

RESOLUTION NO. 9-12UD

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CITY OF RIVIERA BEACH UTILITY
SPECIAL DISTRICT, PALM BEACH COUNTY,
FLORIDA, ADOPTING THE FISCAL YEAR 2012-
2013 BUDGET FOR THE UTILITY SPECIAL
DISTRICT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Riviera Beach Utility Special District (District) requires the adoption of its Fiscal Year 2012-2013 Annual Utility Budget; and

WHEREAS, staff recommends that the District adopt the budget, as attached

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITY SPECIAL DISTRICT OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: AUTHORITY FOR THE RESOLUTION. This Resolution is adopted pursuant to the provisions of the District's Charter, Chapter 189, Florida Statutes, Chapter 166, Florida Statutes, and other applicable provisions of law. To the extent that any provision of this resolution conflicts with the above applicable laws, the applicable laws shall take precedent.

SECTION 2: ADOPTION OF DISTRICT BUDGET. The District adopts its Fiscal Year 2012-2013 Annual Budget, as set forth on the attached budget and made a part of this Resolution. This budget includes the Operating Fund, Renewal and Replacement Fund, Capital Impact Fees, and Debt Service Fund.

SECTION 3: EFFECTIVE DATE. This Resolution shall become effective October 1, 2012.

PASSED AND APPROVED this 19th day of September, 2012.

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APPROVED:


BILLIE E. BROOKS
CHAIRPERSON

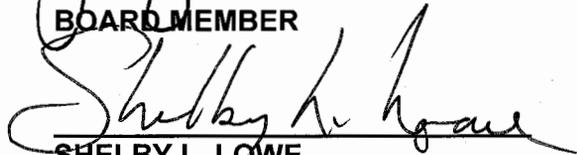
ATTEST:


GARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK


DAWN S. PARDO
VICE CHAIRPERSON


CEDRICK A. THOMAS
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER


SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: D. Pardo

SECONDED BY: C. Thomas

B. BROOKS aye

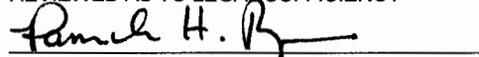
D. PARDO aye

C. THOMAS aye

J. DAVIS aye

S. LOWE aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

Date: 9/11/12

DATE: _____

RESOLUTION NO. 10-12UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF ONE (1) 2012 FORD F-150 REGULAR CAB 4X4 PICKUP TRUCK AT AN APPROXIMATE AMOUNT OF \$23,870 FROM ALAN JAY AUTOMOTIVE NETWORK, SEBRING, FLORIDA, UTILITIZING THE SHERIFF'S OFFICES & LOCAL GOVERNMENTAL AGENCIES OF THE STATE OF FLORIDA COOPERATIVE BID FOR PURSUIT, ADMINISTRATIVE NON-PURSUIT UTILITY VEHICLES, TRUCKS, VANS AND OTHER FLEET EQUIPMENT, CONTRACT BID NO. 11-19-0907; BEGINNING NOVEMBER 1, 2011 THROUGH OCTOBER 31, 2012; AND THAT THE UTILITY DISTRICT BOARD AUTHORIZE THE PURCHASE OF THIS VEHICLE AT AN APPROXIMATE AMOUNT OF \$23,870, AND THAT THE UTILITY DISTRICT BOARD AUTHORIZE THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM THE CAP: VEHICLE LINE ITEM NO. 411-1417-536-0-6451; AND MAKE PAYMENT FROM SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Utility Special District is in need of purchasing one (1) new vehicle replacing one (1) 2002 Ford F-150 (U706) 4x4 with approximately 57,000 miles used by the Utility District personnel that was totaled in a vehicular accident on September 7, 2012; and

WHEREAS, this purchase will piggy-back under the Florida Sheriffs' Association Bid No. 11-19-0907 (State Contract); ending October 31, 2012, from Alan Jay Automotive Network, Sebring, Florida; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: That the District Board approves the proposed vehicle purchases from Alan Jay Automotive Network, Sebring, Florida, for the Utility Special District, in the approximate amount of \$23,870.

