

THE METROPOLITAN DISTRICT COMMISSION

555 Main Street
Hartford, Connecticut 06103
Monday, November 9, 2015

Present: Commissioners Andrew Adil, Luis Caban, Daniel Camilliere, Mary Anne Charron, Donald M. Currey, William A. DiBella, Allen Hoffman, Jean Holloway, Joseph H. Kronen, Byron Lester, Maureen Magnan, James S. Needham, J. Lawrence Price, Hector Rivera, Helene Shay, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino (18)

Absent: Commissioners Timothy Curtis, Janice Flemming, Matthew B. Galligan, William P. Horan, Sandra Johnson, Joseph Klett, Kathleen J. Kowalyshyn, Alphonse Marotta, Mark A. Pappa, Kennard Ray, Pasquale J. Salemi, Michael Solomonides, Michael A. Toppi and Special Representative Michael Carrier (14)

Also

Present: Citizen Member Ronald F. Angelo, I
Scott W. Jellison, Chief Executive Officer
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Brendan Fox, Assistant District Counsel
Carl Nasto, Assistant District Counsel
Christopher R. Stone, Assistant District Counsel
John S. Mirtle, District Clerk
Rob Constable, Director of Finance
Sue Negrelli, Director of Engineering
Erin Ryan, Director of Human Resources
Robert Schwarm, Director of Information Technology
Kelly Shane, Director of Procurement
Kerry E. Martin, Assistant to the Chief Executive Officer
Mike Curley, Manager of Technical Services
Cynthia A. Nadolny, Executive Assistant
James Masse, Network Analyst

CALL TO ORDER

The meeting was called to order by Chairman DiBella at 5:38 PM

ROLL CALL AND QUORUM

The District Clerk called the roll and informed Chairman DiBella that a quorum of the Commission was present, and the meeting was declared a legal meeting of the District Board of The Metropolitan District of Hartford County, Connecticut.

PLEDGE OF ALLEGIANCE

Those in attendance stood and recited the Pledge of Allegiance.

COMMISSIONER SWEARING IN

The District Clerk swore in Commissioner Byron Lester of Bloomfield.

APPROVAL OF MINUTES

On motion made by Commissioner Currey and duly seconded, the meeting minutes of October 5, 2015 were approved.

Commissioners Kronen, Lester, Needham and Price abstained.

Commissioner Camilliere left the meeting at 5:49 PM

REPORT FROM CHIEF EXECUTIVE OFFICER

Scott Jellison, Chief Executive Officer presented the monthly CEO Report

Commissioner Pappa arrived to the meeting at 6:01 PM

**2015 BUDGET ESTIMATES
REFERRAL TO BOARD OF FINANCE**

On motion made by Commissioner Magnan and duly seconded, the budget estimates for Fiscal Year 2015 were received and referred to the Board of Finance in accordance with Section 3-2 of the District Charter.

On motion made by District Chairman DiBella and duly seconded, agenda items #10A "2015 Operating Budget Transfer" and #10B "Capital Project Closeouts" were consolidated to be voted on together.

**BOARD OF FINANCE
2015 OPERATING BUDGET TRANSFER**

To: District Board

November 9, 2015

From: Board of Finance

The 2015 Metropolitan District operating budget is experiencing a deficit in the Legal and Employee Benefits budgets. The Legal deficit is the result of the increased legal services during the year. The Employee Benefits budget deficit is due increased medical claims in 2015.

CERTIFICATIONS:

In accordance with Section 3-8 of the Charter of The Metropolitan District, I hereby certify that there exists free from encumbrances, in the following appropriation, the amounts listed:

	General	Water	Total
Department 801 – Contingencies	<u>\$409,500.00</u>	<u>\$831,200.00</u>	<u>\$1,240,700.00</u>
Total	<u>\$409,500.00</u>	<u>\$831,200.00</u>	<u>\$1,240,700.00</u>

John M. Zinzarella
Chief Financial Officer

It is therefore RECOMMENDED that it be:

Voted: That the Board of Finance recommends to the District Board passage of the following resolution.

