

# **City of Pompano Beach**

**City Commission Meeting  
Commission Chamber**

*100 West Atlantic Blvd.  
Pompano Beach, FL 33060*



## **Agenda**

**Tuesday, March 14, 2023**

**1:00 PM**

### **City Commission**

*Rex Hardin, Mayor*

*Andrea McGee, Vice Mayor*

*Rhonda Eaton, Commissioner*

*Alison Fournier, Commissioner*

*Barry Moss, Commissioner*

*Beverly Perkins, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Kervin Alfred, City Clerk*

## **GOVERNMENT IN THE SUNSHINE**

The State of Florida pioneered the concept of "Government in the Sunshine," and, accordingly, all meetings of the Pompano Beach City Commission - except those to discuss labor negotiations and litigation strategy, are open to the public. The Commission welcomes the involvement and participation of the citizens.

## **PROCEDURE**

The City Commission has adopted Robert's Rules of Order, Newly Revised.

## **CITY COMMISSION MEETING TIMES**

The City Commission meets two (2) times a month:

Second Tuesday of the month: City Commission Meeting - 1:00 p.m.

Fourth Tuesday of the month: City Commission Meeting - 6:00 p.m.

## **ADDRESSING THE CITY COMMISSION**

"Audience To Be Heard" is scheduled for a thirty (30) minute period at the beginning of the City Commission Meeting, and will be continued to the end of the meeting for those speakers who were not heard during the initial thirty-minute period. All persons interested in speaking during "Audience To Be Heard" must fill out and submit a request form to the City Clerk prior to the call of order of the meeting. Speakers will be limited to three minutes to speak on any matter, which is NOT on the Regular Agenda, or removed from the Consent Agenda, and are requested to approach the podium and state his/her name and address and, if appropriate, the organization they represent, for the record. A request form can be found on the last page of the Agenda program.

## **ACCESSIBILITY**

If you require the services of a Sign Interpreter, please notify the City Manager's Office at (954) 786-4601, 24 hours in advance. Should you require any other assistance to attend or participate in the meeting, please contact the City's ADA Coordinator at (954) 786-4626 at least 24 hours prior to the meeting.

**NOTE:** Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

**CALL TO ORDER**

*The Honorable Rex Hardin  
Mayor, Presiding*

**ROLL CALL**

*Kervin Alfred, City Clerk*

**INVOCATION**

*Rabbi Tzvi Dechter  
Chabad of North Broward Beaches*

**PLEDGE OF ALLEGIANCE**

*Led by Kervin Alfred, City Clerk*

**APPROVAL OF MINUTES**

[23-365](#) Regular City Commission Meeting Minutes of February 28, 2023

**APPROVAL OF AGENDA**

**CONSENT AGENDA DISCUSSION**

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

**A. PRESENTATION**

[23-301](#) Strategic Plan 2021-2026 and Action Agenda 2021-2022, 2nd Half FY 22  
Progress Presentation.  
(Fiscal Impact: N/A)

**(Staff Contact: Ernesto Reyes)**

**B. AUDIENCE TO BE HEARD**

All persons interested in speaking during “Audience To Be Heard” must fill out a request form and turn it in to the City Clerk prior to the meeting. A request form is located on the last page of the agenda program.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the “audience to be heard” session. The “audience to be heard” session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session". (Effective May 28, 2019)

**C. CONSENT AGENDA**

1. [23-341](#) Consideration of a request by Zoelitta Guest to transfer ownership of Block 09, Lot 8, Plot 4 in the North Lawn back to the City of Pompano Beach.  
(Fiscal Impact: \$400.00)

(Staff Contact: Robert A. McCaughan)

2. [23-364](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES FOR THE PURPOSE OF OBTAINING FUNDS FOR CYBERSECURITY TECHNICAL ASSISTANCE; AND, IF AWARDED, AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE ALL APPROPRIATE DOCUMENTS;; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Gene R. Zamoski)

3. [23-354](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN APPROPRIATIONS CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY SHERIFF'S OFFICE TO SUPPORT THE SUMMER G.R.E.A.T. PROGRAM IN PREVENTING YOUTH VIOLENCE, GANG PARTICIPATION, ANTI-BULLYING AND THEIR LEGAL CONSEQUENCES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$20,000.00)

(Staff Contact: Erjeta Diamanti)

4. [23-357](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A HURRICANE IAN FEDERALLY FUNDED SUB-AWARD AND GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT AND THE CITY OF POMPANO BEACH, AND AUTHORIZING THE MAYOR OR VICE MAYOR, CITY MANAGER AND CITY CLERK TO EXECUTE ALL APPROPRIATE DOCUMENTS REQUIRED FOR GRANT APPLICATION, CONTRACT, MODIFICATION AND OTHER GRANT RELATED DOCUMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kimberly Cristiano)

