

NEW YORK CITY WATER BOARD MEETING

Tuesday, December 6, 2022 - 9:00 A.M.

Location: 255 Greenwich Street
Eighth Floor, Room S1/S2
New York, New York 10007

AGENDA

1. Roll Call
2. Resolution: Vote on Approval of Minutes of October 13, 2022 Meeting
3. Presentation: Department of Environmental Protection on Proposed Policies for Addressing Accounts Receivable
4. Resolution: Vote on Fiscal Year 2023 Customer Amnesty Program
5. Resolution: Vote on Automatic Payment Plus Billing Incentive
6. Resolution: Vote on Fiscal Year 2023 LIHWAP Plus Funding Program and Fiscal Year 2023 HDFC/HDC Affordability Program
7. All Other Board Business or Topics for Discussion

**MINUTES OF THE MEETING OF THE
NEW YORK CITY WATER BOARD**

October 13, 2022

A meeting of the New York City Water Board (the “Board”) was held on Thursday October 13, 2022 beginning at approximately 8:45 a.m. The following members of the Board attended the meeting:

Alfonso Carney,
Evelyn Fernandez-Ketcham,
Jukay Hsu, and
Daniel Zarrilli

constituting a quorum. Mr. Carney chaired the meeting, and Albert Rodriguez served as Secretary of the meeting.

Approval of the Minutes

The first item on the agenda was approval of the minutes of the Board’s previous meeting held on September 23, 2022. Upon motion duly made and seconded, the minutes of the meeting held on September 23, 2022 were unanimously adopted.

Financial and Investment Update Covering Fiscal Year 2022 and 2023

Executive Director Murin presented the results of the Board’s fiscal year 2022 financial audit performed by the Board’s auditors at Grant Thornton. Mr. Murin explained that the system’s revenues declined between fiscal years 2020 and 2021, before resuming an upward trend between fiscal years 2021 and 2022, resulting in fiscal year 2022 operating revenues of \$3.88 billion and total system revenues of \$4.03 billion, with the increase attributable to a combination of the 2.76% rate increase for the year and higher water consumption. Mr. Murin explained that the Board’s investment income had followed a similar pattern, of declining between fiscal years 2020 and 2021,

before increasing again in fiscal year 2022, and further noted that investment income could see further improvements due to a rising interest rate environment. Mr. Murin described the lower expenses incurred by the Board in fiscal year 2022, which was due in part to the City deciding not to request a rental payment from the Board, and the \$1.05 billion of interest payments on water debt, which was also lower than in fiscal year 2021, and was connected to the water system capital program, which placed \$1.66 billion of utility plant into service during fiscal year 2022.

Mr. Murin next described some of the forward-looking factors facing the Board in advance of the fiscal year 2024 rate setting. Mr. Murin noted that the revenue recovery continued into fiscal year 2023, but cautioned that DEP faced several issues, including a large personnel vacancy rate, and the challenges DEP was facing with recruitment and employee retention, as well as the challenges of higher inflation and interest rates, and noted chemicals, utilities, and fuel as among the key variable costs trending higher due to inflation. Mr. Murin further noted that the City has numerous expired collective bargaining agreements that the Mayoral administration is working on, and that the cost of personnel services and pensions involved in settling the agreements could be significant. Member Zarrilli inquired if the lower headcount was exacerbating concerns about the pace of employee retirements. Mr. Murin responded that retirements are a concern, and that DEP has a workforce that is demographically older than the City-wide workforce, and that DEP was pursuing recruitment efforts to fill open vacancies, and noted that there had not yet been significant operational impacts from the vacancies, as the result of using overtime and work shift reallocations to create workflow capacity.

