

**ELECTRONIC PACKET**

**January 11, 2021 POLICY, FINANCE, & PERSONNEL COMMITTEE MEETING**

**RELEASED: Monday, January 4, 2021**



# Milwaukee Metropolitan Sewerage District

260 West Seeboth  
Street  
Milwaukee, WI  
53204

## Meeting Agenda Policy, Finance & Personnel Committee

*Jeff Stone, Chair*  
*Corey Zetts, Vice Chair*  
*Tim Carpenter, Chantia Lewis, Eugene Manzanet*  
*Dan Devine, Ex-Officio*

Monday, January 11, 2021

9:05 AM

Teams Online Meeting/Conference Call

NOTICE IS HEREBY GIVEN, pursuant to Section 19.84, Wisconsin Statutes, that the Milwaukee Metropolitan Sewerage District's Policy, Finance and Personnel Committee will hold its regularly scheduled public meeting on Monday, January 11, 2021, at 9:05 a.m. or immediately following the Operations Committee meeting which begins at 9:00 a.m. via Teams online meeting. The weblink to access this meeting is <https://tinyurl.com/y9rqe86u>; telephone dial-in is available through 414.909.9127, access code 997 221 035#.

PURSUANT TO SECTION 19.85(1)(g), Wisconsin Statutes, the Committee reserves the right to go into Closed Session on any item on the public portion of the agenda to confer with Legal Counsel when it appears the matter may involve the District in litigation. If the Committee does convene in such a Closed Session, it is contemplated that the Committee will again, before adjourning the meeting, reconvene at the same place in Open Session at which time the Committee may act upon any item(s) considered in the Closed Session and upon any unfinished items from the regular agenda.

### CALL TO ORDER

### RECORD ROLL

### Approval of Proceedings of Regular Committee Meeting held December 7, 2020

### NEW BUSINESS

- 6      21-010-1      Award of Contract M04003P01, Fresh Coast Fresh Start, and Approve Changes in Total Project Cost
- 7      21-011-1      Initial Resolution Authorizing the Sale and Issuance of Not to Exceed \$46,000,000 General Obligation Bonds and/or General Obligation Promissory Notes, and Certain Related Details  
*(Requires a 2/3 Affirmative Vote of the Commission for Adoption)*

### ORGANIZATION & ADMINISTRATION

21-002-1 EXECUTIVE DIRECTOR'S REPORT

A. Monthly Reports

**ADJOURNMENT**

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request these services, contact the Office of the Commission at 414.225.2264, (FAX) 414.272.6360 or write to Office of the Commission, 260 W. Seeboth Street, Milwaukee, Wisconsin, 53204-1446.



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Anna Kettlewell, Commission Secretary  
Milwaukee Metropolitan Sewerage District



# Milwaukee Metropolitan Sewerage District

260 West  
Seeboth Street  
Milwaukee, WI  
53204

## Meeting Minutes Policy, Finance & Personnel Committee

*Jeff Stone, Chair*  
*Corey Zetts, Vice Chair*  
*Tim Carpenter, Chantia Lewis, Eugene Manzanet*  
*Dan Devine, Ex-Officio*

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Monday, December 7, 2020

9:05 AM

Teams Online Meeting/Conference Call

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### CALL TO ORDER

*Committee Chair Commissioner Stone called the meeting to order at 10:00 a.m.*

### RECORD ROLL

**Present** 5 - Tim Carpenter, Dan Devine, Eugene Manzanet, Jeff Stone, and Corey Zetts

**Absent** 1 - Chantia Lewis

*Other Commissioners Present: Dan Bukiewicz, Bryan L. Kennedy, Ph.D., Kris Martinsek, and John Swan, III.*

### Approval of Proceedings of Regular Committee Meeting held November 9, 2020

**A motion was made by Commissioner Manzanet, seconded by Commissioner Zetts. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

### NEW BUSINESS

*Items 9-16 were taken as a block.*

**9**     **20-184-12**     **Approval of Contract W97004P04, Greenseams® Program Implementation for the Year 2021**

*The Committee received a presentation from Steve Jacquart, Intergovernmental Coordinator, with comments by Kevin L. Shafer, P.E., Executive Director.*

**A motion was made by Commissioner Carpenter, seconded by Commissioner Manzanet, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

**10**    20-185-12            **Approval of Contract W97005P02, Working Soils® Program Implementation for the Year 2021**