Resolved: That transfers within the 2015 Budget Appropriations be approved as follows:

From:	General	Water	Total
Department 801 – Contingencies	<u>\$318,080.00</u>	<u>\$745,920.00</u>	<u>\$1,064,000.00</u>
Total	<u>\$318,080.00</u>	<u>\$745,920.00</u>	<u>\$1,064,400.00</u>

To:	General	Water	Total
Department-141 Legal	\$68,600.00	\$71,400.00	\$140,000.00
Department-701 Employee Benefits	<u>249,480.00</u>	<u>674,520.00</u>	<u>924,000.00</u>
Total	<u>\$318,080.00</u>	<u>\$745,920.00</u>	<u>\$1,064,000.00</u>

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

**BOARD OF FINANCE
CLOSEOUT OF WATER, SEWER AND COMBINED PROGRAMS**

WATER CAPITAL PROJECT PROGRAMS

To: District Board

November 9, 2015

From: Board of Finance

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Project Number	Project Name	Year	BA	Town	Budget	Expended Amount	Remaining Balance
CWN0001187	2007 General Purpose Water Program	2007	2207	Various	\$ 1,258,700.00	\$ 1,141,967.21	\$ 116,732.79
	Subtotal BA 2207				\$ 1,258,700.00	\$ 1,141,967.21	\$ 116,732.79
WAT.CW1233.20	2008 GPW WMR REPL. VARIOUS WSFLD	2008	2208	Wethersfield	\$ 210,000.00	\$ -	\$ 210,000.00
WAT.CW1236.01	Canal Road Storage Tank #2 Improve - OLD	2008	2208	West Hartford	\$ 1,600,000.00	\$ 1,117,734.02	\$ 482,265.98
WAT.CW1236.02	Canal Road Storage Tank #2 Improve - NEW	2008	2208	West Hartford	\$ 482,265.98	\$ 158,660.52	\$ 323,605.46
WAT.CW1239.01	2008 Land Acquisition	2008	2208	Various	\$ 550,000.00	\$ 525,785.71	\$ 24,214.29
	Subtotal BA 2208				\$ 2,842,265.98	\$ 1,802,180.25	\$ 1,040,085.73
CWN0001152	Bloomfield Water Treatment Improvements	2005	2311	Bloomfield	\$ 3,600,000.00	\$ 1,978,451.33	\$ 1,621,548.67
	Subtotal BA 2311				\$ 3,600,000.00	\$ 1,978,451.33	\$ 1,621,548.67
CWN0001153	Water Distribution System Improvement	2005	2312	Various	\$ 3,000,000.00	\$ 2,091,771.24	\$ 908,228.76
	Subtotal BA 2312				\$ 3,000,000.00	\$ 2,091,771.24	\$ 908,228.76
WAT.CW1201.01	2008 Radio Frequency Automated Meter Rea	2008	2318	Various	\$ 5,000,000.00	\$ 4,997,726.65	\$ 2,273.35
	Subtotal BA 2318				\$ 5,000,000.00	\$ 4,997,726.65	\$ 2,273.35
CWN0001169	2006 - Water Pump Station Improvement	2006	2319	Various	\$ 1,500,000.00	\$ 1,194,683.35	\$ 305,316.65
	Subtotal BA 2319				\$ 1,500,000.00	\$ 1,194,683.35	\$ 305,316.65
CWN0001194	2006 Water Distribution Imps Oak St. II	2006	2320	West Hartford	\$ 3,800,000.00	\$ 1,986,728.73	\$ 1,813,271.27