Mr. Murin further noted that hiring certain technical and trades job titles remained a focus for DEP. Member Hsu asked if any types of roles were proving especially difficult to fill, and if the hiring challenges were being seen throughout the agency. Mr. Murin explained that engineers, information technology, and legal professionals were proving difficult to hire, due to the in-office

work format and to compensation levels. Commissioner Aggarwala noted that the agency has conducted two employee morale surveys, which concluded that the agency's field personnel were relatively happy with the roles, and that morale issues were more frequent with professional and desk-bound roles. Member Hsu inquired about the role of civil service titles in the hiring process, which Commissioner Aggarwala replied that, with the exception of a few exempt titles, most roles within DEP are civil service roles.

Treasurer Nazem presented the Board with a summary of the returns on the Board's investment portfolios for the previous fiscal year, indicating that the Board's investment income for fiscal year 2022 was \$911,000. Mr. Nazem explained to the Board that the source of the Board's investment income is U.S. government treasury bonds purchased with funds received from customers in advance of the time at which the Board is required to transfer funds to the City or to the Water Finance Authority. Mr. Nazem described the Board's investment strategy, which until fiscal year 2019 was focused on purchasing only U.S. government bills and notes, and from 2019 on was focused only on short-term U.S. government bills. As a result of the lower interest rates available on government securities, the Board had just \$377,000 of investment income in fiscal year 2021, which was the lowest amount of income for the Board since fiscal year 2014. The \$911,000 of investment income in fiscal year 2022 was a substantial increase from fiscal year 2021, although still below the \$5 million to \$10 million of annual investment income generated by the Board's investment portfolio prior to the decline in interest rates during the pandemic. Treasurer Nazem noted that many investors in longer-term government securities experienced 20% investment losses during the fiscal year, and that large investment losses were avoided by the Board due to its focus on Treasury bills. Mr. Nazem concluded by mentioning that, with the rising interest rate environment, the Board was assessing whether to begin purchasing some longer-term securities.

Member Carney asked how the Board's investments were managed. Treasurer Nazem

explained that the Board’s investment options are defined in the Board’s investment guidelines document, which lists allowable securities purchases, and that the tactical decision of security selection is performed by the Board’s staff, in collaboration with counsel. Mr. Nazem added that the Board’s security trades are made by the trading desk at the City Comptroller’s Office, that the Board is not charged a fee for the trading services provided by the Comptroller’s Office, and that the Board’s investments are in custody at State Street.

Chairman Carney asked if there were any further matters or discussions from the meeting of the joint audit committee on October 12 that the Board should discuss before considering the resolution before the Board. Mr. Murin stated that the auditors had issued a clean opinion, and that the auditors were complimentary toward the system’s accounting and finance teams. Mr. Murin added that there were no material findings during the audit, and that the auditors had included a comment about a technology finding. Mr. Nazem explained that the technology finding related to the Board’s old CIS billing system, which was replaced during the fiscal year by the UMAX system. Mr. Carney also recognized the New York City Municipal Water Finance Authority’s chief executive, David Womack, who was in attendance. Mr. Womack confirmed that the Water Finance Authority’s board of directors had also met on October 12, and had approved the financial statements at its meeting.

There being no further discussion, upon motion duly made and seconded, the following resolution was unanimously approved by the Board:

RESOLUTION

WHEREAS, the New York City Water Board (the “Board”) and the New York City Municipal Water Finance Authority (the “Authority”) established a joint Audit Committee in light

of their joint role in the financial operations of the water and wastewater system of the City of New York (the “System”); and

WHEREAS, pursuant to the joint Audit Committee Charter and the Board resolution of January 25, 2008 establishing the joint Audit Committee, the Board and the Authority each acting separately, after receiving a recommendation from the joint Audit Committee, shall annually approve the audited financial statements of the System; and

WHEREAS, on October 12, 2022, the Audit Committee met with the independent auditors and reviewed their report on the System’s audited financial statements for the fiscal years ended June 30, 2022 and June 30, 2021; and

WHEREAS, the Audit Committee believes the independent auditors’ report and the financial statements are reasonable and appropriate and has recommended that the Board and the Authority accept the independent auditors’ report and authorize the release of the financial statements; and

WHEREAS, the Board of Directors of the Authority approved the auditors’ report and authorized the release of the financial statements contingent on their approval by the Board; it is therefore

RESOLVED, that the Board hereby accepts the independent auditors’ report on the audited financial statements of the System for the fiscal years ended June 30, 2022 and June 30, 2021 and authorizes the release of such audited financial statements, provided that both the independent auditors’ report and the audited financial statements may be amended to reflect non-material changes acceptable to the Comptroller of the Authority.

