

RESOLUTION NO. 16-11UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DISTRICT BOARD CHAIRPERSON AND DISTRICT CLERK TO EXECUTE A PERPETUAL EASEMENT AND EASEMENT PURCHASE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (DISTRICT) AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR A PARCEL OF LAND IDENTIFIED AS PARCEL 804 (ADJACENT TO DR. MARTIN LUTHER KING, JR. BOULEVARD - SR 710); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the District presently has an interest in certain lands that have been determined necessary for highway purposes (the widening of State Road No. 710) by the FDOT; and

WHEREAS, the proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the District to the FDOT; and

WHEREAS, the State of Florida Department of Transportation has made application to said District to execute and deliver to the State of Florida Department of Transportation for a perpetual easement and easement purchase agreement. The FDOT will provide a payment of \$1,200 for the perpetual easement.

WHEREAS, said perpetual easement and easement purchase agreement are in the District's best interest.

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

SECTION 1: That the Utility District Board hereby approves the Perpetual Easement and Easement Purchase Agreement between the FDOT and the District.

RESOLUTION NO. 16-11UD
PAGE 2

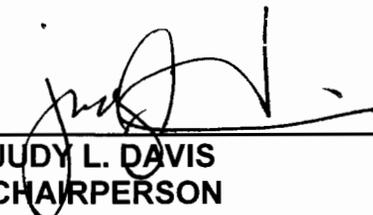
SECTION 2: That the Utility District Board authorizes the District Board Chairperson and District Clerk to execute the aforementioned agreement on behalf of the District to subordinate to the interest of FDOT its successors and assigns, any and all of its interest in the land as outlined in attached agreement.

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

PASSED and APPROVED on 17th day of August, 2011.

UTILITY SPECIAL DISTRICT

APPROVED:

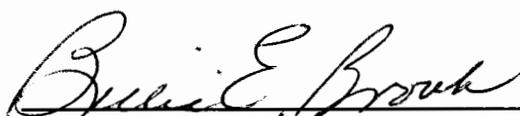


JUDY L. DAVIS
CHAIRPERSON

ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK



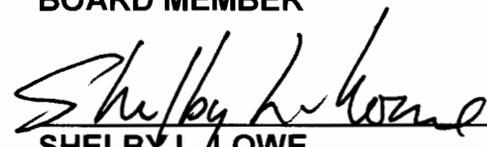
BILLIE E. BROOKS
VICE CHAIRPERSON



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: B. Brooks

SECONDED BY: C. Thomas

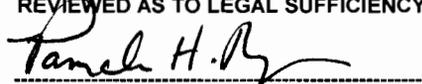
J. DAVIS aye

B. BROOKS aye

C. THOMAS aye

D. PARDO aye

S. LOWE absent

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 8/9/11

RESOLUTION NO. 17-11UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE PROPOSAL FROM BFA, Inc., IN THE AMOUNT OF \$51,942.46 TO PROVIDE ADDITIONAL PROFESSIONAL ENGINEERING SERVICES AS OUTLINED IN THE ATTACHED SCOPE OF SERVICES IN RESPONSE TO THE CUP REQUEST FOR ADDITIONAL INFORMATION (RAI) #2; AND AUTHORIZING THE INTERIM DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1417-536-0-3106; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the consulting engineering firm of BFA, Inc, has prepared and submitted to the Utility Special District, a proposal for additional professional engineering services to respond to the Request for Additional Information (RAI) #2 required for the Consumptive Use Permit from the South Florida Water Management District (SFWMD), for a fee of \$51,942.46; and

WHEREAS, the primary purpose of this project is to renew the District's Consumptive Use Permit (CUP) in order to continue operations of the Water Treatment Plant.

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 approves the proposal from BFA, Inc., in the amount of \$51,942.46, to provide additional professional engineering responding to a Request for Additional Information (RAI) #2 for the CUP from SFWMD.

