



Substitute House Bill No. 7153

Public Act No. 25-90

AN ACT CONCERNING THE ESTABLISHMENT OF THE PORT EASTSIDE INFRASTRUCTURE IMPROVEMENT DISTRICT IN THE TOWN OF EAST HARTFORD AND THE PARK CITY LANDING INFRASTRUCTURE IMPROVEMENT DISTRICT IN THE CITY OF BRIDGEPORT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective from passage*) (a) As used in this section and section 2 of this act:

(1) "District" means the Port Eastside Infrastructure Improvement District, which may be established as a body politic and corporate pursuant to subsection (b) of this section, situated in the town of East Hartford, county of Hartford and state of Connecticut and bounded and described as follows: Beginning at the intersection of the northerly street line of Hartland Street and the easterly street line of East River Drive; thence running northerly along the easterly street line of East River Drive a distance of 883 feet, more or less; thence running easterly and northerly along the southerly and westerly lines of land now or formerly of Merchant Founders Lodging, LLC a distance of 792 feet, more or less, to the southerly street line of Pitkin Street; thence running easterly along said southerly street line of Pitkin Street a distance of 616 feet, more or less; thence running southerly along the westerly line of land now or formerly of Milton East Hartford Investments, LLC and land now or

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formerly of Infinity IV, LLC, partly by each, a distance of 715 feet, more or less, to the northerly street line of Hartland Street; thence running westerly along said northerly street line of Hartland Street a distance of 101 feet, more or less; thence running southerly crossing Hartland Street a distance of 60 feet to the southerly street line of Hartland Street; thence running southeasterly along the westerly line of land now or formerly of the Connecticut Natural Gas Corporation a distance of 818 feet, more or less; thence running westerly and northwesterly along the southerly and easterly lines of land now or formerly of the Town of East Hartford a distance of 1,143 feet, more or less, to the southerly street line of Hartland Street; thence running northwesterly crossing Hartland Street a distance of 95 feet, more or less, to the point of beginning;

(2) "District improvements" means improvements for any or all of the following public purposes: To (A) light streets, (B) plant and care for shade and ornamental trees, (C) plan, lay out, acquire, construct, maintain and finance roads, sidewalks, crosswalks, drains, sewers, water lines, parking facilities, open space, waterside improvements, environmental remediation and other infrastructure improvements, and (D) acquire, construct, maintain and regulate the use of recreational facilities. "District improvements" includes any off-site locations or improvements made outside the district but related to or made necessary by the establishment of the district, including, but not limited to, any transit enhancements, bridges, roadways, traffic signalization, easements, environmental protection devices or structures, storm or sanitary sewer lines, water lines, utility lines, and waterfront improvements along the Connecticut River;

(3) "Approval for district improvements" means the issuance of any permit or approval or the performance of any administrative action required for any work performed in connection with the district improvements;

(4) "Benefit assessment" means an assessment by the district for the

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proportion of any cost, or estimated cost, and any associated finance cost whenever the district constructs, improves, extends, equips, rehabilitates, repairs, acquires or provides a grant for any district improvements or finances the cost of such improvements;

(5) "Commissioner" means the commissioner or commissioners of a state agency or state agencies that have jurisdiction over an approval for district improvements;

(6) "Public entity" means the state and any agency thereof;

(7) "Voter" means (A) any person who is an elector of the district, (B) any citizen of the United States eighteen years of age or older who, jointly or severally, is liable to the district for taxes assessed against such citizen on an assessment of not less than one thousand dollars on the last-completed grand list of such district, as the case may be, or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (23) or (26) of section 12-81 of the general statutes, or (C) any holder of record of an interest in real property within the district;

(8) "Bonds" means bonds, notes or other obligations authorized by this section, and refunding bonds, notes or other obligations to refinance the same; and

(9) "Interlocal agreement" means an agreement, entered into in accordance with section 7-339c of the general statutes, between the district and the town of East Hartford relating to the sharing of incremental tax revenues collected on real property within the district.

(b) (1) The mayor of the town of East Hartford shall, upon the petition of fifteen or more persons eligible to vote in said town specifying the district for any or all of the purposes set forth in this section, call a meeting of the voters to act upon such petition. Not later than thirty days after receipt of such petition, the mayor shall designate the time and place for such meeting. Not less than fourteen days before such

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meeting, the mayor shall publish notice of such meeting in two successive issues of a newspaper published or having general circulation in the town of East Hartford. Not later than twenty-four hours before such meeting, (A) two hundred or more voters or ten per cent of the total number of voters of such proposed district, whichever is less, may petition the mayor, in writing, for a referendum of the voters of such proposed district, or (B) the mayor may, in the mayor's discretion, order a referendum of the voters of such proposed district on the sole question of whether the proposed district should be established. Any such referendum shall be held not less than seven and not more than fourteen days after the receipt of such petition or the date of such order, on a date to be set by the mayor for a vote by paper ballots or by a "yes" or "no" vote on the voting machines, during the hours between twelve o'clock noon and eight o'clock p.m. Notwithstanding the provisions of any special act, the town may provide for an earlier hour for opening the polls by vote of its town council, provided such opening of the polls is not earlier than six o'clock a.m. If voters representing at least two-thirds of the assessments of holders of record within the proposed district cast votes in favor of establishing the proposed district in such referendum, the mayor shall reconvene such meeting not later than seven days after such referendum. Upon approval of the petition for the proposed district by voters representing at least two-thirds of the assessments of holders of record within the proposed district present at such meeting, or, if a referendum is held, upon the reconvening of such meeting after such referendum, the voters may establish the district. The district shall, upon the filing of the first report filed as provided in subsection (c) of section 7-325 of the general statutes, be a body corporate and politic and have the powers provided in sections 7-324 to 7-329, inclusive, of the general statutes, not inconsistent with the general statutes, this section and section 2 of this act, concerning the purposes for which the district was established and that are necessary for the accomplishment of such purposes, including the power to lay and collect taxes. The clerk of the district shall cause the name of the district

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and a description of the district's territorial limits to be recorded in, and a caveat be placed upon, the land records of the town of East Hartford. Nothing in this subsection shall be construed to limit the power of the town of East Hartford to lay and collect taxes upon property in the district.

(2) At the meeting called for the purpose of establishing the district as provided in subdivision (1) of this subsection, the voters may establish the district for the purpose of making any or all of the district improvements. The district may contract with a town, city, borough or other district for the carrying out of any of the purposes specified in this subsection or for the purchase or sale of any of the improvements for which the district was established.

(3) (A) At the meeting called for the purpose of establishing the district as provided in subdivision (1) of this subsection, the voters shall fix the date of the annual meeting of the voters for the election of district officers and the transaction of such other business as may properly come before such annual meeting. At such meeting of the district, the voters shall elect a president, vice-president, five directors, a clerk and a treasurer to serve until the first annual meeting for the election of officers and thereafter such officers shall be elected annually. Upon the district's organization and at all times thereafter, one director shall be appointed by, and serve at the pleasure of, the mayor of the town of East Hartford.

(B) At the first annual meeting of the district, the directors not appointed by the mayor shall be elected to serve for one, two, three or four years, respectively, and thereafter such directors shall be elected to serve for four-year terms as each term ends. Not fewer than three members of the board of directors shall be residents of this state.

(C) Special meetings of the district may be called on the application of ten per cent of the total number of voters of such district or twenty of

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the voters of such district, whichever is less, or by the president or any three directors upon giving notice as provided in this section. Any special meeting called on the application of the voters shall be held not later than twenty-one days after receiving such application.