Review and Approval of Investment Guidelines

Mr. Nazem briefly summarized the investment guidelines, which staff was proposing would

remain unchanged from the existing document, with the allowable securities purchases including U.S. government securities and securities with the explicit backing of the U.S. government.

There being no further discussion, upon motion duly made and seconded, the following resolution was unanimously approved by the Board:

RESOLUTION

WHEREAS, the New York City Water Board (the “Board”) adopted Investment Guidelines to establish policies for the investment of its funds on May 2, 1986 and subsequently amended the Investment Guidelines on October 24, 1990 and February 14, 1997; and

WHEREAS, pursuant to the Investment Guidelines, the Board is required annually to review and approve both the Investment Guidelines and an Investment Report; and

WHEREAS, the Board has reviewed the Investment Guidelines as contained in the Fiscal Year 2022 Investment Report and finds both the guidelines and report to be reasonable and appropriate; it is therefore

RESOLVED, that the Investment Guidelines and the Fiscal Year 2022 Investment Report, copies of which will be filed with the minutes of this meeting, are hereby approved.

Approval of a Resolution for the Solicitation and Contracting of a Grant Funding Consultant

Chairman Carney reminded the Board that DEP had presented a funding request for a government grant consultant at the Board’s September 23rd meeting and that, after discussion and consideration, was comfortable with presenting the request to the Board for a vote.

There being no further discussion, upon motion duly made and seconded, the following resolution was unanimously approved by the Board:

RESOLUTION

WHEREAS, pursuant to Sections 1045-b and 1045-g of the New York City Municipal Water Finance Authority Act (the "Act"), the New York City Water Board (the "Board") is authorized to enter into contracts and to retain private consultants on a contract basis for the purpose of obtaining professional or technical services to assist the Board in carrying out its responsibilities; and,

WHEREAS, the Board's primary duty under the Act is to establish and collect water and wastewater rates and charges in an amount sufficient to place the water supply and wastewater systems of the City of New York on a self-sustaining basis; and

WHEREAS, the New York City Department of Environmental Protection (DEP), which operates the City's water and wastewater system and serves as the Board's customer service and billing agent, has requested that the Board assist in identifying and retaining a consulting firm with the ability to assist DEP and the Board in identifying, obtaining, and administering during the post-award phase inter-governmental grants, principally Federal grants; and

WHEREAS, substantial amounts of new Federal funding are becoming available as the result of Federal legislation, including the Federal Infrastructure Investment and Jobs Act of 2021 and the Federal Inflation Reduction Act of 2022, at the same time that DEP and the Board are receiving growing requests to ensure that water and wastewater rates remain affordable to the system's customers; and

WHEREAS, obtaining inter-governmental grants is a technical and intensive process, requiring expertise in grant-making and an understanding of the applicable rules and regulations, usually requiring conforming to strict grantor timelines and regulations, at a time when DEP's headcount is more than sixteen percent below budgeted levels; and

WHEREAS, inter-governmental grants, once awarded, require ongoing reporting and administration involving the grantor entity, while conferring an affordability benefit to the system's customers by providing an additional funding stream, in addition to customer bill payments; and

WHEREAS, the Board wishes to authorize the Board's Executive Director to undertake a

competitive solicitation and negotiation process, conducted in accordance with the Water Board's Policy on the Procurement of Goods and Services, in particular, Section 4 (selection based on the best combination of technical merit and price) and Section 5.i (prior approval of contracts where the cumulative value exceeds \$100,000); it is therefore

