

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, May 22, 2018

6:00 PM

City Commission

Lamar Fisher, Mayor

Charlotte J. Burrie, Vice Mayor

Rex Hardin, Commissioner

Barry Moss, Commissioner

Beverly Perkins, Commissioner

Michael Sobel, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceletha Hammond, City Clerk

CALL TO ORDER

*The Honorable Lamar Fisher
Mayor, Presiding*

ROLL CALL

Asceleata Hammond, City Clerk

INVOCATION

*Reverend Wylie L. Howard Sr.
St. James Missionary Baptist*

PLEDGE OF ALLEGIANCE

Led by Asceleata Hammond, City Clerk

APPROVAL OF MINUTES

18-385 Regular City Commission Meeting Minutes of May 8, 2018

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

[18-381](#) **Property Appraiser Presentation**

Marty Kiar, Broward County Property Appraiser will update the Commission and residents about the preliminary tax roll numbers.

[18-389](#) **Special Recognition**

Mayor Lamar Fisher, Human Resources Director Ed Beecher and Sr. Human Resources Analyst Bobby Bush will present certificates to students from Cypress Run Education Center, in conjunction with the Community Reconstruction Housing Corporation, Inc., for their work in various City departments as part of a pilot program with the City. The City wishes to recognize the students' work and effort in the pre-employment and life skills training program.

B. PROCLAMATIONS**18-382** **Emergency Medical Services Week**

Mayor Lamar Fisher will proclaim Emergency Medical Services Week in the City of Pompano Beach. Assistant Fire Chief of EMS Frank Galgano will accept a proclamation on behalf of the Fire Department.

18-383 **National Gun Violence Awareness Day**

Mayor Lamar Fisher will proclaim National Gun Violence Awareness Day in the City of Pompano Beach. Diane Phillips, resident and Moms Demand Action volunteer will accept a proclamation on behalf of the organization.

18-386 **Purple Heart City**

Mayor Lamar Fisher will proclaim the City of Pompano Beach as a "Purple Heart City." Accepting the proclamation will be Robert L. Martin, representing the Disabled American Veterans Chapter 133 and Lewis Angwin, representing American Legion Post 142.

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 longer, 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 meeting in the event that individuals wishing to speak are not reached during the first session". (Effective November 27, 2007)

D. CONSENT AGENDA

1. **18-372** Approval to piggyback Broward County Contract #X2114362B1, Fencing - New, Repairs, and Replacement Services for the installation of steel picket fencing at Municipal Cemetery.
(Fiscal Impact: \$103,000.00)

(Staff Contact: Robert McCaughan)

2. [18-365](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN FDOT DISTRICT FOUR AMENDMENT NUMBER THIRTEEN (13) TO LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS ON PORTIONS OF STATE ROAD 811 (DIXIE HIGHWAY) AND ON PORTIONS OF STATE ROAD 814 (ATLANTIC BOULEVARD); PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

3. [18-264](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MATHEWS CONSULTING, INC. FOR SINGLE PROJECT CONTRACT TO PROVIDE ENGINEERING SERVICES FOR THE DESIGN, PERMITTING, BIDDING AND CONSTRUCTION OF THE RECOMMENDED KENDALL LAKE NEIGHBORHOOD STORMWATER IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$252,062.00)

(Staff Contact: Tammy Good)

4. [18-378](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN FDOT DISTRICT FOUR HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR SHARED USE PATHS ALONG NE 5TH AVENUE AND NE 10TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

5. [18-379](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN FDOT DISTRICT FOUR HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR SIDEWALK CONSTRUCTION ALONG SE 2ND STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

6. [18-359](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE FINAL ARTWORK DESIGN AND INSTALLATION LOCATION BY ARTIST YA LAFORD FINE ART, LLC FOR THE COLLIER CITY ARTIST RESIDENCE PROGRAM; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Laura Atria/David Recor)

7. [18-371](#) 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 INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF POMPANO BEACH FOR THE PROGRAMMING, DESIGN AND CONSTRUCTION OF A LIBRARY FACILITY; AND APPROVAL OF THE LEASE AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR THE LIBRARY FACILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Fawn Powers)