5. [23-353](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND NEW HORIZON COMMUNITY DEVELOPMENT CORPORATION, INC., TO PROVIDE SUMMER YOUTH EMPLOYMENT TRAINING PROGRAM SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$109,664.00)



**Strategic Plan Initiative**

(Staff Contact: Bobby Bush/Ed Beecher)

6. [23-302](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT FOR PROFESSIONAL/CONSULTING SERVICES NO. 1842 BETWEEN THE CITY OF POMPANO BEACH AND STEGIA LLC FOR VARIOUS ONGOING GO BOND CONTRACTS, BROWARD COUNTY TRANSPORTATION SURTAX PROJECTS AND OTHER ASSIGNED PROJECTS; PROVIDING AN EFFECTIVE DATE  
(Fiscal Impact: \$189,540)

**(Staff Contact:** Suzette Sibble)

7. [23-356](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ASSIGNMENT AND ASSUMPTION CONSENT AGREEMENT AMONG THE CITY OF POMPANO BEACH, DINA AND EMAN, INC., AND THE LOVELY CORNER, LLC RELATING TO A REVOCABLE LICENSE AGREEMENT DATED OCTOBER 11, 2018; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** John Sfiropoulos)

8. [23-348](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH RELATING TO THE P.B.P.F. PLAT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** Tammy Good/Hector Gandia)

9. [23-360](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER 1 TO SCHEDULE OF PROPERTY NO. 1 TO MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT BETWEEN THE CITY, AS LESSEE AND BANC OF AMERICA PUBLIC CAPITAL CORPORATION, AS LESSOR; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** Allison Feurtado)

10. [23-361](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER 1 TO SCHEDULE OF PROPERTY NO. 2 TO MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT BETWEEN THE CITY, AS LESSEE AND BANC OF AMERICA PUBLIC CAPITAL CORPORATION, AS LESSOR; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** Allison Feurtado)

11. [23-332](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HANSA AND GIRISH PATEL ON VACANT LAND LOCATED AT SE 2ND STREET ON THE WEST SIDE OF BRINY AVENUE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: 50/50 Revenue Split)

**(Staff Contact:** Jeff Lantz)

12. [23-329](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HANSA AND GIRISH PATEL ON VACANT LAND LOCATED AT SE 2ND STREET ON THE EAST SIDE OF BRINY AVENUE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: 50/50 Revenue Split)

**(Staff Contact:** Jeff Lantz)

13. [23-368](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE AMONG THE CITY OF POMPANO BEACH, KAUFMAN LYNN CONSTRUCTION, INC. AND TK ELEVATOR CORPORATION; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$105,000 to the City plus repairs.)

(Staff Contact: Mark E. Berman)

**D. REGULAR AGENDA**

**QUASI-JUDICIAL PROCEEDING**

14. [23-346](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE CROATIAN AMERICAN SOCIAL CLUB 175-195 B PARCEL "A" PLAT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

15. [23-334](#) Approval to award ITB E-10-23 Construction of BSO Substation to the lowest responsive, responsible bidder, Shiff Construction & Development, Inc., at a cost of \$2,077,453.41.  
(Fiscal Impact: \$2,077,453.41)

(Staff Contact: Tammy Good)



16. [23-296](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$794,336.00 PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND EMERALD CONSTRUCTION CORPORATION FOR THE WATER TREATMENT PLANT HURRICANE HARDENING; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$794,336.00)



**Strategic Plan Initiative**

(Staff Contact: Tammy Good)

17. [23-317](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND COUNTRY CLUB SERVICES INC., TO PROVIDE RE-GRASSING AND ADDITIONAL RELATED SERVICES AT THE POMPANO BEACH PINES GOLF COURSE; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: \$1,553,370.00)



**Strategic Plan Initiative**

(Staff Contact: Tammy Good)

18. [23-355](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CHANGE IN TRAFFIC CIRCULATION ON POMPANO BEACH BOULEVARD BETWEEN NE 2ND STREET AND NE 3RD STREET FROM TWO-WAY TO ONE WAY NORTHBOUND; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

19. [23-315](#)**P.H. 2023-49: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," BY AMENDING SECTION 34.010, "DEFINITIONS," TO EXPAND THE DEFINITION OF EMPLOYEE; BY AMENDING SECTION 34.025, "CONTRIBUTIONS," TO PROVIDE FOR CONTRIBUTIONS BY CERTAIN ADDITIONAL PARTICIPATING EMPLOYEES; AND BY AMENDING SECTION 34.0266, "RETIREMENT BENEFITS FOR MANAGEMENT SUPPORT EMPLOYEES," TO CREATE AN ADDITIONAL CLASS OF EMPLOYEE PARTICIPATING IN THE RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: FEBRUARY 28, 2023**

