



**BOARD OF FINANCE
REGULAR MEETING
MONDAY, AUGUST 26, 2024
5:30 PM**

<u>Location</u>	<u>Commissioners</u>	<u>Citizen Members</u>
Board Room District Headquarters 555 Main Street, Hartford	Adil Currey (Ex-Officio) Hoffman (VC) Salemi (C)	Iacovazzi King-Corbin Russo Tsegai
Dial in #: (415)-655-0001 Access Code: 2306 963 5661# Meeting Video Link	Quorum: 5	

1. CALL TO ORDER
2. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
3. APPROVAL OF MEETING MINUTES OF JULY 29, 2024
4. CONSIDERATION AND POTENTIAL ACTION RE: SUPPLEMENTAL APPROPRIATION FOR 2023 CAPITAL IMPROVEMENT PROGRAM - ROCKY HILL WPCF
5. CONSIDERATION AND POTENTIAL ACTION RE: SUPPLEMENTAL APPROPRIATION FOR 2024 CAPITAL IMPROVEMENT PROGRAM - SEWER BACKUP PREVENTION PROGRAM
6. REPORT RE: RECENT GENERAL OBLIGATION BOND SALE
7. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
8. COMMISSIONER REQUESTS FOR FUTURE AGENDA ITEMS
9. ADJOURNMENT

**BOARD OF FINANCE
 SUPPLEMENTAL APPROPRIATION OF \$4,000,000 FOR 2023 CAPITAL
 IMPROVEMENT PROGRAM – WASTEWATER TREATMENT AND AUTHORIZATION
 FOR ISSUANCE OF BONDS OR NOTES NOT TO EXCEED \$4,000,000**

To: Board of Finance for consideration on August 29, 2024

The following is a request to increase the 2023 Capital Improvement Program by \$4,000,000. This supplemental appropriation will add **\$4,000,000** to the Wastewater Plan’s project **C-23S07**, Rocky Hill Water Pollution Control Facilities Preliminary and Electrical Upgrades, for a total project appropriation of **\$17,125,000**, as follows:

Original Appropriation

Capital Improvement Program – Wastewater Plan		
<i>Approved December 5, 2022</i>	<i>Appropriation</i>	<i>Fund</i>
Rocky Hill Water Pollution Control Facilities Preliminary and Electrical Upgrades	\$13,125,000	2110

Supplemental Appropriation

Capital Improvement Program – Wastewater Plan		
<i>Supplemental Appropriation</i>	<i>Request</i>	<i>Fund</i>
Rocky Hill Water Pollution Control Facilities Preliminary and Electrical Upgrades	\$ 4,000,000	2110

Description

Additional funding is needed for engineering professional fees, inspection services, mechanical, electrical, structural and architectural improvements, material testing and construction costs, instrumentation, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other cost related to the project.

Purpose

To update the headworks facility at the Rocky Hill Water Pollution Facility.

Future Appropriations

No additional appropriation requests are anticipated over the next year

Bond Language

The sum of \$4,000,000 is hereby appropriated to update the headworks facilities at the Rocky Hill Water Pollution Control Facility, including but not limited to engineering professional fees, inspection services, mechanical, electrical, structural and architectural improvements, material testing and construction costs, instrumentation, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other cost related to the project. District resources may be utilized for the projects. District costs may include salary, benefits and overhead.

Funding Sources

Project is eligible for a loan under the State of Connecticut Clean Water Fund. However,

funding is a condition of priority ranking and fund availability.

It is **RECOMMENDED** that it be

Voted: That the Board of Finance recommends to the District Board passage of the following resolutions from Bond Counsel:

RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION OF \$4,000,000 FOR THE DISTRICT'S 2023 CAPITAL IMPROVEMENT PROGRAM – WASTEWATER TREATMENT PROJECT AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$4,000,000 TO FINANCE SAID APPROPRIATION

WHEREAS, the District Board has resolved to make a supplemental appropriation and issue bonds or notes of the District for the Capital Improvement Program – Wastewater Treatment Project described in Resolution No. 1 herein; and

