

RESOLUTION NO. 04-09UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA; AUTHORIZING AND APPROVING THE PROPOSAL FROM JORDAN JONES & GOULDING, INC. (JJG), IN THE AMOUNT OF \$55,000, FOR UTILITY DESIGN AND ENGINEERING SERVICES FOR UTILITY CHANGES THAT NEED TO BE MADE IN CONJUNCTION WITH THE S.R. A1A COMMUNITY ENHANCEMENT PROJECT; USING THE CITY OF RIVIERA BEACH ENGINEERING SERVICES CONTRACT; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 412-1430-533-0-6558; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the engineering firm of Jordan Jones & Goulding, Inc., has prepared and submitted to the Utility Special District, a proposal for utility design and engineering services for utility changes that need to be made in conjunction with the City of Riviera Beach S.R. A1A Community Enhancement Project; and

WHEREAS, the primary purpose for this proposal is for JJG Consulting Engineering Firm to prepare the engineering design work necessary for the District to add curb and gutter along approximately 4,000 feet of S.R. A1A. Therefore, it is necessary that JJG design and plan utility infrastructure work to resolve these conflicts; and

WHEREAS, this project will be piggybacking off the City of Riviera Beach Engineering Services Contract with JJG, Inc.

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 hereby accepts the proposal, in the amount of \$55,000, from JJG, Inc.; for the utility design and engineering services needed in conjunction with the S.R. A1A Community Enhancement Project.

RESOLUTION NO. 04-09UD
PAGE 2

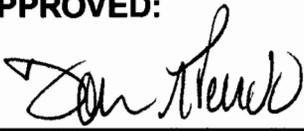
SECTION 2: That the District Finance Director is authorized to make payment for same under Account Number 412-1430-533-0-6558, in the amount of \$55,000.

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

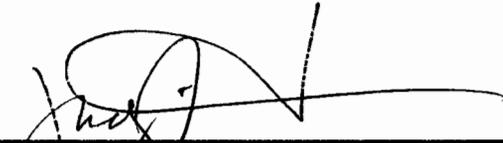
PASSED AND APPROVED THIS 15TH DAY OF JULY, 2009

UTILITY SPECIAL DISTRICT BOARD OF DIRECTORS

APPROVED:



DAWN S. PARDO
CHAIRPERSON



JUDY L. DAVIS
VICE-CHAIRPERSON

ATTEST:



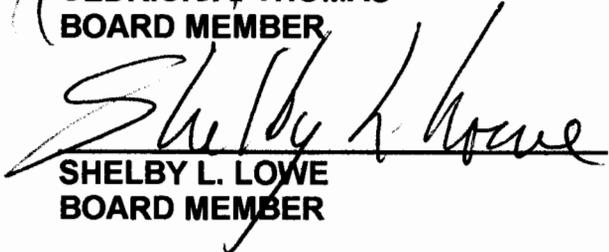
CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK



BILLIE E. BROOKS
BOARD MEMBER



CEDRICK A. THOMAS
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: J. Davis

SECONDED BY: B. Brooks

D. PARDO AYE

J. DAVIS AYE

B. BROOKS AYE

C. THOMAS AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, DISTRICT ATTORNEY

DATE: 7/8/2009

RESOLUTION NO. 05-09UD

A RESOLUTION OF THE UTILITY SPECIAL DISTRICT BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH , PALM BEACH COUNTY, FLORIDA, APPROVING THE INTERLOCAL UTILITY AGREEMENT BETWEEN PALM BEACH COUNTY, FLORIDA (COUNTY) AND THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (DISTRICT), AN INDEPENDENT SPECIAL DISTRICT, FOR JOINT PARTICIPATION AND PROJECT FUNDING IN CONSTRUCTION OF BLUE HERON BOULEVARD AND CONGRESS AVENUE TO RELOCATE UTILITY INFRASTRUCTURE WITHIN THE UTILITY SPECIAL DISTRICT'S JURISDICTION; IN THE AMOUNT OF \$1,077.32; AND AUTHORIZING THE DISTRICT CHAIRPERSON AND DISTRICT CLERK TO EXECUTE SAID AGREEMENT; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 412-1430-533-0-6558; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the COUNTY intends to improve an area south of the intersection of Blue Heron Boulevard and Congress Avenue (hereinafter the "Project"); and

WHEREAS, the COUNTY and the DISTRICT desire to jointly participate in the construction of utility adjustments to the DISTRICT'S water main and other improvements within the Project area; and

WHEREAS, both COUNTY and DISTRICT declare that it is in the public interest that the "Work" be constructed with the aforementioned "Project".

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 Special District Board of Directors hereby approves the Interlocal Agreement between Palm Beach County, Florida and the City of Riviera Beach Utility Special District, for joint participation and project funding in the construction of Blue Heron Boulevard and Congress Avenue, to relocate utility infrastructure.

