

DATE: November 9, 2020

TO: City Commission

THRU: Greg Harrison, City Manager  
Brian Donovan, Assistant City Manager

FROM: John Sfiropoulos, City Engineer

RE: Postponement of 2<sup>nd</sup> Reading of Ordinance - Section 100.46 "Communication Facilities in the Public Rights-of-Way"

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As a result of the communication industries' comments following 1st reading of ordinance that occurred on July 28<sup>th</sup>, 2020 (below), City Attorney Mark Berman and I have been reviewing industries' concerns and making necessary edits to stay in compliance with the state statute. We've been working with several communication industry entities which is accounting for the delay. Unfortunately, we just received the final draft late Wed of last week which did not provide adequate time to have it reviewed and formatted correctly to meet agenda submission deadline. We believe the content is accurate but the document needs cleaning up and we are not comfortable presenting it in its current state. As such, we are recommending postponing 2nd reading of ordinance until December 8th, 2020 in order to finalize the proposed amendments to Section 100.46 "Communication Facilities in the Public Rights-of-Way".

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A BOND; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**