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**CITY OF RIVIERA BEACH – MEMORANDUM**

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**TO:** HON. MAYOR, DISTRICT CHAIRPERSON AND DISTRICT BOARD

**THROUGH:** JONATHAN EVANS, CITY MANAGER, MPA, MBA, ICMA-CM

**FROM:** DAWN S. WYNN, DISTRICT ATTORNEY

**SUBJECT:** **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DISTRICT CHAIRPERSON AND DISTRICT CLERK TO APPROVE AND EXECUTE THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT AND THE TOWN OF MANGONIA PARK FOR DISPUTED FEES RELATED TO THE AGREEMENT FOR THE PROVISION OF WASTEWATER SERVICE**

**DATE:** MAY 7, 2021

**CC:** GENERAL PUBLIC

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**Background:**

On October 19, 2005, the City of Riviera Beach Utility Special District (hereinafter “District”) and the Town of Mangonia Park (hereinafter “Town”) entered into an Agreement for Provision of Wastewater Service, whereby the District agreed to provide wastewater transmission, treatment, and disposal utility services for the Town’s wastewater utility system (hereinafter the “Agreement”).

The District intended not to renew its contract with the Town due to a dispute over the applicable wastewater service rate under the Agreement since 2018. Pursuant to the terms of the Agreement, the District provided notice to the Town that the District did not intend to renew the Agreement, and the Agreement expired on October 19, 2020.

The District has continued to provide wastewater services to the Town as provided for in the Agreement.



The District and the Town now desire to enter into the attached Settlement Agreement and Release (“Settlement Agreement”), providing that the Town shall pay the District a lump sum payment of Fifty Thousand Dollars (\$50,000.00) and the District will continue to provide wastewater services to the Town at a rate of \$6.09 per thousand gallons for a term of twenty four (24) months while the parties discuss and negotiate in good faith toward a new wastewater service agreement, amongst other conditions as detailed within the Settlement Agreement.

Counsel for the District and the Town have negotiated this matter and on May 6, 2021, the Town Council approved and executed the Settlement Agreement.

**Citywide Goals:**

Enhance Government Stewardship and Build Great Neighborhoods.

**Budget/Fiscal Impact:**

The immediate fiscal impact will be an increase of \$50,000 to the USD budget for collected fees. The fiscal impact over 24 months has not been determined at this time.

**Recommendation(s):**

The Office of the City Attorney recommends approval of the Settlement Agreement.

**Attachment:**

Settlement Agreement.