SECTION 2: That the Utility District Board authorizes the District Chairperson and District Clerk to execute the aforementioned agreement on behalf of the Utility Special District as outlined in attached agreement.

SECTION 3: That the District Finance Director is authorized to make payment for same under Account No. 412-1430-533-0-6558 (CAP: Mains-Water).

SECTION 4: This Resolution shall take effect upon its passage and approval by the Utility Special District Board of Directors.

RESOLUTION NO. 05-09UD

PAGE 3

PASSED AND APPROVED THIS 19 DAY OF August, 2009

UTILITY SPECIAL DISTRICT BOARD OF DIRECTORS

APPROVED:

Dawn S. Pardo
DAWN S. PARDO
CHAIRPERSON

Judy L. Davis
JUDY L. DAVIS
VICE-CHAIRPERSON

ATTEST:

Carrie E. Ward
CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK

Billie E. Brooks
BILLIE E. BROOKS
BOARD MEMBER

ABSENT
CEDRICK A. THOMAS
BOARD MEMBER

Shelby L. Lowe
SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: J. DAVIS

SECONDED BY: B. BROOKS

D. PARDO AYE

J. DAVIS AYE

B. BROOKS AYE

C. THOMAS ABSENT

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY
Pamela H. Ryan
PAMALA HANNA RYAN, DISTRICT ATTORNEY

DATE: 8/13/09

RESOLUTION NO. 06-09UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA; APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT AND THE CITY OF RIVIERA BEACH FOR A PORTION OF CERTAIN LAND SITUATED IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA WHICH HAS A STREET ADDRESS OF 600 WEST BLUE HERON BLVD., RIVIERA BEACH, FLORIDA 33404; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the District is the fee owner of certain real property being, lying and situated in the City of Riviera Beach, Palm Beach County, Florida, such real property having a street address of 600 West Blue Heron Blvd, Riviera Beach, Florida 33404; and

WHEREAS, there is a Communication Tower located on a certain parcel of that real property having a street address of 600 West Blue Heron Blvd; and

WHEREAS, the City desires to make a portion of the tower available for lease to AT&T for purposes of attaching directional antennas, connecting cables and appurtenances; and

WHEREAS, the District agrees to lease the parcel of land in Exhibit A to the City with the understanding that the City will sublease a portion of the Communications Tower to AT&T.

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. This agreement shall commence upon _____ and shall continue for a term of five (5) years. The lease shall automatically extend for three (3) additional five (5) year renewal periods commencing on January 1 following the expiration date of the Initial Term or of any subsequent Renewal Term unless City notifies District in writing of its intention not to renew this Lease at least sixty (60) days prior to the expiration of the existing Term.

RESOLUTION NO. 06-09UD

SECTION 2. Under the terms of this Agreement, "Rent" shall consist of all monetary obligations owed to the District by the City in accordance with this Agreement. The City shall pay to the District ONE DOLLAR (\$1) per year as Rent for the Term of the Agreement. Rent shall be due on the first (1st) day of the first month of each year.

SECTION 3. The District Board hereby accepts and approves the proposed lease agreement with City.

SECTION 4. The District Chairperson and District Clerk are authorized to execute the agreement on behalf of the District.

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

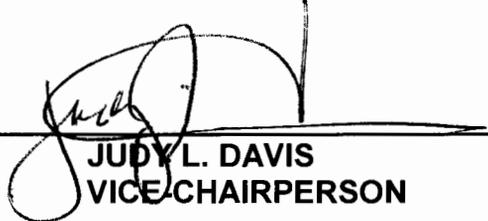
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PASSED AND APPROVED THIS 19 DAY OF August, 2009
UTILITY SPECIAL DISTRICT BOARD OF DIRECTORS

APPROVED:



DAWN S. PARDO
CHAIRPERSON



JUDY L. DAVIS
VICE CHAIRPERSON

ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK



BILLIE E. BROOKS
BOARD MEMBER

ABSENT
CEDRICK A. THOMAS
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: J. DAVIS