RESOLVED, that the Executive Director is hereby authorized and directed to undertake such a process of solicitation, and to identify and negotiate a professional services agreement with one or more suitable consulting firms with relevant expertise in the area of obtaining and administering inter-governmental grant funding, for an initial two-year term with two additional one-year extensions at the Board's option, upon such terms and conditions as the Executive Director may deem reasonable and appropriate; and be it further

RESOLVED, that the total compensation for services performed for the term of the agreement, including both the initial term and the term of the extension options, should the extension options be exercised, shall not exceed \$5,000,000 of Board funds.

Discussion of Annual Board Evaluation Forms

Chairman Carney requested that the Board turn its attention to the annual self-evaluation form, and asked members for their opinions on the form and the appropriateness of the questions. Treasurer Nazem described the form to the Board, and indicated that the form provided to members was substantially similar to the form used in previous years, with the addition of a "not applicable" column, for use in instances where a member determines that a question on the form does not describe the Board's responsibilities, or otherwise cannot be answered.

Chairman Carney further drew the Board's attention to Operations and Accomplishments report, the Board's Measurement Report, and the Board's vendor contract summary, and requested that members provide any comments or questions in connection with the documents. Member Zarrilli asked if the Measurement Report form should include criteria for measuring preparation for

climate change and intensified rainfall. Commissioner Aggarwala stated that the strategic consulting work authorized by the Board at its September meeting would include an assessment of measurable returns on DEP's capital spending. Treasurer Nazem added that additional criteria would need to be measurable or quantifiable.

Update by DEP on Customer Accounts Receivable

Commissioner Aggarwala provided the Board with an update on DEP's customer accounts receivable. The Commissioner explained that DEP was looking at ways to help customers bring their accounts into good standing, as well as looking at ways to maintain customer bill affordability. The Commissioner offered to provide the Board with a proposal for reducing accounts receivable at its next meeting. The Commissioner explained that since the Covid-19 pandemic, accounts receivable dollar balances at 180 days or more had increased significantly, from \$600 million to more than \$800 million, although the number of delinquent accounts had decreased as well, from 114,000 to 94,000, with the dollar balance increases seen at larger buildings, including coops, condos, and commercial buildings, and with delinquencies weighted in line with the City's residential account base. The Commissioner mentioned that DEP has been marketing the Federal LIHWAP program to its customers, and that the program offered water bill benefits to customers within a specified income range. Commissioner Aggarwala added that the City is currently operating without the tax lien sale, which is a factor in assessing delinquent balances.

Member Zarrilli asked if an outlook was available on whether the City Council would renew the tax lien sale. Commissioner Aggarwala indicated that an outlook was not currently available, that DEP was exploring alternative options for reducing accounts receivable and reiterated that DEP would be providing the Board with a plan to address receivables balances at its next meeting.

Member Hsu asked how the growth in receivables balances compared to the trend in other cities. Commissioner Aggarwala stated that the root causes of the increase in receivables was

economic, and that the trend was national and global in nature. Commissioner Aggarwala concluded the presentation by requesting that members review the one hundred accounts with the largest delinquent balances that was included with the members' meeting packets.

Adjournment

There being no further business to come before the Board, upon motion duly made and seconded, the meeting was adjourned.

