

Representative Policy Board
RPB Bylaws and Rules Review Committee
South Central Connecticut Regional Water District
Location: Remote Access**

AGENDA

Special Meeting of Wednesday, March 25, 2020 at 5:30 p.m.

1. Review and discuss structure of RPB Bylaws, Rules of Practice and Enabling Legislation for possible changes
2. Discuss next steps
3. Schedule next meeting
4. Adjourn

**In accordance with the Governor Lamont's, Executive Order No. 7B for the Protection of Public Health and Safety during COVID-19 Pandemic and Response, the public hearing will be held remotely under the requirements of Paragraph 1 of Executive Order No. 7B - Suspension of In-Person Open Meeting Requirements. Members of the public may attend the meeting via conference call, videoconference or other technology. For additional information on attending the meeting via remote access, please go to www.rwater.com and select the green tab "*Board Meetings & Minutes.*" For questions on remote access, contact the board office at 203-401-2515.

ENABLING LEGISLATION - SUMMARY

Section

- 1 Declaration of Establishment and Purpose
- 2 Definitions
- 3 Area and Territory of the District
 - (a) District Towns
 - (b) Inclusion of Wolcott
- 4 Representative Policy Board Members – Voting and Rules
 - (a) Appointments, Terms and Compensation
 - (b) Weighted Vote and Quorum – see 4(e)
 - (c) Rules of Procedures, Bylaws and Standing Committees
 - (d) Ansonia-Derby
 - (e) Wolcott
- 5 Authority – Creation of RWA, Member Appointments, Terms and Compensation
- 6 Duration of Representative Policy Board and Authority Membership
- 7 Authority Officers – Terms
- 8 Chief Executive Officer Appointment and Contracting for Professional Services
- 9 Authority Meetings and Quorum
- 10 Public Hearings – Notices, Locations and Decisions
- 11 Authority Powers
 - (a) Sue & be Sued
 - (b) Seal
 - (c) Acquire Personal Property
 - (d) Acquire Real property (applicability of Secs. 16-43, 16-50c and 16-50d)
 - (e) Construct and Develop Water Supply and Wastewater Systems
 - (f) Own and Operate Properties
 - (g) Sell Water
 - (h) Purchase Water
 - (i) Bylaws, Rules and Regulations
 - (j) Contracts and Indebtedness Instruments
 - (k) Borrow Money; Issue Bonds and Notes
 - (l) Open Streets and Grounds
 - (m) Cooperative Agreements
 - (n) Land and Waters for Conservation & Recreation (fees)
 - (o) Grants and Loans
 - (p) Water Conservation Programs and Policies
 - (q) Any and All Things Necessary and Convenient
- 12 Water Sales and Wastewater Service Restrictions and Enabling Wastewater Acquisitions
- 13 Condemnation Rights
- 14 Water and Wastewater Rates, Liens, Uses of Assets and Revenue, Separation of Water and Wastewater Revenues, Expenses and Liabilities
- 15 Office of Consumer Affairs
- 16 Competitive Bidding
- 17 Ethics
 - (a) Financial or Beneficial Interest
 - (b) Gifts and Food
- 18 Unimproved Land (see also SA03-12, pg. 37 of SCCRWAEL)

ENABLING LEGISLATION - SUMMARY

- (a) Prohibition on Disposition of Transfer of Unimproved Real Property
- (b) Development of Land Use Plan
- (c) Disposition Process, Vote and Criteria for RPB
- (d) Evaluation of Potential Impact
- (e) Evaluation Submittal to State Agencies and Decision
- (f) Disposition Notification (Municipal and State Right of Refusal) and Process
- (g) DPH Jurisdiction Under Sec. 25-32
- (h) Use of Proceeds
- (i) Section Applicable to Unimproved Land
- 19 Acquiring Water Supply or Wastewater Systems (projects over \$2 million)
- 20 Annual Audit
- 21 Taxes
 - (a) Property taxes – PILOT
 - (b) Rights to Contest Assessed Valuation
 - (c) Ability/Failure to Pay
 - (d) Tax Exemption
- 22 Bonds
 - (a) Power to Issue and Refund Bonds
 - (b) Authorizing Resolution
 - (c) Bondholder Contract Provisions
 - (d) Credit Instruments – Right to Pledge Assets
 - (e) Obligation contracts – Right to Pledge Assets
 - (f) Pledge of Assets Binding
 - (g) Exempt from Personal Liability
 - (h) Power Out of Funds
 - (i) Trust Indenture
 - (j) Covenant Requirements
 - (k) Validity of Signature
- 23 Issuance of Negotiable Notes
- 24 State Pledge to Bond and Note Holders
- 25 Bonds and Notes Not Debt of State
- 26 Bonds and Notes Legal Securities
- 27 Bonds and Notes – State Covenant Regarding Taxes
- 28 DEP and DPH Jurisdiction, PUCA [DPUC] Exemption from Jurisdiction and Filing of CGS Sec. 16-29 Report
- 29 RWA Legislation Controlling and Zoning Exemptions
- 30 Persons Aggrieved by Authority (RPB approval for projects over \$2 million)
- 31 Employee Rights Upon Acquisition of a Water Company
 - (a) Employment and credited rights
 - (b) Acquiring pension/retirement
 - (c) Labor contracts
 - (d) Personnel policies
 - (e) Senior managerial officers
- 32 Collective Bargaining and Arbitration
- 33 Bonds for Establishment of Authority

ENABLING LEGISLATION - SUMMARY

Sec 12 of SA78-24

Indemnity

SA 03-12

Sale of Existing Dwelling Houses and Barn

- (a) RWA Restrictions
- (b) Restrictive Covenant Requirements
- (c) Notices
- (d) Use of Proceeds and Data of Discontinuation

RPB BYLAWS - SUMMARY

ARTICLE I: MEETINGS

Section 1.1	Regular Meetings
Section 1.2	Members to Receive Notice of Regular Meetings
Section 1.3	Special Meetings
Section 1.4	Members to Receive Notice of Special Meetings
Section 1.5	Waiver of Notice
Section 1.6	Delivery of Notice to Designated Persons
Section 1.7	Persons to Receive Notice
Section 1.8	Filing of Agenda of Regular Meetings
Section 1.9	Quorum
Section 1.10	Executive Session
Section 1.11	Adjournment, Notice

ARTICLE II: WEIGHTED VOTING

ARTICLE III: OFFICERS

Section 3.1	Designation and Election
Section 3.2	Nominations
Section 3.3	Removal
Section 3.4	Chairperson
Section 3.5	Vice-Chairperson
Section 3.6	Secretary
Section 3.7	Treasurer
Section 3.8	Term Limits

ARTICLE IV: COMMITTEES

Section 4.1	Committees Established
Section 4.2	Executive Committee

ARTICLE V: PROFESSIONAL AND CLERICAL SERVICES

Section 5.1	Professional Services
Section 5.2	Clerical Services

ARTICLE VI: FINANCIAL

Section 6.1	Competitive Bids
Section 6.2	Compensation
Section 6.3	Fidelity Bonds
Section 6.4	Board Transactions with Members and Employees
Section 6.5	Limitations of Liability and Indemnification
(a)	Definition
(b)	Limitation of Liability of Members
(c)	Indemnification of Members
(d)	Intent of Provision

RPB BYLAWS - SUMMARY

ARTICLE VII: NONDISCRIMINATION

- Section 7.1 Guarantee of Equal Employment Practices by the Board
- Section 7.2 Activities of the Board to be Performed without Discrimination

ARTICLE VIII: ORIENTATION OF NEW MEMBERS

ARTICLE IX: APPOINTMENT OF MEMBERS TO THE REGIONAL WATER AUTHORITY

- Section 9.1 Election and Terms
- Section 9.2 Nominating Committee
- Section 9.3 Nominating Committee Process
 - (a) Selection Guidelines
 - (b) Consideration of Reappointing the Incumbent
 - (c) Open Candidacy
 - (d) Designated Representation for New Haven on the Authority
- Section 9.4 Board Action
- Section 9.5 Official Communication
- Section 9.6 Unexpired Terms

ARTICLE X: AMENDMENT

RPB RULES OF PRACTICE - SUMMARY

I DESCRIPTION OF ORGANIZATION

Section 1.	Description
Section 2.	Functions
Section 3.	Official Address
Section 4.	Public Information

ARTICLE I: GENERAL PROVISIONS

PART I – SCOPE AND CONSTRUCTION OF RULES

Section 1.	Procedure Governed
Section 2.	Definitions
Section 3.	Waiver of Rules
Section 4	Construction and Amendment
Section 5.	Computation of Time
Section 6.	Protective Orders

PART 2 – FORMAL REQUIREMENTS

Section 7.	Office
Section 8.	Date of Filing
Section 9.	Number of Copies
Section 10.	Schedule of Public Hearings
Section 11.	Public Notice
(a)	Publication of Notice
(b)	Filing of Notice
(c)	Mailing to Designated Persons
(d)	Persons to Receive Notice

PART 3 – PUBLIC HEARINGS, PROCEDURE

Section 12.	General Provisions
Section 13.	Presiding Members, Hearings Officers and Conduct of Hearings
Section 14.	Public Hearing Record
Section 15.	Filing of Added Exhibits
Section 16.	Rules of Evidence
(a)	Rules of Evidence
(b)	Documentary Evidence
(c)	Cross Examination
(d)	Facts Noticed, Board Records
Section 17.	Order of Procedure at Public Hearings
(a)	Applicant
(b)	Interested Persons
Section 18.	Limiting Number of Witnesses
Section 19.	Limitation of Direct Case

RPB RULES OF PRACTICE - SUMMARY

PART 4 – PUBLIC HEARINGS, DECISION

- Section 20. Filing of Proposed Findings of Fact, Conclusions of Law and Briefs
- Section 21. Final Decision
 - (a) Procedure and Contents
 - (b) Notice of Decision
 - (c) Time Period to Make Decision
- Section 22. Reserved

ARTICLE II: APPLICATIONS

PART I – APPLICATIONS, GENERAL PROVISIONS

- Section 23. General Rule
- Section 24. Form
 - (a) Statement of Application
 - (b) Annexed Materials
- Section 25. Original Records
- Section 26. Rejection of Application
- Section 27. Incomplete Filings
- Section 28. Reserved
- Section 29. Additional Evidence

APPLICATIONS, SPECIAL PROVISIONS

PART 2 RATE FIXING (Section 14 of the Act)

- Section 30. General Rule
- Section 31. Special Components
 - (a)(i) Rate Application: Section I
 - (a)(ii) Rate Application: Section II
 - (a)(iii) Rate Application: Section III
 - (a)(iv) Rate Application: Section IV
 - (a)(v) Rate Application: Section V
 - (a)(vi) Rate Application: Section VI

PART 3 – ACQUISITIONS AND IMPROVEMENTS (Section 19 of the Act)

- Section 32. General Rule
- Section 33-A. Special Components
- Section 33-B. Additional Procedures for Projects Costing More than Two Million Dollars
- Section 33-C. Additional Procedures for Project Costs Exceeding Authorized Expenditures
- Section 33-D. Components of Section 19 Application to Acquire or Make and Investment in Non-core Business in Excess of \$1 million. References in these Rules to

RPB RULES OF PRACTICE - SUMMARY

“purchase” or “acquisition” of a non-core business shall be deemed to include an investment in such a business

1. General Background
2. History of the company
3. Management/Employees
4. Financial Records
5. Regulatory, Environmental & Legal Issues
6. Sales & Marketing
7. Customer Diversification
8. Competition
9. Industry Trends
10. Transaction Documents
11. Five-year forecast
12. Conflicts of Interest
13. Valuation
14. Risks
15. Conclusion

PART 4 – LAND USE STANDARDS AND DISPOSITION POLICIES FOR THE REAL PROPERTY OF THE WATER SUPPLY SYSTEM (Section 18(b) of the Act)

- Section 34. General Rule
- Section 35. Special Components

PART 5 – DISPOSITIONS OF THE REAL PROPERTY OF THE WATER SUPPLY SYSTEM (Section 18(d) of the Act)

- Section 36. General Rule
- Section 37. Special Components

PART 6 – LOCATION OF PURIFICATION AND FILTRATION PLANTS AND WASTEWATER TREATMENT PLANTS (Section 29 of the Act)

- Section 38. General Rule
- Section 39. Special Components

ARTICLE III: PROCEDURES FOR CONSUMER COMPLAINTS

- Section 40. Complaints General
- Section 41. Office of Consumer Affairs
- Section 42. Hearings

Topic: RPB Bylaws and Rules Review Committee
Remote Meeting Access Information

Time: Mar 25, 2020 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/391048541>

Meeting ID: 391 048 541

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