(D) Notice of the holding of the annual meeting and all special meetings shall (i) be given by publication of a notice of such meetings in a newspaper having a general circulation in the town of East Hartford not less than ten days before the day of any such meeting, (ii) be signed by the president or any three directors, and (iii) designate the time and place of such meeting and the business to be transacted at such meeting.

(E) Two hundred or more persons or ten per cent of the total number of voters of such district, whichever is less, may submit a written petition to the clerk of such district not less than twenty-four hours prior to any such meeting, requesting that any item or items on the call of such meeting be submitted to the voters of the district not less than seven nor more than fourteen days thereafter, on a day to be set by the district meeting or, if the district meeting does not set a date, by the board of directors, for a vote by paper ballots or by a "yes" or "no" vote on the voting machines, during the hours between twelve o'clock noon and eight o'clock p.m., except that the district may, by vote of its board of directors, provide for an earlier hour for opening the polls but not earlier than six o'clock a.m. The paper ballots or voting machine ballot labels, as the case may be, shall be provided by the clerk. When such a petition has been filed with the clerk, the president, after completion of other business and after discussion, shall adjourn such meeting and order such vote on such item or items in accordance with the petition, and any item so voted may be rescinded in the same manner. The clerk shall phrase such item or items in a form suitable for printing on such paper ballots or ballot labels.

(F) At any annual or special meeting, the voters may, by a majority vote of those present, discontinue any purposes for which the district is

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established or undertake any additional purpose or purposes enumerated in subdivision (2) of this subsection.

(4) (A) A quorum for the transaction of business at the meeting called for the purpose of establishing the district, as provided in subdivision (1) of this subsection, shall be either fifteen voters of such district or a majority of the holders of record of interests in real property within such district, as long as the assessments of such holders of record constitute more than one-half of the total of assessments for all interests in real property within such district. If fifteen voters or a majority of the holders of record of interests in real property within such district are not present at such meeting or the assessments of such holders of record constitute less than one-half of the total of assessments for all interests in real property within such district, the mayor may adjourn such meeting until at least fifteen voters or a majority of the holders of record of interests in real property within such district are present and the assessments of such holders of record constitute more than one-half of the total of assessments for all interests in real property within such district.

(B) For the transaction of business at any other meeting of the district, a quorum shall be either fifteen voters of the district or a majority of the holders of record of interests in real property within such district, provided the assessments for such holders of record constitute more than one-half of the total of assessments for all interests in real property within such district. If fifteen voters or a majority of the holders of record of interests in real property within such district are not present at such meeting or the assessments of such holders of record constitute less than one-half of the total assessments for all interests in real property within such district, the president of the district or, in such president's absence, the vice-president may adjourn such meeting until at least fifteen voters or a majority of the holders of record of interests in real property within such district are present and the assessments of such holders of record

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constitute more than one-half of the total of assessments for all interests in real property within such district. Any meeting of the district where a quorum is present may be adjourned by a vote of a majority of the voters voting on the question.

(5) In any case in which an action for a vote by the voters of the district is to be initiated by the petition of such voters, in addition to such other requirements as the general statutes or any special act may impose, such petition shall be on a form prescribed or approved by the clerk of such district, and each page of such petition shall contain a statement, signed under penalties of false statement, by the person who circulated the same, setting forth such person's name and address, and stating that (A) each voter whose name appears on such page signed the same in person in the presence of the person who circulated the petition, (B) such person either knows each such voter or that the voter satisfactorily identified such voter to such person, and (C) each signature on such page was obtained not earlier than six months before the filing of such petition. Any page of a petition that does not contain such a statement by the person who circulated such petition shall be invalid. Any person who makes a false statement in the statement required by this subdivision shall be subject to the penalty for false statements pursuant to section 53a-157b of the general statutes. Any petition circulated pursuant to this subdivision by a person who is not a voter of the district shall be invalid.

(c) If (1) the officers of the district vote to terminate the district's corporate existence, or (2) the district clerk receives a petition signed by ten per cent of the total voters of such district or twenty of the voters of such district, whichever is less, applying for a special meeting to vote on the termination of the district, the clerk shall call a special meeting of the voters of such district. The notice of such meeting shall be signed by the officers of the district and be advertised as required by section 7-325 of the general statutes. Not later than twenty-four hours before any such meeting, two hundred or more voters or ten per cent of the total number

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of voters, whichever is less, may petition the clerk of the district, in writing, that a referendum on the question of whether the district should be terminated be held in the manner provided in section 7-327 of the general statutes. If, at such meeting, a two-thirds majority of the voters present vote to terminate the corporate existence of the district, or, if a referendum is held, two-thirds of the voters casting votes in such referendum vote to terminate the corporate existence of the district, the officers shall terminate the affairs of such district. The district shall pay all outstanding indebtedness of the district and transfer the balance of the assets of such district to the town in which the district is located upon the approval of the town council of the town of East Hartford. The district shall not be terminated under this section until all of its outstanding indebtedness is paid unless the town council of the town of East Hartford agrees, in writing, to assume such indebtedness. On completion of the duties of the officers of such district, the clerk shall cause a certificate of the vote of such meeting to be recorded in the land records of the town of East Hartford and the clerk shall notify the Secretary of the Office of Policy and Management of such district's termination.

(d) (1) At any meeting of the district, any tenant in common of any interest in real property shall have a vote equal to the fraction of such tenant in common's ownership of such interest. Any joint tenant of any interest in real property shall vote as if each such tenant owned an equal fractional share of such real property. A corporation shall have its vote cast by the chief executive officer of such corporation, or such officer's designee. An entity eligible to vote in the district that is not a corporation shall have its vote cast by a person authorized by such entity to cast its vote. No owner shall have more than one vote.

(2) No holder of record of an interest in real property shall be precluded from participating in any district meeting or referendum because of the form of entity that holds such interest, whether such

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holder of record is (A) a corporation, partnership, unincorporated association, trustee, fiduciary, guardian, conservator or other form of entity, or any combination thereof, or (B) an individual who holds interests jointly or in common with another individual or individuals, or with any one or more of the entities listed in subparagraph (A) of this subdivision.

(e) Notwithstanding any provision of the general statutes, including sections 7-324 to 7-329, inclusive, of the general statutes, the district shall have the power to assess, levy and collect benefit assessments upon the land and buildings in the district which, in its judgment, are benefited by the district improvements. Nothing in this subsection shall limit the power of the town of East Hartford to duly assess, levy and collect benefit assessments upon land and buildings in the district.

(f) (1) Notwithstanding any provision of the general statutes, including sections 7-324 to 7-329, inclusive, of the general statutes, the district shall have the power to fix, revise, charge, collect, abate and forgive taxes, fees, rents and benefit assessments, and other charges for the cost of the district improvements, financing costs, operating expenses and other services and commodities furnished or supplied to the real property in the district in accordance with the provisions of the general statutes applicable to districts established under section 7-325 of the general statutes as provided in this section and in the manner prescribed by the district. Notwithstanding any provision of the general statutes, the district may pay the entire cost of any such improvements, including the costs of financing such improvements, capitalized interest and the funding of any reserve funds necessary to secure such financing or the debt service of bonds or notes issued to finance such costs, from taxes, fees, rents, benefit assessments or other revenues and may assess, levy and collect such taxes, fees, rents or benefit assessments concurrently with the issuance of bonds, notes or other obligations to finance such improvements based on the estimated cost of the

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improvements before the acquisition or construction of the district improvements or upon the completion or acquisition of such improvements. Nothing in this subdivision shall limit the power of the town of East Hartford to duly fix, revise, charge, collect, abate and forgive taxes, fees, rents and benefit assessments upon property in the district.

