

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
UTILITY SPECIAL DISTRICT MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
MONDAY, AUGUST 30, 2004 AT 7:00 P.M.

I. **CALL TO ORDER:**

Chairperson David G. Schnyer was present and presided. Upon a roll call by Board Clerk Ward, the following were present: Vice Chairperson Ann lies, Board member Judy L. Davis, and Board member Elizabeth "Liz" Wade. Also present were City Manager William E. Wilkins, Board Clerk Carrie E. Ward, Master Municipal Clerk, Board Attorney Pamala Hanna Ryan; and Utilities Director Ed Sierra.

Board member Wilson was absent.

II. **ADDITIONS, DELETIONS, SUBSTITUTIONS**

NONE

III. **RESOLUTIONS ON PUBLIC HEARING:**

ITEM NO.4

RESOLUTION NO. **01-04** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT MAKING FINDINGS UNDER SECTION 189.423, FLORIDA STATUTES; FINDING THE TRANSFER OF THE CITY OF RIVIERA BEACH'S UTILITY ASSETS TO THE CITY OF RMERA BEACH UTILITY SPECIAL DISTRICT TO BE IN THE PUBLIC INTEREST; AND PROVIDING AN EFFECTIVE DATE.

Board Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Board member Davis and seconded by Board member Wade to approve Resolution No. **01-04**.

MOTION

Philip Gilden, Greenberg Traurig, made a presentation.

Board Clerk Ward read the public hearing notice into the record and announced that it was advertised in the August 22,2004 edition of the Palm Beach Post and Riviera Beach Channel 18.

Gerald Ward, 31 W 20th Street, made comments regarding proposed Resolution.

A discussion ensued amongst the board members and Mr. Gilden.

Upon a roll call by Board Clerk Ward, the vote was unanimous.

MOTION APPROVED

ITEM NO. 5

RESOLUTION NO. **02-04** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVERA BEACH UTILITY SPECIAL DISTRICT ADOPTING THE INITIAL UTILITY RATES, FEES, CHARGES, FURTHER ADOPTING THE CITY OF RIVIERA BEACH'S POLICIES AND PROCEDURES FOR THE UTILITY SPECIAL DISTRICT; ESTABLISHING AN IMPACT FEE TRUST ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

Board Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Board member Wade and seconded by Board member Davis to approve Resolution No. 02-04.

MOTION

Upon a roll call vote by Board Clerk Ward, the vote was unanimous.

MOTION APPROVED

IV. **REGULAR:**

ITEM NO. 6

RESOLUTION NO. **03-04** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT APPROVING THE ASSET PURCHASE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH, FLORIDA, AND THE DISTRICT; AUTHORIZING THE APPROPRIATE DISTRICT OFFICIALS TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO IMPLEMENT THE ASSET PURCHASE AGREEMENT AND THE TRANSACTIONS CONTEMPLATED THEREIN: AND PROVIDING AN EFFECTIVE DATE.

Soard Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Board member Wade and seconded by Board member Davis to approve Resolution No. 03-04.

MOTION

Upon a roll call vote by Board Clerk Ward, the vote was unanimous.

MOTION APPROVED

ITEM NO.7

RESOLUTION NO. **04-04** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT APPROVING THE UTILITY SERVICES AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH, FLORIDA, AND THE DISTRICT; AUTHORIZING THE APPROPRIATE DISTRICT OFFICIALS TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO IMPLEMENT THE UTILITY SERVICES AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Board Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Board member Wade and seconded by Board member Davis to approve Resolution No. **04-04**.

MOTION

Upon a roll call vote by Board Clerk Ward, the vote was unanimous.

MOTION APPROVED

ITEM NO.8

RESOLUTION NO. **05-04** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT ADOPTING THE ANNUAL BUDGET FOR THE UTILITY SPECIAL DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

Board Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Board member Davis and seconded by Board member Wade to approve Resolution No. **05-04**.

MOTION

Gerald Ward, 31 W **20th** Street, made comments regarding the proposed budget.

A discussion ensued amongst the board members.