	Subtotal BA 2320				\$ 3,800,000.00	\$ 1,986,728.73	\$ 1,813,271.27
CWN0001171	2006- 36" Water Main Replacement	2006	2321	Hartford	\$ 4,700,000.00	\$ 2,964,766.42	\$ 1,735,233.58
	Subtotal BA 2321				\$ 4,700,000.00	\$ 2,964,766.42	\$ 1,735,233.58
CWN0001185	2007 Water Supply Facility Improvements	2007	2324	Barkhamsted	\$ 1,450,000.00	\$ 1,449,894.96	\$ 105.04
	Subtotal BA 2324				\$ 1,450,000.00	\$ 1,449,894.96	\$ 105.04
CWN0001176	2007 Treatment Facility Upgrades	2007	2325	Various	\$ 1,100,000.00	\$ 1,100,000.00	\$ -
	Subtotal BA 2325				\$ 1,100,000.00	\$ 1,100,000.00	\$ -
CWN0001186	2007 Bloomfield Treatment Facility Imps	2007	2327	Bloomfield	\$ 5,000,000.00	\$ 4,776,715.21	\$ 223,284.79
	Subtotal BA 2327				\$ 5,000,000.00	\$ 4,776,715.21	\$ 223,284.79
WAT.CW1229.01	Planning & Testing	2008	2329	Various	\$ 600,000.00	\$ 184,011.80	\$ 415,988.20
	Subtotal BA 2329				\$ 600,000.00	\$ 184,011.80	\$ 415,988.20
WAT.CW1230.01	CSO- Related Assets	2008	2330	Various	\$ 1,540,000.00	\$ 541,506.49	\$ 998,493.51
WAT.CW1234.01	CSO - Related Assets	2008	2330	Various	\$ 188,605.00	\$ 142,321.97	\$ 46,283.03
WAT.CW1287.01	2008 CSO Assets Burton St. WMR	2008	2330	Various	\$ 3,264,326.25	\$ 2,497,156.09	\$ 767,170.16
	Subtotal BA 2330				\$ 4,992,931.25	\$ 3,180,984.55	\$ 1,811,946.70
CWN0001182	2007 A M Non-CSO Buckingham St Htfd	2007	2331	Hartford	\$ 1,030,000.00	\$ 52,637.37	\$ 977,362.63
CWN0001183	2007 A M Non-CSO Church St Htfd	2007	2331	Hartford	\$ 403,000.00	\$ 246,704.22	\$ 156,295.78
WAT.CW1212.01	2008 A M Non-CSO Tunxis Avenue, Bloom	2008	2331	Bloomfield	\$ 1,749,000.00	\$ 1,460,317.31	\$ 288,682.69
WAT.CW1237.01	Cold Spring Drive, Bloomfield	2008	2331	Bloomfield	\$ 1,500,000.00	\$ 522,894.18	\$ 977,105.82
	Subtotal BA 2331				\$ 4,682,000.00	\$ 2,282,553.08	\$ 2,399,446.92
WAT.CW1210.01	2008 East Farmington Water Main Install	2008	2335	Farmington	\$ 3,500,000.00	\$ 1,191,745.13	\$ 2,308,254.87
	Subtotal BA 2335				\$ 3,500,000.00	\$ 1,191,745.13	\$ 2,308,254.87
WAT.CW1196.01	2008 Filtered Water Basin Interconnectio	2008	2336	West Hartford	\$ 2,000,000.00	\$ 1,497,200.82	\$ 502,799.18
	Subtotal BA 2336				\$ 2,000,000.00	\$ 1,497,200.82	\$ 502,799.18
	Total Water Program				\$ 49,025,897.23	\$ 33,821,380.73	\$ 15,204,516.50

After reviewing the information contained herein

It is **RECOMMENDED** that it be

Voted: That the Board of Finance recommends to the District Board passage of the following resolution:

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

SEWER CAPITAL PROJECT PROGRAMS

To: Board of Finance for consideration on November 9, 2015

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Project Number	Project Name	Year	BA	Town	Budget	Expended Amount	Remaining Balance
CSN0001058	Clisd2003 SEWER REHABILITATION PROJECTS	2003	5103	Various	\$ 260,000.00	\$ 161,156.55	\$ 98,843.45
CSN0001112	Clisd 2003 SRP LaSalle Road West Hartford	2003	5103	West Hartford	\$ 80,000.00	\$ 3,113.73	\$ 76,886.27
	Subtotal BA 5103				\$ 340,000.00	\$ 164,270.28	\$ 175,729.72
CSN0001101	2006 -GPS Reserve	2006	5106	Various	\$ 300,000.00	\$ 195,373.83	\$ 104,626.17
CSN0001107	2006-GPS West Normandy Drive, WH	2006	5106	West Hartford	\$ 215,000.00	\$ 107,122.11	\$ 107,877.89
CSN0001111	2006-GPSP Huyshoppe St. Area Rehab	2006	5106	Hartford	\$ 2,825.00	\$ 2,825.00	\$ -
CSN0001113	Clisd2006 GPS- Backwater Valve Replacement	2006	5106	Various	\$ 300,000.00	\$ 290,500.09	\$ 9,499.91
WWA.CS1189.01	2006 GPS University of Htd PS	2006	5106	Hartford	\$ 347,175.00	\$ 166,224.05	\$ 180,950.95
	Subtotal BA 5106				\$ 1,165,000.00	\$ 762,045.08	\$ 402,954.92
WWA.CS1136.20	2008 GPS Fishfry Pump Station	2008	5108	Hartford	\$ 267,189.00	\$ 189,947.45	\$ 77,241.55
WWA.CS1142.01	2008 Curcombe Street WWPS - Hartford	2008	5108	Hartford	\$ 800,000.00	\$ 12,897.24	\$ 787,102.76
WWA.CS1147.01	Backwater Valve Program	2008	5108	Various	\$ 350,000.00	\$ 238,310.00	\$ 111,690.00
	Subtotal BA 5108				\$ 1,417,189.00	\$ 441,154.69	\$ 976,034.31
LTC0000002	CSO ABATEMENT-(82-2)	2006	5200	Wethersfield	\$ 5,000,000.00	\$ 4,805,057.64	\$ 194,942.36
LTC0000003	Wethersfield Cove	2006	5200	Wethersfield	\$ 5,000,000.00	\$ 4,573,586.47	\$ 426,413.53
	Subtotal BA 5200				\$ 10,000,000.00	\$ 9,378,644.11	\$ 621,355.89
CSA0000406	MOUNTAIN FARMS,WH	1999	5630	West Hartford	\$ 2,257,930.00	\$ 116,749.98	\$ 2,141,180.02
CSA0000417	CLSD 2002 ASSESSABLE SEWER PROGRAM	2002	5630	Various	\$ 87,000.00	\$ 50,869.40	\$ 36,130.60
CSA0000421	2003 TUNXIS ROAD, WEST HARTFORD	2003	5630	West Hartford	\$ 800,000.00	\$ 166,572.39	\$ 633,427.61
CSA0000423	Clisd2004 Assessable Sewer Program	2004	5630	Various	\$ 81,000.00	\$ 9,956.00	\$ 71,044.00
CSA0000430	2000 ASP-RESERVOIR #6-OUTLET SEWER	2000	5630	Bloomfield	\$ 1,165,500.00	\$ 937,387.74	\$ 228,112.26
WWA.CSA440.01	Clisd2008 Assessable Sewer Program Admin.	2008	5630	Various	\$ 300,000.00	\$ 149,916.35	\$ 150,083.65
WWA.CSA441.01	Assessable Sewer Projects	2008	5630	Various	\$ 2,600,000.00	\$ 1,837,665.13	\$ 762,334.87
	Subtotal BA 5630				\$ 7,291,430.00	\$ 3,269,116.99	\$ 4,022,313.01
CSN0001048	SILAS DEANE HIGHWAY WWPS (Executive)	2002	5708	Wethersfield	\$ 2,000,000.00	\$ 580.00	\$ 1,999,420.00
	Subtotal BA 5708				\$ 2,000,000.00	\$ 580.00	\$ 1,999,420.00
CSN0001049	2002 UPPER ALBANY AREA CSO-PHASE I CONST	2002	5709	Hartford	\$ 4,360,000.00	\$ 4,213,417.39	\$ 146,582.61
	Subtotal BA 5709				\$ 4,360,000.00	\$ 4,213,417.39	\$ 146,582.61
CSN0001092	Inflow & Infiltration Master Plan	2005	5720	Various	\$ 5,000,000.00	\$ 4,271,536.92	\$ 728,463.08
	Subtotal BA 5720				\$ 5,000,000.00	\$ 4,271,536.92	\$ 728,463.08
CSN0001104	2006-Airport Rd. Pump Station Imp.	2006	5726	Hartford	\$ 1,000,000.00	\$ 882,500.81	\$ 117,499.19
	Subtotal BA 5726				\$ 1,000,000.00	\$ 882,500.81	\$ 117,499.19
	Total Sewer Program				\$ 32,573,619.00	\$ 23,383,266.27	\$ 9,190,352.73

