

OFFICE OF THE CITY CLERK
HARTFORD, CONNECTICUT

PUBLIC HEARING NOTICE
HARTFORD MUNICIPAL BUILDING 550 MAIN STREET
MONDAY MARCH 20, 2017
7:00p.m.

Councilpersons; Jennings, Sánchez, Thames, Winch and Bermudez will represent the Council at a Public Hearing to be held in the Council Chambers of the Municipal Building at 7:00 P.M., Monday March 20, 2017.

1. **RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED PROPERTY AT 704 PARK STREET AND 31 LAWRENCE STREET AND THE EXECUTION OF AN AGREEMENT TO FORGIVE AN OUTSTANDING CITY LOAN ON THE PROPERTY.**

Referred to the Operations, Management, Budget and Government Accountability Committee and to the Planning and Zoning Commission

2. **ORDINANCE AMENDING CHAPTER 32, ARTICLE 18 OF THE MUNICIPAL CODE CONCERNING EXTENDING THE ELDERLY TAX RELIEF PROGRAM FOR TAXES DUE ON THE LIST OF OCTOBER 1, 2016.**

Referred to the Operations, Management, Budget and Government Accountability Committee

3. **ORDINANCE AMENDING A CIP ORDINANCE ADOPTED MAY 26, 2016 MAKING AN APPROPRIATION OF 200,000 FOR REMOVAL, TREATMENT, AND/OR REPLACEMENT OF ASH TREES SUBJECT TO INFESTATION BY THE EMERALD ASH BORER AND LOCATED IN PUBLIC RIGHTS OF WAY AND IN PROXIMITY TO PLAYGROUNDS, PARKING LOTS, PATHWAYS, ROADWAYS AND PLAYING FIELDS IN CITY PARKS AND AUTHORIZING THE USE OF \$200,000 FROM THE PARKS TRUST FUND TO MEET SAID APPROPRIATION.**

Referred to the Public Works, Parks and Environment Committee.

Attest:

John V. Bazzano
City Clerk

For more information on committee meeting date please contact the following:

- A regular meeting of the Operations, Management, Budget and Government Accountability Committee will be held on the third Monday of each month at 5:30 P.M. in the Council Chambers.

Carolynn Harris (860) 757-9570
Carolynn.Harris@hartford.gov

- A regular Public Works, Parks, Recreation and Environment Committee meeting will be held on the first Wednesday of each month at 5:30 P.M. in the Council Chambers.

Hicks, Haywood 860-757-9565
Haywood.R.Hicks@hartford.gov



Luke A. Bronin
Mayor

ITEM #

ON AGEND

February 27, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: El Mercado

Dear Council President Clarke:

Attached for your consideration is a resolution authorizing the sale of City-owned property at 704 Park Street and 31 Lawrence Street (collectively, the "Property") to Mr. Ramon Flores for \$350,000 and the execution of an agreement to forgive an outstanding City loan on the property.

The property at 704 Park Street is the site of El Mercado Marketplace ("El Mercado") and consists of a one-story, 12,363 square foot building that was constructed in 1990. The building is situated on a .55-acre site at the northeast corner of Park and Babcock Streets. The building is fully occupied and houses a local food market and several food vendors. The property at 31 Lawrence Street is a .68-acre vacant parcel used as a surface parking lot for customers of El Mercado and other area businesses.

In March of 1990, the land at 704 Park Street was deeded to the City as an inducement for its assistance in financing the construction of El Mercado by Park Street Market Associates Partnership (PSMA). At the time, the estimated value of 704 Park Street was \$60,000. The City leased 704 Park Street to PSMA to construct and operate the marketplace and leased the surface lot at 31 Lawrence Street to support the operation. The lease expired in April of 2010 and the current operator of El Mercado, Mr. Ramon Flores, wishes to acquire the Property.

An appraisal, commissioned by the City and dated July 27, 2016, valued the land underlying the improvements at 704 Park Street at \$240,000 and 31 Lawrence Street at \$170,000, for a total value of \$410,000. The City proposes to deduct, from the purchase price, the value of the land at 704 Park Street at the time it was conveyed to the City and sell both 704 Park Street and 31 Lawrence to Mr. Flores for \$350,000 in cash.

550 Main Street
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The lease agreement between the City and PSMA provided for a Payment in Lieu of Taxes (PILOT) to the City. PSMA made all PILOT payments during the initial term of the lease which terminated in 2010. Partial PILOT payments totaling \$87,350.43 were made subsequent to 2010. As of February 2017, the outstanding PILOT balance is \$248,910.58.

Also in March of 1990, the City provided PSMA with a 20-year loan of \$574,200 from CDBG and UDAG funds for development of El Mercado. The loan was secured by a mortgage on the Property. No payments were made on this loan, which has accrued interest at the rate of 3.4% per annum, resulting in an outstanding balance of principal and interest totaling \$1,093,611.74 as of February 16, 2017.

The Administration is willing to write off the outstanding PILOT balance and execute a mortgage modification agreement (the "Agreement") which will allow for the gradual forgiveness of the original principal amount of \$574,200 over five years.

The terms of the loan forgiveness would be as follows. Twenty percent (20%) of the loan amount would be released on the first anniversary of the execution of the Agreement, provided that the roof at 704 Park Street and the lot at 31 Lawrence Street are repaired. Twenty percent (20%) of the loan amount would be released each subsequent year on the 2nd, 3rd, 4th and 5th anniversary of the execution of the Agreement, provided that 1) there are no outstanding taxes, municipal assessments or other monetary obligations owed to the City of Hartford, 2) the Property is maintained in "blight free" condition, 3) there are no health, safety or building code violations affecting the Property, and 4) the Property continues to meet the needs of the neighborhood as a local food market.

It is in the City's interest to take the above actions for the following reasons. PSMA is a "holdover tenant" under the terms of the expired lease. However, PSMA is no longer an active partnership. Mr. Flores has been managing the market for a number of years and is willing to continue doing so if he is able to purchase the property. Further, he has a commitment from the Small Business Administration for a loan to repair the roof and make other urgent repairs, but cannot close on the loan until the purchase is finalized. Not only does Mr. Flores have no obligation to pay the outstanding amounts owed by PSMA, El Mercado does not have the financial capacity to pay them. Should the City decide not to proceed with the transactions outlined in the resolution, it is very possible that Mr. Flores will be unable to continue operation of the business and the City will be responsible for either operating El Mercado, selling the business, or closing the market. Any of these options would be extremely harmful to the community surrounding El Mercado, the Frog Hollow neighborhood, and the City. Therefore, I strongly recommend Council's favorable action on the attached resolution.

Respectfully submitted,



Luke A. Bronin
Mayor

INTRODUCED BY:
Luke A. Bronin, Mayor

COURT OF COMMON COUNCIL
City of Hartford, February 27, 2017

WHEREAS, In 1990, the City of Hartford was deeded property at 704 Park Street, as an inducement for City assistance in financing the construction of a marketplace at that location and said land had an estimated value of \$60,000; and

WHEREAS, The City also owned 31 Lawrence Street and, in 1990, entered into a lease agreement with Park Street Market Associates Partnership (PSMA) for use of 704 Park Street and 31 Lawrence Street (collectively "the Property") for construction of El Mercado Marketplace ("El Mercado"), and a parking lot respectively; and

WHEREAS, The lease agreement required that PSMA make Payments in Lieu of Taxes (PILOT) to the City and \$248,910.58 is currently outstanding, and

WHEREAS, In March of 1990, the City also provided PSMA a 20-year loan in the amount of \$574,200 using Community Development Block Grant (CDBG) and Urban Development Action Grant (UDAG) funds and the Property is currently encumbered by the mortgage in the original principal amount; and

WHEREAS, The lease expired in 2010 and the current operator of El Mercado, Mr. Ramon Flores, has expressed his intent to exercise the option to purchase the properties as contemplated by the lease agreement and has requested forgiveness of the outstanding PILOT amount and a mortgage modification agreement; and

WHEREAS, An appraisal commissioned by the City and dated July 27, 2016 valued the land underlying the improvements at 704 Park Street at \$240,000, and valued 31 Lawrence Street at \$170,000; and

WHEREAS, . The City is willing to credit the value of the land at 704 Park Street at the time it was conveyed to the City (\$60,000) from the present value (\$410,000), and sell both 704 Park Street and 31 Lawrence to Mr. Flores for \$350,000 in cash; and

WHEREAS, In order to ensure that El Mercado continues as a viable and successful operation on Park Street, the City will agree to write off the PILOT balance and subordinate the existing mortgage to financing to be obtained by Ramon Flores for purchase money and money for capital improvements and repairs at the time of closing on the sale; and

WHEREAS, The City and Ramon Flores are willing to execute a mortgage modification agreement which would allow for the forgiveness of said mortgage loan over a five-year period under the following conditions:

- i. No interest or principal payments will be made on said mortgage and twenty percent (20%) of the loan amount would be released on the first anniversary of the execution of the Modification Agreement, provided that the roof at 704 Park Street and the lot at 31 Lawrence Street are repaired, and

- ii. Twenty percent (20%) of the loan amount would be released each subsequent year on the 2nd, 3rd, 4th and 5th anniversary of the execution of the Modification Agreement, provided that 1) there are no outstanding taxes, municipal assessments or other monetary obligations owed to the City of Hartford; 2) the Property is maintained in "blight free" condition; 3) there are no health, safety or building code violations affecting the Property; and 4) the Property continues to meet the needs of the neighborhood as a local food market, and
- iii. If the owner must borrow additional funds to repair or maintain the premises in a "blight free" condition and insure no health, safety or building code violations affect the property, or to make any capital improvements to the property, the City agrees to further subordinate said mortgage to any such new financing.

now, therefore, be it

RESOLVED, that the Mayor is authorized to execute any and all manner of documents and to take such actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to sell the properties at 704 Park Street and 31 Lawrence Street to Ramon Flores for \$350,000 in accordance with the terms described herein; and be it further

RESOLVED, that the Mayor is authorized to execute any and all manner of documents and to take such actions as he and the Corporation Counsel may deem appropriate and in the best interests of the City in order to modify the mortgage agreement as set forth herein; and be it further

RESOLVED, that no person or entity shall be entitled to rely on, or otherwise claim any benefit by reason of this resolution should the Mayor fail to execute the aforementioned agreement or other documents, or to take any of the other aforesaid actions; and be it further

RESOLVED, that all approvals and authorizations provided hereby are contingent upon, and only shall be effective on and by means of, the parties executing such documents, and taking such actions, all of which shall be, in form and substance, acceptable to the Mayor and the Corporation Counsel.



Luke Bronin
Mayor

ITEM # 2 ON AGENDA

February 27, 2017

Honorable Thomas J. Clark, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Elderly Tax Relief Program

Dear Council President Clark:

Attached for your consideration, please find an ordinance amending Section 32-18 of the Municipal Code. This amendment will extend the Elderly Tax Relief Program to elderly Hartford homeowners for taxes due on the Grand List of October 1, 2016, and will slightly increase income limits for eligible homeowners over last year's limits.

The Court of Common Council established the Elderly Tax Relief Program, authorized under Section 12-129n of the Connecticut General Statutes, in 1982. The program has been continued annually in order to mitigate the effect of tax increases on lower income Hartford homeowners who are 65 years of age and older. The tax credits are \$500 for a residential property of three dwelling units or less and \$1,500 for a residential property of four dwelling units. Homeowners must apply to the City Assessor between February 1 and May 15 to participate in the program.

Income limits for participation in the Elderly Tax Relief Program are currently \$45,500 for an unmarried person and \$52,000 for a married couple. We have reviewed the schedules established by the U.S. Department of Housing & Urban Development (HUD) for programs that benefit low and moderate income households and note that HUD's income limits have increased slightly. Consequently, we recommend an increase in the income limits for the Elderly Tax Relief Program to \$46,000 for an unmarried person and \$52,600 for a married couple. The City's Tax Assessor is available to assist you in your review of this matter.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Luke A. Bronin".

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by: Mayor Luke A. Bronin

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING CHAPTER 32 ARTICLE 18 OF THE MUNICIPAL CODE OF THE CITY OF HARTFORD FOR THE PURPOSE OF EXTENDING THE ELDERLY TAX RELIEF PROGRAM FOR TAXES DUE ON THE LIST OF OCTOBER 1, 2016.

COURT OF COMMON COUNCIL,
CITY OF HARTFORD

February 27, 2017

Be It Ordained by the Court of Common Council of the City of Hartford:

That Chapter 32 Article 18, Section 32-18 (j) be amended to read as follows:

Sec. 32-18. - Tax relief for the elderly.

(a) Any person who is liable for taxes assessed on real property located in the City, which real property is occupied by such person as his personal residence, whether such person is an owner of the real property or is liable for taxes therein under the provisions of G.S. § 12-48 as a tenant for life or for a term of years, shall be entitled to tax relief in the form of a tax credit, provided that the:

(1) Person is sixty-five (65) years of age or over, or his spouse is sixty-five (65) years of age or over and resides with such person, or the person is sixty (60) years of age or over and the surviving spouse of a taxpayer who would have qualified for tax relief under this program at the time of his death;

(2) Person has been a resident of the City for a period of one (1) year immediately preceding the application for relief;

(3) Property for which the tax credit is claimed is the legal domicile of such person and is occupied by such person for at least one hundred eighty-three (183) days of each year;

(4) Person's qualifying income individually, if unmarried, during the calendar year preceding the claim for tax relief, shall not exceed [forty-five thousand five hundred dollars (\$45,500.00)] forty-six thousand dollars (\$46,000) or jointly, if married, not exceed [fifty-two thousand dollars (\$52,000.00)] fifty-two thousand six hundred dollars (\$52,600).

Qualifying income is defined as adjusted gross income (Internal Revenue Code guidelines) plus tax-exempt interest, dividend exclusions, gifts, bequests, social security benefits, railroad retirement benefits, and income from all other tax-exempt sources, but not including any credits received under this program;

(5) Person shall have applied for property tax relief under any other existing state benefits programs for which he may be eligible; and

(6) Person makes application for tax relief afforded under this program biennially with the City Assessor no earlier than February first, nor later than May fifteenth.

- (b) The amount of the tax credit afforded under this program shall be five hundred dollars (\$500.00) for a residential property of three dwelling units or less and one thousand five hundred dollars (\$1,500) for a residential property of four dwelling units. In any case where title to such real property is recorded in the names of more than one (1) taxpayer, the amount of credit shall be provided in accordance with the fractional share such eligible owner holds in the property.
- (c) The City Assessor is hereby authorized to implement this program, and to adopt such rules and regulations as may be necessary for the proper administration of this program. He may designate agents to act in his name in collecting applications for this program.
- (d) The City Assessor shall determine eligibility for tax relief under this program. He shall compute the amount of credit due each qualified taxpayer, make proper record thereof, and inform the City tax collector of his determination.
- (e) If any person entitled to the tax credit afforded under this program dies or sells the real property on which the tax credit is granted, any credit previously allowed shall be disallowed to the extent of the portion of the fiscal year remaining following the date of death or sale of the property, except where such death or sale results in a surviving spouse, otherwise eligible, acquiring the interest formerly held by the taxpayer.
- (f) The tax relief afforded under this program to a taxpayer in no event shall, together with any relief received by such residents under the provisions of G.S. §§ 12-129b to 12-129d inclusive, 12-129h, and 12-170aa, exceed, in the aggregate, seventy-five (75) percent of the tax which would, except for G.S. §§ 12-129b to 12-129d inclusive, 12-129h, and 12-170aa, and this program, be laid against such taxpayer.
- (g) The City hereby waives any right to establish a lien which it may have under the provisions of G.S. § 12-129n(f).
- (h) Affidavits, applications or other documents presented in support of the application for tax relief shall remain confidential and shall not be disclosed except in connection with an investigation of fraud or other misrepresentation as to eligibility.
- (i) The total of all credits granted under the provisions of this program shall be limited to ten (10) percent of the total real property tax levied in the City in the preceding fiscal year. If the total of all credits which would be granted except for this section exceeds an amount equal to ten (10) percent of the total real property tax levied in the City in the preceding fiscal year, then each such credit shall be reduced on a pro rata basis so that the total credits equals ten (10) percent of the total real property tax assessed.
- (j) This section shall apply for taxes due on the list of October 1, [2015] 2016, only.

This ordinance shall take effect upon adoption.



ITEM#

3

ON AGED

Luke A. Bronin
Mayor

March 13, 2017

Honorable Thomas J. Clarke II, Council President, and
Members of the Court of Common Council
City of Hartford
550 Main Street
Hartford, CT 06103

RE: Emerald Ash Borer Appropriation

Dear Council President Clarke:

Attached for your consideration is an ordinance appropriating \$200,000 in the Capital Improvement Fund for the first year of an initiative to address the urgent problem of infestation of ash trees on public property by the Emerald Ash Borer. The initiative will include treatment, removal, and replanting. Funds for this appropriation are available in the Parks Trust Fund.

The Emerald Ash Borer (EAB) is a wood-boring beetle which feeds exclusively on all species of ash trees. EAB eggs are laid in the crevices of ash tree bark during the summer. The larvae that hatch from these eggs burrow into and feed on the bark until late fall. They create a chamber where they spend the winter. In the spring the EABs mature into adults and emerge from the tree in May and June. They consume leaf tissue before flying, mating, and laying eggs.

Trees infested with Emerald Ash Borers will die as a result of destruction of their bark by the larvae and by the woodpeckers that feed on them, as well as leaf-eating by adults. It is likely that, within two years, most of the ash trees in Hartford will be infected. Not only does the death of the many large ash trees reduce the urban tree canopy, but ash trees become very brittle when they die, drop limbs, and collapse, thus posing a threat to public safety.

The City's Tree Advisory Commission and the City Forester have been analyzing the impact of EAB infestation with the assistance of Dr. Richard Cowles of the CT Agricultural Experiment Station. They estimate that there are about 200 ash trees in the city's public rights of way and 600 which are near playgrounds, parking lots, pathways, roadways, and playing fields in parks. The Commission has developed strategies and scenarios to address EAB infestation over the next three years. These strategies include treatment of trees that can be saved through insecticide injections either through the trunks or in the soil, removal of trees that are too infested to survive, and replacement of these trees. The Commission has also suggested several scenarios for implementation of these strategies over the next three years. The annual cost estimates for these scenarios range from \$195,000 to \$350,000. In all scenarios, Dr. Cowles has advised that treatment must begin in May in order to be most effective.

I recommend that \$200,000 be appropriated in the Capital Improvement Fund for the first year of the Emerald Ash Borer initiative. These funds will be made available from the Parks Trust Fund. Members of my staff and the Tree Advisory Commission are available to assist you in your review of this matter.

Respectfully submitted,

A handwritten signature of Luke A. Bronin in dark ink.

Luke A. Bronin
Mayor

550 Main Street
Hartford, Connecticut 06103
Telephone (860) 757-9500
Facsimile (860) 722-6606

Introduced by:

Mayor Luke A. Bronin

HEADING
AND
PURPOSE

AN ORDINANCE AMENDING A CIP ORDINANCE ADOPTED ON MAY 23, 2016, MAKING AN APPROPRIATION OF \$200,000 FOR REMOVAL, TREATMENT, AND/OR REPLACEMENT OF ASH TREES SUBJECT TO INFESTATION BY THE EMERALD ASH BORER AND LOCATED IN PUBLIC RIGHTS OF WAY AND IN PROXIMITY TO PLAYGROUNDS, PARKING LOTS, PATHWAYS, ROADWAYS, AND PLAYING FIELDS IN CITY PARKS AND AUTHORIZING THE USE OF \$200,000 FROM THE HARTFORD PARKS TRUST FUND TO MEET SAID APPROPRIATION

COURT OF COMMON COUNCIL,
CITY OF HARTFORD
March 13, 2017

Be It Ordained by the Court of Common Council of the City of Hartford:

Section 1. The sum of [\$48,311,278] \$48,511,278 is hereby appropriated by the City of Hartford, Connecticut (the "City") for the planning, design, acquisition and construction of the various public improvements and equipment hereinafter listed (as more fully described in the narrative description of such improvements and equipment in the City of Hartford CIP Project Commentary dated April 18, 2016), including legal, administrative and related costs (the "Projects"), said appropriation to be inclusive of any and all Federal and State grants-in-aid and proceeds from the Hartford Parks Trust Fund:

EDUCATIONAL FACILITIES:

Replacements and Upgrades to Various School Facilities	\$5,057,500
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PUBLIC SAFETY:

Renovation of Fire Station #11	5,000,000
Fire Station Improvements	1,664,100
Police Camera Systems and Related Equipment	1,364,678
Firing Range Renovations & Safety Enhancements	100,000

PARKS AND RECREATION:

Park Improvements and Playground Enhancements	3,550,000
<u>Emerald Ash Borer Initiative</u>	<u>200,000</u>
Neighborhood Environmental Improvements	1,000,000

PUBLIC WORKS:

Milling and Paving	3,500,000
Sidewalks	1,000,000
Street Lights	1,200,000
Street Light Conversion to LED	5,000,000
Traffic Calming	200,000
Streetscapes	2,000,000
Street Signalization	5,000,000
Bridge Repairs	500,000
Refuse Carts	500,000
Oil Tanks	250,000
Citywide Security	500,000
Roof Replacement	500,000

Municipal Facilities Renovations	2,000,000
Energy Projects	1,250,000
Building Demolition	250,000

DEVELOPMENT:

Neighborhood Anti-Blight & Housing Revitalization	3,000,000
Federal/State Grant Matching Funds	225,000
Bowles Park Redevelopment	1,000,000
Redevelopment and Implementation	1,000,000
Emergency Demolition Funds	400,000
Document Conversion	300,000
Participatory Budgeting	<u>1,000,000</u>

Total	[\$48,311,278] <u>\$48,511,278</u>
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Section 2. The estimated useful life of the Projects is not less than twenty years. The total estimated cost of the Projects is [\$48,311,278] \$48,511,278. The cost of the Projects is expected to be defrayed from State and Federal grants and the Hartford Parks Trust Fund.

Section 3. To meet said appropriations, \$48,311,278 bonds of the City, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). Said bonds may be issued in one or more series in the amount necessary to meet the City's share of the cost of the Projects determined after considering the estimated amount of any State and Federal grants-in-aid therefor and proceeds from the Hartford Parks Trust Fund, or the actual amounts thereof, and the anticipated time of receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, financing, legal and other costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or such other amount or whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the City by the facsimile or manual signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Hartford, Connecticut. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including approval of the rate or rates of interest, shall be determined by the Mayor and the City Treasurer in accordance with the Connecticut General Statutes.

Section 4. The bonds, or any series thereof, may be issued and sold by the Mayor and City Treasurer in a competitive offering or by negotiation or private placement, in their discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least three days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the terms and conditions of the purchase agreement shall be approved by the Mayor and the City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor and the City Treasurer, have the seal of the City affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be approved as to their legality by Robinson & Cole LLP, Hartford, Connecticut, and be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to Section 7-373 of the Connecticut General Statutes. The notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, 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, may be included as a cost of the Projects. 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 any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of State grants-in-aid of the Projects. The notes shall be issued and sold in the manner as shall be determined by the Mayor and City Treasurer. Notes evidencing such borrowings shall be executed in the name of the City by the manual or facsimile signatures of the Mayor and City Treasurer, have the City seal affixed, be certified by a bank or trust company designated by the Mayor and City Treasurer pursuant to Section 7-373 of the Connecticut General Statutes, and be approved as to their legality by Robinson & Cole LLP, Hartford, Connecticut. The notes and any renewals thereof shall mature and be payable not later than the end of the fiscal year during which the proceeds of State grants-in-aid in anticipation of which the Notes have been issued are received. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing, and marketing them, to the extent paid from the proceeds of the notes, may be included as a cost of the Projects. Upon receipt of the State grants-in aid, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any of the notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 7. The balance of any appropriation or the proceeds of any bonds not needed to meet the cost of any Project authorized hereby may be transferred by resolution of the Common Council to meet the actual cost of any other capital project of the City (including Projects authorized hereby and capital projects authorized by prior or future bond ordinances) for which an appropriation and bond authorization has been adopted; provided that the aggregate amount of bonds authorized pursuant to such transfer shall not be increased.

Section 8. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete a Project authorized herein and the financing thereof.

Section 9. The issuance of bonds and notes authorized hereunder is within every debt limitation prescribed by law.

Section 10. The City hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and anytime after the date of passage of this ordinance in the maximum amount and for the Projects with the proceeds of bonds, notes, or other obligations ("Tax Exempt Obligations") authorized to be issued by the City. The Tax Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the

date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Tax Exempt Obligations.

Section 11. The Mayor, the City Treasurer and the Director of Finance are hereby authorized, on behalf of the City, 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") and to provide notices to the MSRB of certain events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 12. The Mayor and City Treasurer, in the name of the City, are 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 the bonds and the exclusion of the interest on the bonds from gross income for federal income tax purposes, (b) make, execute and deliver all such additional and supplemental documents, including, but not limited to, bond insurance agreements, paying agent agreements, tax certificates, tax forms, investment agreements or assignments, (c) appoint any other consultants or professionals as required and (d) 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 ordinance.

Section 13. The Mayor is authorized in the name and on behalf of the City to apply for and accept any and all Federal and State grants-in-aid of any of the Projects and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith to contract in the name of the City with engineers, contractors and others.