

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, September 12, 2023

1:00 PM

City Commission

Rex Hardin, Mayor

Andrea McGee, Vice Mayor

Alison Fournier, Commissioner

Barry Moss, Commissioner

Beverly Perkins, Commissioner

Rhonda Sigerson-Eaton, 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

*Pastor Larry Trotter
Florida Coast Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

- [23-724](#) City Commission Budget Workshop Minutes of July 18, 2023
- [23-723](#) Regular City Commission Meeting Minutes of July 25, 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. SPECIAL PRESENTATION

- [23-736](#) **Legislative Update From Senator Jason Pizzo**
Senator Jason Pizzo will give a legislative update to the City Commission and residents.
- [23-509](#) **Property Value Update from Broward County Property Appraiser**
Marty Kiar, Broward County Property Appraiser, will present the latest information on property values.

B. PROCLAMATIONS[23-696](#)**Suicide Prevention Month**

Mayor Rex Hardin will proclaim the month of September as Suicide Prevention Month in the City of Pompano Beach. Beth Nativ, member of the League of Women Voters will be present to accept the proclamation on behalf of the League.

[23-729](#)**Emergency Preparedness Month Proclaimed**

Mayor Hardin will proclaim the month of September as Emergency Preparedness Month in the City of Pompano Beach. Pompano Beach Fire Rescue Emergency Manager, Kimberly Cristiano, will accept the proclamation.

C. 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)

D. CONSENT AGENDA

1. [23-607](#) Approve ranking order for Request for Proposal (RFP) T-12-23, Holiday Lights, and authorize staff to negotiate a contract with the highest ranked firm, All Seasons Imports Inc., dba The Christmas Palace, LLC.
(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

2. [23-741](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF A FIRST AMENDMENT TO THE LICENSE AGREEMENT BETWEEN BROWARD COUNTY SUPERVISOR OF ELECTIONS AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Earl Bosworth)

3. [23-679](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE FDOT DISTRICT FOUR (4) AMENDMENT NUMBER TWENTY-FIVE (25) TO INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY OF STATE ROAD A1A (SOUTH OCEAN BLVD.) FROM MILE POST 9.656 AND MILE POST 9.701; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

4. [23-709](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING THE NE 10TH STREET COMPLETE STREETS IMPROVEMENT PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

5. [23-693](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 22185-1 IN THE AMOUNT OF \$165,015.00, PURSUANT TO THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CHEN MOORE AND ASSOCIATES, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$165,015.00)

(Staff Contact: Tammy Good/Anthony Alhashemi)

6. [23-716](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR AND CITY MANAGER'S EXECUTION OF A FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR SURTAX-FUNDED KENDALL LAKE NEIGHBORHOOD STORMWATER IMPROVEMENTS PROJECT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Tammy Good)

7. [23-727](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE FDOT DISTRICT FOUR AMENDMENT NUMBER ONE TO THE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR STREET LIGHTING IMPROVEMENTS WITHIN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY ALONG POWERLINE ROAD BETWEEN W. ATLANTIC BLVD. TO AN AREA NORTH OF PALM AIRE DRIVE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

8. [23-668](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING NICOLE COPPOCK TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS ALTERNATE APPOINTEE OF COMMISSIONER RHONDA EATON, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

9. [23-680](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING NOVICE JOHNSON TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

10. [23-642](#) **P.H. 2023-78: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN 20-FOOT WIDE ALLEY LYING WITHIN THE BLOCK BETWEEN NW 21ST STREET AND NW 22ND STREET, EAST OF NORTH POWERLINE ROAD AND WEST OF NW 18TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: JULY 25, 2023

(Staff Contact: Jean Dolan/David Recor)

11. [23-698](#) **P.H. 2023-82: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TEN-FOOT WIDE UTILITY EASEMENT LYING ON THE EAST SIDE OF NW 31ST AVENUE, APPROXIMATELY 350 FEET SOUTH OF DR. MARTIN LUTHER KING, JR. BOULEVARD, COMMONLY KNOWN AS 1350 NW 31ST AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

12. [23-699](#) **P.H. 2023-80: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN 20-FOOT WIDE ALLEY LOCATED ON A LOT LYING ON THE SOUTH SIDE OF MCNAB ROAD APPROXIMATELY 1,000 FEET WEST OF FEDERAL HIGHWAY AND RUNNING EAST/WEST ALONG THE SOUTHERN PROPERTY LINE, COMMONLY KNOWN AS 872 E. MCNAB ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

13. [23-703](#) Approval to award Invitation to Bid (ITB) E-16-23 Lift Station #61 Rehabilitation, to the lowest responsive, responsible bidder, Southern Underground Industries, Inc., at a cost of \$3,425,335.00.
(Fiscal Impact: \$3,425,335.00)

(Staff Contact: Tammy Good/Anthony Alhashemi)

14. [23-704](#) Approval to award Invitation to Bid (ITB) E-09-23 NW 16th Lane Stormwater Improvements (State Revolving Fund) to the lowest responsive, responsible bidder, Marcdan, Inc., at a cost of \$2,082,937.00.
(Fiscal Impact: \$2,082,937.00)

(Staff Contact: Tammy Good/Anthony Alhashemi)