After reviewing the information contained herein

It is **RECOMMENDED** that it be

Voted: That the Board of Finance recommends to the District Board passage of the following resolution:

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

COMBINED CAPITAL PROJECT PROGRAMS

To: Board of Finance for consideration on November 9, 2015

The District has undertaken the task of updating its Capital Improvement Project (CIP) records. The task includes the identification of projects which have been completed, cancelled, or had a change of scope. Based upon the review, District staff now recommends that the following projects be closed.

Project Number	Project Name	Year	BA	Town	Budget	Expended Amount	Remaining Balance
COM.CFP136.01	2008 Board Room Communication Improvemen	2008	5650	Hartford	\$ 300,000.00	\$ 4,279.00	\$ 295,721.00
	Subtotal BA 5650				\$ 300,000.00	\$ 4,279.00	\$ 295,721.00
COM.CFP133.01	2008 District Facility Improvements	2008	5651	Various	\$ 600,000.00	\$ 590,551.30	\$ 9,448.70
COM.CFP147.01	Upgrade Motor Oil Dispensing System	2008	5651	Various	\$ 400,000.00	\$ 272,054.00	\$ 127,946.00
	Subtotal BA 5651				\$ 1,000,000.00	\$ 862,605.30	\$ 137,394.70
	Total Combined Program				\$ 1,300,000.00	\$ 866,884.30	\$ 433,115.70

After reviewing the information contained herein

It is **RECOMMENDED** that it be

Voted: That the Board of Finance recommends to the District Board passage of the following resolution:

Resolved: That the District Board approves appropriation closeouts for the projects listed above.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Sweezy and duly seconded, agenda items #10A “2015 Operating Budget Transfer” and #10B “Capital Project Closeouts” were received and the resolutions adopted by majority vote of those present.

Commissioner Adil opposed.

**BUREAU OF PUBLIC WORKS
REQUEST FOR AUTHORIZATION TO REIMBURSE DEVELOPER
FOR INCREASE IN SANITARY SEWER**

To: District Board

November 9, 2015

From: Bureau of Public Works

TCW, LLC and West Street Developers, LLC, (jointly the “Developer”) entered into a multi-Phase Developer’s Permit Agreement with the District on June 11, 2015. The agreement allows for the installation of approximately 2,234 feet of 8-inch diameter and 259 feet of 12-inch diameter sanitary sewer in Cromwell Avenue (CT Route 3) and private lands, Rocky Hill. This installation is required to support the Developer’s planned commercial and residential housing development known as Town Center West, Rocky Hill. Phase 1 contains the sanitary sewer within the limits of Cromwell Avenue and was constructed first to stay ahead of roadway restoration within the State highway. Phase 1 construction was completed in August of this year. Phase 2 contains the remainder of the sanitary sewer within private lands and its installation will be accomplished under a separate Developers’ Permit Agreement.