8. [18-380](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JAY GHANEM** TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL OF THE CITY OF POMPANO BEACH, AS 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)

**Strategic Plan Initiative**

(Staff Contact: Ascelela Hammond)

E. REGULAR AGENDA9. [18-356](#)**P.H. 2018-65: (PUBLIC HEARING 2ND 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 LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DIMARIA FRANK PROPERTIES, INC., FORMERLY KNOWN AS DIMARIA PROPERTIES, LLC, FOR THE OPERATION OF A KIOSK LOCATED AT BEACHFRONT PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City will receive an annual rental amount of \$33,000.00)

FIRST READING: MAY 8, 2018

(Staff Contact: Mark Beaudreau)

10. [18-347](#)

P.H. 2018-68: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 153, "RENTAL HOUSING CODE," BY AMENDING SECTION 153.05, "DEFINITIONS," TO MODIFY DEFINITIONS, RELATED TO VARIOUS COMMUNITY RESIDENCES; AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.2406, "SPECIAL EXCEPTION," TO PROVIDE SPECIAL EXCEPTION REQUIREMENTS AND REVIEW STANDARDS FOR COMMUNITY RESIDENCES AND RECOVERY COMMUNITIES; BY AMENDING SECTION 155.2432, "REASONABLE ACCOMMODATION," TO MODIFY STANDARDS AND PROCEDURES FOR REASONABLE ACCOMMODATION AND ESTABLISH SAME FOR COMMUNITY RESIDENCES AND RECOVERY COMMUNITIES; BY AMENDING ARTICLE 2, "ADMINISTRATION," PART 4, "APPLICATION-SPECIFIC REVIEW PROCEDURES," TO CREATE SECTION 155.2434, "COMMUNITY RESIDENCE AND RECOVERY COMMUNITY CERTIFICATE," TO ESTABLISH PURPOSE, APPLICABILITY AND PROCEDURES; BY AMENDING ARTICLE 3, "ZONING DISTRICTS" OF THE ZONING CODE, TO DESIGNATE SPECIFIC RESIDENTIAL, BUSINESS AND COMMERCIAL DISTRICTS WITHIN THE CITY FOR LOCATION OF COMMUNITY RESIDENCES AND RECOVERY COMMUNITIES; BY AMENDING TABLE 155.3708.H.2 "PRINCIPAL USES REGULATING TABLE," TO MODIFY REFERENCES FOR VARIOUS COMMUNITY RESIDENTIAL USES; BY AMENDING TABLE 155.3709.E.2, "PRINCIPAL USES REGULATING TABLE," TO MODIFY REFERENCES FOR VARIOUS COMMUNITY RESIDENTIAL USES; BY AMENDING ARTICLE 4, "USE STANDARDS" OF THE ZONING CODE TO DESIGNATE ZONING DISTRICTS, AND MODIFY AND PROVIDE DEFINITION REQUIREMENTS AND STANDARDS FOR RESIDENTIAL HOUSEHOLD LIVING USES, FAMILY COMMUNITY RESIDENCES, TRANSITIONAL COMMUNITY RESIDENCES, RESIDENTIAL GROUP LIVING USES, RECOVERY COMMUNITIES, CONTINUING CARE RETIREMENT COMMUNITIES, AND ROOMING AND BOARDING HOUSES; BY AMENDING SECTION 155.5102, "OFF-STREET PARKING AND LOADING," TO MODIFY AND ESTABLISH THE MINIMUM NUMBER OF OFF-STREET PARKING SPACE REQUIREMENTS FOR COMMUNITY RESIDENCES AND RECOVERY COMMUNITIES; BY AMENDING SECTION 155.8402, "CIVIL REMEDIES," TO PROVIDE FOR REVOCATION OF COMMUNITY RESIDENCE AND RECOVERY COMMUNITY CERTIFICATES, INCLUDING PROCEDURES, NOTICE AND APPEAL; BY AMENDING ARTICLE 9, "DEFINITIONS

