- Out of Network: $17,698.90

### Postal Pharmacy Plan

<table>
<thead>
<tr>
<th>Plan 4</th>
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### Total Monthly Cost
- In Network: $67,892.66
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### Total Annual Cost
- In Network: $81,636.22
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### Monthly Cost
- In Network: $28,935.90
- Out of Network: $17,698.90

*Individual medical questionnaires are required.*
# City of Lighthouse Point
## Medical Plans Renewal Evaluation
### Effective Date: October 1, 2014

<table>
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<tr>
<th>SCHEDULE OF BENEFITS</th>
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<th>Florida League of Cities</th>
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# Medical Plans Renewal Evaluation

**Effective Date:** October 1, 2014

## Plan Basics

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## Non Hospital Services

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<tr>
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<tr>
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<tr>
<td><strong>Preventive Services</strong></td>
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<td>No Charge</td>
<td>Not Covered</td>
<td>No Charge</td>
<td>No Charge</td>
<td>No Charge</td>
<td>No Charge</td>
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<tr>
<td><strong>Laboratory Services (Doctor’s OV)</strong></td>
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<td>CYD + 10%</td>
<td>CYD + 30%</td>
<td>No Charge</td>
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<tr>
<td><strong>Advanced Imaging - CT, PET, MRI</strong></td>
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<tr>
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## Hospital Services

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<th>Out of Network</th>
<th>In Network</th>
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<tbody>
<tr>
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<td>CYD + 30%</td>
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## Mental Health/Sub. Abuse

<table>
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<th>Out of Network</th>
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<tbody>
<tr>
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<tr>
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## Retail Pharmacy Plan

<table>
<thead>
<tr>
<th>Plan Basics</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tier 1 drugs</strong></td>
<td>$10</td>
<td>$10 after CYD</td>
<td>$10 + 30%</td>
<td>CYD + 10%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Tier 2 drugs</strong></td>
<td>$30</td>
<td>Not Covered</td>
<td>$30 after CYD</td>
<td>Not Covered</td>
<td>$30</td>
<td>$30 + 30%</td>
<td>CYD + 10%</td>
<td>CYD + 40%</td>
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<tr>
<td><strong>Tier 3 drugs</strong></td>
<td>$50</td>
<td>$50 after CYD</td>
<td></td>
<td></td>
<td></td>
<td>$50</td>
<td>$50 + 30%</td>
<td>CYD + 10%</td>
</tr>
<tr>
<td><strong>Tier 4 Drugs</strong></td>
<td>N/A</td>
<td>25%</td>
<td></td>
<td>30%</td>
<td></td>
<td></td>
<td>CYD + 10%</td>
<td>CYD + 40%</td>
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</table>

## Mail Order Pharmacy Plan

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<tr>
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<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tier 1 / Tier 2 / Tier 3 (90 Days)</strong></td>
<td>2.5 X Retail</td>
<td>Not Covered</td>
<td>2.5 X Retail</td>
<td>Not Covered</td>
<td>2.5 X Retail + 30%</td>
<td>CYD + 10%</td>
<td>CYD + 40%</td>
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## Monthly Premium

<table>
<thead>
<tr>
<th>Plan Basics</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee Only</strong></td>
<td>$519.03</td>
<td>$388.66</td>
<td>$691.44</td>
<td>$558.62</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Employee + Spouse</strong></td>
<td>$1,115.91</td>
<td>$862.03</td>
<td>$1,535.01</td>
<td>$1,240.13</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Employee &amp; Child(ren)</strong></td>
<td>$960.21</td>
<td>$724.99</td>
<td>$1,293.00</td>
<td>$1,044.62</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td><strong>Employee &amp; Family</strong></td>
<td>$1,557.09</td>
<td>$1,130.89</td>
<td>$2,012.10</td>
<td>$1,625.58</td>
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<tr>
<td><strong>Monthly Cost</strong></td>
<td>$519.03</td>
<td>$388.66</td>
<td>$691.44</td>
<td>$558.62</td>
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<td></td>
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## Total Monthly Cost

<table>
<thead>
<tr>
<th>Plan Basics</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
<th>In Network</th>
<th>Out of Network</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee Only</strong></td>
<td>$28,935.90</td>
<td>$38,956.76</td>
<td>$38,789.88</td>
<td>$56,040.64</td>
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<tr>
<td><strong>Employee + Spouse</strong></td>
<td>$46,442</td>
<td>$67,892.66</td>
<td>$38,956.76</td>
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<td><strong>Employee &amp; Child(ren)</strong></td>
<td>$33,263.15</td>
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<td>$38,789.88</td>
<td>$323,254.32</td>
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<td><strong>Employee &amp; Family</strong></td>
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<td>$67,892.66</td>
<td>$38,789.88</td>
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<tr>
<td><strong>% Increase / Decrease</strong></td>
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<td></td>
<td>39.7%</td>
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# City of Lighthouse Point
## Health Insurance Renewal
### Rate Comparison