SECTION 2: That the Interim Finance Director is authorized to make payment for same under Account Number 411-1417-536-0-6451.

SECTION 3: This Resolution shall take effect upon its passage and approval by the District Board.

PASSED AND APPROVED this 19th day of September, 2012.

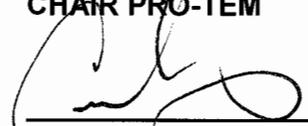
APPROVED:


BILLIE E. BROOKS
CHAIRPERSON

ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY DISTRICT CLERK


DAWN S. PARDO
CHAIR PRO-TEM


CEDRICK A. THOMAS
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER


SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: J. DAVIS

SECONDED BY: D. PARDO

B. BROOKS AYE

D. PARDO AYE

C. THOMAS AYE

J. DAVIS AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/14/12

RESOLUTION NO. 11-12UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE SENIOR UTILITY ASSISTANCE PROGRAM (SUAP) TO HELP RIVIERA BEACH LOW INCOME SENIOR CITIZENS WITH FINANCIAL ASSISTANCE IN PAYING THEIR WATER BILL IN THE AMOUNT OF \$120,000 (UP TO 1,000 HOUSEHOLDS AT \$10.00 PER MONTH), AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO MAKE PAYMENTS FROM ACCOUNT NUMBER 411-1417-536-0-4801, NOT TO EXCEED \$120,000; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in October, 2009, the Utility District approved an increase in the water consumption rates for residents living within the corporate boundaries of the City of Riviera Beach. It was estimated that the increase would average approximately \$10.76 per household. Senior citizens incomes are mostly fixed and an increase adversely affects low income senior resident's ability to pay their water bill; and

WHEREAS, the primary purpose of the SUAP is to help low income senior citizen residents with financial assistance in paying the increase in their water bill. The SUAP is designed to assist low income senior citizen residents who meet an established eligibility requirement to be able to cover the difference between their normal average water bill cost and the increased water rate amount; and

WHEREAS, in order to receive assistance through this program the applicant must be a City of Riviera Beach resident, be at least sixty (60) years of age or older, meet the income eligibility requirements, and be the water bill account holder and resident of same address; and

WHEREAS, there was a credit of \$10.76 per month for seniors for their water bill from January 2010 through September 30, 2010; and

WHEREAS, the new SUAP will provide a credit of \$10.76 per month for eligible low income seniors on their water bill from October, 2012 through September, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITY SPECIAL DISTRICT OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. That the District Board hereby approves the budget in the amount of \$120,000 for the Riviera Beach Senior Utility Assistance Program (SUAP) to aid Riviera Beach Low Income Seniors.

SECTION 2. This Resolution shall take effect upon its passage and approval by the District Board.

PASSED and APPROVED this 19th day of September, 2012.

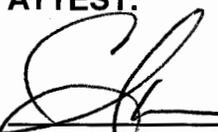
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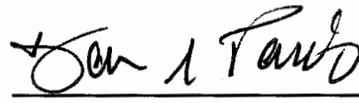
RESOLUTION NO. 11-12UD
PAGE 3

APPROVED:


BILLIE E. BROOKS
CHAIRPERSON

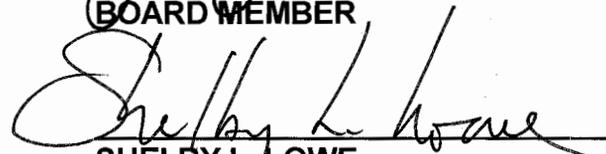
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK


DAWN S. PARDO
VICE CHAIRPERSON


CEDRICK A. THOMAS
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER


SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: C. THOMAS

SECONDED BY: D. PARDO

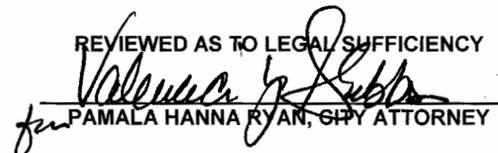
B. BROOKS AYE

D. PARDO AYE

C. THOMAS AYE

J. DAVIS AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/13/12

RESOLUTION NO. 12-12UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (UTILITY DISTRICT) AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE DESIGN COORDINATION AND CONSTRUCTION MANAGEMENT FOR OVERHEAD UTILITY BURIAL WITHIN THE US-1 CORRIDOR AND THE CRA MARINE DISTRICT SOUTH AREA; AUTHORIZING THE CHAIRMAN AND EXECUTIVE DIRECTOR TO TAKE SUCH ACTIONS AS SHALL BE NECESSARY AND CONSISTENT TO CARRY OUT THE INTENT OF THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.01, Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969, authorizes public agencies of this state to make the most efficient use of their powers by enabling them to cooperate with other public agencies of this state on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies as defined therein to enter into Interlocal Agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the UTILITY DISTRICT has entered into a Joint Participation Agreement with the Florida Department of Transportation to install new water and sewer lines within the Broadway Corridor during the roadway reconstruction project; and

WHEREAS, the Florida Department of Transportation roadway improvement schedule is not flexible and the coordination of the planned underground conduit design and installation can only be achieved by utilizing the UTILITY DISTRICT who is already coordinating an approved existing project within the roadway improvement; and

WHEREAS, the CRA desires to contract with the UTILITY DISTRICT in order to expand the DISTRICT's planned work within the US-1 corridor to accommodate the burial of overhead utility lines including design and oversight of the installation of underground conduit; and

WHEREAS, the UTILITY DISTRICT and the CRA recognizes that the process is contingent upon agreement of design and construction by Florida Power & Light, the Florida Department of Transportation and the other overhead utility providers, and recognizes the need to mobilize our efforts quickly to integrate the burial efforts with the FDOT roadway reconstruction project; and

WHEREAS, the CRA desires to provide funding for project management, coordination, design, easement surveying & construction oversight in accordance with Exhibit A of the Interlocal Agreement; and

WHEREAS, funding for the project is estimated to cost \$189,928, with the total project expected to cost approximately \$1.9 million; and

WHEREAS, the Community Redevelopment Agency approved Resolution 2012-31 approving the Interlocal Agreement on August 29, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITY SPECIAL DISTRICT OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: That the UTILITY SPECIAL DISTRICT Board hereby approves the attached Interlocal Agreement.

SECTION 2: That the Interim DISTRICT Finance Director is authorized to set up an Account for the project, which will be funded by the CRA.

SECTION 3: Payment of \$189,928 shall be made by the CRA to the DISTRICT upon execution of this Agreement. Payments shall be made by the DISTRICT to the consulting engineer within thirty (30) days following invoice approval. Invoice approval by the CRA shall be made within fifteen (15) days upon receipt from the DISTRICT. Should the project cost more than \$189,928, the parties agree to modify this Agreement to provide for additional funding. In no event will the District be required to provide funding for the project.

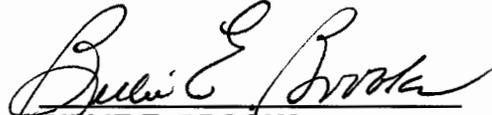
SECTION 4: The Chair and Executive Director of the UTILITY DISTRICT are hereby authorized to execute the attached Interlocal Agreement.

SECTION 5: This Resolution shall become effective immediately upon the execution by the proper officers of the CRA and DISTRICT.

PASSED AND APPROVED this 19th day of SEPTEMBER, 2012.