SECONDED BY: B. BROOKS

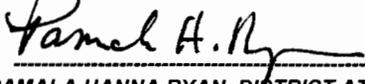
D. PARDO AYE

J. DAVIS AYE

B. BROOKS AYE

C. THOMAS ABSENT

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, DISTRICT ATTORNEY

DATE: 8/13/09

RESOLUTION NO. 7-09UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AWARDING THE BID TO CLOSE CONSTRUCTION, INC. OF WELLINGTON, FLORIDA AND AUTHORIZING THE DISTRICT BOARD CHAIRPERSON AND DISTRICT CLERK TO EXECUTE THE PROPOSED BID AWARD WITH CLOSE CONSTRUCTION, INC., OF WELLINGTON, FLORIDA; FOR THE WATER TREATMENT PLANT IMPROVEMENT PROJECT; IN THE AMOUNT OF \$1,366,642.48 PLUS A 10% CONTINGENCY FOR A TOTAL AMOUNT OF \$1,503,306.73; APPROVING AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO TRANSFER FUNDS IN THE AMOUNT OF \$1,503,306.73 FROM THE UTILITY DISTRICT CONTINGENCY ACCOUNT NO. 412-1417-536-0-5999 INTO THE UTILITY DISTRICT CAP. - PLANT (WATER) ACCOUNT NO. 412-1437-533-0-6559; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 412-1437-533-0-6559; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the primary purpose for this proposed contract award is to upgrade aging elements at the Water Treatment Plant which are beyond feasible repairs; and to ensure that the District continues to comply with mandated water treatment regulations; and

WHEREAS, four (4) companies responded to the District's Request for Bid No. 212-08. Close Construction, Inc., of Wellington, Florida, submitted the lowest responsive and responsible bid in the amount of \$1,366,642.48; and

WHEREAS, at the April 15, 2009, Utility Board meeting, the Board chose to award this contract to Interstate Engineering Corporation because it had 27% minority participation. Since then, the lowest bidder, Close Construction, filed a protest because minority participation was not a requirement of the bid; and

WHEREAS, the City's Legal Department investigated the protest and determined that it would be in the best interest to award the contract to Close Construction.

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 hereby accepts the bid proposal in the amount of \$1,366,642.48 from Close Construction, Inc., plus 10% contingency, totaling \$1,503,306.73; and that the Board Chairperson and District Clerk are hereby authorized to execute a contract between Close Construction, Inc. and the City of Riviera Beach Utility Special District, in the amount of \$1,503,306.73, for the Water Treatment Plant Improvement Project.

SECTION 2: That the Board hereby authorizes the District Finance Director to transfer funds, in the amount of \$1,503,306.73, from the Utility District Contingency Account No. 412-1417-536-0-5999 into the Utility District's CAP-Plant (Water) Account No. 412-1437-533-0-6559.

SECTION 3: That the District Finance Director is authorized to make payment for same under Account Number 412-1437-533-0-6559, in the amount of \$1,366,642.48 plus 10% contingency, totaling \$1,503,306.73.

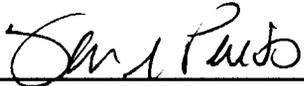
SECTION 4: That the District Director is authorized to approve Change Orders in an amount not to exceed ten percent (10%) of the contract amount.

SECTION 5: This Resolution shall take effect upon its passage and approval by the District Board.

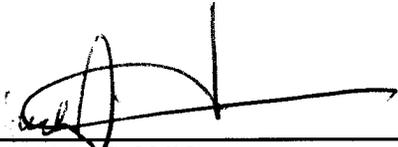
RESOLUTION NO. 07-09UD
PAGE 3

PASSED AND APPROVED THIS 19 DAY OF August, 2009
UTILITY SPECIAL DISTRICT BOARD OF DIRECTORS

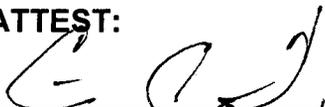
APPROVED:



DAWN S. PARDO
CHAIRPERSON



JUDY L. DAVIS
VICE-CHAIRPERSON

ATTEST:


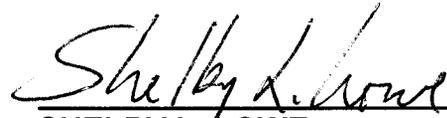
CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK



BILLIE E. BROOKS
BOARD MEMBER

ABSENT

CEDRICK A. THOMAS
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: J. DAVIS

SECONDED BY: B. BROOKS

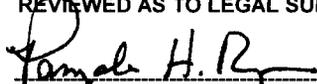
D. PARDO AYE

J. DAVIS AYE

B. BROOKS AYE

C. THOMAS ABSENT

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, DISTRICT ATTORNEY

DATE: 8/13/09

RESOLUTION NO. 8-09UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE CHANGE ORDERS FROM CALVIN, GIORDANO & ASSOCIATES, IN THE AMOUNT OF \$15,608.50, INCREASING AND AMENDING THE CONTRACT AMOUNT FROM \$39,685.00 TO \$55,293.50, TO PROVIDE ADDITIONAL PROFESSIONAL ENGINEERING DESIGN SERVICES OF UTILITIES AND CONSTRUCTION INSPECTION SERVICES, IN CONJUNCTION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), FOR UTILITY RELOCATIONS, AND TO DESIGN A 12" WATER MAIN TO EXPAND CAPACITY TO THE WESTERN PORTIONS OF THE CITY; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO TRANSFER FUNDS IN THE AMOUNT OF \$15,608.50 FROM CAP: CONTINGENCY ACCOUNT NO. 412-1417-533-0-6559 TO CAP: REPAIR & MAINT- LINES ACCOUNT NO. 412-1437-533-0-4606; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY \$15,608.50 FROM ACCOUNT NO. 412-1437-533-0-4606; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the engineering firm of Calvin, Giordano & Associates, Inc., (CGA) has completed the additional emergency design work necessary to complete the design phase for utility relocations as mandated by FDOT for a 12" water main to expand capacity to the western portions of the city; and

WHEREAS, this 12" water transmission line will allow the District to optimize the benefits from the Avenue "U" Re-pump Station by providing higher service pressure and flows to the western portions of the Utility's service area.