(Staff Contact: Bobby Bush/Tracy Lyons)

20. [22-552](#)**P.H. 2022-87: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 154, "PLANNING," BY AMENDING SECTION 154.61, "REDEVELOPMENT AND FLEXIBILITY UNITS," TO CREATE AN EXPEDITED APPROVAL PROCESS FOR PROJECTS USING COUNTY POLICY 2.16.3; AND AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.2424., "APPEAL," TO PROVIDE FOR APPEAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**POSTPONED FROM SEPTEMBER 27, 2022 & FEBRUARY 14, 2023**

**FIRST READING: SEPTEMBER 13, 2022**

(Staff Contact: Jean Dolan/David Recor)

21. [23-295](#)**P.H. 2023-50: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, "BY AMENDING SECTION 152.13, "FORTY YEAR SAFETY INSPECTIONS," TO MODIFY THE INTERVALS, REFERENCES AND PROCEDURES FOR BUILDING SAFETY INSPECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Michael Rada/Carpelo Jeoboam)

22. [23-298](#)**P.H. 2023-51: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 154, "PLANNING," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 154.61, "REDEVELOPMENT AND FLEXIBILITY UNITS," TO MODIFY REQUIREMENTS TO PROVIDE INCENTIVES FOR MIXED INCOME RESIDENTIAL DEVELOPMENT; AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.3302., "LIMITED BUSINESS (B-1)," SECTION 155.3303., "COMMUNITY BUSINESS (B-2)," SECTION 155.3304., "GENERAL BUSINESS (B-3)," AND SECTION 155.4202., "RESIDENTIAL: HOUSEHOLD LIVING USES," TO CLARIFY AND AMEND STANDARDS FOR MIXED INCOME RESIDENTIAL DEVELOPMENT USING BROWARD COUNTY LAND USE PLAN POLICIES 2.16.3 AND 2.16.4; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

23. [23-331](#)**P.H. 2023-52: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, "PARKS AND PLAYGROUNDS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 98.09, "ALSDORF PARK," TO MODIFY REQUIREMENTS AND TO SET NEW PROHIBITIONS AND REGULATIONS FOR USE OF PARK FACILITIES; PROVIDING FOR VIOLATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

24. [23-359](#)**P.H. 2023-53: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND PFM FINANCIAL ADVISORS, LLC, TO PROVIDE FINANCIAL ADVISORY SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

25. [23-345](#)

Consideration of authorizing staff to engage in formal negotiations with Lauderdale-By-The-Sea regarding fire rescue services.

(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

- 26. [23-366](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF CARLTON GILLESPIE; SAID TERM TO EXPIRE ON JUNE 16, 2024; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**APPLICANTS:**

James Morehead, **Alternate 2** - District 3  
 Robert Whitsett - District 3  
 Sarahca Peterson - District 4  
 Danika Jackson - District 5  
**(Staff Contact:** Kervin Alfred)

**E. ADDITIONAL AUDIENCE TO BE HEARD**

**F. NEXT SCHEDULED MEETING**

March 28, 2023 at 6:00 p.m. - Regular City Commission Meeting

April 11, 2023 at 1:00 p.m. - Regular City Commission Meeting

April 25, 2023 at 6:00 p.m. - Regular City Commission Meeting

**G. REPORTS**

*City Manager*  
*City Attorney*  
*City Clerk*  
*City Commission*

**H. ADJOURNMENT**

**BALANCE IN CONTINGENCY**

|              |                   |             |
|--------------|-------------------|-------------|
| Oct. 1, 2022 | Beginning Balance | \$12,000.00 |
|--------------|-------------------|-------------|

**CITY OF POMPANO BEACH, FLORIDA  
AUDIENCE TO BE HEARD  
REQUEST FORM**

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

**EACH SPEAKER IS LIMITED TO THREE (3) MINUTES**

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session."

**SUBJECT YOU DESIRE TO SPEAK ON:**

\_\_\_\_\_  
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**NOTE: THIS FORM MUST BE COMPLETED AND HANDED TO THE CITY CLERK PRIOR TO THE CALL TO ORDER OF THE MEETING. THE CITY CLERK WILL CALL RESIDENTS AND/OR TAXPAYERS, TO INCLUDE AUTHORIZED REPRESENTATIVES FOR PERSONS PERMITTED TO BE HEARD, AS WELL AS EMPLOYEES OF THE CITY TO SPEAK FIRST. OTHERS DESIRING TO SPEAK WILL THEREAFTER BE CALLED TO SPEAK, EXCEPT WHEN THE PERSON IS A USER OF THE CITY'S WATER OR SEWER SYSTEM AND WISHES TO BE HEARD ON A MATTER RELATED TO THE CITY'S WATER AND/OR SEWER SYSTEM.**