Upon a roll call vote by Board Clerk Ward, the vote was unanimous.

MOTION APPROVED

ITEM NO. 9

RESOLUTION NO. **06-04** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT APPROVING THE DESIGNATED REGISTERED AGENT AND REGISTERED OFFICE FOR THE UTILITY SPECIAL DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

Board Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Board member Wade and seconded by Boardmember Davis to approve Resolution No. ~~06-04~~.

MOTION

Upon a roll call vote by Board Clerk Ward, the vote was unanimous.

MOTION APPROVED

ITEM NO. 10

RESOLUTION NO. **07-04** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT AUTHORIZING THE ISSUANCE, FROM TIME TO TIME, OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT WATER AND SewER REVENUE BONDS FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION OF THE WATER AND SewER SYSTEM OF THE CITY OF RIVIERA BEACH, FLORIDA AND FOR THE PURPOSE OF FINANCING OR REFINANCING ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO SUCH SYSTEM; PROVIDING FOR THE TERMS AND PAYMENT FOR ALL CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT WATER AND SEWER REVENUE BONDS ISSUED HEREUNDER; PROVIDING FOR THE RIGHTS, REMEDIES AND SECURITY OF THE HOLDERS OF SAID CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT WATER AND SEWER REVENUE BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Board Clerk Ward read the aforementioned Resolution into the record.

Steve Sanford, Greenberg and Traurig, made a presentation.

Gerald Ward, 31 W 20th Street, made comments regarding the proposed Resolution.

A motion was made by Board member Davis and seconded by Board member Wade to approve Resolution No. **07-04**.

MOTION

Upon a roll call vote by Board Clerk Ward, the vote was unanimous.

MOTION APPROVED

ITEM NO. 11

RESOLUTION NO. **08-04** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (THE "DISTRICT"), AUTHORIZING THE NEGOTIATED SALE OF CITY OF

RIVIERA BEACH UTILITY SPECIAL DISTRICT, WATER AND SEWER REVENUE BONDS, SERIES 2004 (THE "BONDS"), IN THE INITIAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$36,000,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION OF THE WATER AND SEWER SYSTEM FROM THE CITY OF RIVIERA BEACH, FLORIDA (THE "CITY"), INCLUDING PROVIDING THE NECESSARY FUNDS TO THE CITY TO PAY AND DEFEASE ALL OF THE **CITY'S** WATER AND SEWER REVENUE BONDS, SERIES 1997 AND TO FINANCE THE ACQUISITION AND CONSTRUCTION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM; AUTHORIZING THE PROPER OFFICERS OF THE DISTRICT TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE SALE AND DELIVERY OF THE BONDS; AND PROVIDING AN EFFECTIVE DATE.

Board Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Board member Wade and seconded by Vice Chair **Iles** to approve Resolution No. 08-04.

MOTION

Upon a roll call vote by Board Clerk Ward, the vote was unanimous.

MOTION APPROVED

There was a discussion amongst the board members and the board attorney regarding the next meeting date. It was determined that meetings would be scheduled as items occur.

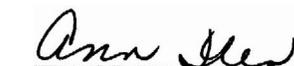
IV. ADJOURNMENT

There being no further business, the meeting was duly adjourned.

APPROVED:

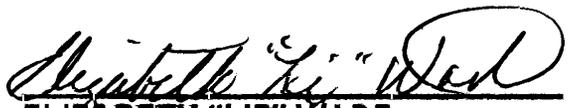

DAVID G. SCHNYER
CHAIRPERSON


CARRIE E. WARD
MASTER MUNICIPAL CLERK
BOARD CLERK


ANN ILES
VICE CHAIRPERSON


DONALD R. WILSON
BOARD MEMBER

JUDY L. DAVIS
BOARD MEMBER


ELIZABETH "LIZ" WADE
BOARD MEMBER

MOTIONED BY: De Wilson
SECONDED BY: Je Davis

D.SCHNYER ave
A.ILES ave
D. WILSON ave
J. DAVIS ave
E.WADE ave

DATE APPROVED: 12115104