<table>
<thead>
<tr>
<th>Group/Plan/Coverage</th>
<th>FY 2013-14</th>
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<th>FY 2014-15 - Florida League Renewal</th>
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<th>Change</th>
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<td><strong>Bargaining Units</strong></td>
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<tr>
<td>POS-HDHP</td>
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<td></td>
</tr>
<tr>
<td>Employee</td>
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<td>$- $194.33</td>
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<tr>
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<td>327.22</td>
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<tr>
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<td>35.27</td>
<td>327.22</td>
<td></td>
<td>808.36</td>
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<tr>
<td>Full Family</td>
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<td>205.93</td>
<td>359.52</td>
<td></td>
<td>1,260.94</td>
</tr>
<tr>
<td>POS</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Employee</td>
<td>519.03</td>
<td>-</td>
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<td>578.72</td>
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<tr>
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<td>359.52</td>
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<td>1,736.16</td>
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<td><strong>Management/Exempt</strong></td>
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<tr>
<td>POS-HDHP</td>
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</tr>
<tr>
<td>Employee</td>
<td>388.66</td>
<td>-</td>
<td>194.33</td>
<td></td>
<td>433.36</td>
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<tr>
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<td>961.16</td>
</tr>
<tr>
<td>Employee/Children</td>
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<td>102.98</td>
<td>259.52</td>
<td></td>
<td>808.36</td>
</tr>
<tr>
<td>Full Family</td>
<td>1,130.89</td>
<td>305.93</td>
<td>611.86</td>
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<td>1,260.94</td>
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<tr>
<td>POS</td>
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</tr>
<tr>
<td>Employee</td>
<td>519.03</td>
<td>-</td>
<td>259.52</td>
<td></td>
<td>578.72</td>
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<tr>
<td>Employee/Spouse</td>
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<td>298.44</td>
<td>259.52</td>
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<td>1,244.24</td>
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<td>1,070.63</td>
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<tr>
<td>Full Family</td>
<td>1,557.09</td>
<td>519.03</td>
<td>1,038.06</td>
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<td>1,736.16</td>
</tr>
</tbody>
</table>
SUBJECT: Waive the bid process and authorize the on-going purchase of unleaded gasoline and diesel fuel from Port Consolidated, Inc.

1. BACKGROUND/HISTORY

Historically, the City of Lighthouse Point has purchased unleaded gasoline and diesel fuel from the vendor awarded the fuels contract from the Southeast Florida Governmental Purchasing Cooperative Group (Co-op). The vendor that had the contract for the last several years was Port Consolidated, Inc. in Ft. Lauderdale. The Co-op authorized the fuels contract be put out for bid for unleaded gasoline and diesel fuel. The City of Coral Springs acted as the lead agency for the competitive bid process and awarded the contract to MacMillan Oil Company in Hialeah effective July 1, 2014.

Lighthouse Point did not participate in the Co-op bid process that was awarded to McMillan Oil Company; therefore the City is now prohibited from purchasing fuel using the Co-op contract and pricing, and must select a vendor to supply fuel for the City’s vehicle fleet and equipment. McMillan Oil Company was contacted regarding the purchase of fuel directly without utilizing the Co-op contract. The Company was not interested in selling the City fuel because we were not part of the Co-op.

Section 2-181 of the City Code, authorizes the City Commission to waive the formal bidding process for purchases over $20,000.00 upon the unanimous vote of all City Commissioners present at the meeting, with at least four present and voting for such waiver.

2. FINDINGS/CURRENT ACTIVITY

As previously mentioned, the City of Coral Springs acted as the lead agency in a competitive bid process on behalf of the Co-op. They received five (5) proposals and the top three (3) ranked companies were MacMillan Oil Company, Port Consolidated, Inc., and Seminole Tribe of Florida, Inc. d/b/a Askar Oil.

Since the City needs to purchase fuel from a reliable provider, City Administration recommends that the City Commission authorize an on-going purchase of unleaded gasoline and diesel fuel from Port Consolidated, Inc. In addition to having distribution centers in Ft. Lauderdale, they have facilities in Miami, West Palm Beach, Ft. Pierce, Tampa, and others in the State of Florida. They have provided excellent service to the City in past years.

3. ATTACHMENTS

a) City of Coral Springs Commission Agenda Summary
b) City of Lighthouse Point’s declination to participate in the Co-op RFP
4. **FINANCIAL IMPACT**

Pricing will be based on Miami Unbranded OPIS + $0.099 + applicable taxes.
The City spends approximately $135,000 annually on unleaded gasoline and diesel fuel.

