

**RESOLUTION NUMBER 17-21UD**

**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; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, 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”); and

**WHEREAS**, 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; and

**WHEREAS**, 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; and

**WHEREAS**, the District has continued to provide wastewater services to the Town as provided for in the Agreement; and

**WHEREAS**, 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; and

**WHEREAS**, 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.

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

**SECTION 1.** That the District Chairperson and City Clerk are hereby authorized to approve and execute the Settlement Agreement between the City of Riviera Beach Utility Special District and the Town of Mangonia Park.

**SECTION 2.** Should any one or more of the provisions or elements of this Resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of this Resolution.

**SECTION 3.** That this Resolution shall take effect immediately upon its passage and approval.

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2021.**

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**APPROVED:**

\_\_\_\_\_  
**SHIRLEY D. LANIER**  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY,**  
**CERTIFIED MUNICIPAL CLERK**  
**CITY CLERK**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON**  
**VICE CHAIRPERSON**

\_\_\_\_\_  
**TRADRICK MCCOY**  
**BOARD MEMBER**

\_\_\_\_\_  
**JULIA A. BOTEL, Ed.D**  
**BOARD MEMBER**

\_\_\_\_\_  
**DOUGLAS A. LAWSON**  
**BOARD MEMBER**

**MOTIONED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**T. MCCOY:** \_\_\_\_\_

**K. MILLER-ANDERSON:** \_\_\_\_\_

**S. LANIER:** \_\_\_\_\_

**J. BOTEL:** \_\_\_\_\_

**D. LAWSON:** \_\_\_\_\_

REVIEWED AS TO LEGAL SUFFICIENCY

\_\_\_\_\_  
**DAWN S. WYNN, DISTRICT ATTORNEY**

DATE: \_\_\_\_\_