

**METROPOLITAN DISTRICT COMMISSION
SPECIAL MEETING
COMMITTEE ON MDC GOVERNMENT
WEDNESDAY, APRIL 24, 2019
4:00 P.M.**

<u>Location</u>		<u>Commissioners</u>
Board Room	Avedisian	Holloway
District Headquarters	Buell (VC)	Ionno
555 Main Street, Hartford	DiBella (Ex Officio)	LeBeau
	Gardow	Magnan
Quorum: 6	Hall	Marotta
	Hoffman (C)	Taylor

1. CALL TO ORDER
2. PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS
3. APPROVAL OF MEETING MINUTES OF MARCH 4, 2019
4. CONSIDERATION OF AND POTENTIAL ACTION RE: LEGISLATIVE CONSULTANTS
5. CONSIDERATION OF AND POTENTIAL ACTION RE: PROPOSED ADDITION TO THE GENERAL ORDINANCES § G-8h OF THE METROPOLITAN DISTRICT
6. OPPORTUNITY FOR GENERAL PUBLIC COMMENTS
7. COMMISSIONER QUESTIONS & COMMENTS
8. ADJOURNMENT

**COMMITTEE ON MDC GOVERNMENT
APPOINTMENT OF LEGISLATIVE CONSULTANTS**

To: Committee on MDC Government

April 24, 2019

The Metropolitan District (District) faces legislative and regulatory challenges on both the state and federal level. Currently, we have employed state lobbyist to assist us on these issues. At the federal level, the legal department has a lobbying firm for several years, namely, the firm of JMS Consulting prior to Spring, 2018, and the firm of Envision Strategies through March, 2019. Both firms were paid \$12,500.00 per month for their services.

The legal department has reached out to another lobbying firm – Squire Patton Boggs – for a proposal to provide these services going forward. A few weeks back, members of the Government Committee were provided detailed information about this firm. Legal staff has met with members of the firm, and it is clear that they provide the expertise necessary to fully represent the District on national issues and federal financial assistance. With the prospects for a national infrastructure bill at least a possibility at this point, securing a federal lobbyist of this stature is of utmost importance.

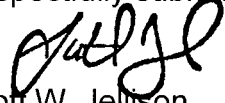
Squire Patton Boggs is willing to provide federal lobbying services to the District at the same rate - \$12,500.00 per month – as the District has paid historically. The proposed contract would run for seven months, from April 1, 2019 through October 31, 2019. The parties would revisit the contract at the conclusion of the initial term.

It is therefore recommended that it be:

Voted: That the Committee on MDC Government recommends to the District Board passage of the following resolution:

Resolved: That the firm of Squire Patton Boggs to perform federal lobbying services for a period commencing on April 1, 2019 through October 31, 2019, at a fee of \$12,500.00 per month, subject to the execution of a written agreement approved by District Counsel as to form and content, reflecting the scope of services, reporting requirements and such other terms and conditions as District Counsel may specify.

Respectfully submitted,


Scott W. Jellison
Chief Executive Officer

**PROPOSED ADDITION TO THE GENERAL ORDINANCES § G-8h
OF THE METROPOLITAN DISTRICT**

To: Committee on MDC Government for consideration on April 24, 2019

District staff, through the Office of District Counsel, submits the addition of Section G-8h, "RATIFICATION OF UNAUTHORIZED COMMITMENTS", to The Metropolitan District General Ordinances for consideration by the Committee on MDC Government. Pursuant to the authority set forth in Section 1(g) of Special Act 08-9 (Regular Session 2008).

Therefore, it is **RECOMMENDED** that it be

VOTED: That the Committee on MDC Government recommends to the District Board passage of the following resolution:

RESOLVED: That the addition to The Metropolitan District's General Ordinances be adopted as follows:

**G-8h RATIFICATION OF UNAUTHORIZED COMMITMENTS
PART 8, GENERAL ORDINANCES**

<u>Section</u>	<u>Section Title</u>
G8h	Ratification of Unauthorized Commitments

SEC. G8h RATIFICATION OF UNAUTHORIZED COMMITMENTS

Pursuant to the authority granted to the District under Section 2-13 of the Compiled Charter of The Metropolitan District, and upon determination by the Chief Executive Officer or his or her designee that certain circumstances warrant, the District shall be allowed to ratify an Unauthorized Commitment ("UC") (as hereinafter defined).

A UC is an "agreement that is not binding solely because the District employee or representative who made it lacked the authority to enter into that agreement on behalf of the District." "Ratification" is defined as the "process by which a UC is formalized, approved and paid." The "ratifying official" as used herein shall mean the Director of Procurement, or another District employee at the same or higher level thereof as designated by the District CEO to be the ratifying official with the authority as delegated by such CEO to ratify a UC.

Ratification of a UC shall only occur when utilizing the following procedure and meeting all of the conditions thereunder:

1. Supplies or services have been provided to and accepted by the District, or the District otherwise obtained or will obtain a benefit resulting from performance of the UC;
2. The ratifying official has the authority to enter into a contractual commitment;
3. The resulting contract would otherwise have been proper if made by authorized District personnel consistent with District ordinances, by-laws, procedures and signing authorizations;
4. The ratifying official reviewing the UC determines the price to be fair and reasonable;
5. The ratifying official recommends ratification and legal counsel concurs with that recommendation;
6. Funds are available and were available at the time the UC was made; and
7. The ratification is in accordance with any other limitations prescribed under District ordinances, by-laws, procedures and signing authorizations.

Failure to meet any of the above requirements will result in a non-ratifiable UC. The appropriate disciplinary action, if any, will be taken against the District personnel who entered into such UC irrespective of whether a UC is ratified or not. A decision not to ratify an UC may not result in unjust enrichment to the District.

The Director of Procurement shall establish specific implementation protocols in order to implement the above Ratification of Unauthorized Commitments procedure, subject to any applicable federal or state law or regulation.

Respectfully submitted,



Scott W. Jellison
Chief Executive Officer