As part of the agreement, MDC staff requested that the Developer increase the size and length (approximately 330 feet) of proposed sanitary sewer main to route the development’s wastewater flows south to the District’s Rocky Hill Water Pollution Control Facility (RHWPCF) service area (South Route) versus routing the flow north to the Mattabassett District’s treatment plant service area (North Route). The 8-inch diameter sewer pipe in Cromwell Avenue was also requested to be increased to 12-inches in diameter to accommodate future flows from potential service areas located north of the development to the RHWPCF. The North and South Routes were compared from their respective proposed connection points on Cromwell Avenue to a common upstream manhole on private property (Manhole #4).

As noted above the development of the South Route as the preferred alternative was initiated by Staff following a review of the Mattabassett District Sewer Agreement and potential increase in annual sewer costs to the MDC as a result of this project. The projected annual average cost savings to the MDC is approximately \$26,000 per year to transport and treat sanitary flows from this development to the RHWPCF. This savings does not include additional cost avoidance by the District for payments to Mattabassett for increases associated with capital improvements and/or operation and maintenance costs.

It was the understanding that the Developer would undertake installation of the sewer main in accordance with the District's preferred South Route, and the District would pay the additional costs associated with the increased size and length of the sanitary sewer that constitute betterments to the District's sanitary sewer collection system. The Developer's Permit Agreements were written to allow the Developer to seek progress reimbursement payments for the differences in costs between the North and South Routes for sewer work built in Phase I and for the remainder of the sewer work in Phase 2 to the common Manhole #4.

The first of up to three reimbursement requests is for the sum of \$42,160 in engineering costs and \$490,342 for construction costs associated with Phase 1, totaling \$532,502. Staff has carefully reviewed the Developer's costs for the engineering and construction of the increased sewer length and size. In accordance with Section 8a of the Ordinances of the Metropolitan District related to Sewers, it is the District staff's opinion that the betterments constitute special circumstances and that such reimbursement approval is subject to the approval of the Bureau of Public Works.

This Phase 1 payment of \$532,502 will not represent any increase in CIP appropriation since Staff has already earmarked the funding from previous years authorizations in the Capital Improvement General Purpose Sewer Program for improvements to the District's sanitary sewer system.

At a meeting of the Bureau of Public Works held on November 9, 2015,
it was:

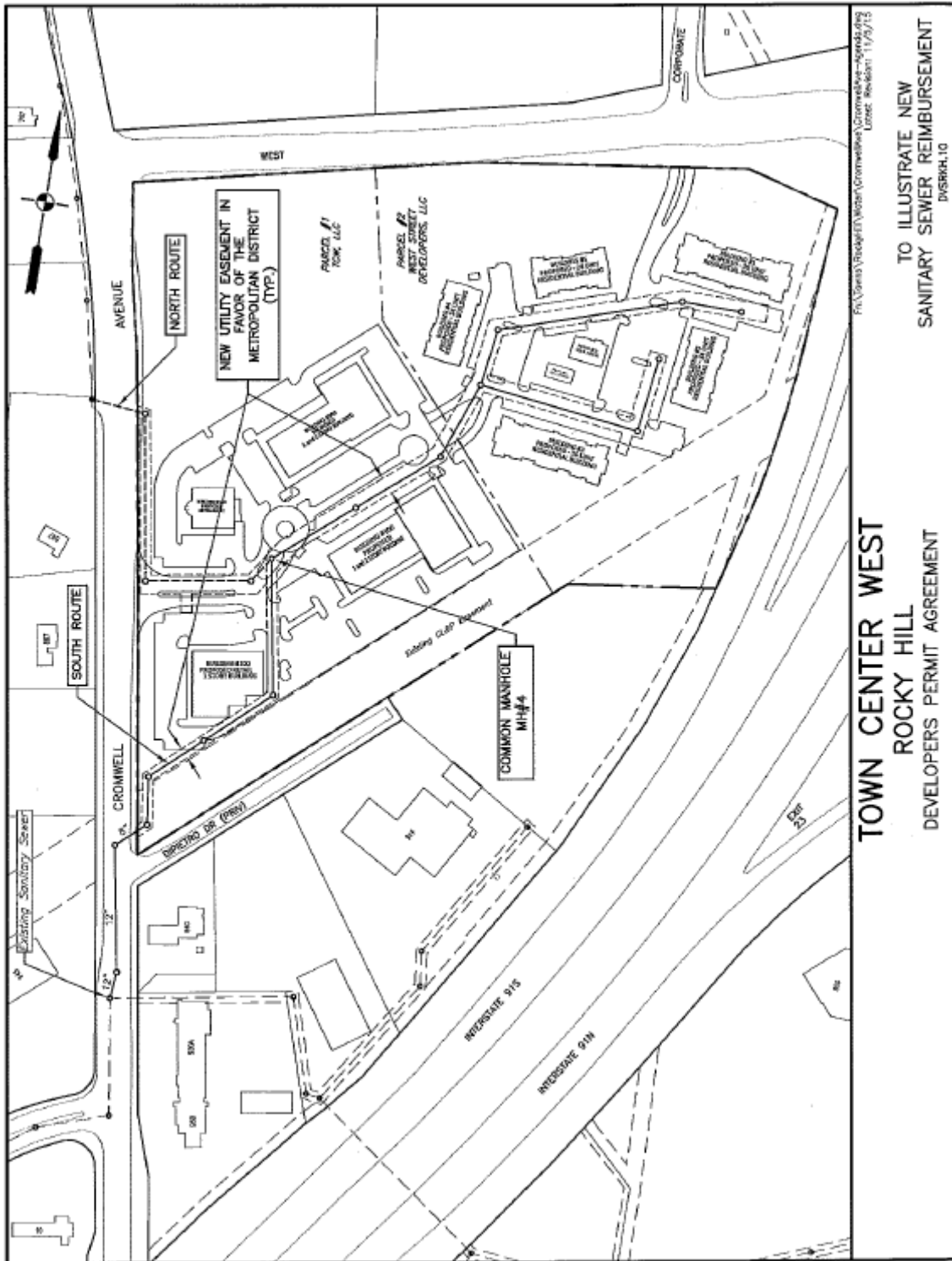
VOTED: That the District reimburse the Developer, TCW, LLC and West Street Developers, LLC, the sum of \$532,502 for Phase 1 improvements to the sewer collection system in Cromwell Avenue, Rocky Hill, subject to Developer and its contractors executing and/or delivering to the District all necessary documents to commence installation of sanitary sewer for Phase 2.

AND

VOTED: To recommend to the District Board, to authorize that the \$532,502 due the Developer, TCW, LLC and West Street Developers, LLC, be paid from the previous years' authorizations in the Capital Improvement General Purpose Sewer Program designated for improvements to the District's sewer system.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk



On motion made by Commissioner Price and duly seconded, the report was received and the resolution adopted by unanimous vote of those present.

Commissioner Vicino exited the meeting at 6:42PM prior to any discussion due to a conflict of interest and abstained from voting.

**BUREAU OF PUBLIC WORKS
ENGINEERING AND FEASIBILITY ANALYSIS FOR PORTIONS OF BLOOMFIELD**

EXECUTIVE SESSION

At 6:44 P.M., Chairman DiBella requested an executive session.

On motion made by Commissioner Shay and duly seconded, the District Board entered into executive session in order to discuss the engineering and feasibility analysis for portions of Bloomfield.

Those in attendance during the executive session:

Commissioners Andrew Adil, Luis Caban, Daniel Camilliere, Mary Anne Charron, Donald M. Currey, William A. DiBella, Allen Hoffman, Jean Holloway, Joseph H. Kronen, Byron Lester, Maureen Magnan, James S. Needham, J. Lawrence Price, Hector Rivera, Helene Shay, Raymond Sweezy, Alvin E. Taylor and Richard W. Vicino; Attorneys John S. Mirtle, Christopher R. Stone and R. Bartley Halloran; Scott Jellison, John M. Zinzarella, Sue Negrelli and Mike Curley.