(2) Notwithstanding any provision of the general statutes, whenever the district constructs, improves, extends, equips, rehabilitates, repairs, acquires or provides a grant for any district improvements or finances the cost of such improvements, the district may assess a benefit assessment, in a manner prescribed by the district, upon any property benefited by such improvements. The balance of such costs not recovered by a benefit assessment shall be paid from the general funds of the district. The district may provide for the payment of such benefit assessments in annual installments, not exceeding thirty such installments, and may forgive such benefit assessments in any single year without causing the remainder of installments of benefit assessments to be forgiven. Benefit assessments to buildings or structures constructed or expanded after the initial benefit assessment may be assessed as if the new or expanded buildings or structures had existed at the time of the original benefit assessment. The provision of open space within the district is deemed a benefit to all the property in the district. Nothing in this subdivision shall limit the power of the town of East Hartford to duly assess benefit assessments upon property in the district.

(3) To provide for the collection and enforcement of its taxes, fees, rents, benefit assessments and other charges, the district is granted all the powers and privileges as districts organized pursuant to section 7-325 of the general statutes, and as held by the town of East Hartford or as otherwise provided in this section. Such taxes, fees, rents or benefit assessments, if not paid when due, shall constitute a lien upon the

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premises served and a charge against the owners of such premises, which lien and charge shall bear interest at the same rate as delinquent property taxes pursuant to section 12-146 of the general statutes. Each such lien may be continued, recorded and released in the manner provided for property tax liens and shall take precedence over all other liens or encumbrances except a lien for taxes of the town of East Hartford. Each such lien may be continued, recorded and released in the manner provided for property tax liens.

(4) The board shall adopt and revise the budget, taxes, fees, rents, benefit assessments and any other charges of the district of general application at least annually, not more than thirty days before the beginning of the fiscal year in accordance with procedures established by the board at a meeting called by the board, which shall include a requirement that interested persons be given notice and an opportunity to be heard. The board shall hold at least two public hearings on its schedule of fees, rates, rents, benefit assessments and other charges or any revision of such fees, rates, rents, benefit assessments and charges before adoption, notice of which shall be delivered to the mayor and town council of the town of East Hartford and be published in a newspaper of general circulation in said town not less than ten days before the hearing. Not later than the date of the publication, the board shall make available to the public and deliver to the mayor and the town council of the town of East Hartford the proposed schedule of fees, rates, rents, benefit assessments and other charges.

(5) No benefit assessment shall be made without a public hearing before the board. The owner of the property to be assessed shall have an opportunity to be heard concerning the proposed assessment at such hearing. Notice of the time, place and purpose of such hearing shall be published not less than ten days before the date of such hearing in a newspaper having a general circulation in the town of East Hartford, and a copy of such notice shall be mailed to the owner of any property

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that may be impacted by such assessment at such owner's address on the most recent grand list of the town or at any address of which the board may have knowledge. A copy of any proposed assessment shall be made available for inspection in the office of the district clerk for not less than ten days before the date of such hearing.

(6) When the board has determined the amount of the assessment to be levied, the board shall file a copy of such assessment in the office of the district clerk. Not later than five days after such filing, the board shall cause a copy of such assessment to be published in a newspaper having a general circulation in the town of East Hartford, and the district shall mail a copy of such assessment to the owner of any property that may be impacted by such assessment at such owner's address on the most recent grand list of the town or at any other address of which the board may have knowledge. Such publication and mailing shall state the date on which such assessment was filed and that any appeals from such assessment must be taken within twenty-one days after such filing. Any person aggrieved by an assessment pursuant to this section may appeal to the superior court for the judicial district in which the property is located. The return date of such appeal shall be not less than twelve and not more than thirty days after the service of such appeal. Such appeal shall be privileged in assignment for trial. The court may appoint a state referee to appraise the benefits to such property and to make a report of such referee's doings to the court. The judgment of the court, either confirming or altering such assessment, shall be final. No such appeal shall stay proceedings for the collection of the particular assessment upon which the appeal is predicated, but the appellant shall be reimbursed for any overpayments made if, as a result of such appeal, such appellant's assessment is reduced.

(7) If a benefit assessment is assessed and levied before the acquisition or construction of the district improvements, the amount of the benefit assessment shall be adjusted to reflect the actual cost of the

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district improvements, including all financing costs, once such improvements have been completed, should the actual cost be greater than or less than the estimated costs. Benefit assessments shall be due and payable at such times as are fixed by the board, provided the district shall give notice of such due date not less than thirty days prior to such due date by publication in a newspaper of general circulation in the town of East Hartford and by mailing such notice to the owners of an assessed property at such owner's last-known address.

(g) (1) Notwithstanding any provision of the general statutes, including sections 7-324 to 7-329, inclusive, of the general statutes, whenever the district has authorized the acquisition or construction of the district improvements or has made an appropriation therefor, the district may authorize the issuance of (A) up to one hundred twenty-five million dollars of bonds, notes or other obligations which may be secured as to both principal and interest by (i) the full faith and credit of the district, (ii) taxes, fees, revenues or benefit assessments, or (iii) a combination of both; (B) bonds, notes or obligations exclusively secured as to both principal and interest by fees, revenues, benefit assessments or charges imposed by the district in relation to the property financed by the bonds, notes or obligations; and (C) bonds, notes or obligations to refund outstanding bonds, notes or obligations of the district. All such bonds shall be issued to finance or refinance the cost of the district improvements, the creation and maintenance of reserves required to sell the bonds, notes or obligations and the cost of issuance of the bonds, notes or obligations, provided no bonds shall be issued prior to the district entering into an interlocal agreement with the town of East Hartford, including at least one public hearing on the proposed agreement and ratification by the town council of the town of East Hartford. Such bonds, notes or obligations shall be authorized by resolution of the board. The district is authorized to secure such bonds by the full faith and credit of the district or by a pledge of or lien on all or part of its taxes, fees, revenues, benefit assessments or charges. The

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bonds of each issue shall be dated, shall bear interest at the rates and shall mature at the time or times not exceeding thirty years from their date or dates, as determined by the board, and may be redeemable before maturity, at the option of the board, at the price or prices and under the terms and conditions fixed by the board before the issuance of the bonds. The board shall determine the form of the bonds, and the manner of execution of the bonds, and shall fix the denomination of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within this state and other locations as designated by the board. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be an officer before the delivery of the bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if the officer had remained in office until the delivery.

(2) While any bonds or notes issued by the district remain outstanding, the powers, duties or existence of the district shall not be diminished or impaired in any way that will adversely affect the interests and rights of the holders of the bonds or notes. The bonds or notes issued under this section shall be payable solely by the district or as special obligations payable from particular district revenues, and, unless otherwise authorized by law, shall not be considered to constitute a debt of the state or the town of East Hartford, or a pledge of the full faith and credit of the state or the town of East Hartford. Any bonds or notes issued by the district shall contain on their face a statement to the effect that neither the state nor the town of East Hartford shall be obliged to pay the principal of or the interest thereon, and that neither the full faith and credit or taxing power of the state or the town of East Hartford is pledged to the payment of the bonds or notes. All bonds or notes issued under this section shall have all the qualities and incidents of negotiable instruments as provided in title 42a of the general statutes.