/S/
SECRETARY

NEW YORK CITY WATER BOARD

December 6, 2022

RESOLUTION

WHEREAS, the New York City Department of Environmental Protection (“DEP”) is the billing and customer service agent for the New York City Water Board (the “Board”), and in that capacity oversees the issuance and administration of water and wastewater bills and customer relations on behalf of the Board; and

WHEREAS, DEP on behalf of the Board records and monitors accounts receivable balances, and when warranted undertakes notification and enforcement action with respect to unpaid customer balances; and

WHEREAS, the Board and DEP have undertaken extensive analysis of water and wastewater account balances, and determined that the absence of a lien sale since 2019, and the difficulty of undertaking other collection enforcement methods during the ongoing Covid-19 pandemic, has resulted in a significant and sustained increase in the dollar amount of the unpaid water and wastewater account balances; and

WHEREAS, the Board believes it is reasonable and in the interest of the water and wastewater system to generate additional revenues by sponsoring a temporary program that offers an economic incentive for customers with a delinquent account balance who pay all or a portion of their delinquency through cash payments and/or a payment agreement for any remaining account balance; and

WHEREAS, the Board has determined that such a program has practical value with respect to (i) incentivizing the payments required to fund the system; and (ii) reducing delinquent balances; it is therefore

RESOLVED, that the Board hereby approves the Fiscal Year 2023 Customer Amnesty Program (the “Amnesty Program”), in accord with the following program parameters, as well as other program requirements as may be deemed necessary and appropriate by the Commissioner of the DEP and the Executive Director of the Board; and it is

RESOLVED further, that the Amnesty Program shall:

- Be made available to customers making a qualifying payment to the Water Board during an enrollment period occurring prior to the end of Fiscal Year 2023 based on the account’s accumulated charges;
- Make account benefits available on the basis of eligibility criteria that include, but are not limited to:
 - Remitting a qualifying payment (as described below) toward a delinquent account balance to the Board;
 - Executing a payment agreement upon request by DEP for any outstanding account balance remaining after the application of the cash payment and any Amnesty Program benefit amount described below;
 - Excluding from the Amnesty Program accounts with charges or notices on their account that relate to improper or insufficient metering such as an unresolved denial of access fee or notice, unresolved theft of service fee or notice, ongoing estimated or attributed consumption charges, absence of an automatic meter reader, or other facts or circumstances leading to irregular water and wastewater billing except where the customer requests, during the Amnesty Program term, an inspection or otherwise takes the necessary steps to resolve the issues to the satisfaction of the Commissioner of the DEP and Executive Director of the Board;

- Group accounts into one of two available eligible account categories, with the account’s classification determining the available program benefits:
 - Group 1 - “Serious Delinquency”: defined as an account balance delinquency of more than \$1,000 that is overdue by more than one year. Accounts in this Group are entitled to the following schedule of prospective Program benefits:
 - A payment of 100% of the unpaid utility usage charges on the account will result in the cancellation of 100% of the accrued late interest charges on the account; or
 - A payment of between 50% and 99% of the unpaid utility usage charges on the account will result in the cancellation of 75% of the accrued late interest charges on the account; or
 - A payment of between 25% and 49% of the unpaid utility usage charges on the account will result in the cancellation of 50% of the accrued late interest charges on the account;
 - Group 2 - “Other Delinquency”: defined as all qualifying delinquent accounts not included within Group 1. Accounts in Group 2 will have the option of making a payment of 100% of the unpaid utility charges on the account, resulting in the cancellation of 100% of the accrued late interest charges.

NEW YORK CITY WATER BOARD

December 6, 2022

RESOLUTION

WHEREAS, the New York City Department of Environmental Protection (“DEP”) is the billing and customer service agent for the New York City Water Board (the “Board”), and in that capacity oversees the issuance and administration of water and wastewater bills and customer relations on behalf of the Board; and

WHEREAS, DEP on behalf of the Board, manages computer billing systems, a call center, retail branch locations, and mailroom facilities for the purpose of billing and collecting revenues for the use of the water and wastewater system of the City of New York; and

WHEREAS, the Board and DEP have seen an ongoing migration of customers to digital payment methods in place of paper payment methods; and

WHEREAS, the Board believes it is reasonable and in the interest of the water and wastewater system to incentivize customers to receive their water bill via electronic means, as well as to enroll in automatic account payments via digital payment channels, for the reasons that (i) automatic payments minimize the likelihood of customers forgetting to pay their bill, (ii) digital payments are less likely to experience delivery disruptions, and (iii) electronic bills do not involve the costs of printing and postage; and