*The Committee received a presentation from Steve Jacquart, Intergovernmental Coordinator.*

**A motion was made by Commissioner Carpenter, seconded by Commissioner Manzanet, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

**11**    20-186-12            **Authorizing the Executive Director to Procure Online Advertising for the Marketing of Milorganite® and Other MMSD Programs**

*The Committee received a presentation from Jeff Spence, Director of Community Outreach and Business Engagement.*

**A motion was made by Commissioner Carpenter, seconded by Commissioner Manzanet, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

**12**    20-187-12            **Authorizing Two-Year Extension to Lease with Will Allen Farms, LLC, for Food Production on District-owned Land Adjacent to the South Shore Water Reclamation Facility**

*The Committee received a presentation from Katherine Lazarski, Director of Legal Services.*

**A motion was made by Commissioner Carpenter, seconded by Commissioner Manzanet, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

13    20-188-12            Approval of Extended Business Continuity Plan Leave Policy

*The Committee received a presentation from Kevin L. Shafer, P.E., Executive Director.*

**A motion was made by Commissioner Carpenter, seconded by Commissioner Manzanet, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

14    20-189-12            Authorizing the Executive Director to Extend the Contracts for Prescription Drug and Supplemental Medical Coverage for Post Medicare Retirees

*The Committee received a presentation from Patti Fisher, Senior Human Resources Generalist.*

**A motion was made by Commissioner Carpenter, seconded by Commissioner Manzanet, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

15    20-190-12            Authorizing the Executive Director to Enter into a One-year Contract for Stop Loss Insurance for the Milwaukee Metropolitan Sewerage District Group Health Insurance Benefits

*The Committee received a presentation from Patti Fisher, Senior Human Resources Generalist.*

**A motion was made by Commissioner Carpenter, seconded by Commissioner Manzanet, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

16    20-191-12    Authorizing the Executive Director to Enter into a Contract for Pharmacy Benefit Management Services with Optum Rx Effective January 1, 2021

*The Committee received a presentation from Patti Fisher, Senior Human Resources Generalist.*

**A motion was made by Commissioner Carpenter, seconded by Commissioner Manzanet, that this matter be approved by a roll call vote. The motion carried by the following roll call vote:**

**Yes:** 5 - Commissioner Carpenter, Commissioner Devine, Commissioner Manzanet, Commissioner Stone and Commissioner Zetts

**No:** 0

**Absent:** 1 - Commissioner Lewis

## ORGANIZATION & ADMINISTRATION

20-002-1    EXECUTIVE DIRECTOR'S REPORT

A. Monthly Reports

*A. No report.*

## ADJOURNMENT

*It was moved by Commissioner Carpenter, seconded by Commissioner Devine, to adjourn. The motion carried.*

*As there was no further business, the meeting was adjourned at 10:37 a.m.*



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Anna Kettlewell, Commission Secretary  
Milwaukee Metropolitan Sewerage District



**COMMISSION FILE NO:** 21-010-1 **DATE INTRODUCED:** January 11, 2021

**INTRODUCED BY:** Executive Director (Signature on File in the Office of the Commission)

**REFERRED BY COMMISSION CHAIRPERSON TO:** Policy, Finance, and Personnel Committee

**RELATING TO:** Award of Contract M04003P01, Fresh Coast Fresh Start, and Approve Changes in Total Project Cost

**SUMMARY:**

The Commission is requested to award and to direct the Executive Director to execute on behalf of the District Contract M04003P01, Fresh Coast Fresh Start (FCFS), in an amount not to exceed \$500,000. Cream City Conservation Corps and Consulting, LLC, (Cream City) was selected as the recommended consultant through a noncompete process. Further, the Commission is requested to increase the total project cost (TPC) for Project M04003, FCFS, by \$120,000 for an amended TPC of \$620,000 and to make a corresponding change to the TPC for Project M99001, Allowance for Cost and Schedule Changes.

FCFS is a pilot workforce development program with a focus on adult/reentry training and apprenticeship in green infrastructure (GI), water industry construction, and vegetation establishment. The FCFS program will be a three-year program that trains participants on water/wastewater industry topics of interest to the District, such as wastewater operations, conveyance construction, watercourse and GI construction, and vegetation establishment. People enrolled in this program will complete one year of educational training, one year of hands-on and on-the-job training, and one additional year of on-the-job development leading to job placement or apprenticeship. The on-the-job training will be with selected contractors that are performing District vegetation establishment and/or construction for watercourse and GI projects.

