

CITY OF CONCORD

In the year of our Lord two thousand and twenty-two

RESOLUTION APPROPRIATING THE SUM OF THREE MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$3,800,000) FOR THE HALL STREET WASTEWATER TREATMENT FACILITY SECONDARY CLARIFIER UPGRADE SUBPROJECT (CIP #104), ACCEPTING THE SUM OF SEVEN HUNDRED SIXTY THOUSAND DOLLARS (\$760,000) FROM THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES AMERICAN RESCUE PLAN ACT (ARPA) PROGRAM, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE SUM OF THREE MILLION FORTY THOUSAND DOLLARS (\$3,040,000) FOR THIS PURPOSE

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The City of Concord resolves as follows:

WHEREAS, the City of Concord Wastewater Division desires to upgrade the three existing secondary clarifiers at the Hall Street Wastewater Treatment Facility to maintain treatment; and

WHEREAS, the City of Concord submitted a preliminary application for funding the Secondary Clarifier Upgrade subproject (CIP #104), in an amount of up to \$3,800,000 from the New Hampshire Department of Environmental Services (NHDES); and

WHEREAS, NHDES has offered the City of Concord an American Rescue Plan Act (ARPA) grant in an amount of up to 20% (\$760,000) of total eligible project costs for this project; and

WHEREAS, in order to meet remaining project costs, the City wishes to secure general obligation bonds in the amount of \$3,040,000; and

WHEREAS, this appropriation is for a purpose for which funds are not included in the Fiscal Year 2022 adopted budget, therefore Section 37 of the City Charter requires a two-thirds vote of the City Council to approve this Resolution; and

WHEREAS, RSA 33:9 mandates that a two-thirds vote of all members of the City Council is required to pass a bond resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

1) The sum of\$3,800,000
be and is hereby appropriated as follows:

Wastewater Capital Project Fund
Secondary Clarifier Upgrade subproject (CIP #104)\$3,800,000

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2) Revenue to meet said appropriation shall be provided from the following sources:

<u>Wastewater Capital Project Fund</u>	
General Obligation Bonds and Notes	\$3,040,000
NHDES ARPA funds	\$760,000
Total	\$3,800,000

3) In order to meet said expenditure, the City Treasurer, with approval of the City Manager, is authorized to issue \$3,040,000 in bonds and notes of the City of Concord in accordance with RSA 33:9.

4) The discretion of the fixing of dates, maturities, rate of interest, form and other details of such bonds and notes (including whether such bonds or notes shall be issued on a tax exempt or taxable basis) and providing for the sale are hereby delegated to the City Treasurer.

5) The useful life of the project is expected to be in excess of twenty (20) years.

6) The following four statements are required under the NHDES rules for acceptance of funds:

A. The City Manager, or his designee, is hereby authorized to take such actions as may be necessary to apply to the NHDES for a grant through the ARPA for the purposes of the Secondary Clarifier Upgrade Project at the Hall Street Wastewater Treatment Facility;

B. In the event the City of Concord is awarded this grant, the City Council hereby accepts the grant;

C. The City Council authorizes raising, appropriating, and expending the sum of up to Three Million Eight Hundred Thousand Dollars (\$3,800,000) through the issuance of bonds and/or notes of the City of up to Three Million Forty Thousand Dollars (\$3,040,000) under the Municipal Finance Act and participation in the

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NHDES ARPA Program of up to Seven Hundred Sixty Thousand Dollars (\$760,000);

D. The City Manager, or his designee, is hereby authorized to execute all documents and undertake all actions as may be required to implement this Resolution.

- 7) Sums as appropriated shall be expended under the direction of the City Manager.
- 8) This resolution shall take effect upon its passage.