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(h) (1) The board may authorize that the bonds be secured by a trust agreement by and between the district and a corporate trustee. Such trustee shall be any trust company or bank having the powers of a trust company within this state. Such trust agreement may pledge or assign the revenues. Either the resolution providing for the issuance of bonds or the trust agreement may contain covenants or provisions for protecting and enforcing the rights and remedies of the bondholders as may be lawful, necessary, reasonable or appropriate.

(2) Any expenses incurred in carrying out the trust agreement may be treated as an operating cost of the district. The pledge by any trust agreement or resolution shall be valid and binding from when the pledge is made. Any revenues or other moneys so pledged and held or thereafter received by the board shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act, and the lien of the pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the board, irrespective of whether the parties have notice thereof. Notwithstanding any provision of the Uniform Commercial Code, neither this subsection nor the resolution or any trust agreement by which a pledge is created need be filed or recorded except in the records of the board, and no filing need be made under title 42a of the general statutes.

(i) Bonds or notes issued under this section are hereby made securities in which all public officers and public bodies of the state and its political subdivisions, all insurance companies, trust companies, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds, including capital in their control and belonging to them, and such bonds shall be securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the state for any purpose for which the deposit of bonds

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or notes of the state is now or may hereafter be authorized by law.

(j) Bonds may be issued under this section without obtaining the consent of the state or the town of East Hartford and without any proceedings or conditions unless required by this section, and the validity of and security for any bonds issued by the district shall not be affected by the existence or nonexistence of such consent or other proceedings or conditions.

(k) The district and all its receipts, revenues, income and real and personal property used for public purposes shall be exempt from taxation and benefit assessments, and the district shall not be required to pay any tax, excise or assessment to or from the state or any of its political subdivisions. The principal and interest on bonds or notes issued by the district shall be free from taxation, except for estate and gift, franchise and excise taxes imposed by the state or any political subdivision thereof, provided nothing in this section shall act to limit or restrict the ability of the state or the town of East Hartford to tax the individuals and companies, or their real or personal property or any person living or business operating within the boundaries of the district.

(l) The board shall at all times keep accounts of its receipts, expenditures, disbursements, assets and liabilities, which shall be open to inspection by a duly appointed officer or duly appointed agent of the state or the town of East Hartford. The fiscal year of the district shall begin on July first and end on the following June thirtieth unless otherwise established by section 7-327 of the general statutes. The district shall be subject to an audit of its accounts in the manner provided in the general statutes.

(m) (1) The district clerk shall submit quarterly project activity reports to the Secretary of the Office of Policy and Management and to the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and

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bonding. Such reports shall provide information and updates on the projects undertaken by the district, including the status of the design, financing, construction, sales and such other items as the secretary or chairpersons may request.

(2) The district shall provide for the full disclosure of information relating to the public financing and maintenance of the district improvements. Such information shall be provided to any existing residents and to all prospective residents of the district. The district shall furnish each developer of a residential development within the district with sufficient copies of such information to provide each prospective initial purchaser of property in such district with a copy, and any developer of a residential development within the district, when required by law to provide a public offering statement, shall include a copy of such information relating to the public financing and maintenance of such improvements in the public offering statement.

(n) (1) This section shall be deemed to provide an additional, alternative and complete method of accomplishing the purposes of this section and exercising the powers authorized hereby and shall be deemed and construed to be supplemental and additional to, and not in derogation of, powers conferred upon the district by law and particularly by sections 7-324 to 7-329, inclusive, of the general statutes, provided if any provision of this section is inconsistent with any general statute or special act, or any resolution or ordinance of the town of East Hartford, this section shall control.

(2) Except as provided in this section and section 2 of this act, all other statutes, ordinances, resolutions, rules and regulations of the state and the town of East Hartford shall be applicable to the property, residents and businesses located in the district. Nothing in this section or section 2 of this act shall in any way obligate the town of East Hartford to pay any costs for the acquisition, construction, equipping or operation and administration of the district improvements or to pledge any money or

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taxes to pay debt service on bonds or notes issued by the district except as may be agreed to in any interlocal agreements executed by the town of East Hartford and the district.

(o) The town of East Hartford may, by vote of the town council, merge the district into the town of East Hartford if no bonds are issued by the district not later than ten years after the effective date of this section or after the bonds authorized by this section are no longer outstanding. Upon such merger, any property that is owned by the district shall be conveyed to the town of East Hartford.

(p) This section, being necessary for the welfare of the town of East Hartford and its inhabitants, shall be liberally construed to effect the purposes hereof.

Sec. 2. (NEW) (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, unless otherwise required by federal law, the provisions of this section shall govern the issuance of any state approval for district improvements concerning the Port Eastside Infrastructure Improvement District established pursuant to section 1 of this act. If the district enters into a written agreement with any public entity for work to be performed in connection with the district improvements, including, but not limited to, obtaining a permit, license or governmental approval, acquiring real property or construction of sewer, water, steam or other utility connections, any administrative action taken by such public entity in connection with such work shall be governed by the provisions of this section unless otherwise required by federal law or any other agreement to which such public entity is bound.

(b) Any approval for district improvements shall be issued by the commissioner with jurisdiction over such approval, or such other state official as such commissioner shall designate, and no other agency, commission, council, committee, panel or other body other than such commissioner, unless specifically designated by such commissioner,

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shall have jurisdiction over any such approval. No notice of a tentative or final determination regarding any such approval and no notice of any such approval shall be required except as provided in this section.

(c) Any application for an approval for district improvements required by any applicable provision of the general statutes shall be submitted to the commissioner having jurisdiction as provided in this subsection. The commissioner shall, to the extent practicable in the discretion of the commissioner, adopt a master process to consider multiple licenses, permits, approvals and administrative actions pursuant to this section. Unless denied by the commissioner, any license or permit shall be issued, approval shall be granted as requested and administrative action shall be taken not later than ten business days after the date of submission of any such application unless a hearing is required to be held concerning such application. Such application shall be deemed granted as requested on the eleventh business day after a hearing is held on such application unless the commissioner has denied such application or approved such application with conditions. Any requirement for a permit or inspection by the State Building Inspector or State Fire Marshal shall be satisfied if the district obtains a certification from an engineer or other appropriate professional duly certified or licensed in the state certifying that the work in connection with the district improvements, to the extent such work is subject to approval by the State Building Inspector or State Fire Marshal, is in compliance with the State Building Code or fire code and safety regulations, as applicable.

(d) Any hearing regarding all or part of the district improvements shall be conducted by the commissioner. Notice of any such hearing shall be published in a newspaper having a general circulation in the town of East Hartford not more than ten and not less than five days before such hearing.

(e) Any application, documentation or other records (1) submitted to

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a commissioner, and (2) pertaining to an application for an approval for district improvements, together with all records of the proceedings of the commissioner relating to any such application, shall be a public record and shall be made, maintained and disclosed in accordance with the provisions of chapter 14 of the general statutes.

(f) In rendering a decision on any application for an approval for district improvements, a commissioner shall weigh all competent material and substantial evidence presented by the applicant and the public. The commissioner shall issue written findings and determinations upon which any such decision is based. Such findings and determinations shall consist of evidence presented, including such information as the commissioner deems appropriate, provided such information, to the extent applicable, relates to any major adverse health or environmental impact of the overall district improvements. The commissioner may reverse or modify any order or action at any time upon the commissioner's own motion. The procedure for such reversal or modification shall be the same as the procedure for the original proceeding.