5. **ACTION OPTIONS/RECOMMENDATION**

Recommend that the City Commission, by motion, waive the bid process, rely on the process used by the Southeast Florida Governmental Purchasing Co-operative Group bid process conducted by the City of Coral Springs, and authorize the on-going purchase of unleaded gasoline and diesel fuel from Port Consolidated, Inc.
SUBJECT: Unleaded Gasoline & Diesel Fuel

PLACEMENT: Policy

REQUESTED ACTION: Request to approve and award the contract for Unleaded Gasoline and Diesel Fuel through the Southeast Florida Governmental Purchasing Cooperative Group, RFP #14-A-035 to MacMillan Oil Co. of Florida, Inc. of Hialeah, Florida beginning July 1, 2014 and terminating on March 31, 2017 with two additional two year renewals possible. The estimated annual expenditure for the City of Coral Springs under this contract is approximately $1,200,000.00 for diesel fuel and unleaded gasoline. (REQUEST TO APPROVE, AWARD)

PROJECT REVIEWED BY OR INCLUDED IN:

ATTACHMENTS: #1 – Letter of Understanding
#2 – Proposers List

BACKGROUND / DESCRIPTION:

1. Using Department: City-Wide

2. Justification for Award Recommendation:
   - Most responsive and responsible Bidder
   - Highest ranked Proposer
   - Other: ____________

3. Is this item in the adopted budget? X Yes ___ No

4. Is this item in the CIP? ___ Yes X No

5. No. of Vendors solicited: 48
   No. of Coral Springs firms solicited: 3
   No. of Vendors responding: 5

6. Agreement Info:
   - Contract executed by Firm
     X N/A

7. Insurance:
   - Approved
     X N/A
The City of Coral Springs, acting as lead agency for the purchase of diesel fuel and unlead gasoline for the Southeast Florida Governmental Purchasing Cooperative Group has solicited proposals for this necessary commodity, combining the estimated usage of the 32 agencies that chose to participate in this procurement. It is estimated that the value of this contract will exceed $70 million dollars annually judged by today’s prices.

This new fuel contract positions our fuel procurement in the following manner:

1. Contract with a fuel distributor (or “jobber”) encouraged to establish a “back-to-back” agreement with a fuel wholesaler, or owner of fuel products at the port, specifically for the contract to be established with the Co-Op Group. An allocation for a percentage of fuel specifically purchased under contract by the Jobber for the Cooperative Group provides a more secure supply chain for our fuel needs than any other method available.

2. Contract with a fuel distributor who has demonstrable capabilities to appropriately administer a contract with 32 different using agencies, deliver fuel quickly and safely, and provide accurate electronic billing.

3. As much as possible, ensure a wide variety of capabilities both in fuel supply sources and available equipment for the steady provision of fuel during declared emergency situations. Capabilities such as significant delivery fleet size, distributor owned fuel farms in the tri-county area, and access to alternative fuel wholesalers, both at Port Everglades and other ports throughout Florida, would be positively viewed.

4. Obtain the required fuels at competitive market rates.

A Request for Proposals process was used for this procurement, in which proposers would be evaluated in all the above mentioned areas using the criteria established in the Request for Proposals.

In order to align our procurements of this important commodity with the marketplace, the following are key issues in the Request for Proposals.

1. The oil price index used as a cost comparison method during the procurement process and to obtain pricing during the contract period, was changed to the OPIS Fuel Index, which is locally oriented and is also the index by which the majority of our prospective proposers purchase the fuel directly from the wholesalers. The price was set to float on a daily basis, again to mirror the marketplace in which our prospective proposers buy fuel.

2. Payment will be made to the Jobber selected via a wire transfer of funds within 15 days of receipt of fuel delivery, in order to eliminate the “float” which occurs when government takes 30-45 days to pay for the fuel that is delivered. The Jobbers are required to pay the wholesaler within ten days of their receipt of the product, and their cost of waiting for our payment for approximately 20 to 30 days requires many
of these firms to establish a line of credit to finance this cash flow issue. The cost of that financing is, of course, passed on to the Participating Agencies via higher fuel cost. Payment by wire transfer mitigates this additional cost.

3. Proposers were provided information that a supply contract with a wholesaler or multiple wholesalers would be established specifically for a percentage of the purchases of fuel. Some spot market (daily, open market) buys by any jobber are a necessity in the current fuel market place.

By taking these actions, the Cooperative positioned itself effectively in the fuel marketplace. As a result of these changes, a total of five proposals were received.

