

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

EXHIBIT 1
RESOLUTION NO. 2025 -

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT WITH SENSUS USA, INC. AND CORE AND MAIN LP FOR REPLACEMENT WATER METERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2015 the City purchased 5/8" x 3/4" and 1" Sensus accuSTREAM water meters with electronic registers; and

WHEREAS, issues have arisen with the meters which had led to impaired the City's ability to obtain accurate water usage readings; and

WHEREAS, following good faith negotiations, Sensus, the Distributor, Core and Main, and the City have agreed to resolve the dispute on the terms and conditions set forth in the Agreement attached hereto as Exhibit "A"; and

WHEREAS, as part of the settlement, City is agreeing to purchase five hundred fifty (550) 5/8" x 3/4" Replacement Meters at a price of one hundred five U.S. dollars (\$105.00) each and one thousand one hundred (1,100) 1" Replacement Meters at a price of one hundred thirty-two U.S. dollars and ninety-nine cents (\$132.99) each. The cost of the Replacement Meters includes the cost of installation, which shall be paid by Sensus and installed by Distributor utilizing VEPO Metering South, LLC; and

WHEREAS, Sensus will provide an additional one thousand five hundred (1500) 5/8" x 3/4" Replacement Meters at no charge to the City. The installation of these Replacement Meters will not be covered by Sensus or Distributor; and

WHEREAS, Staff recommends that the City Commission approve the proposed settlement agreement incorporated herein as Exhibit "A," to facilitate

36 advancement of the project and authorize the City to proceed with the purchase as
37 indicated therein pursuant to a finding of unique circumstances.

38
39 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY**
40 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

41
42 **SECTION 1.** The foregoing "Whereas" clauses are incorporated herein.

43
44 **SECTION 2.** The Mayor and City Commission hereby find unique
45 circumstances and authorize execution of the Agreement attached as Exhibit "A",
46 together with such changes as may be subsequently agreed to by the City, and
47 approved as to form and legal sufficiency by the City Attorney, and authorize the City
48 Manager to proceed with the purchase as indicated therein.

49
50 **SECTION 3.** This Resolution shall take effect immediately upon its passage
51 and adoption.

52
53 APPROVED AND ADOPTED this ____ day of _____, 20__.

54
55 _____
56 JOY F. COOPER
57 MAYOR

58 SPONSORED BY: CITY ADMINISTRATION

59 ATTEST:

60
61
62 _____
63 JENORGEN M. GUILLEN, CMC
64 CITY CLERK

65
66
67 APPROVED AS TO LEGAL SUFFICIENCY
68 AND FORM

69
70
71 _____
72 JENNIFER MERINO
73 CITY ATTORNEY