(g) Any administrative action taken by any commissioner in connection with the district improvements may be appealed by a party aggrieved by such action to the superior court for the judicial district of Hartford in accordance with the provisions of section 4-183 of the general statutes. Such appeal shall be brought not more than ten days after the date the commissioner mails to the parties to the proceeding a notice of such order, decision or action by certified mail, return receipt requested. The appellant shall serve a copy of the appeal on each party listed in the final order, decision or action at the address shown in such decision. Failure to make such service within the ten days on parties other than the commissioner who rendered the final order, decision or action may not, in the discretion of the court, deprive the court of jurisdiction over the appeal. Not later than ten days following the

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service of such appeal, or within such further time as may be allowed by the court, the commissioner who rendered such decision shall cause any portion of the record that had not been transcribed to be transcribed and shall cause the original or a certified copy of the entire record of the proceeding appealed from to be transmitted to the reviewing court. The record shall include the commissioner's findings of fact and conclusions of law, separately stated. If more than one commissioner has jurisdiction over the matter, such commissioners shall issue joint findings of fact and conclusions of law. The appeal shall state the reasons upon which such appeal is predicated and, notwithstanding any provisions of the general statutes, shall not stay the development of the improvements. The commissioner who rendered the decision shall appear as the respondent. Appeals to the superior court shall be privileged matters and shall be heard as soon after the return date as practicable. The court shall render its decision not later than twenty-one days after the date that the entire record with the transcript is filed with the court by the commissioner who rendered the decision.

(h) (1) In an appeal pursuant to subsection (g) of this section, the court shall not substitute its judgment for that of the commissioner as to the weight of the evidence presented on a question of fact. The court shall affirm the decision of the commissioner unless the court finds that substantial rights of the party appealing the decision have been materially prejudiced because the administrative findings, inferences, conclusions or decisions of the commissioner are: (A) In violation of constitutional or statutory provisions, (B) in excess of the statutory authority of the commissioner, (C) made upon unlawful procedure, (D) affected by an error of law, (E) clearly erroneous in view of the reliable, probative and substantial evidence on the whole record, or (F) arbitrary, capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(2) If the court finds material prejudice, it may sustain the appeal, and

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upon sustaining an appeal may render a judgment that modifies the decision of the commissioner, orders particular action of the commissioner or orders the commissioner to take such action as may be necessary to effect a particular action. The commissioner may issue a permit consistent with such judgment. An applicant may file an amended application, and the commissioner may consider such amended application for an approval for district improvements following such court action.

(i) Except as provided in this section, the district improvements shall be exempt from the provisions of sections 14-311 to 14-314d, inclusive, of the general statutes.

Sec. 3. (*Effective from passage*) (a) As used in this section:

(1) "District" means the Park City Landing Infrastructure Improvement District, which may be established as a body politic and corporate pursuant to subsection (b) of this section, situated in the city of Bridgeport, county of Fairfield and state of Connecticut and bounded and described as follows: Beginning at the intersection of the northern right-of-way line of I-95 and centerline of Kossuth Street; thence southwesterly along the northern right-of-way line of I-95 to the northern right-of-way line of Stratford Avenue-CT Route 130; thence westerly along the northern right-of-way-line of Stratford Avenue-CT Route 130 to the United States Pierhead Line along the eastern side of the Pequonnock River; thence northerly along the United States Pierhead Line to the intersection of the United States Pierhead Line and the United States Bulkhead Line; thence northerly along the United States Pierhead Line, the United States Bulkhead Line and the mean high water line of the Pequonnock River to the southwestern line of The State of Connecticut Metro North Railroad right-of-way; thence northeasterly along the State of Connecticut Metro North Railroad right-of-way to the southern right-of-way line of Pulaski Street; thence easterly along the southern right-of-way line of Pulaski Street to the

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discontinued western right-of-way line of Noble Avenue; thence southerly along the discontinued western right-of-way line of Noble Avenue to the discontinued southern right-of-way line of Burroughs Street; thence easterly along the discontinued southern right-of-way line of Burroughs Street to the discontinued eastern right-of-way line of Noble Avenue; thence northerly along the discontinued eastern right-of-way line of Noble Avenue to the discontinued northern right-of-way line of Burroughs Street; thence easterly along the discontinued northern right-of-way line of Burroughs Street to the westerly boundary line of 363 Kossuth Street; thence northerly along the boundary line of 363 Kossuth Street and 1 Noble Avenue to the southerly boundary line of 401 Pulaski Street; thence easterly along the boundary of 401 Pulaski Street and 363 Pulaski Street to the centerline of Kossuth Street; thence southerly along the centerline of Kossuth Street to an extension of the northern boundary of 83 Howe Street; thence easterly crossing Kossuth Street and continuing along the boundary of 83 Howe Street and 46, 68 and 76 Seymour Street to the eastern boundary of 83 Howe Street; thence southerly along the boundary of 83 Howe Street and 523 and 503 East Main Street to the northern right-of-way line of Howe Street; thence westerly along the northern right-of-way line of Howe Street and continuing to the centerline of Kossuth Street; thence southerly along the centerline of Kossuth Street to the point of beginning;

(2) "District improvements" means improvements for any or all of the following public purposes: To (A) light streets, (B) plant and care for shade and ornamental trees, (C) plan, lay out, acquire, construct, maintain and finance roads, sidewalks, crosswalks, drains, sewers, water lines, parking facilities, open space, bulkhead repairs, dredging and construction, environmental remediation and other infrastructure improvements, (D) acquire, construct, maintain and regulate the use of recreational facilities, and (E) plan, lay out, acquire, construct, reconstruct, repair, maintain, supervise and manage a flood or erosion control system. District improvements include any off-site locations or

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improvements made outside the district but related to or made necessary by the establishment of the district, including, but not limited to any transit enhancements, bridges, roadways, traffic signalization, easements, environmental protection devices or structures, storm or sanitary sewer lines, water lines, utility lines, and waterfront improvements along the Pequonnock River;

(3) "Benefit assessment" means an assessment by the district for the proportion of any cost, or estimated cost, and any associated finance cost whenever the district constructs, improves, extends, equips, rehabilitates, repairs, acquires or provides a grant for any district improvements or finances the cost of such improvements;

(4) "Voter" means (A) any person who is an elector of the district, (B) any citizen of the United States eighteen years of age or older who, jointly or severally, is liable to the district for taxes assessed against such citizen on an assessment of not less than one thousand dollars on the last-completed grand list of such district, as the case may be, or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (23) or (26) of section 12-81 of the general statutes, or (C) any holder of record of an interest in real property within the district;

(5) "Bonds" means bonds, notes or other obligations authorized by this section, and refunding bonds, notes or other obligations to refinance the same; and

(6) "Interlocal agreement" means an agreement, entered into in accordance with section 7-339c of the general statutes, between the district and the city of Bridgeport relating to the sharing of incremental tax revenues collected on real property within the district.