Proposals were received from the following firms:

- Mansfield Oil Co
- McMillan Oil Co. of FL, Inc.
- Port Consolidated
- RKA Petroleum Companies, Inc.
- Seminole Tribe of Florida, Inc. d/b/a Askar Oil

The Evaluation Committee for this procurement consisted of:

**Voting Members:**
- Angelo Salomone, Purchasing Administrator, City of Coral Springs
- Dave Mack, Assistant Fleet Manager, Broward Sheriff’s Office
- Mark Alan, Purchasing Agent II, School Board of Broward County
- Tim Garling, Director, Transit Division Broward County
- Paul Strauss, Director of Environmental and Conservation Services, Palm Beach County School Board

**Non-Voting Members:**
- Paul Stanton, Assistant to Port Director-Petroleum, Broward County Port Everglades
- Neal Kutchera, Petroleum Specialist, Broward County Port Everglades
- Christine Calhoun, Purchasing Agent, Broward County Purchasing
- Rick Torres, purchasing Agent, Broward Sheriff’s Office

Based on the evaluation criteria established in the Request for Proposals, the Evaluation Committee reviewed all proposals received and short listed the following three firms for presentations:

- McMillan Oil Co. of FL, Inc.
- Port Consolidated
- Seminole Tribe of Florida, Inc. d/b/a Askar Oil

The Evaluation Committee received best and final offers from the three finalists on May 7, 2014.
The final ranking of the Evaluation Committee established MacMillan Oil Co. of Florida, Inc. as the top ranked proposer to provide unleaded gasoline and diesel fuel for the Cooperative Group. This ranking was established by the Evaluation Committee for the following reasons:

1. MacMillan Oil Co. currently has supply agreements with several major oil companies, notably Exxon Mobil, Shell/Motiva, Citgo, Sunoco, Volero, Marathon, Trans Montaigne and has arrangements with companies that store fuel in terminals in South Florida.

2. MacMillan Oil Co. has a local bulk plant facility with the capacity to store sufficient fuel to serve its government clients for several days should a shutdown of Port Everglades occur due to a storm situation. They have also contracted storage at a second bulk plant as a backup facility to the existing storage capabilities.

3. MacMillan Oil Co. has decades of experience in providing fuel to government entities. They are a past supplier to the Southeast Florida Governmental Cooperative Group and are the current supplier for Miami-Dade County, south Florida offices of the State of Florida and the City of Plantation. As a past supplier of fuel, MacMillan Oil Company’s record of performance and reliability with the Cooperative agencies was excellent.

4. MacMillan Oil Company locally owns a supply of rental tanks and “ISO tanks” with a 6,000 gallon fuel capacity. These mobile tanks can be provided to co-op members and regularly refilled to provide additional fuel capacity during hurricane season or for periods of time when fuel tanks may be taken out of use for repair or replacement by a cooperative agency.

5. MacMillan was the second lowest cost proposer, however with the difference between the lowest cost proposer and MacMillan was less than one half of one percent of the total contract value. It is also within approximately 8/10 of one cent per gallon less expensive than Miami-Dade County for unleaded gasoline. Based on the cost proposals received through our competitive Request for Proposals, and recent pricing received by Miami-Dade County, the Evaluation Committee believes the prices proposed by MacMillan Oil Co. are fair and reasonable and are actually at the low end of the market range.

Based on approval of this Evaluation Committee recommendation, the contract with MacMillan Oil Co. of Florida, Inc. would begin on July 1, 2014. This provides adequate time for the firm to contact each of the Participating Agencies, establish agency contact information, and work towards satisfying the logistical requirements of providing fuel to the Participating Agencies at approximately 100 different fueling sites. MacMillan Oil Co. of Florida, Inc. has executed a Memorandum of Understanding which is attached to this agenda report outlines the requirements of the firm under this contract, along with the operating and payment requirements of the Co-Op Participating Agencies.

Copies to:

T. Planco, Central Stores Coordinator
S. Harbin, Fleet Services Superintendent
City of Coral Springs  
Commission Meeting Agenda Item  
Summary Sheet  
Meeting: May 21, 2014

Subject: Unleaded Gasoline & Diesel Fuel

M. Heller, Director of Financial Services  
S. Grant, Deputy City Manager  
S. Whitacre, Deputy City Attorney  
J. Hearn, City Attorney
Facsimile Transmittal

To: Angelo Salomone
Fax: 954-344-1186

From: Mary Pryde for Art Graham
Date: 8/31/09

Re: Unleaded Fuel & Diesel Fuel
Pages: 2 (including cover page)

CC:

Urgent For Review Please Comment Please Reply ☐ Please Recycle

Please see attached complete survey.

Art Graham
Public Works Director
SUBJECT: First reading and public hearing of an ordinance enacting land development regulations relating to Nicotine Dispensing Device Retail Stores.