The goal is to train adults and make them workforce-ready and, in doing so, to better coordinate and share resources used for GI and watercourse construction, vegetation establishment, and potentially maintenance contracts in the future.

**ATTACHMENTS:** BACKGROUND  KEY ISSUES  RESOLUTION   
FISCAL NOTE  S/W/MBE  OTHER  \_\_\_\_\_

*PFPP\_M04003P01\_Fresh\_Coast\_Fresh\_Start\_legislative\_file.docx*  
12-18-20

**COMMITTEE ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**COMMISSION ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



## **SUMMARY, CONTINUED**

Award of Contract M04003P01, Fresh Coast Fresh Start and Approve Changes in Total Project Cost

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The TPC is changing to account for the contract coming in higher than budgeted. The contract came in at \$500,000 for Cream City.

The approved program budget is \$500,000 over three years starting in early 2021 and ending in 2023. Additional funding will be brought in through partnerships and grants.

## BACKGROUND

### Award of Contract M04003P01, Fresh Coast Fresh Start and Approve Changes in Total Project Cost

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FCFS will introduce underemployed adults and reentry to the water/wastewater industry and develop training programs that meet the growing needs of GI and watercourses in the region. As the regional GI demand and portfolio grow, more qualified construction and maintenance personnel are needed to ensure these investments are properly installed and maintained to perform optimally. The District's partners have shared their needs through various projects and plans including the Fresh Coast Resource Center Strategic Plan, Milwaukee Equity Roadmap, and the GI Operations and Maintenance Lessons Learned report. This program is needed to ensure that the District is meeting the GI requirements of the Wisconsin Pollutant Discharge Elimination System permit for installing, establishing, and maintaining GI with a local workforce. The two main benefits to the District are securing the investment the District and its partners have made in GI and meeting the goals set out in the Regional Green Infrastructure Plan and draft 2050 Facilities Plan. FCFS is also a part of the District's 2020 Community Platform.

August Ball, Founder and Chief Executive Officer of Cream City, plays a critical role in the Milwaukee area on equity and inclusion training, program development, and managing corps programs. Cream City is a two-prong social enterprise. First, it works with environmental, corporate, and community-based organizations to address internal cultures and practices that contribute to racial homogeneity. Second, Cream City provides paid training and work experience to young adults 15 to 25 years of age whose social identities are under and inequitably represented in various conservation, agriculture, and GI industries. The model is a closed-loop system between the consulting firm and the corps program that cultivates the next generation of environmental stewards while preparing organizations to attract, develop, and retain a diverse pool of leaders. Ms. Ball is also a member of the Milwaukee Water Equity Taskforce and the Governor's Climate Change Taskforce. This makes Cream City uniquely positioned to undertake these professional services.

Furthermore, Cream City has identified 10 partners in the program framework to provide resources including training, facilities, program services, and funding. A few examples of the partnerships that Cream City has brought to the table are with Milwaukee County, WRTP/BIG STEP, and Transform Milwaukee. Milwaukee County Parks plans to provide funding (\$40,000 via the Up-Lift Program, budget pending), project work sites, and potential employing trainees. WRTP/BIG STEP plans to assist with outreach, recruitment, and construction training. Transform Milwaukee plans to cover 1,040 hours of minimum wages to the trainees. Ms. Ball will serve as the program manager and Cream City will have subcontracts/agreements with entities to provide the services outlined in the framework. Cream City will directly report to the District on the program's progress toward contractual goals.

## RESOLUTION

Award of Contract M04003P01, Fresh Coast Fresh Start and Approve Changes in Total Project Cost

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**RESOLVED**, by the Milwaukee Metropolitan Sewerage Commission, that Contract M04003P01, Fresh Coast Fresh Start, is awarded to Cream City Conservation Corps and Consulting, LLC, in an amount not to exceed \$500,000, and that the Executive Director is directed to execute a contract on behalf of the District.

**FURTHER RESOLVED**, by the Milwaukee Metropolitan Sewerage Commission, that the total project cost for M04003P01, Fresh Coast Fresh Start, is increased by \$120,000 for an amended total project cost of \$620,000, and that a corresponding change is made to the total project cost for Project M99001, Allowance for Cost and Schedule Changes.



**Capital Budget Fiscal Note**  
**Total Project Cost**

**RELATING TO:**

Award of Contract M04003P01, Fresh Coast Fresh Start, and Approve Changes in Total Project Cost

<b>Capital Project Number(s)</b> <u>    M04003    </u>	<b>Impact of Requested Action on Total Project Cost:</b> <input checked="" type="checkbox"/> Increase <input type="checkbox"/> Decrease <input type="checkbox"/> New Project <input type="checkbox"/> No Change
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<u><b>Total Project Cost Analysis</b></u>	<u><b>Project Costs</b></u>
Adopted 2021 Total Project Cost	\$500,000
Previously Approved Changes	\$0
Approved Total Project Cost	\$500,000
Requested Total Project Cost	\$620,000
Requested (Increase)/Decrease	(\$120,000)

<b>Action to be taken to Long-Range Financing Plan to address Total Project Cost change</b> _____ X Transfer from Allowance for Cost and Schedule Changes _____ Transfer from another project (specify in comments) _____ Delay Project(s) (specify in comments) _____ Delete Project(s) (specify in comments) _____ Other _____ _____ Transfer to Allowance for Cost and Schedule Changes
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<b>Comments</b> The increase in total project cost is due to the consultant's contract costing more than originally budgeted. Funding is available in M99001.
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Budget Review by: <u>Christine Durkin</u>	Date: <u>12/14/2020</u>
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## AWARDEE INFORMATION

Company: Cream City Conservation Corps & Consulting, LLC  
 Contact Person: August Ball  
 Phone Number: (414) 322-8482  
 E-mail Address: august@creamcityconservation.org

## EEO DATA

3628 W. Pierce Street  
 Location: Milwaukee, WI 53215 Total # of Employees 2

	<u>Total</u>	<u>%</u>		<u>Total</u>	<u>%</u>
<b>Minorities</b>	2	100.0%	<b>Females</b>	2	100.0%
Asian	0	0.0%	Asian	0	0.0%
Black or African American	1	50.0%	Black or African American	1	50.0%
Hispanic or Latino	1	50.0%	Hispanic or Latino	1	50.0%
Native American	0	0.0%	Native American	0	0.0%
Other Minority	0	0.0%	Other Minority	0	0.0%

*Labor Market Availability - Minorities* 22.0%

*Labor Market Availability - Females* 49.0%



**COMMISSION FILE NO:** 21-011-1 **DATE INTRODUCED:** January 11, 2021

**INTRODUCED BY:** Executive Director (Signature on File in the Office of the Commission)

**REFERRED BY COMMISSION CHAIRPERSON TO:** Policy, Finance, and Personnel Committee

**RELATING TO:** Initial Resolution Authorizing the Sale and Issuance of Not to Exceed \$46,000,000 General Obligation Bonds and/or General Obligation Promissory Notes, and Certain Related Details

**SUMMARY:**

The Commission is requested to authorize the sale and issuance of general obligation bonds and/or general obligation promissory notes, in one or more series, in an aggregate principal amount not to exceed \$46,000,000 to be sold by competitive sale for the purpose of financing a portion of the Milwaukee Metropolitan Sewerage District's Capital Budget for the years 2020, 2021, and 2022.

The authorization provides for all acts necessary to issue the bonds or notes, including the payment of fees for the service of the financial advisor, bond counsel, rating agencies, and printing costs. Bond counsel services currently are provided by Foley & Lardner, LLP, and MWH Law Group, LLP. The District's financial advisor for the proposed obligations is Robert W. Baird & Co., Incorporated.

The approved 2021 Capital Budget and long-range financing plan provides for the issuance of these obligations in 2021. Approval of the initial resolution at this time enables a portion of 2021 capital expenditures to be funded from the proceeds of the obligations and provides the flexibility to set the sale on a date when market conditions are favorable.

Staff and its financial advisor may market this issue as a climate bond, targeting the United Nation's Sustainable Development Goals. This effort would be to appeal this issue to environmentally conscious investors that may not otherwise be buyers of District bonds. In addition, this effort would be to enhance the District's reputation as a responsible steward of the environment.

A two-thirds affirmative vote of the Commission is required for adoption.

**ATTACHMENTS:** BACKGROUND  KEY ISSUES  RESOLUTION

FISCAL NOTE  S/W/MBE  OTHER  Initial Resolution

*PFPP\_Initial\_Resolution\_Bonds\_legislative\_file.docx*  
12-21-20

**COMMITTEE ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**COMMISSION ACTION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## KEY ISSUES

### Initial Resolution Authorizing the Sale and Issuance of Not to Exceed \$46,000,000 General Obligation Bonds and/or General Obligation Promissory Notes, and Certain Related Details

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The Commission is requested to authorize the sale and issuance of an aggregate principal amount not to exceed \$46,000,000 in general obligation bonds and/or general obligation promissory notes in one or more series. The resolution authorizes the District staff the authority to pay the professional services necessary to proceed with the sale and issuance of the bonds or notes, including fees for rating agencies, financial advisor, bond counsel, and printing services.

Total District general obligation debt outstanding on November 30, 2020, is estimated to be \$761.6 million, which represents 1.16% of the District's taxable property value. In addition to the issuance of \$46.0 million in general obligation bonds and/or notes, an estimated \$37.4 million in disbursements from the State of Wisconsin Clean Water Fund Program from January 2021 through December 2021 are included in the approved 2021 Capital Budget. Projected general obligation debt outstanding at the end of 2021 is approximately \$751.6 million, 1.14% of the District's estimated taxable property value. The District's Debt Policy includes the intent to keep outstanding debt within 2.5% of the taxable property value. State statutes limit District debt to not more than 5.0% of taxable property value.

The initial resolution enables the bonds and/or notes to be sized to meet District capital program needs through November of 2022. The proceeds from this financing will be used primarily to fund watercourse projects, capital planning, and smaller capital construction projects within its water reclamation facilities and conveyance system. Debt financing for larger water reclamation facilities and conveyance capital projects are expected to be in the form of subsidized loans available from the State of Wisconsin Clean Water Fund Program.



## RESOLUTION

Initial Resolution Authorizing the Sale and Issuance of Not to Exceed \$46,000,000  
General Obligation Bonds and/or General Obligation Promissory Notes, and Certain  
Related Details

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**WHEREAS**, the Milwaukee Metropolitan Sewerage Commission intends to authorize the sale and issuance by the Milwaukee Metropolitan Sewerage District of its general obligation bonds and/or general obligation promissory notes to finance the projects described below, which the District elects not to finance under the State of Wisconsin Clean Water Fund Program.

**NOW, THEREFORE, BE IT RESOLVED**, by the Milwaukee Metropolitan Sewerage Commission, that the resolution attached hereto and described below is hereby adopted.

“Initial Resolution Authorizing the Sale and Issuance of Not to Exceed \$46,000,000 General Obligation Bonds and/or General Obligation Promissory Notes, and Certain Related Details for the purpose or purposes of financing a portion of the District’s Capital Budget for the years 2020, 2021, and 2022, which includes, but is not limited to, the acquisition, leasing, planning, design, construction, development, extension, enlargement, renovation, rebuilding, or improvement of land, waters, property, highways, buildings, equipment, or facilities relating to the sewerage system of the District.”

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**Initial Resolution Authorizing the Sale and Issuance of Not to Exceed  
\$46,000,000 General Obligation Bonds and/or General Obligation Promissory Notes,  
and Certain Related Details**

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**RECITALS**

The Milwaukee Metropolitan Sewerage Commission (the “**Governing Body**”) of the Milwaukee Metropolitan Sewerage District, Wisconsin (the “**District**”) makes the following findings and determinations:

1. The District needs funds to finance portions of the District’s capital budget for the years 2020, 2021, and 2022 as approved or to be approved by the Governing Body, which includes, but is not limited to, the acquisition, leasing, planning, design, construction, development, extension, enlargement, renovation, rebuilding, or improvement of land, waters, property, highways, buildings, equipment, or facilities relating to the sewerage system of the District (collectively, the “**Project**”).
2. The District may choose to issue one or more separate series of obligations for the purposes of the Project.
3. The Governing Body deems it in the best interests of the District that the funds needed for the Project be borrowed, pursuant to the provisions of Chapter 67 and Section 200.55 (2) of the Wisconsin Statutes, and upon the terms and conditions set forth below.

**RESOLUTIONS**

The Governing Body resolves as follows:

**Section 1. Authorization of Issuance and Purposes of Obligations.**

Under and by virtue of the provisions of Chapter 67 and Section 200.55(2) of the Wisconsin Statutes, the District shall issue its negotiable, general obligation bonds and/or general obligation promissory notes (collectively, the “**Obligations**”), in one or more series, in an aggregate principal amount of not to exceed \$46,000,000 to finance the Project; *provided, however*, that said Obligations shall be sold and issued in whole or in part from time to time in such amount or amounts as shall be within the limits provided by law.

**Section 2. Authorization of Sale of Obligations.**

The Obligations are hereby authorized and ordered to be sold to a purchaser to be determined by competitive bid (the “**Purchaser**”).

**Section 3. Preparation of Official Statement and Notice of Sale.**

The Treasurer of the District (in consultation with the District’s financial advisor) is hereby authorized and directed to cause a preliminary offering document for the Obligations (the “**Official Statement**”) to be prepared and distributed to any banks, underwriters, investment houses, or the like deemed to be advisable, and to enclose with the Official Statement a “**Notice of Sale**” and a “**Bid Form**”. The Chairperson and the Commission Secretary are hereby authorized, on behalf of the District, to approve the form of Official Statement and authorize it to be deemed final as of its date for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1), and to supply copies of the Official Statement to the Purchaser upon request.

The Commission Secretary is hereby further authorized and directed to cause notice of the sale of the Obligations (i) to be provided to *The Bond Buyer* for inclusion in its complimentary section for the publication of such notices, (ii) to be posted in the same places that the District routinely uses for posting notices of its official business, and (iii) to be published in any other manner that the Treasurer determines to be in the best interest of the District.

**Section 4. Bids for Obligations.**

Written bids for the sale of the Obligations shall be received by the District on the date fixed in the Notice of Sale, on which date such bids shall be publicly opened and read. The Governing Body reserves the right in its discretion to waive any informality in any bid, to reject any or all bids without cause, and to reject any bid which it determines to have failed to comply with the terms of the Notice of Sale.

**Section 5. Further Actions.**

The issuance of the Obligations shall be subject to the condition that the Governing Body has adopted a resolution (for each series of Obligations, if more than one series) to award the sale of the Obligations to the Purchaser, to approve the purchase contract submitted by the Purchaser (the “**Purchase Agreement**”), to fix the interest rate or rates on the Obligations in accordance with the Purchase Agreement, to provide for the form of the Obligations, to set forth any early redemption provisions, to levy taxes to pay the principal of and interest on the Obligations as required by law, to designate a fiscal agent for the Obligations, and to take such further action as may be necessary or expedient to provide for the preparation, execution, issuance, delivery, payment, and cancellation of the Obligations.

**Section 6. Authorization to Act.**

The officers of the District, attorneys for the District, or other agents or employees of the District are hereby authorized to do all acts and procedures required of them by this resolution for the full, punctual, and complete performance of all of the provisions of this resolution including arranging for the payment of the costs of issuance of the Obligations, including, but not limited to, bond counsel fees, financial advisory fees, printing fees for the Official Statement, and rating agency fees.

**Section 7. Reimbursement.**

This resolution shall serve as a declaration of official intent for purposes of Treasury Regulations Section 1.150-2 to reimburse with the proceeds of the Obligations the capital expenditures for the Project costs described in the District’s 2020 Capital Budget adopted on October 28, 2019 and in the District’s 2021 Capital Budget adopted on October 26, 2020, that were, or will be, financed by temporary advances made by the District.

**Section 8. Conflicting Resolutions; Severability.**

All prior resolutions, rules, or other actions of this Governing Body or any parts thereof in conflict with the provisions of this resolution shall be, and the same hereby are, rescinded insofar as the same may so conflict. In the event that any one or more provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this resolution.

**Section 9. Effective Date.**

This resolution shall take effect upon its adoption in the manner provided by law.

Adopted: January 25, 2021

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Secretary

**POLICY, FINANCE & PERSONNEL COMMITTEE MEETING**

**January 11, 2021**

**EXECUTIVE DIRECTOR'S REPORT**

**21-002-01**

**A. Monthly Reports**

# January 2021

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 NEW YEAR'S DAY -MMSD OFFICES CLOSED	2
3	4	5	6	7	8	9
10	11 Operations Committee-9:00 a.m. PF&P Committee-9:05 a.m.	12	13	14	15	16
17	18 MARTIN LUTHER KING, JR. DAY	19	20	21	22	23
24	25 Commission-9:00 a.m.	26	27	28	29	30
31						