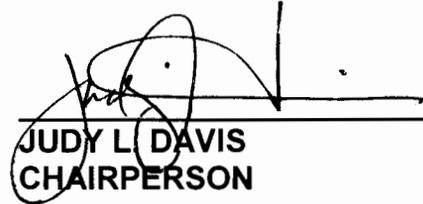
SECTION 2: That the Interim District Finance Director is authorized to make payment for same under Account Number 411-1417-536-0-3106 in the amount of \$51,942.46.

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

PASSED AND APPROVED this 17th day of August, 2011.

UTILITY SPECIAL DISTRICT

APPROVED:



JUDY L. DAVIS
CHAIRPERSON

ATTEST:



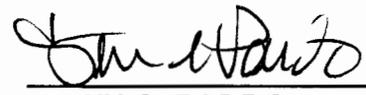
CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK



BILLIE E. BROOKS
VICE CHAIRPERSON



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: B. Brooks

SECONDED BY: D. Pardo

J. DAVIS aye

B. BROOKS aye

C. THOMAS aye

D. PARDO aye

S. LOWE absent

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 8/10/11

RESOLUTION NO. 18-11UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE EVALUATION COMMITTEE AND DISTRICT STAFF, TO NEGOTIATE A CONTRACT WITH HAZEN & SAWYER, P.C., AN ENVIRONMENTAL ENGINEERS & SCIENTISTS FIRM OF BOCA RATON, FLORIDA, TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO DEVELOP THE UTILITY SPECIAL DISTRICT WATER/WASTEWATER MASTER PLAN AS IDENTIFIED IN THE CITY'S RFQ NO. 299-11; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the City of Riviera Beach Procurement Code, Request for Qualifications were advertised in the "Legal Notices" Section of The Palm Beach Post on May 15, 2011 to solicit qualified professional engineering consultants to the development of a Water/Wastewater Master Plan to define the short and long range planning needs, operational and maintenance issues that impact the City of Riviera Beach Utility District; and

WHEREAS, on June 22, 2011, six (6) firms submitted proposals which was publicly opened and announced at 3:30 p.m. in the Council Chambers at City Hall. On July 19, 2011, an evaluation committee consisting of the Utility District Executive Director, Interim Public Works Director, Utility District Engineer, Water Plant Superintendent, Palm Beach County Utilities Deputy Director and the Purchasing Director convened to review and discuss the responses to the City's RFQ for development of the Utility District Water/Wastewater Master Plan. After review of proposals, three (3) short-listed firms namely AECOM, CDM, and Hazen & Sawyer, P.C., were invited to give oral presentations before the committee; and

WHEREAS, Hazen & Sawyer, P.C., an Environmental Engineers & Scientists Firm of Boca Raton, Florida, was selected as the top ranked firm to provide the services identified in the City Request for Qualifications No. 299-11; and in accordance with the State of Florida's "Consultants' Competitive Negotiation Act" (FS 287.066), staff recommends that the Board authorize the negotiation of a contract.

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 of the City of Riviera Beach, Palm Beach County, Florida, authorizes staff to negotiate a contract with Hazen & Sawyer, P.C., for the development of a Water/Wastewater Master Plan for the City of Riviera Beach Utility District.

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

PASSED AND APPROVED this 17 day of August, 2011.

UTILITY SPECIAL DISTRICT

APPROVED:



JUDY L. DAVIS
CHAIRPERSON

ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK



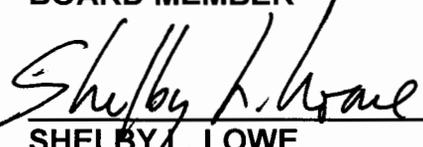
BILLIE E. BROOKS
VICE CHAIRPERSON



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: D. Pardo

SECONDED BY: B. Brooks

J. DAVIS Nay

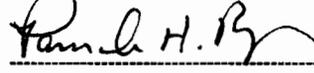
B. BROOKS Aye

C. THOMAS Nay

D. PARDO Aye

S. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 8/15/11

RESOLUTION NO. 20-11UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DISTRICT BOARD CHAIRPERSON AND DISTRICT CLERK TO EXECUTE A CITY DEED, TEMPORARY EASEMENT AND LICENSE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR PARCELS OF LAND IDENTIFIED AS PARCELS 129, 711 AND 907 (ADJACENT TO DR. MARTIN LUTHER KING, JR. BOULEVARD – STATE ROAD 710); AUTHORIZING A DEPOSIT OF \$98,900 INTO ACCOUNT 411-00-389901; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Utility Special District (“District”) presently has certain lands that have been determined necessary for highway purposes (the widening of State Road No. 710 – Dr. Martin Luther King, Jr. Boulevard) by the Florida Department of Transportation (FDOT); and

WHEREAS, the District previously approved purchase agreements in Resolution 3-11UD dated February 16, 2011, and the FDOT has made application to the District to execute and deliver to the FDOT a City Deed, Temporary Easement and License Agreement for the same properties; and

WHEREAS, the FDOT will provide the Utility District a payment of \$79,000 for the Deed and \$19,900 for the Temporary Easement; and

WHEREAS, execution of said Deed, Temporary Easement and License Agreements are in the District’s best interest.

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

SECTION 1: That the Utility District Board hereby approves the fee simple conveyance of property known as Parcel number 129 located on Martin Luther King Blvd., in Riviera Beach, to the State of Florida Department of Transportation, and authorizes the Chairperson and District Clerk to execute the City Deed conveying the same for \$79,000.

SECTION 2: That the Utility District Board hereby approves the temporary easement of property known as Parcel number 711 in the amount of \$19,900, and authorizes the Chairperson and District Clerk to execute the Temporary Easement.

SECTION 3: That the Utility District Board hereby approves the License Agreement for property known as Parcel number 907 and authorizes the Chairperson and District Clerk to execute the License.

SECTION 4: That staff is authorized to execute all closing documents as necessary to facilitate the conveyances as contemplated.

SECTION 5: That the Interim Finance Director is authorized to deposit the funds in the amount of \$79,000 for Parcel number 129 and \$19,900 for Parcel number 711, for a total of \$98,900, into Account No. 411-00-389901, which may be transferred to the City of Riviera Beach at a later date.

SECTION 6: This Resolution shall take effect upon its passage and approval by the Utility District Board.

PASSED AND APPROVED on 21st day of September, 2011.

UTILITY SPECIAL DISTRICT

APPROVED:



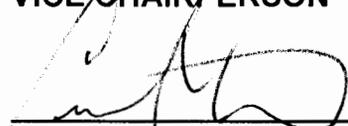
JUDY L. DAVIS
CHAIRPERSON

ATTEST:

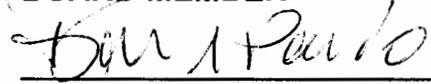


CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPEICAL DISTRICT CLERK

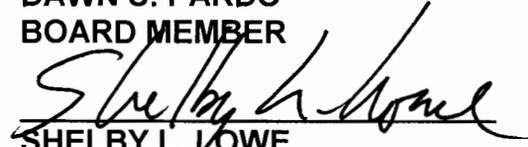
BILLIE E. BROOKS
VICE CHAIRPERSON



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: B. Brooks

SECONDED BY: C. Thomas

J. DAVIS aye

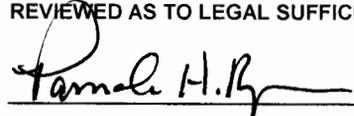
B. BROOKS aye

C. THOMAS aye

D. PARDO aye

S. LOWE aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA H. RYAN, DISTRICT ATTORNEY

DATE: 9/19/11

RESOLUTION NO. 21-11UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, ADOPTING THE FISCAL YEAR 2011-2012 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 2011/2012 Annual Utility Budget; and

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

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT 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.