WHEREAS, the District Board wishes to determine the form, date or dates, maturities, manner of sale and other details concerning such bonds or notes.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. \$4,000,000 is hereby appropriated for the Capital Improvement Program projects set forth herein in the 2023 Capital Improvement Plan Project Resolution No. 1 (referred to herein as the "Resolution"), and bonds or notes of the District in an amount not to exceed \$4,000,000 are authorized to be issued to finance said appropriation. This appropriation is in addition to the appropriation of \$144,573,750 approved on December 5, 2022 by the District's Board of Directors. The bonds are authorized to be issued in one or more series in accordance with the applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, "Connecticut laws"), and the District's Charter. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by the District Board acting in accordance with the District's Charter. Said bonds shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The bonds may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board, in accordance with Connecticut laws and the District's Charter. Each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with and that such bond is within every debt and other limit prescribed by law. The aggregate principal amount of the bonds to be issued, the form of issuance as serial, term or discount bonds, the dated date, final maturity, annual installments of principal,

whether interest on the bonds will be fixed or variable, the rate or rates of interest, or method of determining interest rates thereon, whether such interest shall be excluded or included in gross income for federal income tax purposes, denominations, terms of redemption, if any, the date, time of issue and sale and all other terms, details and particulars of such bonds shall be determined by the District Board, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. It is hereby found and determined that the issuance of any such bonds the interest on which is included in gross income for federal income tax purposes is in the public interest. The bonds may be sold by competitive bid or negotiated sale, as determined by the District Board. If sold by negotiated sale, the form and details of the bond purchase agreement for the sale of the bonds shall be determined by the District Board.

Section 2. The Treasurer and the Deputy Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes or certificates of indebtedness evidencing such borrowings may be sold by competitive bid or negotiated sale, as determined by the Treasurer or Deputy Treasurer, in such manner as shall be determined by said officers. Said notes or certificates of indebtedness shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer, and bear the District seal or a facsimile thereof. The notes or certificates of indebtedness may be secured by the full faith and credit of the District and/ or by special revenues of the District pledged thereto by the District Board, in accordance with Connecticut laws and the District's Charter. Each of the notes shall recite that every requirement of law relating to its issue has been duly complied with and that such note is within every debt and other limit prescribed by law. The net interest cost on such notes or certificates of indebtedness, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on such notes or certificates of indebtedness then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 3. In connection with the issuance of the bonds, notes or certificates of indebtedness authorized hereunder and pursuant to the Resolution ("Authorized Obligations"), the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on, the District necessary to obtain standby bond purchase agreements, letters of credit, lines of credit, financial guaranty insurance policies, guarantees of the District or third parties, surety agreements or any similar agreements ("Credit Facilities") with one or more financial institutions providing Credit Facilities ("Credit Facility Providers") to provide for additional security for and the purchase upon tender of the Authorized Obligations, if any, under circumstances set forth in the Indentures (defined herein). Credit Facilities shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer.

Section 4. In connection with the issuance of Authorized Obligations, interim

funding obligations and project loan obligations under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended, the so-called "Drinking Water Program" ("Drinking Water Obligations") or under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended, the so-called "Clean Water Fund Program" ("Clean Water Fund Obligations"), the District Board is hereby authorized to approve the terms and conditions of indentures of trust or other instruments of trust ("Indentures") with commercial banks or national banking associations with trust powers or trust companies to be appointed by the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer ("Trustees"), which provide for, among other things, the rate of rates of interest, or method of determining interest rates thereon, procedures for conducting auctions in an auction rate mode, the denominations, the tender rights of holders, if any, the rights of redemption and redemption prices, the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District necessary to issue the variable rate bonds, and the execution of various other instruments. Indentures shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer. The Chairman or Vice Chairman and the Treasurer or Deputy Treasurer are authorized to execute and deliver to the State of Connecticut a project loan and project grant agreement and/or project loan and subsidy agreement under the State's Clean Water Fund Program and the State's Drinking Water Program and apply for and accept or reject any federal, state or other grants-in-aid for the project.

Section 5. In connection with the issuance of Authorized Obligations bearing interest at variable interest rates, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to enter into, remarketing agreements, broker-dealer agreements, auction agency agreements and other agreements (the "Reoffering Agreements") with remarketing agents, investment banking firms or other financial institutions to be appointed by the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer ("Reoffering Agents"), which provide for, among other things, the terms and conditions for reoffering Authorized Obligations bearing interest at variable interest rates, the Reoffering Agents' compensation and the disclosure of the District's financial condition. Reoffering Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer.