UTILITY SPECIAL DISTRICT

APPROVED:


BILLIE E. BROOKS
CHAIRWOMAN

ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK


DAWN S. PARDO
VICE CHAIRPERSON


CEDRICK A. THOMAS
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER


SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: C. THOMAS

SECONDED BY: J. DAVIS

B. BROOKS AYE

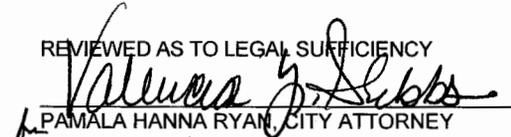
D. PARDO AYE

J. DAVIS AYE

C. THOMAS AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

Date: 9/18/12

DATE: _____

RESOLUTION NO. 13-12UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CHAIRPERSON AND DISTRICT CLERK TO EXECUTE THE INTER-LOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (UTILITY DISTRICT) AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR THE DESIGN COORDINATION AND CONSTRUCTION MANAGEMENT FOR OVERHEAD UTILITY BURIAL WITHIN THE US-1 CORRIDOR AND THE CRA MARINE DISTRICT SOUTH AREA.

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies as defined therein to enter into Inter-local Agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, UTILITY DISTRICT Resolution Number 12-12UD approved by the UTILITY DISTRICT Board of Directors at their September 19, 2012 meeting did not authorize the Chairperson and District Clerk to execute said agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITY SPECIAL DISTRICT OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: That the UTILITY SPECIAL DISTRICT Board hereby authorizes the Chairperson and District Clerk to execute the attached Inter-local Agreement.

SECTION 2: This Resolution shall become effective immediately upon the execution by the proper officers of the CRA and DISTRICT.

PASSED AND APPROVED this 7th day of NOVEMBER, 2012.

UTILITY SPECIAL DISTRICT

APPROVED:


BILLIE E. BROOKS
CHAIRWOMAN

ATTEST


CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK


DAWN S. PARDO
VICE CHAIRPERSON


CEDRICK A. THOMAS
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER

TARDY
SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: J. DAVIS

SECONDED BY: C. THOMAS

B. BROOKS AYE

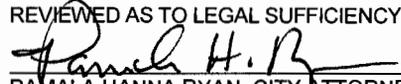
D. PARDO AYE

J. DAVIS AYE

C. THOMAS AYE

S. LOWE TARDY

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

Date: 10/31/12

DATE: _____

THIS INTERLOCAL AGREEMENT ("Agreement") is entered into between the City of Riviera Beach Utility Special District, a Special District existing under the laws of the State of Florida, hereinafter referred to as the "District", and the RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY, a public body corporate and politic of the State of Florida (hereinafter referred to as "CRA"), each constituting an agency as defined in Part I of Chapter 163, Florida Statutes.

WITNESSETH:

WHEREAS, Section 163.01, Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969, authorizes public agencies of this state to make the most efficient use of their powers by enabling them to cooperate with other public agencies of this state on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies as defined therein to enter into Interlocal agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the CRA has budgeted \$1,931,100 for the burial of overhead utility lines within the Broadway Corridor; and

WHEREAS, the CRA, desires to work with existing overhead utility providers to install underground conduit for burial of overhead utility lines during the Florida Department of Transportation roadway reconstruction scheduled for the Broadway Corridor starting in August 2012 and extending through December 2014; and

WHEREAS, the Utility District has entered into a Joint Participation Agreement with the Florida Department of Transportation to install new water and sewer lines within the Broadway Corridor during the roadway reconstruction project; and

WHEREAS, the Florida Department of Transportation roadway improvement schedule is not flexible and the coordination of the planned underground conduit design and installation can only be achieved by utilizing the Utility District who is already coordinating an approved existing project within the roadway improvement; and

WHEREAS, the CRA desires to contract with the Utility District in order to expand the DISTRICT's planned water and sewer work within the corridor to install underground conduit for the future burial of overhead utility lines; and

WHEREAS, the CRA recognizes that the utility burial project is contingent upon agreement of design and construction by Florida Power & Light, the Florida Department of Transportation and the other overhead utility providers, and recognizes the opportunity to realize

potentially significant time and cost savings by installing the utility conduit during the roadway reconstruction project; and

WHEREAS, the CRA desires to provide funding for project management, coordination, engineering design, easement surveying & construction oversight; and

WHEREAS, funding for the project is estimated to cost \$189,928, with the total project expected to cost approximately 1.9 million dollars (\$1.9 million).