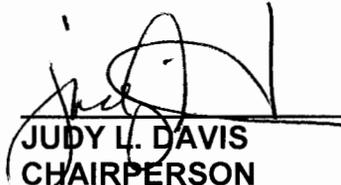
SECTION 2. ADOPTION OF DISTRICT BUDGET. The District adopts its Fiscal Year 2011-2012 Annual Budget, as set forth on the attached budget and made a part of this Resolution. This budget includes the Operating Fund, R & R Fund, Capital Improvement Fund, Debt Service Fund and Acquisition and Construction Fund.

SECTION 3. EFFECTIVE DATE. This Resolution shall become effective October 1, 2011.

PASSED AND ADOPTED this 21st day of September, 2011.

UTILITY SPECIAL DISTRICT

APPROVED:



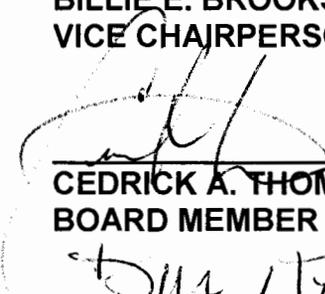
JUDY L. DAVIS
CHAIRPERSON

ATTEST:

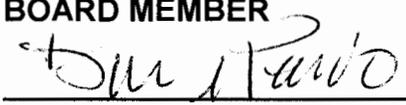


CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPEICAL DISTRICT CLERK

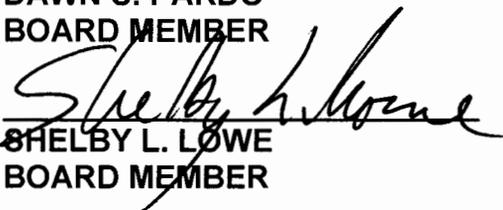
BILLIE E. BROOKS
VICE CHAIRPERSON



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: B. Brooks

SECONDED BY: C. Thomas

J. DAVIS aye

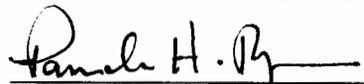
B. BROOKS aye

C. THOMAS aye

D. PARDO aye

S. LOWE aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA H. RYAN, DISTRICT ATTORNEY

DATE: 9/16/11

RESOLUTION NO. 22-11UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT BY AND AMONG THE CITY OF RIVIERA BEACH, THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY, THE RIVIERA BEACH UTILITY SPECIAL DISTRICT, RYBOVICH RIVIERA BEACH LLC, AND HAYGOOD & HARRIS, LLC, AS ESCROW AGENT, REGARDING DISPOSITION OF THAT CERTAIN SUBMERGED AND UPLAND LANDS LEASE ENTERED INTO BY THE PARTIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Riviera Beach Utility Special District ("District"), the Riviera Beach Community Redevelopment Agency ("Agency"), and the City of Riviera Beach ("City") own certain properties located within the City of Riviera Beach; and

WHEREAS, the District, Agency, and City, as Lessors and Rybovich Riviera Beach LLC ("Rybovich") as Lessee, entered into that certain lease entitled Submerged and Upland Lands Lease dated September 15, 2010 (hereinafter the "Lease"); and

WHEREAS, the Lease provides the terms and conditions for the lease of the certain uplands and submerged lands owned by the District and the City and an option to lease certain property owned by the Agency; and

WHEREAS, Rybovich has agreed to terminate its interest in the Lease and move its proposed use of the property in the lease to other property owned by Rybovich, but needs the abandonment of certain road rights-of-way more particularly described in the Escrow Agreement; and

WHEREAS, Rybovich has agreed to tender a termination agreement to be kept in escrow and not delivered to Lessors unless and until the City approves an abandonment application for certain rights-of-way; and

WHEREAS, staff recommends approval of the Escrow Agreement to be held by Haygood & Harris, LLC.