WHEREAS, the Board’s existing \$10 bill credit offered to accounts enrolling in electronic bills on a monthly billing frequency has incentivized a portion of the Board’s customers to elect for monthly electronic billing, a significant portion of the customer base is still enrolled in paper billing and remits bill payments manually; it is therefore

RESOLVED, that the Board hereby approves the Automatic Payment Plus Billing Incentive (the “Autopay Plus” program), in accord with the following program parameters, as

well as other program requirements as may be deemed necessary and appropriate by the Commissioner of DEP and the Executive Director of the Board; and it is

RESOLVED further, that the Autopay Plus program shall:

- Be launched in Fiscal Year 2023, in an initial amount of \$100 per qualifying water and wastewater billing customer for a limited term, through an opt-in date and end date, to be determined by Commissioner of DEP and the Executive Director of the Board pursuant to the conditions set below; and
- Be made available, on an ongoing basis following the expiration in the initial Autopay Plus term, to customers in a reduced dollar amount of \$50 per qualifying water and wastewater billing customer, pursuant to the terms set below; and
- Be made available only to customers that undertake all three of the following actions in connection with their water and wastewater account:
 - Enroll their DEP customer account in automatic electronic bill pay;
 - Enroll their DEP customer account in electronic billing, in lieu of receiving paper bills; and
 - Elect for a monthly billing frequency.
- Be limited to customer accounts that are not already enrolled in automatic electronic payments after a date determined by Commissioner of DEP and the Executive Director of the Board;
- Qualifying customers must be in, and remain in, good standing, as defined by the Commissioner of DEP and the Executive Director of the Board for the first six bills issued after the date on which the customer is granted a bill credit in the amount

specified above; should any of the first six bills issued after the grant date of the bill credit not be paid in a timely manner, the bill credit will be reversed;

- Be subject to any other program terms and requirements to be determined by the Commissioner of DEP and the Executive Director of the Board.

NEW YORK CITY WATER BOARD

December 6, 2022

RESOLUTION

WHEREAS, the New York City Department of Environmental Protection (“DEP”) is the billing and customer service agent for the New York City Water Board (the “Board”), and in that capacity oversees the issuance and administration of water and wastewater bills and customer relations on behalf of the Board; and

WHEREAS, the Board, along with many other water utilities, has implemented customer programs that further the important policy goal of customer affordability, and in accord with the Board’s policy of weighing affordability as a factor in evaluating its policies and programs, on the basis that it is reasonable and in the interest of the water and wastewater system to sponsor customer affordability programs that can both reach those segments of the Board’s customer base requiring assistance and be administered cost-effectively; and

WHEREAS, the State of New York Office of Temporary Disability Assistance (“OTDA”) has implemented a water bill assistance program for low-income customers, specifically the Low-Income Home Water Assistance Program (“LIHWAP”), wherein OTDA reviews and verifies the income status of the applicants and approves customer assistance requests, and upon approval submits direct payments to the Water Board for customers in the City of New York; and

WHEREAS, the Board desires to incentivize additional customers to participate in the OTDA’s program to generate additional revenues and leverage the OTDA’s eligibility determinations as a basis to provide additional City payments to assist LIHWAP recipients; and

WHEREAS, the Board also desires to create a separate affordability program directed to Housing Development Fund Corporation cooperatives (“HDFCs”) and properties that receive financing from the New York City Housing Development Corporation, (“HDCs”), collectively (“the HDFC/HDC Affordability Program”) to further advance the Board’s goals in promoting customer affordability; and

WHEREAS, the Board previously authorized the Executive Director of the Board by resolution passed on June 17, 2005 (attached as Exhibit 1 hereof) to settle and adjust claims related to water and sewer billing in amounts up to \$1,000,000 per claim, it is therefore,