NOW, THEREFORE, in consideration of the mutual representations, terms and covenants set forth, the DISTRICT and the CRA do hereby agree as follows:

Section 1. Recitals. The above recitals are true and hereby made a part of this Agreement.

Section 2. Purpose. The purpose of this Agreement is to provide for the design and project coordination for the installation of underground conduit within the Broadway (US-1) Corridor by the DISTRICT starting at 11th street and proceeding north towards the project limits (Blue Heron Boulevard) (hereinafter "project"). The final northern project limits to be determined by Florida Power and Light, the DISTRICT, and the CRA in consideration of available budgets and existing constraints of the roadway reconstruction project.

Section 3. Payment. The Executive Director of the CRA is hereby authorized to provide \$189,928 to the DISTRICT for project management, coordination, design, easement surveying and construction oversight by the DISTRICT's consulting engineer as provided by the Scope of Services in Exhibit A, attached hereto. Payment of \$189,928. shall be made by the CRA to the DISTRICT upon execution of this agreement. Payments shall be made by the DISTRICT to the consulting engineer following invoice approval by the CRA. Should the project cost more than \$189,928, the parties agree to modify this Agreement to provide for additional funding. In no event will the District be required to provide funding for the project.

Additional funding for construction will be required by the CRA to implement the underground installation and may be provided by future amendments to this Agreement. Should this project result in an increase in the overall cost of the roadway reconstruction project of the Broadway Corridor, then the CRA agrees to pay the City and/or DISTRICT the increased amount that is attributable to the this project.

Section 4. Management and Control. The DISTRICT shall manage and control the first phase of the project described above, and shall coordinate with the CRA regarding all aspects of the project. The DISTRICT shall utilize the Scope of Services attached in Exhibit A, or obtain approval of the CRA Executive Director for any material changes before finalizing the proposed contract with the DISTRICT's consulting engineer to complete the project. The CRA must agree to fund any additional work.

Section 5. Notice. For the purposes of this Agreement, the DISTRICT's representative shall be the DISTRICT staff Engineer and the CRA's representative shall be the CRA Planning and Development Director. All notices should be sent to their attention.

Section 6. Indemnification. The CRA agrees to protect, defend, reimburse, indemnify and hold the DISTRICT, its agents, employees and representatives harmless at all times from and against any and all claims, liability, expenses of every kind and character against and from the DISTRICT which may arise out of this Agreement. Nothing contained in this Agreement shall be deemed consent by the CRA or the DISTRICT to waive sovereign immunity beyond the limits set forth in Section 768.28, Florida Statutes.

Section 7. Termination. This Agreement may be terminated for convenience by either party on 30 days written notice, or for cause if either party fails substantially to perform through no fault of the other and does not commence correction of such nonperformance within 5 days of written notice and diligently complete the correction thereafter. CRA shall be obligated to pay the DISTRICT for all work completed up to the date of termination pursuant to this paragraph.

Section 8. Severability. Should any provision of this Agreement be declared invalid or unenforceable by a court of competent jurisdiction, the same shall be deemed stricken here from and all other terms and conditions of this Interlocal Agreement shall continue in full force and effect as if such invalid provision had never been made a part of the Interlocal Agreement.

Section 9. Entirety of Agreement. This Agreement and attachments represent the entire understanding between the parties. This Agreement may be modified and amended only by written instrument executed by the parties hereto.

Section 10. Effective Date and Filing. This Agreement shall become effective immediately upon the execution by the proper officers of the CRA and DISTRICT. Thereafter, the CRA shall file the same with the Clerk of the Circuit Court of Palm Beach County, Florida, as required by Section 163.01(11), Florida Statutes.