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 authorizes the Chairperson and District Clerk to execute the Escrow Agreement attached hereto as Attachment 1.

SECTION 2. That this resolution shall take effect immediately upon its passage and approval by District Board.

PASSED AND APPROVED this 21st day of September, 2011.

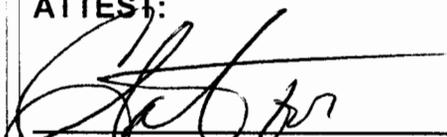
UTILITY SPECIAL DISTRICT

APPROVED:



JUDY L. DAVIS
CHAIRPERSON

ATTEST:



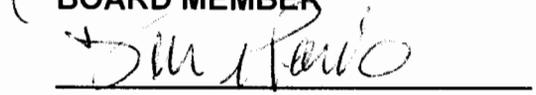
CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPEICAL DISTRICT CLERK



BILLIE E. BROOKS
VICE CHAIRPERSON



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: D. Pardo

SECONDED BY: B. Brooks

J. DAVIS aye

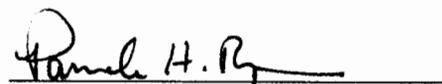
B. BROOKS aye

C. THOMAS aye

D. PARDO aye

S. LOWE nay

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA H. RYAN, DISTRICT ATTORNEY

DATE: 9/16/11

RESOLUTION NO. 23-11UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING SODIUM HYPOCHORITE (BLEACH) AS THE WATER DISINFECTANT FOR THE UTILITY DISTRICT WATER TREATMENT PLANT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Engineer's Report was prepared in 2004 by R.C.T. Engineering, Inc. This report outlined a number of future capital improvements (including a Chlorine System Enclosure and Gas Scrubber); and

WHEREAS, the Utility Special District Board of Directors received a presentation from Chen & Associate entitled "Water Treatment Plant Disinfection Alternatives Evaluation" on September 15, 2010; and

WHEREAS, presentations discussed the advantages, disadvantages and estimated costs of improvements to water disinfection using chlorine gas or a sodium hypochlorite solution. The Utility Special District Staff selected "the upgrade of the existing gas chlorination system to include a new gas feed system and a neutralizing chlorine scrubber," in conjunction with the recommendation from Chen & Associates Consulting Engineering Firm.

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:

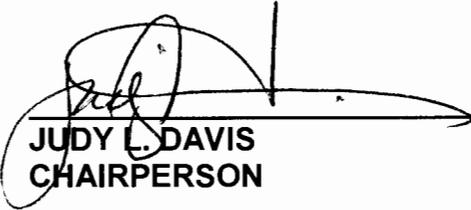
SECTION 1: That the Utility Special District Board of Directors hereby authorizes the utilization of Sodium Hypochlorite (bleach) as the Water Disinfectant for the Utility District Water Treatment Plant.

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

PASSED AND APPROVED this 21th day of September, 2011.

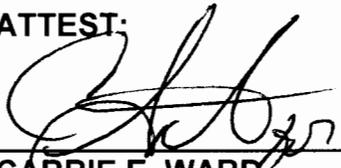
UTILITY SPECIAL DISTRICT

APPROVED:



JUDY L. DAVIS
CHAIRPERSON

ATTEST:



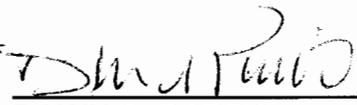
CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK



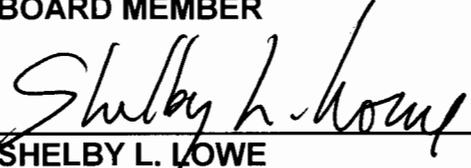
BILLIE E. BROOKS
VICE CHAIRPERSON



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: D. Pardo

SECONDED BY: B. Brooks

J. DAVIS aye

B. BROOKS aye

C. THOMAS aye

D. PARDO aye

S. LOWE nay

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: _____