AND INTERPRETATION” OF THE ZONING CODE, TO MODIFY AND PROVIDE DEFINITIONS RELATING TO DISABILITY, DWELLINGS, FAMILIES, FAMILY COMMUNITY RESIDENCES, ASSISTED LIVING FACILITIES, COMMUNITY RESIDENCES, RECOVERY COMMUNITIES, TRANSITIONAL COMMUNITY RESIDENCES AND SIMILAR USES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 8, 2018



Strategic Plan Initiative

(Staff Contact: Jennifer Gomez/David Recor)

11. [18-349](#)

P.H. 2018-66: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 91, "BOATS AND WATER RECREATION," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 91.10, "DOCKING AND LIVING ABOARD BOATS," TO PROVIDE REQUIREMENTS FOR DOCKING OF BOATS ADJACENT TO MULTI-FAMILY AND COMMERCIAL ZONED LOTS; AND AMENDING CHAPTER 151, "BEACHES AND WATERWAYS," BY AMENDING SECTION 151.03, "STRUCTURES IN WATERWAYS," TO MODIFY REQUIREMENTS FOR VARIOUS STRUCTURES IN THE WATERWAYS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 8, 2018

(Staff Contact: John Sfiropoulos)

12. [18-220](#)**P.H. 2018-49: (PUBLIC HEARING 2ND READING)**

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 DELETING SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," IN ITS ENTIRETY AND CREATING A NEW 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 PERFORMANCE 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; AND BY DELETING SECTION 100.60, "DEFINITION," IN ITS ENTIRETY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 8, 2018

(Staff Contact: John Sfiropoulos)

13. [18-358](#)**P.H. 2018-70: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 131, "OFFENSES AGAINST PERSONS AND PROPERTY," BY CREATING SECTION 131.24, "UNLAWFUL LODGING AND STORAGE OF PERSONAL PROPERTY," PROVIDING FOR DEFINITIONS; PROVIDING FOR EXEMPTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: James E. Saunders, III/Mark E. Berman)

14. [18-366](#)

P.H. 2018-71: (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 SECOND AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND LIMOUSINES OF SOUTH FLORIDA, INC. TO PROVIDE COMMUNITY BUS SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City's share \$160,455.17/year)

(Staff Contact: Erjeta Diamanti)

15. [18-370](#)

P.H. 2018-72: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 115, "MISCELLANEOUS BUSINESSES," BY AMENDING SECTION 115.18, "MOVING VENDOR, ITINERANT MERCHANT, OR PEDDLER," TO EXCLUDE PIER AREA VENDING AS DEFINED IN SECTION 115.19; BY CREATING SECTION 115.19, " PIER AREA VENDING," TO PROVIDE DEFINITIONS, APPROVALS, PROCEDURES, REGULATIONS AND STANDARDS FOR PIER AREA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

16. [18-363](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON MAY 27, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Alice Chattman, District 4/Alternate 1

Keith Haag, District 1/Alternate 2

Mary C. Antoine, District 1

Claudia Mazzocchi, District 1



Strategic Plan Initiative

(Staff Contact: Asceleta Hammond)

17. [18-373](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Philip C. DeSantis, **Incumbent** - District 3

Russell R. Reichmann, **Incumbent** - District 3

Hazel Armbrister, **Incumbent** - District 4

W.P. Davis, Jr. - District 1

Richard Tobin - District 1

Kerry-Ann Parsons - District 2

Charles H. Bechert, III - District 3

David Miller - District 5



Strategic Plan Initiative

(Staff Contact: Asceleta Hammond)

18. [18-374](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 18-373 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

19. [18-375](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 18-373 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

20. [18-376](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2021; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Daniel Horak, **Incumbent** - District 3
Woodrow J. Poitier, **Incumbent** - District 4
Predrag P. Jovanov - District 3
Phyllis Smith - District 5



Strategic Plan Initiative

(Staff Contact: Asceleta Hammond)

21. [18-377](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2021; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 18-376 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

F. REPORTS

City Manager
City Attorney
City Clerk
City Commission

G. ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2017	Beginning Balance	\$10,000.00
March 27, 2018	ET Express Booster (Donation to basketball team)	\$2,500.00
April 10, 2018	Dreamers 4 Change Foundation	\$982.92
	Total:	\$6,517.08

**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

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.