

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE DISTRICT DIRECTOR AND DISTRICT CLERK TO EXECUTE PROPOSED CONTRACT AWARD WITH MARTIN FENCE, THE LOWEST RESPONSIVE BIDDER, FOR THE REPLACEMENT AND INSTALLATION OF AN AUTOMATIC SECURITY GATE FOR THE WATER TREATMENT PLANT; IN THE AMOUNT OF \$28,754.22; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 415-1437-533-0-6455; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Utility District Board of Directors approve the lowest responsive bidder's proposal by Martin Fence in the amount of \$28,754.22;

WHEREAS, the primary purpose of this purchase is replace the existing security gate, which is over ten (10) year old, and has broken down and been repaired many times.

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 Director and District Clerk are hereby authorized to execute a contract between Martin Fence and the City of Riviera Beach Utility Special District, in the amount of \$28,754.22, for the purchase and installation of an automatic security gate for the Water Treatment Plant entrance.

SECTION 2: That the District Board hereby accepts the bid in the amount of \$28,754.22 and that the Finance Director is authorized to make payments for same under Account No. 415-1437-533-0-6455.

SECTION 3: That the District Director is authorized to approve Change Orders in an amount not to exceed ten percent (10%) of the contract amount.

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

PASSED AND APPROVED THIS 15TH day of DECEMBER, 2004.

RESOLUTION NO. 17-04

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APPROVED:


DAVID G. SCHNYER
CHAIRPERSON

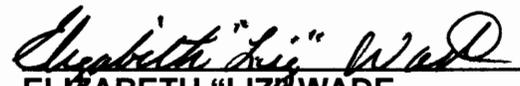
ATTEST:


GARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK


ANN ILES
VICE-CHAIRPERSON


DONALD R. WILSON
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER


ELIZABETH "LIZ" WADE
BOARD MEMBER

MOTIONED BY: D. WILSON

SECONDED BY: J. DAVIS

D. SCHNYER: AYE

A. ILES: AYE

D. WILSON: AYE

J. DAVIS: AYE

E. WADE: AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, DISTRICT ATTORNEY

DATE: 11/10/04

RESOLUTION NO. 18-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF RADIO-READ METERS FROM SUNSTATE METER AND SUPPLY, INC. ("SUNSTATE"), THROUGH THE CITY OF CAPE CORAL BID #CON-PW060501-47, AT A TOTAL COST OF \$84,825.00; APPROPRIATE FUND BALANCE IN THE AMOUNT OF \$84,825.00; AND AUTHORIZING THE DISTRICT DIRECTOR AND DISTRICT CLERK TO EXECUTE THE CONTRACT WITH SUNSTATE; AUTHORIZING PAYMENT FROM ACCOUNT NO. 401-1430-533-0-5206; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the new developments that are being constructed in the City of Riviera Beach such as Turtle Cay, Seminole Gardens, Thousand Oaks, Sonoma Bay and Sierra Bay, as well as, other service areas will need to have water meters installed; and

WHEREAS, Sunstate, who is the state distributor for the system through the City of Cape Coral Bid #CON-PW060501-47, has agreed to provide such meters to the Utility District under the same terms and conditions as set forth in the City of Cape Coral Bid; and

WHEREAS, these meters have been proven to reduce the read time and assure greater accuracy during the meter reading process. The funds for the purchase of these meters were allocated in the FY2003-04 Utilities Budget.

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 Board of Directors hereby accepts the contract proposal for water meters in the amount of \$84,825.00.

SECTION 2: The District Director and District Clerk are authorized to execute the contract with "Sunstate."

SECTION 3: That the Finance Director appropriate fund balance for the above amount; and is authorized to make payment for same from Account Number 401-1430-533-0-5206.

SECTION 4: This Resolution shall take effect upon its passage and approval by the City Council.

PASSED AND APPROVED THIS 15TH day of DECEMBER, 2004

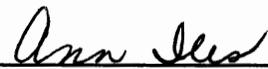
RESOLUTION NO. 18-04
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APPROVED:

ATTEST:

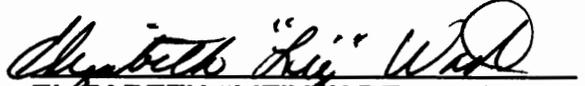

CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK


DAVID G. SCHNYER
CHAIRPERSON


ANN ILES
VICE-CHAIRPERSON


DONALD R. WILSON
BOARD MEMBER


JUDY L. DAVIS
BOARD MEMBER


ELIZABETH "LIZ" WADE
BOARD MEMBER

MOTIONED BY: D. WILSON

SECONDED BY: J. DAVIS

D. SCHNYER: AYE

A. ILES: AYE

D. WILSON: AYE

J. DAVIS: AYE

E. WADE: AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, DISTRICT ATTORNEY

DATE: 12/8/04

RESOLUTION NO. 19-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT DIRECTING THE COLLECTION OF CURRENTLY ESTABLISHED UTILITY SURCHARGE FOR WATER SERVICE SUPPLIED WITHIN PALM BEACH SHORES; CREATING AN ESCROW TO HOLD SUCH SURCHARGE PROCEEDS PENDING FINAL COURT ACTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach Utility Special District has an established water service utility surcharge of 25% (hereinafter "Surcharge") which applies to all water customers outside the municipal boundaries of the City of Riviera Beach; and

WHEREAS, the City has refrained from collecting the Surcharge from water customers located within the municipal boundaries of Palm Beach Shores (hereinafter "Customers") pending resolution of litigation involving the City's right to collect the Surcharge from such Customers; and

WHEREAS, the trial court has determined in case number 03-003132 AJ, that a Surcharge may be collected from the Customers, and

WHEREAS, although the Town of Palm Beach Shores will most likely appeal the trial court decision, staff recommends collecting the Surcharge and holding the same in escrow until a final decision is rendered.

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. DIRECTION TO COLLECT SURCHARGE. The City finance department is directed, on behalf of the District, to collect a 25% Surcharge from Customers effective upon passage of this Resolution.

SECTION 3. CREATION OF ESCROW. The City finance department is directed to hold the Surcharge proceeds received from the Customers in escrow pending an appeal of the trial court determination that the Surcharge may be collected from the Customers. The escrow funds may be intermingled with other utility funds for investment purposes, but a strict accounting of such Surcharge proceeds and interest earned on such Surcharge proceeds shall be kept in the event that a refund of such Surcharge proceeds to the Customers is ordered by the trial court. Upon exhaustion of any applicable appeal, the City finance department shall withdraw the funds from escrow and deposit them in the appropriate utility revenue fund.

SECTION 4. EFFECTIVE DATE. This Resolution shall become effective immediately upon its approval.

PASSED AND APPROVED this 15TH day of DECEMBER, 2004.

RESOLUTION NO. 19-04

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APPROVED:



DAVID G. SCHNYER
CHAIRPERSON

ATTEST:



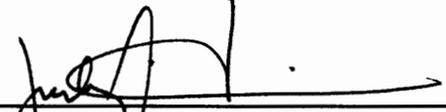
CARRIE E. WARD
MASTER MUNICIPAL CLERK
DISTRICT CLERK



ANN ILES
VICE-CHAIRPERSON



DONALD R. WILSON
BOARD MEMBER



JUDY L. DAVIS
BOARD MEMBER



ELIZABETH "LIZ" WADE
BOARD MEMBER

MOTIONED BY: E. Wade

SECONDED BY: J. Davis

D. SCHNYER: aye

A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN DISTRICT ATTORNEY

DATE: 12/9/04