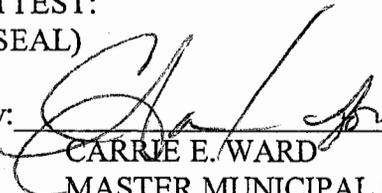
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IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature:

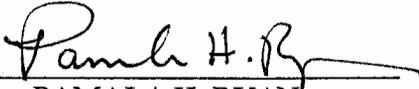
THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT

By: 
BILLIE BROOKS
CHAIRPERSON

ATTEST:
(SEAL)

By: 
CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

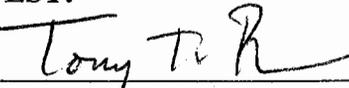
By: 
PAMALA H. RYAN
DISTRICT ATTORNEY

APPROVED AS TO TERMS AND
CONDITIONS

By: 
LOUIS C. AURIGEMMA, P.E.
DISTRICT UTILITY DIRECTOR

DATE: 11/5/12

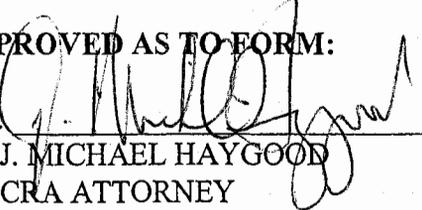
ATTEST:

BY: 
TONY T. BROWN
EXECUTIVE DIRECTOR

**RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY**

BY: 
NAME: BILLIE BROOKS
CHAIRPERSON

APPROVED AS TO FORM:

BY: 
J. MICHAEL HAYGOOD
CRA ATTORNEY

RESOLUTION NO. 12-12UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (UTILITY DISTRICT) AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE DESIGN COORDINATION AND CONSTRUCTION MANAGEMENT FOR OVERHEAD UTILITY BURIAL WITHIN THE US-1 CORRIDOR AND THE CRA MARINE DISTRICT SOUTH AREA; AUTHORIZING THE CHAIRMAN AND EXECUTIVE DIRECTOR TO TAKE SUCH ACTIONS AS SHALL BE NECESSARY AND CONSISTENT TO CARRY OUT THE INTENT OF THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.01, Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969, authorizes public agencies of this state to make the most efficient use of their powers by enabling them to cooperate with other public agencies of this state on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies as defined therein to enter into Interlocal Agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the UTILITY DISTRICT has entered into a Joint Participation Agreement with the Florida Department of Transportation to install new water and sewer lines within the Broadway Corridor during the roadway reconstruction project; and

WHEREAS, the Florida Department of Transportation roadway improvement schedule is not flexible and the coordination of the planned underground conduit design and installation can only be achieved by utilizing the UTILITY DISTRICT who is already coordinating an approved existing project within the roadway improvement; and

WHEREAS, the CRA desires to contract with the UTILITY DISTRICT in order to expand the DISTRICT's planned work within the US-1 corridor to accommodate the burial of overhead utility lines including design and oversight of the installation of underground conduit; and

WHEREAS, the UTILITY DISTRICT and the CRA recognizes that the process is contingent upon agreement of design and construction by Florida Power & Light, the Florida Department of Transportation and the other overhead utility providers, and recognizes the need to mobilize our efforts quickly to integrate the burial efforts with the FDOT roadway reconstruction project; and

WHEREAS, the CRA desires to provide funding for project management, coordination, design, easement surveying & construction oversight in accordance with Exhibit A of the Interlocal Agreement; and

WHEREAS, funding for the project is estimated to cost \$189,928, with the total project expected to cost approximately \$1.9 million; and

WHEREAS, the Community Redevelopment Agency approved Resolution 2012-31 approving the Interlocal Agreement on August 29, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITY SPECIAL DISTRICT OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: That the UTILITY SPECIAL DISTRICT Board hereby approves the attached Interlocal Agreement.

SECTION 2: That the Interim DISTRICT Finance Director is authorized to set up an Account for the project, which will be funded by the CRA.