RESOLVED, that the Board hereby approves a Fiscal Year 2023 LIHWAP Plus Funding Program for Low Income Household Water Assistance Program Recipients (the “LIHWAP Plus Program”), in accordance with the following program parameters, as well as other program requirements as may be deemed necessary and appropriate by the Commissioner of the DEP and the Executive Director of the Board; and it is

RESOLVED further, that the LIHWAP Plus Program shall:

- Be made available only to recipients of LIHWAP program payments received by DEP prior to the end of Fiscal Year 2023;
- Be made available to all recipients that execute a payment agreement upon request by DEP for the outstanding balance;
- DEP accounts identified as eligible to receive a benefit under the LIHWAP Plus Program will receive a credit to their account on the outstanding balance remaining on the account after the application of any LIHWAP benefit payments to the account, in an amount that is equal to the lesser of (i) the total amount owed on the account, or (ii) \$5,000;

- Provide benefits to accounts receiving a credit under the LIHWAP Plus that in aggregate may not exceed thirty-million dollars (\$30 million dollars).

RESOLVED, further, that the Board hereby approves a Fiscal Year 2023 HDFC/HDC Affordability Program to incentivize payments within the parameters set forth in the previous resolution of the Board dated June 17, 2005, as well as other program requirements as may be deemed necessary and appropriate by the Commissioner of the DEP and the Executive Director of the Board; and it is

RESOLVED further, that the HDFC/HDC Affordability Program shall:

- Be made available only to delinquencies associated with either (i) the account of a Housing Development Fund Corporation (“HDFC”), within the meaning of Article 11, Section 573 of Chapter 44-B of the New York State Private Housing Finance Law; or (ii) an account associated with a property that is a project sponsored by the New York City Housing Development Corporation (HDC) that have identified an economic hardship as defined by the Commissioner of DEP and the Executive Director of the Board;
- Be made available to all recipients that remit a qualifying payment to the Board, as defined by the Commissioner of DEP and the Executive Director of the Board, and/or execute a payment agreement upon request by DEP for the outstanding balance on the water and wastewater account;
- The benefits available to accounts receiving an adjustment pursuant to the HDFC/HDC Affordability Program, within the meaning of this resolution, may not exceed ten-million dollars (\$10 million dollars) in aggregate.

Exhibit 1

NEW YORK CITY WATER BOARD

June 17, 2005

RESOLUTION

WHEREAS, pursuant to Section 1045-v(3) of the New York City Municipal Water Finance Authority Act (the "Act"), the Board has the power to settle or adjust all claims in favor of or against the Board; and

WHEREAS, on August 13, 1992, the Board authorized the Executive Director to act in the name of and on behalf of the Board with respect to the settlement or adjustment of claims in favor of or against the Board which had been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which were pending in a court of competent jurisdiction in amounts up to and including \$25,000 per claim; and

WHEREAS, the Board wishes to amend the August 13, 1992 Resolution; it is therefore

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the settlement or adjustment of personal injury and property damage claims in favor of or against the Board which have been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which are pending in a court of competent jurisdiction in amounts up to and including \$100,000 per claim; and it is further

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the administrative settlement or adjustment of all water and sewer billing disputes; and it is further

RESOLVED, that the Executive Director is hereby authorized to act in the name of and on behalf of the Board with respect to the settlement or adjustment of water and sewer billing claims in favor of or against the Board which have been filed pursuant to Section 1045-v of the New York City Municipal Water Finance Authority Act or which are pending in a court of competent jurisdiction in amounts up to and including \$1,000,000 per claim regarding accounts for premises located either within the City of New York or for municipalities and water districts located outside the City of New York; and it is further

RESOLVED, that all actions previously taken by the Executive Director with respect to the settlement or adjustment of water and sewer claims in favor of or against the Board are hereby ratified, approved and adopted.