



CITY OF POMPANO BEACH  
OFFICE OF CITY MANAGER

2023 SEP -6 PM 12: 43

**City Attorney's Communication #2023-981**  
September 5, 2023

**TO:** Jeff Lantz, Parking Operations Manager

**FROM:** Mark E. Berman, City Attorney

**RE:** Ordinance – License Agreement with ITSA Solutions, LLC – The Barnacle Parking System

As requested in your memorandum dated August 10, 2023, the following form of Ordinance, relative to the above-referenced matter, has been prepared and is attached:

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE, SERVICE AND PRODUCT USAGE TERMS AND CONDITIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ITSA SOLUTIONS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

Should you have any questions feel free to contact me.



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MARK E. BERMAN

/jrm  
l:cor/parkingop/2023-981

Attachment

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE, SERVICE AND PRODUCT USAGE TERMS AND CONDITIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ITSA SOLUTIONS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That a License, Service and Product Usage Terms and Conditions Agreement (ID No. 1983) between the City of Pompano Beach and ITSA Solutions, LLC, a copy of which Agreement is attached hereto and incorporated herein by reference as if set forth in full, is hereby approved.

**SECTION 2.** That the proper City officials are hereby authorized to execute said Agreement between the City of Pompano Beach and ITSA Solutions, LLC.

**SECTION 3.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of

this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 4.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**PASSED SECOND READING** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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**REX HARDIN, MAYOR**

**ATTEST:**

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**KERVIN ALFRED, CITY CLERK**

/jrm  
9/5/23  
ID No. 1983  
L:ord/2023-226