(b) (1) The mayor of the city of Bridgeport shall, upon the petition of fifteen or more persons eligible to vote in said city specifying the district for any or all of the purposes set forth in this section, call a meeting of

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the voters to act upon such petition. Not later than thirty days after receipt of such petition, the mayor shall designate the time and place for such meeting. Not less than fourteen days before such meeting, the mayor shall publish notice of such meeting in two successive issues of a newspaper published or having general circulation in the city of Bridgeport. Not later than twenty-four hours before such meeting, (A) two hundred or more voters or ten per cent of the total number of voters of such proposed district, whichever is less, may petition the mayor, in writing, for a referendum of the voters of such proposed district, or (B) the mayor may, in the mayor's discretion, order a referendum of the voters of such proposed district on the sole question of whether the proposed district should be established. Any such referendum shall be held not less than seven and not more than fourteen days after the receipt of such petition or the date of such order, on a date to be set by the mayor for a vote by paper ballots or by a "yes" or "no" vote on the voting machines, during the hours between twelve o'clock noon and eight o'clock p.m. Notwithstanding the provisions of any special act, the city may provide for an earlier hour for opening the polls by vote of its city council, provided such opening of the polls is not earlier than six o'clock a.m. If voters representing at least two-thirds of the assessments of holders of record within the proposed district cast votes in favor of establishing the proposed district in such referendum, the mayor shall reconvene such meeting not later than seven days after such referendum. Upon approval of the petition for the proposed district by voters representing at least two-thirds of the assessments of holders of record within the proposed district present at such meeting, or, if a referendum is held, upon the reconvening of such meeting after such referendum, the voters may establish the district. The district shall, upon the filing of the first report filed as provided in subsection (c) of section 7-325 of the general statutes, be a body corporate and politic and have the powers provided in sections 7-324 to 7-329, inclusive, of the general statutes, not inconsistent with the general statutes and this section, concerning the purposes for which the district was established and that

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are necessary for the accomplishment of such purposes, including the power to lay and collect taxes. The clerk of the district shall cause the name of the district and a description of the district's territorial limits to be recorded in, and a caveat be placed upon, the land records of the city of Bridgeport. Nothing in this subdivision shall limit the power of the city of Bridgeport to lay and collect taxes upon property in the district.

(2) At the meeting called for the purpose of establishing the district as provided in subdivision (1) of this subsection, the voters may establish the district for the purpose of making any or all of the district improvements. The district may contract with a town, city, borough or other district for the carrying out of any of the purposes specified in this subsection or for the purchase or sale of any of the improvements for which the district was established.

(3) (A) At the meeting called for the purpose of establishing the district as provided in subdivision (1) of this subsection, the voters shall fix the date of the annual meeting of the voters for the election of district officers and the transaction of such other business as may properly come before such annual meeting. At such meeting of the district, the voters shall elect a president, vice-president, five directors, a clerk and a treasurer to serve until the first annual meeting for the election of officers and thereafter such officers shall be elected annually. Upon the district's organization and at all times thereafter, one director shall be appointed by and serve at the pleasure of the mayor of the city of Bridgeport.

(B) At the first annual meeting of the district, the directors not appointed by the mayor shall be elected to serve for one, two, three or four years, respectively, and thereafter such directors shall be elected to serve for four-year terms as each term ends. Not fewer than three members of the board of directors shall be residents of this state.

(C) Special meetings of the district may be called on the application

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of ten per cent of the total number of voters of such district or twenty of the voters of such district, whichever is less, or by the president or any three directors upon giving notice as provided in this section. Any special meeting called on the application of the voters shall be held not later than twenty-one days after receiving such application.

(D) Notice of the holding of the annual meeting and all special meetings shall (i) be given by publication of a notice of such meetings in a newspaper having a general circulation in the city of Bridgeport not less than ten days before the day of any such meeting, (ii) be signed by the president or any three directors, and (iii) designate the time and place of such meeting and the business to be transacted at such meeting.

(E) Two hundred or more persons or ten per cent of the total number of voters of such district, whichever is less, may submit a written petition to the clerk of such district not less than twenty-four hours prior to any such meeting, requesting that any item or items on the call of such meeting be submitted to the voters of the district not less than seven nor more than fourteen days thereafter, on a day to be set by the district meeting or, if the district meeting does not set a date, by the board of directors, for a vote by paper ballots or by a "yes" or "no" vote on the voting machines, during the hours between twelve o'clock noon and eight o'clock p.m., except that the district may, by vote of its board of directors, provide for an earlier hour for opening the polls but not earlier than six o'clock a.m. The paper ballots or voting machine ballot labels, as the case may be, shall be provided by the clerk. When such a petition has been filed with the clerk, the president, after completion of other business and after discussion, shall adjourn such meeting and order such vote on such item or items in accordance with the petition, and any item so voted may be rescinded in the same manner. The clerk shall phrase such item or items in a form suitable for printing on such paper ballots or ballot labels.

(F) At any annual or special meeting, the voters may, by a majority

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vote of those present, discontinue any purposes for which the district is established or undertake any additional purpose or purposes enumerated in subdivision (2) of this subsection.

(4) (A) A quorum for the transaction of business at the meeting called for the purpose of establishing the district, as provided in subdivision (1) of this subsection, shall be either fifteen voters of such district or a majority of the holders of record of interests in real property within such district, as long as the assessments of such holders of record constitute more than one-half of the total of assessments for all interests in real property within such district. If fifteen voters or a majority of the holders of record of interests in real property within such district are not present at such meeting or the assessments of such holders of record constitute less than one-half of the total of assessments for all interests in real property within such district, the mayor may adjourn such meeting until at least fifteen voters or a majority of the holders of record of interests in real property within such district are present and the assessments of such holders of record constitute more than one-half of the total of assessments for all interests in real property within such district.

(B) For the transaction of business at any other meeting of the district, a quorum shall be either fifteen voters of the district or a majority of the holders of record of interests in real property within such district, provided the assessments for such holders of record constitute more than one-half of the total of assessments for all interests in real property within such district. If fifteen voters or a majority of the holders of record of interests in real property within such district are not present at such meeting or the assessments of such holders of record constitute less than one-half of the total assessments for all interests in real property within such district, the president of the district or, in such president's absence, the vice-president may adjourn such meeting until at least fifteen voters or a majority of the holders of record of interests in real property within

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such district are present and the assessments of such holders of record constitute more than one-half of the total of assessments for all interests in real property within such district. Any meeting of the district where a quorum is present may be adjourned by a vote of a majority of the voters voting on the question.

(5) In any case in which an action for a vote by the voters of the district is to be initiated by the petition of such voters, in addition to such other requirements as the general statutes or any special act may impose, such petition shall be on a form prescribed or approved by the clerk of such district, and each page of such petition shall contain a statement, signed under penalties of false statement, by the person who circulated the same, setting forth such person's name and address, and stating that (A) each voter whose name appears on such page signed the same in person in the presence of the person who circulated the petition, (B) such person either knows each such voter or that the voter satisfactorily identified such voter to such person, and (C) each signature on such page was obtained not earlier than six months before the filing of such petition. Any page of a petition that does not contain such a statement by the person who circulated such petition shall be invalid. Any person who makes a false statement in the statement required by this subdivision shall be subject to the penalty for false statements pursuant to section 53a-157b of the general statutes. Any petition circulated pursuant to this subdivision by a person who is not a voter of the district shall be invalid.

(c) If (1) the officers of the district vote to terminate the district's corporate existence, or (2) the district clerk receives a petition signed by ten per cent of the total voters of such district or twenty of the voters of such district, whichever is less, applying for a special meeting to vote on the termination of the district, the clerk shall call a special meeting of the voters of such district. The notice of such meeting shall be signed by the officers of the district and be advertised as required by section 7-325 of the general statutes. Not later than twenty-four hours before any such

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meeting, two hundred or more voters or ten per cent of the total number of voters, whichever is less, may petition the clerk of the district, in writing, that a referendum on the question of whether the district should be terminated be held in the manner provided in section 7-327 of the general statutes. If, at such meeting, a two-thirds majority of the voters present vote to terminate the corporate existence of the district, or, if a referendum is held, two-thirds of the voters casting votes in such referendum vote to terminate the corporate existence of the district, the officers shall terminate the affairs of such district. The district shall pay all outstanding indebtedness of the district and transfer the balance of the assets of such district to the city in which the district is located upon the approval of the city council of the city of Bridgeport. The district shall not be terminated under this section until all of its outstanding indebtedness is paid unless the city council of the city of Bridgeport agrees, in writing, to assume such indebtedness. On completion of the duties of the officers of such district, the clerk shall cause a certificate of the vote of such meeting to be recorded in the land records of the city of Bridgeport and the clerk shall notify the Secretary of the Office of Policy and Management of such district's termination.