15. [23-706](#) Request City Commission approval to issue purchase orders to Ferguson Enterprises, LLC, for the as-needed annual purchases of Neptune Water Meters, Parts, and Accessories, based on section 32.45 (Standardization) of the City Code of Ordinances.
(Fiscal Impact: \$ 1,000,000.00)

(Staff Contact: A. Randolph Brown)

16. [23-717](#) **P.H. 2023-86: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE POMPANO BEACH CODE OF ORDINANCES, RELATING TO THE GENERAL EMPLOYEES' RETIREMENT SYSTEM, BY AMENDING SECTION 34.025 "CONTRIBUTIONS" TO EXTEND THE PERIOD TO PAY MEMBER CONTRIBUTIONS FOR PAST SERVICES; AND BY AMENDING SECTION 34.0263, "DEFERRED RETIREMENT OPTION PLAN (DROP)," BY MODIFYING TERMS OF PARTICIPATION IN DROP; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Bobby Bush/Tracy A. Lyons)
17. [23-700](#) **P.H. 2023-85: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155 OF THE POMPANO BEACH CODE OF ORDINANCES, "ZONING CODE," BY AMENDING SECTIONS 155.3703., "ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)," AND SECTION 155.5102., "OFF-STREET PARKING AND LOADING," TO ELIMINATE PARKING REDUCTIONS THAT RESULT IN LESS THAN ONE PARKING SPACE PER DWELLING UNIT IN RESIDENTIAL DEVELOPMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Daniel Keester-O'Mills/David Recor)
18. [23-701](#) **P.H. 2023-84: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155 OF THE POMPANO BEACH CODE OF ORDINANCES, "ZONING CODE," BY AMENDING SECTION 155.4225., "COMMERCIAL: VISITOR ACCOMMODATION USES," TO PERMIT A HOTEL OR MOTEL USE BY RIGHT IN THE B-2 ZONING DISTRICT; AND BY AMENDING APPENDIX A: "CONSOLIDATED USE TABLE," TO REFLECT THE PERMITTED USE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Daniel Keester-O'Mills/David Recor)

19. [23-694](#)**P.H. 2023-83: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 33.076, "MEMBERS," TO MODIFY MEMBERSHIP OF THE PARKS AND RECREATION ADVISORY BOARD BY PROVIDING FOR THE APPOINTMENT OF A MEMBER TO SERVE AT-LARGE AND PROVIDING FOR THE APPOINTMENT OF ALTERNATE MEMBERS; BY PROVIDING FOR APPOINTMENTS OF REGULAR VOTING MEMBERS TO THE BOARD BY THE MAYOR AND BY EACH CITY COMMISSIONER BEGINNING WITH THE NEXT MUNICIPAL ELECTION IN NOVEMBER OF 2024; PROVIDING FOR MODIFICATION OF TERMS OF CURRENT BOARD MEMBERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

20. [23-645](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2026 PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Richard Samolewicz, *Incumbent* - Port Saint-Lucie

Pete McGinnis - District 3

Joseph Cerquozzi - District 3

Rita Neri - Coconut Creek

Zachariah White - Fort Myers

(Staff Contact: Kervin Alfred)

21. [23-661](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Mikelange Olbel, **Incumbent** - District 2
Carmen Jones, **Incumbent** - District 4
Gary E. McLamore, **Incumbent** - District 4
Woodrow Poitier, **Incumbent** - District 4
Justin Cromartie - District 1
Latoya T. Almonord - District 1
Tanya Manfredi - District 1
Michelle R. Rhoulhac - District 2
Cara Driscoll - District 3
Ada Rogers - District 4
Brenda Smith Davis - District 4
Corey Thompson - District 4
Janice A. Simmons - District 4
Joseph Wells - District 4
Kattie Jones - District 4
Kemarr L. Brown - District 4
Marcus A. McDougle - District 4
Mary S. Phillips - District 4
Monifa Aruwajoye - District 4
Quenton Thompkins - District 4
Sandra E. Villard - District 4
Shelton Pooler - District 4
Andy Cherenfant - District 5
Wayne Vereen - District 5
Lisa Ferreri - Fort Lauderdale
Toshia Drummond - Plantation

(**Staff Contact:** Kervin Alfred)

22. [23-662](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO. 2023-661 FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

23. [23-663](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO. 2023-661 FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

24. [23-664](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO. 2023-661 FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

25. [23-665](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH AS TENANT-COMMISSIONER FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANT:

Willie Ruth Heath, **Incumbent** - District 4

(Staff Contact: Kervin Alfred)

F. ADDITIONAL AUDIENCE TO BE HEARD

G. NEXT SCHEDULED MEETING

September 13, 2023 at 5:15 p.m. - Special City Commission/ EMS Taxing District

September 20, 2023 at 5:15 p.m. - Special City Commission/ EMS Taxing District

September 26, 2023 at 6:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager

City Attorney

City Clerk

City Commission

I. ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2022	Beginning Balance	\$12,000.00
Mar. 14, 2023	Crime Stoppers Council of Broward County, Inc.	\$5,000.00
Apr. 25, 2023	Broward Partnership Annual Gala	\$5,000.00
Apr. 25, 2023	Broward League of Cities Annual Gala	\$2,000.00
	Total:	\$0

**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:

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.