SECTION 3: Payment of \$189,928 shall be made by the CRA to the DISTRICT upon execution of this Agreement. Payments shall be made by the DISTRICT to the consulting engineer within thirty (30) days following invoice approval. Invoice approval by the CRA shall be made within fifteen (15) days upon receipt from the DISTRICT. Should the project cost more than \$189,928, the parties agree to modify this Agreement to provide for additional funding. In no event will the District be required to provide funding for the project.

SECTION 4: The Chair and Executive Director of the UTILITY DISTRICT are hereby authorized to execute the attached Interlocal Agreement.

SECTION 5: This Resolution shall become effective immediately upon the execution by the proper officers of the CRA and DISTRICT.

PASSED AND APPROVED this 19th day of SEPTEMBER, 2012.

RESOLUTION NO. 12-12UD
PAGE 3

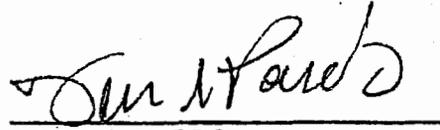
UTILITY SPECIAL DISTRICT

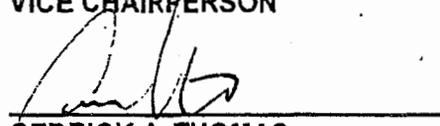
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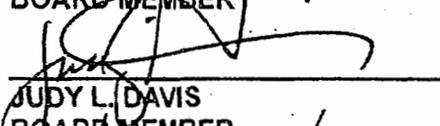

BILLIE E. BROOKS
CHAIRWOMAN

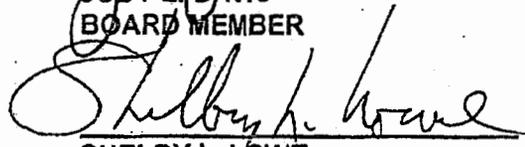
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK


DAWN S. PARDO
VICE CHAIRPERSON


CEDRICK A. THOMAS
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER


SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: C. THOMAS

SECONDED BY: J. DAVIS

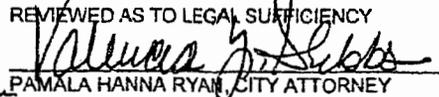
B. BROOKS AYE

D. PARDO AYE

J. DAVIS AYE

C. THOMAS AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

Date: 9/18/12

DATE: _____

RESOLUTION NO. 2012-37

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (THE AGENCY) APPROVING MODIFICATIONS TO THE INTERLOCAL AGREEMENT BETWEEN THE AGENCY AND THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (UTILITY DISTRICT) APPROVED BY THE UTILITY DISTRICT FOR THE DESIGN COORDINATION AND CONSTRUCTION MANAGEMENT FOR OVERHEAD UTILITY BURIAL WITHIN THE US-1 CORRIDOR AND THE CRA MARINE DISTRICT SOUTH AREA; DIRECTING AND AUTHORIZING THE CHAIRMAN AND EXECUTIVE DIRECTOR TO TAKE SUCH ACTIONS AS SHALL BE NECESSARY AND CONSISTENT TO CARRY OUT THE INTENT AND DESIRE OF THE AGENCY; PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the Commissioners of the Agency previously approved an Interlocal Agreement (the "Agreement") with the Utility District in order to expand their planned work within the US-1 corridor to accommodate the burial of overhead utility lines including design and oversight of the installation of underground conduit; and

WHEREAS, the Commissioners of the Utility District approve certain modifications to the Agreement which the staff of the Agency finds to be acceptable and recommends to the Commissioners of the Agency that it accepts which does not change the amount of the Interlocal.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY THAT:

SECTION 1. The Agency hereby approves the attached modified Interlocal Agreement between the City of Riviera Beach Utility District and the Riviera Beach Community Redevelopment Agency.

SECTION 2. The Chair and the Executive Director of the Agency, on behalf of the Agency, are each hereby authorized to take such steps as shall be necessary and proper to carry out the purposes hereof.