Section 6. In connection with the issuance of Authorized Obligations, if permitted by Connecticut laws and the District's Charter, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to obtain an interest rate swap agreement, together with applicable annexes, schedules and confirmations thereto, contracts to manage interest rate risk, including interest rate caps, options, puts, calls or similar arrangements, or such other agreements permitted by Connecticut laws and the District's Charter ("Swap Agreements"), with one or more counterparties to be selected by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer, as Swap Provider (the "Swap Providers"), which provides for, among other things, the effective date or dates of the Swap Agreements, the rate of interest to be paid by the District to the

Swap Providers on the principal amount of the bonds (which may be a fixed rate or a variable rate based on an index determined by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer), the rate of interest to be received by the District from the Swap Providers (which may be a fixed rate or a variable rate based on an index determined by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer), the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District and the execution of various other instruments. Swap Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer. To the extent provided by Connecticut laws, the full faith and credit of the District may be pledged to any and all payments to be made by the District with respect to the Swap Agreements, including, any termination or netting payments to be made by the District.

Section 7. The Chairman or Vice Chairman and Treasurer or Deputy Treasurer are hereby authorized, on behalf of the District, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") or any other information depository, and to provide notices to the MSRB or such depository of material events as enumerated in the Securities and Exchange Commission Securities Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds, notes and certificates of indebtedness authorized by this Resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The District hereby expresses its official intent pursuant to Treasury Regulations Section 1.150-2 to reimburse expenditures of not more than \$4,000,000 paid up to 60 days prior to the date of passage of this Resolution in connection with the Resolution with the proceeds of Authorized Obligations, Drinking Water Obligations or Clean Water Fund Obligations. Said obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or such later date as such Regulations may authorize. The District hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Chairman or Vice Chairman and the Treasurer or Deputy Treasurer is each individually authorized to pay project expenses in accordance herewith pending the issuance of the Authorized Obligations. This Section is included herein solely for purposes of compliance with Treasury Regulations Section 1.150-2 and may not be used or relied on for any other purpose.

Section 9. In connection with the issuance of Authorized Obligations, Drinking Water Obligations or Clean Water Fund Obligations, the District Board is hereby authorized to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary to enable bond counsel to render its opinions as to the validity of said obligations and the exclusion of the interest thereon, if applicable, from gross income for federal income tax purposes, (b) make, execute and deliver all such additional and supplemental documents, including, but not limited to, any tax compliance agreements,

tax certificates, tax forms, investment agreements or assignments, and (c) do and perform such acts and take such actions as may be necessary or required for the consummation of the transactions provided for and contemplated by this Resolution.

Section 10. The provisions contained in Sections 1 through 9 of this Resolution shall apply to the 2023 Supplemental Capital Improvement Program Project Resolution No. 1 herein; and the District Board hereby finds and determines that each project described in Resolution No. 1 is a single item of capital expense not regularly recurring.

2023 SUPPLEMENTAL CAPITAL IMPROVEMENT PROGRAM RESOLUTION NO. 1

RESOLUTION APPROPRIATING AN ADDITIONAL \$4,000,000 FOR VARIOUS UPGRADES TO THE ROCKY HILL WATER POLLUTION CONTROL FACILITY AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$4,000,000 TO FINANCE SAID APPROPRIATION

Section 1. The sum of \$4,000,000 is hereby appropriated to update the headworks facilities at the Rocky Hill Water Pollution Control Facility, including but not limited to engineering professional fees, inspection services, mechanical, electrical, structural and architectural improvements, material testing and construction costs, instrumentation, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other costs related to the project. District resources may be utilized for the projects. District costs may include salary, benefits and overhead.

Section 2. To finance said appropriation, \$4,000,000 of bonds or notes of the District are authorized to be issued in accordance with applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, "Connecticut laws"), and the District's Charter. The form, date, maturities and other details of such authorized but unissued bonds or notes shall be hereafter determined by the District Board acting in accordance with the District's Charter.