(d) (1) At any meeting of the district, any tenant in common of any interest in real property shall have a vote equal to the fraction of such tenant in common's ownership of such interest. Any joint tenant of any interest in real property shall vote as if each such tenant owned an equal fractional share of such real property. A corporation shall have its vote cast by the chief executive officer of such corporation, or such officer's designee. An entity eligible to vote in the district that is not a corporation shall have its vote cast by a person authorized by such entity to cast its vote. No owner shall have more than one vote.

(2) No holder of record of an interest in real property shall be precluded from participating in any district meeting or referendum because of the form of entity that holds such interest, whether such

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holder of record is (A) a corporation, partnership, unincorporated association, trustee, fiduciary, guardian, conservator or other form of entity, or any combination thereof, or (B) an individual who holds interests jointly or in common with another individual or individuals, or with any one or more of the entities listed in subparagraph (A) of this subdivision.

(e) Notwithstanding any provision of the general statutes, including sections 7-324 to 7-329, inclusive, of the general statutes, the district shall have the power to assess, levy and collect benefit assessments upon the land and buildings in the district which, in its judgment, are benefited by the district improvements. Nothing in this subsection shall limit the power of the city of Bridgeport to duly assess, levy and collect benefit assessments upon land and buildings in the district.

(f) (1) Notwithstanding any provision of the general statutes, including sections 7-324 to 7-329, inclusive, of the general statutes, the district shall have the power to fix, revise, charge, collect, abate and forgive taxes, fees, rents and benefit assessments, and other charges for the cost of the district improvements, financing costs, operating expenses and other services and commodities furnished or supplied to the real property in the district in accordance with the provisions of the general statutes applicable to districts established under section 7-325 of the general statutes as provided in this section and in the manner prescribed by the district. Notwithstanding any provision of the general statutes, the district may pay the entire cost of any such improvements, including the costs of financing such improvements, capitalized interest and the funding of any reserve funds necessary to secure such financing or the debt service of bonds or notes issued to finance such costs, from taxes, fees, rents, benefit assessments or other revenues and may assess, levy and collect such taxes, fees, rents or benefit assessments concurrently with the issuance of bonds, notes or other obligations to finance such improvements based on the estimated cost of the

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improvements before the acquisition or construction of the district improvements or upon the completion or acquisition of such improvements. Nothing in this subdivision shall limit the power of the city of Bridgeport to duly fix, revise, charge, collect, abate and forgive taxes, fees, rents and benefit assessments upon property in the district.

(2) Notwithstanding any provision of the general statutes, whenever the district constructs, improves, extends, equips, rehabilitates, repairs, acquires or provides a grant for any district improvements or finances the cost of such improvements, the district may assess a benefit assessment, in a manner prescribed by the district, upon any property benefited by such improvements. The balance of such costs not recovered by a benefit assessment shall be paid from the general funds of the district. The district may provide for the payment of such benefit assessments in annual installments, not exceeding thirty such installments, and may forgive such benefit assessments in any single year without causing the remainder of installments of benefit assessments to be forgiven. Benefit assessments to buildings or structures constructed or expanded after the initial benefit assessment may be assessed as if the new or expanded buildings or structures had existed at the time of the original benefit assessment. The provision of open space within the district is deemed a benefit to all the property in the district. Nothing in this subdivision shall limit the power of the city of Bridgeport to duly assess benefit assessments upon property in the district.

(3) To provide for the collection and enforcement of its taxes, fees, rents, benefit assessments and other charges, the district is granted all the powers and privileges as districts organized pursuant to section 7-325 of the general statutes, and as held by the city of Bridgeport or as otherwise provided in this section. Such taxes, fees, rents or benefit assessments, if not paid when due, shall constitute a lien upon the premises served and a charge against the owners of such premises,

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which lien and charge shall bear interest at the same rate as delinquent property taxes pursuant to section 12-146 of the general statutes. Each such lien may be continued, recorded and released in the manner provided for property tax liens and shall take precedence over all other liens or encumbrances except a lien for taxes of the city of Bridgeport. Each such lien may be continued, recorded and released in the manner provided for property tax liens.

(4) The board shall adopt and revise the budget, taxes, fees, rents, benefit assessments and any other charges of the district of general application at least annually, not more than thirty days before the beginning of the fiscal year in accordance with procedures established by the board at a meeting called by the board, which shall include a requirement that interested persons be given notice and an opportunity to be heard. The board shall hold at least two public hearings on its schedule of fees, rates, rents, benefit assessments and other charges or any revision of such fees, rates, rents, benefit assessments and charges before adoption, notice of which shall be delivered to the mayor and city council of the city of Bridgeport and be published in a newspaper of general circulation in said city not less than ten days before the hearing. Not later than the date of the publication, the board shall make available to the public and deliver to the mayor and the city council of the city of Bridgeport the proposed schedule of fees, rates, rents, benefit assessments and other charges.

(5) No benefit assessment shall be made without a public hearing before the board. The owner of the property to be assessed shall have an opportunity to be heard concerning the proposed assessment at such hearing. Notice of the time, place and purpose of such hearing shall be published not less than ten days before the date of such hearing in a newspaper having a general circulation in the city of Bridgeport, and a copy of such notice shall be mailed to the owner of any property that may be impacted by such assessment at such owner's address on the

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most recent grand list of the city or at any address of which the board may have knowledge. A copy of any proposed assessment shall be made available for inspection in the office of the district clerk for not less than ten days before the date of such hearing.

(6) When the board has determined the amount of the assessment to be levied, the board shall file a copy of such assessment in the office of the district clerk. Not later than five days after such filing, the board shall cause a copy of such assessment to be published in a newspaper having a general circulation in the city of Bridgeport, and the district shall mail a copy of such assessment to the owner of any property that may be impacted by such assessment at such owner's address on the most recent grand list of the city or at any other address of which the board may have knowledge. Such publication and mailing shall state the date on which such assessment was filed and that any appeals from such assessment must be taken within twenty-one days after such filing. Any person aggrieved by an assessment pursuant to this section may appeal to the superior court for the judicial district in which the property is located. The return date of such appeal shall be not less than twelve and not more than thirty days after the service of such appeal. Such appeal shall be privileged in assignment for trial. The court may appoint a state referee to appraise the benefits to such property and to make a report of such referee's doings to the court. The judgment of the court, either confirming or altering such assessment, shall be final. No such appeal shall stay proceedings for the collection of the particular assessment upon which the appeal is predicated, but the appellant shall be reimbursed for any overpayments made if, as a result of such appeal, such appellant's assessment is reduced.

(7) If a benefit assessment is assessed and levied before the acquisition or construction of the district improvements, the amount of the benefit assessment shall be adjusted to reflect the actual cost of the district improvements, including all financing costs, once such

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improvements have been completed, should the actual cost be greater than or less than the estimated costs. Benefit assessments shall be due and payable at such times as are fixed by the board, provided the district shall give notice of such due date not less than thirty days prior to such due date by publication in a newspaper of general circulation in the city of Bridgeport and by mailing such notice to the owners of an assessed property at such owner's last-known address.

