

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TRANSFER OF FUNDS FROM THE UTILITY SPECIAL DISTRICT CONTINGENCY ACCOUNT TO UTILITY SPECIAL DISTRICT SALARY & WAGES AND RELATED ACCOUNTS TO COVER COSTS FOR THE RETROACTIVE STIPEND PAYMENT IN ACCORDANCE WITH USD RESOLUTION 13-15UD ; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Directors of the City of Riviera Beach Utility Special District (USD) approved as compensation a \$1,000 per month stipend for each member serving on the USD Board and the Mayor as an Ex-Officio member commencing in October 2015 through Resolution No. 13-15UD dated August 31, 2015; and

WHEREAS, certain USD Board members voluntarily elected in writing to waive their respective entitlements to the compensation in accordance with Resolution No. 13-15UD; and

WHEREAS, USD Board members who did not voluntarily elect in writing to waive any entitlement to the compensation provided in accordance with Resolution No. 13-15UD were to receive the compensation authorized and prescribed by USD Board in accordance with Resolution No. 13-15UD; and

WHEREAS, the payment of stipend is budgeted for those board members who have not voluntarily elected in writing to waive entitlement to the compensation provided in accordance with Resolution No. 13-15UD and was to be provided as part of the annual operating budget process; and

WHEREAS, recently the City Attorney opined that the unambiguous terms of Resolution No. 13-15UD contained no provision that a written election by a Board member was required to receive the compensation authorized by the USB Board in that resolution; and

WHEREAS, a payment for retroactive stipend was made to USD Board member on March 27, 2017 for a total cost of \$26,571, to cover the period from October 23, 2015 to March 24, 2017; and

WHEREAS, total payment includes payroll taxes, FICA, and Employer FRS contributions and said payment places the stipend budget in a deficit position; and

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

SECTION 1. That the District Board approves the amount of \$26,571 to cover the costs associated with the retroactive payment of stipend to the District's Board member.

SECTION 2. That the District Board authorizes the transfer of said amount from the District's Contingency account to the District's salary, FICA, and retirement accounts and the transfer of \$6,221 to cover stipend costs not budgeted in FY17as follows:

TRANSFER FROM:

USD CONTINGENCY	411-1417-536-0-5999	\$32,792
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TRANSFER TO:

USD SALARY ACCOUNT	411-1417-536-0-1201	\$21,692
USD FICA ACCOUNT	411-1417-536-0-2101	1,660
USD FRS ACCOUNT	411-1417-536-0-2202	9,440

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

PASSED and APPROVED this _____ day of _____, 2017.

******* SIGNATURES ON THE FOLLOWING PAGE. *******

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APPROVED:

TERENCE D. DAVIS
CHAIR

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
DISTRICT CLERK

KASHAMBA L. 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 _____

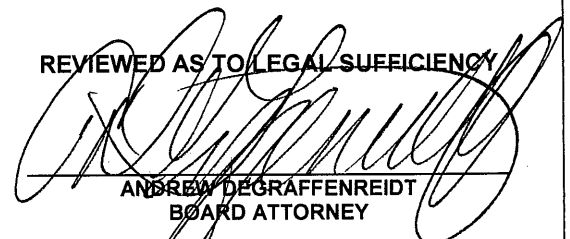
K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY



ANDREW DEGRAFFENREIDT
BOARD ATTORNEY

DATE: 9/17/17