WHEREAS, due to the unforeseen utility conflicts and field conditions during this project; additional field inspection services were required for these changes to not disrupt the project's work schedule.

WHEREAS, the engineering firm of Calvin, Giordano & Associates, Inc. has submitted three (3) final invoices, (Change Order #1), for additional emergency design work, to complete this project.

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

RESOLUTION NO. 8-09UD
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SECTION 1: That the Utility District Board hereby approves the Change Order from Calvin, Giordano & Associates, in the amount of \$15,608.50, for additional emergency professional design services for the 12" water main.

SECTION 2: That the Board hereby authorizes the District Finance Director to transfer funds, in the amount of \$15,608.50, from the District's CAP: Contingency Account No. 412-1437-533-0-6559 to the CAP: Repair & Maint.-Lines Account No. 412-1437-533-0-4606.

SECTION 3: That the Interim District Finance Director is authorized to pay \$15,906.50 from Account No. 412-1437-533-0-4606.

SECTION 4: This Resolution shall take effect upon its passage and approval by the Utility District Board.

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PAGE 3

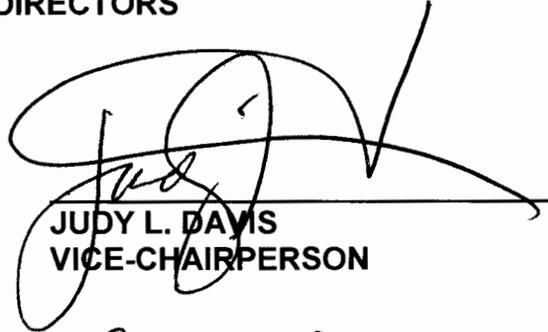
PASSED AND APPROVED THIS 16TH DAY OF SEPTEMBER, 2009

UTILITY SPECIAL DISTRICT BOARD OF DIRECTORS

APPROVED:

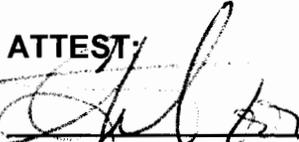


DAWN S. PARDO
CHAIRPERSON



JUDY L. DAVIS
VICE-CHAIRPERSON

ATTEST:



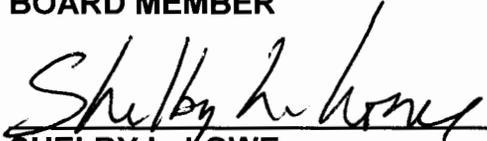
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



BILLIE E. BROOKS
BOARD MEMBER

ABSENT

CEDRICK A. THOMAS
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: S. LOWE

SECONDED BY: B. BROOKS

D. PARDO AYE

J. DAVIS AYE

B. BROOKS AYE

C. THOMAS ABSENT

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/11/09

RESOLUTION NO. 9-09UD

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, ADOPTING THE FISCAL YEAR 2009-2010 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 2009/2010 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 2009-2010 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, 2009.

PASSED AND APPROVED THIS 16TH DAY OF SEPTEMBER, 2009

UTILITY SPECIAL DISTRICT BOARD OF DIRECTORS

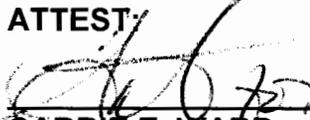
APPROVED:



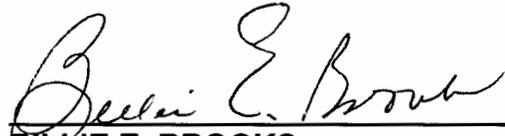
DAWN S. PARDO
CHAIRPERSON



JUDY L. DAVIS
VICE-CHAIRPERSON

ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK



BILLIE E. BROOKS
BOARD MEMBER



CEDRICK A. THOMAS
BOARD MEMBER



SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: S. LOWE

SECONDED BY: J. DAVIS

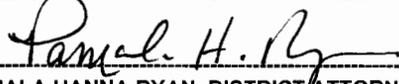
D. PARDO AYE

J. DAVIS AYE

B. BROOKS AYE

C. THOMAS AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, DISTRICT ATTORNEY

DATE: 9/11/09