(g) (1) Notwithstanding any provision of the general statutes, including sections 7-324 to 7-329, inclusive, of the general statutes whenever the district has authorized the acquisition or construction of the district improvements or has made an appropriation therefor, the district may authorize the issuance of (A) up to one hundred ninety million dollars of bonds, notes or other obligations which may be secured as to both principal and interest by (i) the full faith and credit of the district, (ii) taxes, fees, revenues or benefit assessments, or (iii) a combination of both; (B) bonds, notes or obligations exclusively secured as to both principal and interest by fees, revenues, benefit assessments or charges imposed by the district in relation to the property financed by the bonds, notes or obligations; and (C) bonds, notes or obligations to refund outstanding bonds, notes or obligations of the district. All such bonds shall be issued to finance or refinance the cost of the district improvements, the creation and maintenance of reserves required to sell the bonds, notes or obligations and the cost of issuance of the bonds, notes or obligations, provided no bonds shall be issued prior to the district entering into an interlocal agreement with the city of Bridgeport, including at least one public hearing on the proposed agreement and ratification by the city council of the city of Bridgeport. Such bonds, notes or obligations shall be authorized by resolution of the board. The district is authorized to secure such bonds by the full faith and credit of the district or by a pledge of or lien on all or part of its taxes, fees, revenues, benefit assessments or charges. The bonds of each issue shall be dated, shall bear interest at the rates and shall mature at the time or

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times not exceeding thirty years from their date or dates, as determined by the board, and may be redeemable before maturity, at the option of the board, at the price or prices and under the terms and conditions fixed by the board before the issuance of the bonds. The board shall determine the form of the bonds, and the manner of execution of the bonds, and shall fix the denomination of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within this state and other locations as designated by the board. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be an officer before the delivery of the bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if the officer had remained in office until the delivery.

(2) While any bonds or notes issued by the district remain outstanding, the powers, duties or existence of the district shall not be diminished or impaired in any way that will adversely affect the interests and rights of the holders of the bonds or notes. The bonds or notes issued under this section shall be payable solely by the district or as special obligations payable from particular district revenues, and, unless otherwise authorized by law, shall not be considered to constitute a debt of the state or the city of Bridgeport, or a pledge of the full faith and credit of the state or the city of Bridgeport. Any bonds or notes issued by the district shall contain on their face a statement to the effect that neither the state nor the city of Bridgeport shall be obliged to pay the principal of or the interest thereon, and that neither the full faith and credit or taxing power of the state or the city of Bridgeport is pledged to the payment of the bonds or notes. All bonds or notes issued under this section shall have all the qualities and incidents of negotiable instruments as provided in title 42a of the general statutes.

(h) (1) The board may authorize that the bonds be secured by a trust agreement by and between the district and a corporate trustee. Such

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trustee shall be any trust company or bank having the powers of a trust company within this state. Such trust agreement may pledge or assign the revenues. Either the resolution providing for the issuance of bonds or the trust agreement may contain covenants or provisions for protecting and enforcing the rights and remedies of the bondholders as may be lawful, necessary, reasonable or appropriate.

(2) Any expenses incurred in carrying out the trust agreement may be treated as an operating cost of the district. The pledge by any trust agreement or resolution shall be valid and binding from when the pledge is made. Any revenues or other moneys so pledged and held or thereafter received by the board shall immediately be subject to the lien of the pledge without any physical delivery thereof or further act, and the lien of the pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the board, irrespective of whether the parties have notice thereof. Notwithstanding any provision of the Uniform Commercial Code, neither this subsection nor the resolution or any trust agreement by which a pledge is created need be filed or recorded except in the records of the board, and no filing need be made under title 42a of the general statutes.

(i) Bonds or notes issued under this section are hereby made securities in which all public officers and public bodies of the state and its political subdivisions, all insurance companies, trust companies, banking associations, investment companies, executors, administrators, trustees and other fiduciaries may properly and legally invest funds, including capital in their control and belonging to them, and such bonds shall be securities which may properly and legally be deposited with and received by any state or municipal officer or any agency or political subdivision of the state for any purpose for which the deposit of bonds or notes of the state is now or may hereafter be authorized by law.

(j) Bonds may be issued under this section without obtaining the

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consent of the state or the city of Bridgeport and without any proceedings or conditions unless required by this section, and the validity of and security for any bonds issued by the district shall not be affected by the existence or nonexistence of such consent or other proceedings or conditions.

(k) The district and all its receipts, revenues, income and real and personal property used for public purposes shall be exempt from taxation and benefit assessments, and the district shall not be required to pay any tax, excise or assessment to or from the state or any of its political subdivisions. The principal and interest on bonds or notes issued by the district shall be free from taxation, except for estate and gift, franchise and excise taxes imposed by the state or any political subdivision thereof, provided nothing in this section shall act to limit or restrict the ability of the state or the city of Bridgeport to tax the individuals and companies, or their real or personal property or any person living or business operating within the boundaries of the district.

(l) The board shall at all times keep accounts of its receipts, expenditures, disbursements, assets and liabilities, which shall be open to inspection by a duly appointed officer or duly appointed agent of the state or the city of Bridgeport. The fiscal year of the district shall begin on July first and end on the following June thirtieth unless otherwise established by section 7-327 of the general statutes. The district shall be subject to an audit of its accounts in the manner provided in the general statutes.

(m) (1) The district clerk shall submit quarterly project activity reports to the Secretary of the Office of Policy and Management and to the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding. Such reports shall provide information and updates on the projects undertaken by the district, including the status of the design, financing, construction, sales and such other items as the secretary or

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chairpersons may request.

(2) The district shall provide for the full disclosure of information relating to the public financing and maintenance of the district improvements. Such information shall be provided to any existing residents and to all prospective residents of the district. The district shall furnish each developer of a residential development within the district with sufficient copies of such information to provide each prospective initial purchaser of property in such district with a copy, and any developer of a residential development within the district, when required by law to provide a public offering statement, shall include a copy of such information relating to the public financing and maintenance of such improvements in the public offering statement.

(n) (1) This section shall be deemed to provide an additional, alternative and complete method of accomplishing the purposes of this section and exercising the powers authorized hereby and shall be deemed and construed to be supplemental and additional to, and not in derogation of, powers conferred upon the district by law and particularly by sections 7-324 to 7-329, inclusive, of the general statutes, provided if any provision of this section is inconsistent with any general statute or special act, or any resolution or ordinance of the city of Bridgeport, this section shall control.

(2) Except as provided in this section, all other statutes, ordinances, resolutions, rules and regulations of the state and the city of Bridgeport shall be applicable to the property, residents and businesses located in the district. Nothing in this section shall in any way obligate the city of Bridgeport to pay any costs for the acquisition, construction, equipping or operation and administration of the district improvements or to pledge any money or taxes to pay debt service on bonds or notes issued by the district except as may be agreed to in any interlocal agreements executed by the city of Bridgeport and the district.

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(o) The city of Bridgeport may, by vote of the city council, merge the district into the city of Bridgeport if no bonds are issued by the district not later than ten years after the effective date of this section or after the bonds authorized by this section are no longer outstanding. Upon such merger, any property that is owned by the district shall be conveyed to the city of Bridgeport.

(p) This section, being necessary for the welfare of the city of Bridgeport and its inhabitants, shall be liberally construed to effect the purposes hereof.

Governor's Action:
Approved June 23, 2025