SECTION 3. This resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED this 10TH day of October, 2012.

[Signatures on following page]

RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY

By: Billie E. Brooks
Name: BILLIE E. BROOKS
Title: Chairperson

ATTEST:

Tommy T. R.
Executive Director

Approved as to form and legal sufficiency
J. Michael Haygood

J. Michael Haygood
Date 10/21/2012
J. Michael Haygood, PA
General Counsel to CRA

MOTION BY: Judy Davis

SECONDED BY: Dawn Pardo

B. BROOKS AYE
D. PARDO AYE
C. THOMAS AYE
S. LOWE ABSENT
J. DAVIS AYE

RESOLUTION NO. 14-12UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DISTRICT TO RELEASE THE REQUEST FOR QUALIFICATION (RFQ) TO RETAIN PROFESSIONAL ENGINEERING CONSULTANT(S) SERVICES FOR PHASE C OF THE MARTIN LUTHER KING JUNIOR BOULEVARD PROJECT TO COORDINATE THE RELOCATION OF UNDERGROUND UTILITIES WHICH ARE IN CONFLICT WITH THE PROPOSED ROAD WIDENING PROJECT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM THE UTILITY SPECIAL DISTRICT PROFESSIONAL ENGINEERING ACCOUNT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach Utility Special District is working with the Federal Department of Transportation (FDOT) on FPID Project No. 229896-1-52-01 (PROJECT) for the proposed road widening project for Martin Luther King Junior Boulevard Phase C; and

WHEREAS, the Utility Special District desires to retain professional engineering consultant(s) for the relocation of underground utilities which are in conflict with the proposed road project for Martin Luther King Junior Boulevard Phase C; and

WHEREAS, staff request approval from the Utility Special District Board to release the Request for Qualification (RFQ) to retain professional engineering consultant(s).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: That the Utility Special District is hereby authorized to release the Request for Qualification (RFQ) for professional engineering services.

SECTION 2: That the District Finance Director is authorized to make payment not to exceed \$200,000 funds from the Utility Special District Contract Services account number 413-1437-533-0-3103 and make payment for same.

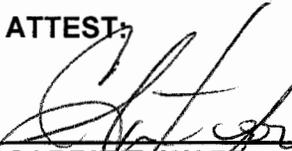
SECTION 3: This Resolution shall take effect upon its passage and approval by the Utility Special District Board.

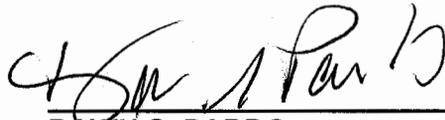
PASSED AND APPROVED this 7th day of November, 2012.

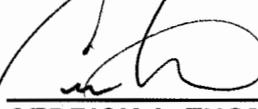
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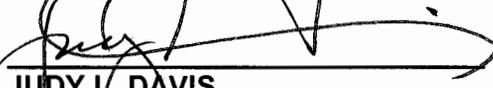

BILLIE E. BROOKS
CHAIRPERSON

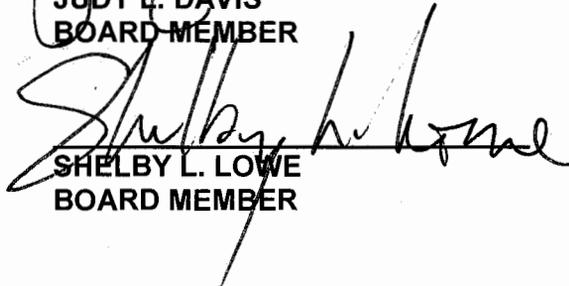
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK


DAWN S. PARDO
CHAIR PRO-TEM


CEDRICK A. THOMAS
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER


SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: J. DAVIS

SECONDED BY: D. PARDO

B. BROOKS AYE

D. PARDO AYE

C. THOMAS AYE

J. DAVIS AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 11/2/12