Section 3. The Chairman or the Vice Chairman and the Treasurer or the Deputy Treasurer are authorized in the name and on behalf of the District to apply for and accept any and all federal and state loans and/or grants-in-aid for the project and are further authorized to expend said funds in accordance with the terms thereof. To meet any portion of the costs of the project determined by the State of Connecticut Department of Energy and Environmental Protection to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the "Clean Water Fund Program"), the District may issue bonds, notes or certificates of indebtedness authorized hereby in the form of interim funding obligations in anticipation of project loan obligations ("Clean Water Fund Obligations") as the District Board shall determine, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. Clean Water Fund Obligations, project loan and project grant agreements and any other instruments, agreements or certificates under the Clean Water

Fund Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or the Vice Chairman and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Clean Water Fund Obligations to be issued, the dated date, final maturity, rate or rates of interest, the date, time of issue and sale and all other terms, details and particulars of such Clean Water Fund Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the District Board, following recommendation of the Board of Finance. Clean Water Fund Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Clean Water Fund Obligations shall recite that every requirement of law relating to its issue has been duly complied with and that such obligation is within every debt and other limit prescribed by law.

Respectfully submitted,

A handwritten signature in black ink that reads "John Mirtle". The signature is written in a cursive, slightly slanted style.

John S. Mirtle, Esq.
District Clerk

**BOARD OF FINANCE
 SUPPLEMENTAL APPROPRIATION OF \$1,000,000 FOR 2024 CAPITAL
 IMPROVEMENT PROGRAM – INTEGRATED PLAN AND AUTHORIZATION FOR
 ISSUANCE OF BONDS OR NOTES NOT TO EXCEED \$1,000,000**

To: Board of Finance for consideration on August 29, 2024

The following is a request to increase the 2024 Capital Improvement Program by \$1,000,000. This supplemental appropriation will add **\$1,000,000** to the Integrated Plan’s project **C-24X02**, Sewer Backup Prevention Program – District Wide, for a total project appropriation of **\$2,500,000**, as follows:

Original Appropriation

Capital Improvement Program – Integrated Plan		
<i>Approved December 4, 2023</i>	<i>Appropriation</i>	<i>Fund</i>
Sewer Backup Prevention Program – District Wide	\$1,500,000	2600

Supplemental Appropriation

Capital Improvement Program – Integrated Plan		
<i>Supplemental Appropriation</i>	<i>Request</i>	<i>Fund</i>
Sewer Backup Prevention Program – District Wide	\$1,000,000	2600

Description

Additional funding is needed for the inspection of private property sewer laterals in order to identify defects and/or infiltration sources District-wide. The program will also include the installation and/or replacement of laterals, backwater valves, and/or additional work required to remove private inflow sources as needed to protect customers from sewer surcharging and other cost related to the project.

Purpose

To inspect private property sewer laterals in order to identify defects and/or infiltration sources District-wide.

Future Appropriations

Additional appropriation requests are anticipated over the next years.

Bond Language

The sum of \$1,000,000 is hereby appropriated for the Sewer Backup Prevention Program, including costs associated with the inspection of private property sewer laterals, installation and/or replacement of laterals, backwater valves, construction costs, engineering and professional fees, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other costs related to the projects. District resources may be utilized for the projects. The District costs may include salary, benefits and overhead.

It is **RECOMMENDED** that it be

Voted: That the Board of Finance recommends to the District Board passage of the following resolutions from Bond Counsel:

RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION OF \$1,000,000 FOR THE DISTRICT'S 2024 CAPITAL IMPROVEMENT PROGRAM – INTEGRATED PLAN AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$1,000,000 TO FINANCE SAID APPROPRIATION

WHEREAS, the District Board has resolved to make a supplemental appropriation and issue bonds or notes of the District for those Capital Improvement Program – Integrated Plan project described in Resolution No. 1 herein; and

WHEREAS, the District Board wishes to determine the form, date or dates, maturities, manner of sale and other details concerning such bonds or notes.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. \$1,000,000 is hereby appropriated for the District's 2024 Capital Improvement Program – Integrated Plan project set forth herein in the 2024 Supplemental Capital Improvement Program – Integrated Plan Project Resolution No. 1 (the "Resolution"), and bonds or notes of the District in an amount not to exceed \$1,000,000 are authorized to be issued to finance said appropriation. This appropriation is in addition to the appropriation of \$153,517,000 approved on December 4, 2023 by the District's Board of Directors. The bonds are authorized to be issued in one or more series in accordance with the applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, "Connecticut laws"), and the District's Charter. The form, date, maturities and other details of such authorized but unissued bonds shall be hereafter determined by the District Board acting in accordance with the District's Charter. Said bonds shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The bonds may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board, in accordance with Connecticut laws and the District's Charter. Each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with and that such bond is within every debt and other limit prescribed by law. The aggregate principal amount of the bonds to be issued, the form of issuance as serial, term or discount bonds, the dated date, final maturity, annual installments of principal, whether interest on the bonds will be fixed or variable, the rate or rates of interest, or method of determining interest rates thereon, whether such interest shall be excluded or included in gross income for

federal income tax purposes, denominations, terms of redemption, if any, the date, time of issue and sale and all other terms, details and particulars of such bonds shall be determined by the District Board, in accordance with Connecticut laws and the District's Charter, following recommendation of the Board of Finance. It is hereby found and determined that the issuance of any such bonds the interest on which is included in gross income for federal income tax purposes is in the public interest. The bonds may be sold by competitive bid or negotiated sale, as determined by the District Board. If sold by negotiated sale, the Chairman or Vice Chairman and Treasurer or Deputy Treasurer are hereby authorized, on behalf of the District, to enter into a bond purchase agreement for the sale of the bonds.

Section 2. The Treasurer and the Deputy Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes or certificates of indebtedness evidencing such borrowings may be sold by competitive bid or negotiated sale, as determined by the Treasurer or Deputy Treasurer, in such manner as shall be determined by said officers. Said notes or certificates of indebtedness shall be issued in fully registered form, be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer, and bear the District seal or a facsimile thereof. The notes or certificates of indebtedness may be secured by the full faith and credit of the District and/ or by special revenues of the District pledged thereto by the District Board, in accordance with Connecticut laws and the District's Charter. Each of the notes shall recite that every requirement of law relating to its issue has been duly complied with and that such note is within every debt and other limit prescribed by law. The net interest cost on such notes or certificates of indebtedness, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on such notes or certificates of indebtedness then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 3. In connection with the issuance of the bonds, notes or certificates of indebtedness authorized hereunder and pursuant to the Resolution ("Authorized Obligations"), the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on, the District necessary to obtain standby bond purchase agreements, letters of credit, lines of credit, financial guaranty insurance policies, guarantees of the District or third parties, surety agreements or any similar agreements ("Credit Facilities") with one or more financial institutions providing Credit Facilities ("Credit Facility Providers") to provide for additional security for and the purchase upon tender of the Authorized Obligations, if any, under circumstances set forth in the Indentures (defined herein). Credit Facilities shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer.

Section 4. In connection with the issuance of Authorized Obligations, interim funding obligations and project loan obligations under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended, the so-called

“Drinking Water Program” (“Drinking Water Obligations”) or under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended, the so-called “Clean Water Fund Program” (“Clean Water Fund Obligations”), the District Board is hereby authorized to approve the terms and conditions of indentures of trust or other instruments of trust (“Indentures”) with commercial banks or national banking associations with trust powers or trust companies to be appointed by the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer (“Trustees”), which provide for, among other things, the rate of rates of interest, or method of determining interest rates thereon, procedures for conducting auctions in an auction rate mode, the denominations, the tender rights of holders, if any, the rights of redemption and redemption prices, the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District necessary to issue the variable rate bonds, and the execution of various other instruments. Indentures shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer. The Chairman or Vice Chairman and the Treasurer or Deputy Treasurer are authorized to execute and deliver to the State of Connecticut a project loan and project grant agreement and/or project loan and subsidy agreement under the State’s Clean Water Fund Program and the State’s Drinking Water Program and apply for and accept or reject any federal, state or other grants-in-aid for the project.

Section 5. In connection with the issuance of Authorized Obligations bearing interest at variable interest rates, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to enter into, remarketing agreements, broker-dealer agreements, auction agency agreements and other agreements (the “Reoffering Agreements”) with remarketing agents, investment banking firms or other financial institutions to be appointed by the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer (“Reoffering Agents”), which provide for, among other things, the terms and conditions for reoffering Authorized Obligations bearing interest at variable interest rates, the Reoffering Agents’ compensation and the disclosure of the District’s financial condition. Reoffering Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer.

Section 6. In connection with the issuance of Authorized Obligations, if permitted by Connecticut laws and the District’s Charter, the District Board is hereby authorized to approve the terms and conditions of, including necessary covenants, limitations and restrictions on the District necessary to obtain an interest rate swap agreement, together with applicable annexes, schedules and confirmations thereto, contracts to manage interest rate risk, including interest rate caps, options, puts, calls or similar arrangements, or such other agreements permitted by Connecticut laws and the District’s Charter (“Swap Agreements”), with one or more counterparties to be selected by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer, as Swap Provider (the “Swap Providers”), which provides for, among other things, the effective date or dates of the Swap Agreements, the rate of interest to be paid by the District to the Swap Providers on the principal amount of the bonds (which may be a fixed rate or a variable rate based on an index determined by the Chairman or Vice Chairman and

Treasurer or Deputy Treasurer), the rate of interest to be received by the District from the Swap Providers (which may be a fixed rate or a variable rate based on an index determined by the Chairman or Vice Chairman and Treasurer or Deputy Treasurer), the payment of certain fees, the imposition of certain covenants, limitations and restrictions on the District and the execution of various other instruments. Swap Agreements shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or Vice Chairman and the Treasurer or Deputy Treasurer. To the extent provided by Connecticut laws, the full faith and credit of the District may be pledged to any and all payments to be made by the District with respect to the Swap Agreements, including, any termination or netting payments to be made by the District.

Section 7. The Chairman or Vice Chairman and Treasurer or Deputy Treasurer are hereby authorized, on behalf of the District, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") or any other information depository, and to provide notices to the MSRB or such depository of material events as enumerated in the Securities and Exchange Commission Securities Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds, notes and certificates of indebtedness authorized by this Resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The District hereby expresses its official intent pursuant to Treasury Regulations Section 1.150-2 to reimburse expenditures of not more than \$1,000,000 paid up to 60 days prior to the date of passage of this Resolution in connection with the Resolution with the proceeds of Authorized Obligations, Drinking Water Obligations or Clean Water Fund Obligations. Said obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or such later date as such Regulations may authorize. The District hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Chairman or Vice Chairman and the Treasurer or Deputy Treasurer is each individually authorized to pay project expenses in accordance herewith pending the issuance of the Authorized Obligations. This Section is included herein solely for purposes of compliance with Treasury Regulations Section 1.150-2 and may not be used or relied on for any other purpose.

Section 9. In connection with the issuance of Authorized Obligations, Drinking Water Obligations or Clean Water Fund Obligations, the District Board is hereby authorized to, and if any such action shall heretofore have been taken, such action is hereby ratified and confirmed, (a) publish such notices, hold such hearings, make such representations and agreements, and take such other actions as shall be necessary to enable bond counsel to render its opinions as to the validity of said obligations and the exclusion of the interest thereon, if applicable, from gross income for federal income tax purposes, (b) make, execute and deliver all such additional and supplemental documents, including, but not limited to, any tax compliance agreements, tax certificates, tax forms, investment agreements or assignments, and (c) do and perform such acts and take such actions as may be necessary or required for the

consummation of the transactions provided for and contemplated by this Resolution.

Section 10. The provisions contained in Sections 1 through 9 of this Resolution shall apply to the 2024 Supplemental Capital Improvement Program – Integrated Plan Project Resolution No. 1 herein; and the District Board hereby finds and determines that the project described in Resolution No. 1 is a single item of capital expense not regularly recurring.

2024 CAPITAL IMPROVEMENT PROGRAM – INTEGRATED PLAN SUPPLEMENTAL PROJECT RESOLUTION NO. 1

RESOLUTION APPROPRIATING AN ADDITIONAL \$1,000,000 FOR THE SEWER BACKUP PREVENTION PROGRAM AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE DISTRICT IN AN AMOUNT NOT TO EXCEED \$1,000,000 TO FINANCE SAID APPROPRIATION

Section 1. The additional sum of \$1,000,000 is hereby appropriated for the Sewer Backup Prevention Program, including costs associated with the inspection of private property sewer laterals, installation and/or replacement of laterals, backwater valves, construction costs, engineering and professional fees, materials, equipment, legal fees, financing costs, interest expense on temporary borrowings, and other costs related to the projects. District resources may be utilized for the projects. The District costs may include salary, benefits and overhead.

Section 2. To finance said appropriation, \$1,000,000 of bonds or notes of the District are authorized to be issued in accordance with applicable General Statutes of Connecticut, Revision of 1958, as amended to date and as amended from time to time in the future, public acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future, and special acts of the Connecticut General Assembly, as amended to date and as amended from time to time in the future (together, “Connecticut laws”), and the District’s Charter. The form, date, maturities and other details of such authorized but unissued bonds or notes shall be hereafter determined by the District Board acting in accordance with the District’s Charter.

Section 3. The Chairman or the Vice Chairman and the Treasurer or the Deputy Treasurer are authorized in the name and on behalf of the District to apply for and accept any and all federal and state loans and/or grants-in-aid for the project and are further authorized to expend said funds in accordance with the terms thereof. To meet any portion of the costs of the project determined by the State of Connecticut Department of Energy and Environmental Protection to be eligible for funding under Section 22a-475 et seq. of the General Statutes of Connecticut, Revision of 1958, as amended (the “Clean Water Fund Program”), the District may issue bonds, notes or certificates of indebtedness authorized hereby in the form of interim funding obligations in anticipation of project loan obligations (“Clean Water Fund Obligations”) as the District Board shall determine, in accordance with Connecticut laws and the District’s Charter, following recommendation of the Board of Finance. Clean Water Fund Obligations, project loan and project grant agreements and any other instruments, agreements or certificates under the Clean Water

Fund Program shall be executed in the name and on behalf of the District by the manual or facsimile signatures of the Chairman or the Vice Chairman and the Treasurer or the Deputy Treasurer, and bear the District seal or a facsimile thereof. The aggregate principal amount of the Clean Water Fund Obligations to be issued, the dated date, final maturity, rate or rates of interest, the date, time of issue and sale and all other terms, details and particulars of such Clean Water Fund Obligations, subject to the provisions of the Clean Water Fund Program, shall be determined by the District Board, following recommendation of the Board of Finance. Clean Water Fund Obligations may be secured by the full faith and credit of the District and/or by special revenues of the District pledged thereto by the District Board in accordance with Connecticut laws and the District's Charter. Each of the Clean Water Fund Obligations shall recite that every requirement of law relating to its issue has been duly complied with and that such obligation is within every debt and other limit prescribed by law.

Respectfully submitted,

A handwritten signature in black ink that reads "John Mirtle". The signature is written in a cursive, slightly slanted style.

John S. Mirtle, Esq.
District Clerk

**BOARD OF FINANCE
REGULAR MEETING
The Metropolitan District
555 Main Street, Hartford
Monday, July 29, 2024**

PRESENT: Commissioners Allen Hoffman, Pasquale Salemi, Citizen Member Linda Russo and District Chairman Donald Currey (4)

REMOTE

ATTENDANCE: Commissioner Andrew Adil and Citizen Members Linda King-Corbin and Awet Tsegai (3)

ABSENT: Citizen Members Drew Iacovazzi (1)

ALSO

PRESENT:

Commissioner William A. DiBella
Commissioner Georgiana Holloway
Commissioner Byron Lester (Remote Attendance)
Commissioner Jacqueline Mandyck
Commissioner Alvin Taylor
Scott W. Jellison, Chief Executive Officer
Christopher Stone, District Counsel
John S. Mirtle, District Clerk
Kelly Shane, Chief Administrative Officer
Robert Barron, Chief Financial Officer
Robert Schwarm, Director of Information Systems (Remote Attendance)
David Ruty, Director of Operations
Thomas Tyler, Director of Facilities
Amanda Litvak, IT Professional Level Associate (Remote Attendance)
Jacob Aviles, IT Consultant (Remote Attendance)
Carrie Blardo, Assistant to the Chief Executive Officer (Remote Attendance)
Victoria Escoriza, Executive Assistant

CALL TO ORDER

Chairman Salemi called the meeting to order at 5:38 PM

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MEETING MINUTES

On motion made by Citizen Member Russo and duly seconded, the meeting minutes of the Board of Finance meeting of June 24, 2024 were approved.

2023 BUDGET SURPLUS AND COMPLIANCE WITH CHARTER REQUIREMENTS

Robert Barron, Chief Financial Officer, provided a presentation regarding the 2023 budget surplus and compliance with District Charter requirements. CFO Barron stated that the 2023 Audit reported to the Board of Finance at its June 24, 2024 meeting identified a 5.9% excess, or \$5.5 million. CFO Barron stated he is required to present the most recent completed fiscal year's unassigned fund balance to the District Board by its September meeting, identifying fund balance target excesses for balances greater than 35% of revenues and shortfalls for those balances less than 30% in accordance with the District's Fund Balance Policy.

**BOARD OF FINANCE
APPROVAL FOR STATE OF CONNECTICUT FINANCING DWSRF 2024-7131**

To: Board of Finance

July 29, 2024

Staff seeks approval from your Board to execute and deliver the Interim Funding Obligation and/or Project Loan Obligation to the State of Connecticut for DWSRF 2024-7131 having a principal amount of \$2,643,321.00 and having an interest rate of 2.00%.

The low interest loan and accompanying grant will fund the replacement of water mains and associated appurtenances in several streets in the vicinity of East Hartford, CT.

The State of Connecticut, through the Drinking Water State Revolving Fund Program, will provide \$4,143,321.00 in state funding with \$1,500,000.00 in grants and \$2,643,321.00 in low interest loans at 2.00% to fund the expenses associated with this agreement.

Bond Counsel prepared the following resolution for your approval.

It is **RECOMMENDED** that it be

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

RESOLVED:

Section 1. The Chairman, or in his absence, the Vice-Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer, are authorized to execute and deliver the Project Loan and Subsidy Agreement DWSRF 2024-7131 to be entered into with the State of Connecticut (the "Agreement") and any and all Interim Funding Obligations and Project Loan Obligations for DWSRF 2024-7131 in the aggregate amount not to exceed \$2,643,321.00 to fund the project entitled Water Main Replacement East Hartford consisting of the replacement of water mains and associated appurtenances in several streets in the vicinity of East Hartford, Connecticut. All previous actions taken by the District, including the actions of the Chairman, or in his absence, the Vice-Chairman, and the District Treasurer, or in his absence, the Deputy Treasurer, in furtherance of this resolution or otherwise related to the Agreement and any and all related documents, shall hereby be ratified and confirmed in all respects. Such Interim Funding Obligations shall be dated as of their date of issue, shall mature within six months of the Scheduled Completion Date, as defined in the Agreement, shall bear interest at a rate of two

percent (2.00%) per annum, shall be payable as to principal and interest as provided in the Agreement and, to the extent not paid prior to maturity from The Metropolitan District funds, may be renewed by the issuance of Interim Funding Obligations or Project Loan Obligations, all as provided in the Agreement. Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Agreement.

Section 2. The Project Loan Obligations shall be dated as of their date of issue, shall mature no later than twenty years from the Scheduled Completion Date, shall bear interest at a rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Respectfully submitted,



John S. Mirtle
District Clerk

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

COMMISSIONER REQUESTS FOR 2025 BUDGET

Chairman Salemi stated he received requests from other Commissioners for additional budget items and requested that the proposed 2025 budget include: (1) \$50,000 for an employee climate study as was in the 2024 budget, (2) \$50,000 for a management study as was in the 2024 budget and (3) \$60,000 as an estimate for labor counsel. No action was taken.

OPPORTUNITY FOR GENERAL PUBLIC COMMENTS

No one from the public appeared to be heard.

COMMISSIONER REQUEST FOR FUTURE AGENDA ITEMS

There were not requests for future agenda items.

ADJOURNMENT

The meeting was adjourned at 6:49 PM

ATTEST:

John S. Mirtle, Esq.
District Clerk

Date of Approval