

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE OF THE FIRST AMENDMENT AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT AND THE TOWN OF MANGONIA PARK, FLORIDA, FOR PROVISION OF WATER SERVICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City entered into an Intergovernmental Utility Service Agreement, hereinafter "Agreement," with the TOWN OF MANGONIA PARK, FLORIDA on March 10th, 2018 to provide the Water Service to the Town; and

WHEREAS, section 9.3 of the Agreement established a 10 year term with an a provision for renewal with an additional term of ten (10) years, upon mutual agreement of the parties, at least twelve (12) months prior to the expiration of the original term. Either party may terminate this Agreement at any time if required by law, administrative order or otherwise required by a governmental agency with jurisdiction over the party. Further, either party may terminate this Agreement by providing twelve (12) month notice to the other party; and

WHEREAS, the **TOWN OF MANGONIA PARK** desires to amend the provision for renewal notice from at least twelve (12) months prior to the expiration of the original term to at least six (6) months prior to the expiration of the original term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, THAT:

Section 1. That Section 9.3 of the Agreement is hereby amended to read as follows:

A. This Agreement shall have a term of ten (10) years. The Agreement maybe renewed for an additional term of ten (10) years, upon mutual agreement of the parties, at least ~~twelve (12)~~ **six (6)** months prior to the expiration of the original term. Either party may terminate this Agreement at any time if required by law, administrative order or otherwise required by a governmental agency with jurisdiction over the party. Further, either party may terminate this Agreement by providing twelve (12) month notice to the other party.

Section 2. In all other respects, the terms of the Agreement shall remain in full force and effect, and the parties agree to perform all duties and obligations as set forth therein.

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PASSED and APPROVED this _____ day of _____, 2017.

APPROVED:

TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
DISTRICT CLERK

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

LYNNE L. HUBBARD
BOARD MEMBER

TONYA DAVIS JOHNSON
BOARD MEMBER

DAWN S. PARDO
BOARD MEMBER

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

ANDREW DEGRAFFENREIDT
DISTRICT ATTORNEY

DATE: _____