RECONVENE

At 7:05 P.M., Chairman DiBella requested to come out of executive session and on motion made by Commissioner Shay and duly seconded, the District Board came out of executive session and reconvened. No formal action was taken.

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
E&E JOB SPECIFICATIONS AND DESIGNATED SALARIES**

To: District Board

November 9, 2015

From: Personnel, Pension and Insurance Committee

Staff is recommending that the Personnel Pension and Insurance Committee approve the job specifications and designated salaries for Exempt and Excluded and unclassified employees. The job specifications were originally presented to, and approved by, PPI on February 10, 2014 and the District Board on March 3, 2014. The job specifications presented in 2014 did not include corresponding salaries.

At a meeting of the Personnel, Pension and Insurance Committee held on November 9, 2015, it was:

VOTED: That the Personnel, Pension and Insurance Committee recommends to the District Board passage of the following resolution:

RESOLVED: That the job specifications and designated salaries for Exempt and Excluded and unclassified employees be adopted.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Sweezy and duly seconded, the report was received, as amended by the Personnel, Pension and Insurance Committee, and the resolution adopted by unanimous vote of those present.

**PERSONNEL, PENSION AND INSURANCE COMMITTEE
AMENDMENT TO PENSION PLAN**

To: District Board November 9, 2015
From: Personnel, Pension and Insurance Committee

WHEREAS, The Metropolitan District (the "MDC") is the sponsor of the Retirement Plan for Employees of The Metropolitan District (the "Retirement Plan"); and

WHEREAS, the District Board of the MDC has the authority to adopt amendments to the Retirement Plan upon the recommendation of the Personnel, Pension and Insurance Committee of the MDC (the "PPI Committee"); and

WHEREAS, the PPI Committee has recommended to the District Board of the MDC: (a) that the Retirement Plan be amended and restated in order to reflect the requirements of the Pension Protection Act of 2006 ("PPA"), the Heroes Earnings Assistance and Relief Tax Act of 2008 (the "HEART Act"), the Worker, Retiree, and Employer Recovery Act of 2008 ("WRERA"), and subsequently-enacted legislation and regulations; and (b) that the Retirement Plan be submitted to the Internal Revenue Service during the Cycle E remedial amendment period for the issuance of a favorable determination letter; and

WHEREAS, it is desirable that the District Board of the MDC adopt the amendment and restatement of the Retirement Plan and authorize the submission of the Retirement Plan to the Internal Revenue Service during the Cycle E remedial

amendment period for the issuance of a favorable determination letter, as recommended by the PPI Committee.

NOW, THEREFORE, BE IT

RESOLVED: That the amendment and restatement of the Retirement Plan, in the form recommended by the PPI Committee and presented to this meeting, be and hereby is approved and adopted, together with any modifications that are determined by counsel for the MDC to be necessary or desirable to effectuate the intention thereof and to comply with the requirements of the Internal Revenue Code of 1986, as amended; and further

RESOLVED: That the chief executive officer of the MDC or any other officer designated by the chief executive officer be, and each of them hereby is, authorized and empowered, for and on behalf of the MDC, to take any and all actions which may be necessary or desirable in order to permit the MDC to submit an application to the Internal Revenue Service requesting a favorable determination regarding the continued qualification of the Retirement Plan; and further

RESOLVED: That the chief executive officer of the MDC in consultation with the Chairman of the Personnel, Pension and Insurance Committee and District Chairman be, and each of them hereby is, authorized and empowered, for and on behalf of the MDC, to execute the amendment and restatement of the Retirement Plan, to execute such other documents, and to take any and all other actions which may be necessary or desirable to effectuate the intention of the foregoing resolutions.

Respectfully submitted,

John S. Mirtle, Esq.
District Clerk

On motion made by Commissioner Kronen and duly seconded, the report was received, as amended by the Personnel, Pension and Insurance Committee, and the resolution adopted by unanimous vote of those present.

ADJOURNMENT

The meeting was adjourned at 7:08 P.M.

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval