

## CITY OF BROCKTON

In City Council October 15, 2019

(Sewer System Improvements)

Ordered: that sum of \$4,900,000 is appropriated to pay costs of sewer system rehabilitation work, including, but not limited to, projects designed to address sources of exfiltration, infiltration and inflow, and sections of undersized pipe, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §§7 and 8, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor. The Treasurer with the approval of the Mayor is authorized to borrow all or a portion of the amount set forth above from the Massachusetts Clean Water Trust (the ("Trust")) established pursuant to M.G.L. c. 29C and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project. Any premium received by the City upon the sale of any bonds or notes approved by this order, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Further Ordered: That the City Treasurer is authorized to file an application with The Commonwealth of Massachusetts' Municipal Finance Oversight Board to qualify under M.G.L. c. 44A any and all bonds or notes of the City authorized by this vote, and to provide such information and execute such documents as the Municipal Finance Oversight Board of The Commonwealth of Massachusetts may require.

All loan orders must be published at least 10 days prior to final passage and each requires at least a two-thirds vote of all members of the City Council.

For each order, a certificate from you as the Chief Financial Officer is required by Section 5 of Chapter 324 of the Acts of 1990 and should be filed prior to adoption of each individual loan order. If you do not give the required certification or if you are unable to make the certification without expressing qualifications or contingencies, the loan order may only be passed by the City Council if the absence of such certification or the qualified or contingent nature of such certification is expressly noted in such order.

In City Council, October 28, 2019 passed to a third reading and at the meeting of November 12, 2019, the question may be on final passage.

The foregoing Ordinance is on file in the City Clerk's Office and on the City's website in its entirety for review by interested parties.

Anthony J. Zeoli, City Clerk

Will be published in newspaper:

**November 1 , 2019**

POSTED ON THE BOARD IN CLERK'S OFFICE AND ON BOARD NEXT TO FIRST FLOOR ELEVATOR  
ALSO ON CITY'S WEBSITE

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*Dennis Eaniri*

Councillor

Councillor Dennis R. Eaniri

IN CITY COUNCIL

*October 15, 2019*

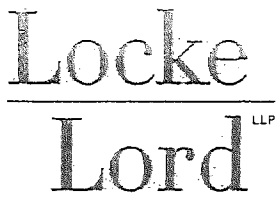
READ AND REFERRED TO STANDING  
COMMITTEE ON *Finance*

*Anthony J. Zeali*  
CLERK

In City Council October 28, 2019

Passed to a third reading by a hand  
vote.

*Anthony J. Zeali*  
City Clerk



Attorneys & Counselors

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Direct Fax: 866-658-1046  
richard.manley@lockelord.com

July 25, 2019

2019 OCT 4 PM 3:34

Karen Preval, Budget Director  
City of Brockton  
45 School Street  
Brockton, Massachusetts 02301

Dear Karen: (City of Brockton – 2019 Sewer Rehabilitation Project)

As requested, I would suggest the following form of loan order to pay costs of the 2019 phase of the City’s sewer system rehabilitation project:

(Sewer System Improvements)

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Please call me if there are any questions about the suggested proceedings. If any funds are to be advanced for these purposes and reimbursed from bond proceeds, please note the requirements of G.L. c.44 §20A and the guidelines issued by the Director of the Bureau of Accounts.

Yours faithfully,



Richard A. Manley, Jr.

2019 OCT 4 PM 3:34

RAM

cc: Troy Clarkson, Chief Financial Officer  
Cynthia McNerney, Hilltop Securities, Inc.