1. BACKGROUND/HISTORY

Nicotine dispensing devices, commonly referred to as nicotine vaporizers, electronic cigarettes or e-cigarettes, are recently developed products that permit the user to inhale vaporized liquid nicotine and potentially other substances, and exhale heated vapors instead of smoke. Several government reviews are underway to determine the safety of the products and the claims that they are smoking cessation aids. At the same time, some studies have shown that the use of this product is increasing among school aged children.

At the October 8, 2013 meeting, the City Commission raised the subject of nicotine vaporizers, and whether there were any regulations relating to the sale of such. The City Attorney was directed to research the subject and report back to the City Commission.

At its November 12, 2013 meeting, the City Commission adopted a Motion declaring a Zoning in Progress to enact a moratorium on the issuance of any new approvals or licenses for any use of the sale of nicotine vaporizers for a period of six (6) months, and directed the City Attorney to prepare a moratorium ordinance for review by the City’s Planning and Zoning Board and the City Commission.

On January 14, 2014, the City Commission adopted Ordinance 2013-0906, which imposed a moratorium on the issuance of any new approvals or licenses for any use of the sale of nicotine vaporizers until April 30, 2014.


During the 2014 legislative session, the Florida Legislature enacted new laws regulating the sale, possession and use of Nicotine Dispensing Devices, to which the City has been referring as “nicotine vaporizers.”

2. FINDINGS/CURRENT ACTIVITY

During the moratorium, the City Administration has been reviewing issues associated with the use of the sale of nicotine dispensing devices. In addition, the legislation that was ultimately adopted by the Florida Legislature to regulate nicotine dispensing devices did not affect the ability of local governments to enact land development regulations associated with uses involving nicotine dispensing devices.
The proposed Ordinance would enact land development regulations in the City relating to Nicotine Dispensing Device Retail Stores, which are defined in the Ordinance as follows:

*Nicotine Dispensing Device Retail Store* means a retail store whose principal use is the sale of nicotine dispensing devices, or which predominantly markets such through product inventory, business name, signage and/or advertising, nicotine dispensing devices. For purposes of this Chapter 42, a “Nicotine Dispensing Device” means any product that employs an electronic, chemical or mechanical means to produce vapor from a nicotine product, including, but not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product, any replacement cartridge for such device, and any other container of nicotine in a solution or other form intended to be used with or within an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product.

The definition of “nicotine dispensing device” is taken from the new state legislation.

The Ordinance would:

- Prohibit Nicotine Dispensing Device Retail Stores within the B-1 neighborhood business districts.
- Permit Nicotine Dispensing Device Retail Stores within the B-2, community business district, subject to several limitations:
  - They cannot be located within 250 feet of any church or school – the same distance as alcoholic beverage sales in the City;
  - Commercially reasonable efforts must be made to identify minors in the premises and cause them to be removed unless accompanied by a parent or guardian;
  - The sale of nicotine dispensing devices to persons under 18 is prohibited, and age identification verification is required in certain circumstances;
  - The sale of paraphernalia is prohibited;
  - The sale of products with names inferring they include illegal substances, or inferring that using them will create experiences similar to using illegal substances, is prohibited;
  - The sale of delivery devices not associated with nicotine dispensing devices is prohibited.

Two public hearings are required for this Ordinance since it changes the list of permitted and prohibited uses in the City’s zoning districts.

The City Planning and Zoning Board reviewed the Ordinance at its August 5, 2014, meeting, and recommended adoption by the City Commission.

3. ATTACHMENTS

Proposed Ordinance
Draft Minutes of the August 5, 2014 Meeting of the Planning and Zoning Board
4. **FINANCIAL IMPACT**

None

5. **ACTION OPTIONS/RECOMMENDATION**

Recommend that the City Commission conduct a public hearing and consider the proposed ordinance on first reading.
CITY OF LIGHTHOUSE POINT  
FLORIDA  
ORDINANCE NO. 2014 –  

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, RELATING TO NICOTINE DISPENSING DEVICE RETAIL STORES; AMENDING CHAPTER 42, ENTITLED “LAND DEVELOPMENT CODE,” ARTICLE IV, ENTITLED “ZONING” BY AMENDING DIVISION 1, ENTITLED “GENERALLY,” SECTION 42-242, ENTITLED “DEFINITIONS,” TO DEFINE “NICOTINE DISPENSING DEVICE RETAIL STORE,” AMENDING DIVISION 4, ENTITLED “DISTRICT REGULATIONS,” SECTION 42-346 ENTITLED “B-1 NEIGHBORHOOD BUSINESS DISTRICTS,” TO PROHIBIT NICOTINE DISPENSING DEVICE RETAIL STORES IN THE B-1 ZONING DISTRICT, AND AMENDING SECTION 42-347, ENTITLED “B-2, COMMUNITY BUSINESS DISTRICTS,” TO ADD NICOTINE DISPENSING DEVICE RETAIL STORE AS A PERMITTED USE IN THE B-2 ZONING DISTRICT SUBJECT TO SPECIFIC LIMITATIONS; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.  

WHEREAS, on January 14, 2014, the City Commission adopted Ordinance 2013-0906, which imposed a moratorium until April 30, 2014, on the approval or issuance of any new licenses or permits for any use that includes the sale of Nicotine Dispensing Devices, commonly known as e-cigarettes or electronic cigarettes, and referred to in the Ordinance as “nicotine vaporizers,” as the regulation of these items was the subject of contemplated state legislation and the City needed time to review this new type of use as it relates to land development and zoning regulations in the City; and,  

WHEREAS, on April 22, 2014, the City Commission adopted Ordinance 2014-910, which extended the moratorium imposed by Ordinance 2013-906 until October 31, 2014; and,  

WHEREAS, during the 2014 legislative session, the Florida Legislature adopted Senate Bill 224, which amended applicable Florida statutes to define “nicotine dispensing device” and to enact regulations for the sale, possession and use of such devices; and,  

CODING: Words in strike through type are deletions from existing law; Words in underlined type are additions.
WHEREAS, the City Administration has reviewed the City’s existing Land Development Code and recommends that the City’s Land Development Code be amended to address the new retail use of businesses that predominantly transact in Nicotine Dispensing Devices; and,

WHEREAS, the City’s Planning and Zoning Board reviewed the proposed ordinance to amend the City’s land development code relating to Nicotine Dispensing Device Retail Stores, and recommended that the City Commission adopt the ordinance; and,

WHEREAS, the City Commission has considered the proposed regulations for Nicotine Dispensing Device Retail Stores, the recommendation of the City’s Planning and Zoning Board, and finds that it is in the best interest of the City to adopt this ordinance.

THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LIGHOUSE POINT, FLORIDA, THAT:

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. The legislative findings in Ordinance 2013-906, are hereby ratified and confirmed and made a specific part of this Ordinance. It is the purpose and intent of this Ordinance to promote the health, safety and welfare of the residents of Lighthouse Point, and to provide appropriate zoning codes for the recently developed use of Nicotine Dispensing Device Retail Store.

Section 3. The Code of Ordinances of the City of Lighthouse Point, Florida, is hereby amended as follows:

CODING: Words in strike through type are deletions from existing law; Words in underlined type are additions.
CITY OF LIGHTHOUSE POINT
FLORIDA

ORDINANCE NO. 2014 –

CHAPTER 42 – LAND DEVELOPMENT CODE
ARTICLE IV: ZONING
DIVISION 1: GENERALLY

Sec. 42-242. - Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

... 

_Nicotine Dispensing Devise Retail Store_ means a retail store whose principal use is the sale of nicotine dispensing devices, or which predominantly markets such through product inventory, business name, signage and/or advertising, nicotine dispensing devices. For purposes of this Chapter 42, a “Nicotine Dispensing Devise” means any product that employs an electronic, chemical or mechanical means to produce vapor from a nicotine product, including, but not limited to, an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product, any replacement cartridge for such device, and any other container of nicotine in a solution or other form intended to be used with or within an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or other similar device or product.

CHAPTER 42 – LAND DEVELOPMENT CODE
ARTICLE IV: ZONING
DIVISION 4: DISTRICT REGULATIONS

Sec. 42-346. B-1, neighborhood business districts.

... 

(c) _Uses prohibited._ Uses permitted in the B-1 district shall not be construed or interpreted to include as either principal or accessory use any of the following:

(1) Automobile, truck, trailer, motorcycle, boat or machinery sales, storage or service outlets, including repair garages, used car lots, service stations or car washes.

(2) Mortuaries.

(3) Drive-in restaurants or refreshment stands.

(4) Wholesale establishments.

CODING: Words in **strike through** type are deletions from existing law; Words in _underlined_ type are additions.
(5) Pawnshops.

(6) Lumber or building materials sales, storage or display outlets.

(7) Movie theaters, drive-in movie theaters, theaters, nightclubs, or establishments for consumption of alcoholic beverages on the premises.

(8) Plumbing, electrical or sheet-metal shops.

(9) Animal hospitals or veterinary clinics.

(10) Cabinet or carpenter shops.

(11) Storage or warehouse uses, except as incidental to a permitted use.

(12) Sign shops or any other use first permitted in a less restricted district.

(13) **Nicotine Dispensing Device Retail Store**

(14) Any use of a similar nature.

(15) Any sale of goods or merchandise unless under roof and within the confines of the building for which the local business license for the sale or display of such goods or merchandise is issued. There are excepted from these prohibitions automobile service stations set out in subsection 42-347(a)(2)b, boat sales set out in subsection 42-347(a)(2)g and new automobile sales only set out in subsection 42-350(a)(3).

Section 42-347. B-2, community business district

(a) *Uses permitted.* Uses permitted in the B-2 district shall be as follows:

(1) Any use permitted in a B-1 district.

(2) Retail stores intended primarily to service, shopping and limited service needs of several neighborhoods, including convenience, fashions and durable goods, including the following and similar retail outlets:

   a. Antiques, art supplies, automobile accessories, new automobile parts, bait and tackle, boats and marine motors, business machines, camera and photographic supplies and optical goods, corsetiere, department, dry goods, furniture and household furnishings, furriers, greeting cards, home appliances, leather goods and luggage, draperies, linens and other fabrics, millinery and modiste,
musical instruments, newsstands, office furniture and furnishings and equipment, package liquor, paint, pets, books and stationery, television, radio and phonograph sales and service, wallpaper, locksmith and garden supplies.

b. Automobile service stations, provided that no service station shall be erected or constructed within 700 feet of another service station, lying between the same two consecutive streets. Service stations shall not include the incidental display and storage of more than five rental trailers or five rental trucks, or any combination thereof, the total combined number not to exceed five. All rental trailers shall be limited to a maximum size of 50 square feet of floor area in the rental trailer and all rental trucks shall be limited in size so as not to exceed a rated capacity of one ton or less.

c. Baths and massage parlors, commercial gymnasiums, fur storage, health institutions, reducing studios, quick service laundries, establishments for dining and consumption of alcoholic beverages on the premises, and outdoor dining at establishments for dining and consumption of alcoholic beverages on the premises.

d. Dry cleaning establishments directly servicing customers, subject to the following limitations:

1. Service shall be rendered directly to customers who personally bring in and pick up articles to be cleaned, and establishment shall not provide pickup or delivery service.

2. No more than five persons shall be employed in the operation of the establishment.

3. No more than two cleaning units, each with a rated capacity of 40 pounds or less, shall be used in any establishment.

4. The entire cleaning and drying process shall be carried on within completely enclosed solvent-reclaiming units. All solvents used in the cleaning process and their vapors shall be nonexplosive and noninflammable.

e. Schools teaching art, charm, dancing, dramatics, music, business or commercial courses, artists’ studios, auctions of art goods, jewelry, rugs and similar items, costumers, dental laboratories, interior decorators, motor bus terminals, lawn furniture sales, photographic studios, radio and television studios, swimming pools and cabanas for commercial public use.
f. Museums and similar nonprofit institutions, publicly owned or operated facilities, including community buildings, parks and playgrounds.

g. Boat sales and repairs, marine supplies, sports and fishing boats for public and private use.

h. Automobile parking lots and parking areas.

(3) All merchandise offered for sale, displayed or stored shall be new merchandise, and shall not be secondhand or used.

(4) Hotels and motels.

(5) Community facilities.

(6) Group housing.

(7) Nicotine Dispensing Device Retail Stores, subject to the following limitations:

a. It shall not be located within two hundred and fifty (250) feet from any church or school, measured from the main entrance to main entrance, except in the case of a school the measurement shall be the nearest point of the school property used as part of school facilities; provided that if the Nicotine Dispensing Device Retail Store has been lawfully established and thereafter a church or school is established within a distance prohibited herein, the establishment of such church or school shall not render the location of the store illegal.

b. Commercially reasonable efforts will be made to rapidly identify minors (meaning persons under the age of eighteen (18) years of age) in the Premises, including examining the identification of any person who a reasonably prudent person would believe is eighteen (18) years of age or younger, and cause such minors to leave the Premises immediately upon identification unless accompanied by a parent or legal guardian.

c. It shall be prohibited from selling, gifting or delivering to a person under 18 years of age, or a person who appears to be under the age of twenty seven (27) years without first examining identification to confirm that the recipient is at least eighteen (18) years of age, of any:
1. Nicotine Dispensing Device, including electronic cigarettes (or e-cigarette), personal vaporizers (PV), electronic nicotine delivery systems (ENDS), or any similar product, or any part thereof or accessory thereto;

2. or e-juice, e-liquid, any other product intended for use in a Nicotine Dispensing Device or any similar product.

d. No part of the Premises shall be used for the possession, manufacture, display, sale or viewing of Paraphernalia, as defined below, including, but not limited to, (a) metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls, (b) Hash pipes, (c) Water pipes, (d) Carburetion tubes and devices, (e) Smoking and carburetion masks, (f) Roach clips, meaning objects used to hold burning material, such as marijuana cigarette, that has become too small or too thin to be held in the hand, (g) Miniature cocaine spoons, and cocaine vials, (h) Chamber pipes, (i) Carburetor pipes, (j) Electric pipes, (k) Air-driven pipes, (l) Chillums, (m) Bongs, (n) Ice pipes or chillers, (o) Blow tubes, (p) Hookah pipes, (q) Rolling papers, cigarette rollers or other items used to make cigarettes or cigars, (r) Other objects or products used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, or other controlled substances into the human body, or (s) Other objects or products used, intended for use, or designed for use in the combustive smoking of tobacco, herbs, or any other product;

“Paraphernalia” means all equipment, products, and materials of any kind which are intended for use or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, tobacco, or herbs.

e. The sale of products with names similar to, or which resemble, illegal substances, such as, by way of example only, but not of limitation, “liqweed,” “cocoa e-juice,” and “hash oil e-juice,” or similar names or descriptions is prohibited.

f. The sale of products that imply, infer or otherwise indicate that they may be used by or provide the user an experience (euphoria, etc.) similar to but not
limited to marijuana, hemp, cocaine, LSD, heroin, ecstasy, or angel dust, is prohibited.

g. The sale of products such as butane lighters, vaporizer pens, acetone, vaporizers for waxy oils, alcohol vaporizers, dabs, or other delivery devices not associated with Nicotine Dispensing Devices is prohibited.

(8) Any uses of a similar nature.

Section 4. Conflicts. 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 5. Severability. If any clause, section, or other part 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 in no way affecting the validity of the other provisions of this Ordinance.

Section 6. Codification. It is the intention of the City Commission of the City of Lighthouse Point that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lighthouse Point, 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 7. Effective Date. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE FIRST READING, THIS _____ DAY OF ___________, 2014.
PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, ON THE SECOND AND FINAL READING, THIS _______ DAY OF ______________, 2014.

BY: __________________________________
Earl Maucker, Commission President

ATTEST:

__________________________________
Jennifer M. Oh, City Clerk

APPROVED AS TO FORM:

___________________________________
Office of the City Attorney

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Call to Order:

Chairman John Gillespie called the meeting of the Planning and Zoning Board of the City of Lighthouse Point, Florida to order at 7:33 P.M.

ROLL CALL

Present:       Absent:
Sal Migliore       Peter McDonough
Frederick MacLean, Jr     Bill Gallo
Michael Cohen
Weslee Arciola
John Gillespie
David Tolces, Assistant City Attorney
Robert Collins, Michael Miller Planning Associates
Sherry Burgan, Building and Permit Specialist

MINUTES: Minutes of the June 3, 2014 Planning and Zoning Board were unanimously approved.

Case #14-06. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIGHTHOUSE POINT, FLORIDA, RELATING TO NICOTINE DISPENSING DEVICE RETAIL STORES; AMENDING CHAPTER 42, ENTITLED “LAND DEVELOPMENT CODE,” ARTICLE IV, ENTITLED “ZONING” BY AMENDING DIVISION 1, ENTITLED “DEFINITIONS,” TO DEFINE “NICOTINE DISPENSING DEVICE RETAIL STORE,” AMENDING DIVISION 4, ENTITLED “DISTRICT REGULATIONS,” SECTION 42-346 ENTITLED “B-1 NEIGHBORHOOD BUSINESS DISTRICTS”, TO PROHIBIT NICOTINE DISPENSING DEVICE RETAIL STORES IN THE B-1 ZONING DISTRICT, AND AMENDING SECTION 42-347, ENTITLED “B-2, COMMUNITY BUSINESS DISTRICTS,” TO ADD NICOTINE DISPENSING DEVICE RETAIL STORE AS A PREMITTED USE IN THE B-2 ZONING DISTRICT SUBJECT TO SPECIFIC LIMITATION; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

A motion to recommend approval of the ordinance as submitted was made by Michael Cohen, seconded by Fred MacLean.

There was discussion about what a principle use, predominate market, and accessory use consists of. David Tolces, Assistant City Attorney, explained that this ordinance would prohibit these types of stores in the B-1 Zoning District, but other types of retail where it is not the principle use, would have to comply with state regulations, such as checking identification for minors. The legislation has made nicotine dispensing devices equivalent to selling tobacco products. John Lavisky, City Administrator, provided comments related to the intent of the proposed ordinance.
and answered questions posed by the Board. Robert Collins, Michael Miller Planning Associates, summarized the restrictions.

The motion passed unanimously.

**Public Requests from the Floor**

No requests.

**City Planner’s Report**

Robert Collins notified the Board about future applications for a dock variance and a site plan review for a bank.

John Lavisky, City Administrator, stated to the Board that the City will be presenting an ordinance in regards to medical marijuana.

**City Attorney’s Report**

David Tolces had no report.

**Board Member Comments**

No reports.

There being no further business, the meeting was adjourned at 7:54 P.M.

________________________________________  ____________________________
John Gillespie                          Sherry Burgan
Chairman                                Clerk for the Board