

**Presented and Adopted: January 7, 2009**  
**SUBJECT: Approval to Execute Option Year Two of Contract No.**  
**WAS-07-050-AA-JW, Westfalia Separator, Inc.**

**#10-00**  
**RESOLUTION**  
**OF THE**  
**BOARD OF DIRECTORS**  
**OF THE**  
**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority, ("the Authority"), at the Board meeting held on January 7, 2009 upon consideration of a joint-use matter decided by a vote of ten (10) in favor and none (0) oppose to approve Option Year Two of Contract No. WAS-07-050-AA-JW, Westfalia Separator, Inc.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to execute Option Year Two of Contract No. WAS-07-050-AA-JW, Westfalia Separator, Inc. The purpose of the option is to provide technical expertise, labor and materials to perform inspections, repairs, and rebuilds of Westfalia Centrifuges at the Blue Plains Advanced Wastewater Treatment Plant. The option amount is \$270,400.

This resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Adopted: January 7, 2010**  
**SUBJECT: Intent to Reimburse Capital Expenditures with**  
**Proceeds of a Borrowing**

**#10-06**  
**RESOLUTION**  
**OF THE**  
**BOARD OF DIRECTORS**  
**OF THE**  
**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors, (the "Board") of the District of Columbia Water and Sewer Authority, (the "Authority") at its meeting on January 7, 2010, decided by a vote of ten (10) in favor and none (0) opposed, to take the following action.

**WHEREAS**, the District of Columbia Water and Sewer Authority (the "Borrower") intends to acquire, construct and equip the items and projects set forth in Exhibit A hereto (collectively, the "Projects"); and

**WHEREAS**, plans for the Projects have advanced and the Borrower expects to advance its own funds to pay expenditures related to the Project (the "Expenditures") prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt bonds or notes or taxable debt, or both.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Borrower intends to utilize the proceeds of tax-exempt bonds, taxable bonds or notes (the "bonds") or other debt in an amount not currently expected to exceed \$321,500,000 to pay costs of the Projects. These costs include amounts heretofore unreimbursed pursuant to Resolution 09-17 of the Board adopted on January 8, 2009 plus amounts projected to be reimbursed during Fiscal Year 2010 and through January 2011.
2. The Borrower intends that the proceeds of the Bonds be used to reimburse the Borrower for Expenditures with respect to the Projects made on or after the date that is 60 days prior to the date of this Resolution. The Borrower reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds or other debt.

3. Each Expenditure was or will be, unless otherwise supported by the opinion of bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Borrower so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Borrower.
4. The Borrower intends to make a reimbursement allocation, which is a written allocation by the Borrower that evidences the Borrower's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Borrower recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" and expenditures for any construction, the completion of which is expected to require at least five years.
5. The Borrower intends that the adoption of this resolution confirm the "official intent" within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

This resolution is effective immediately.

  
Secretary to the Board of Directors

## **EXHIBIT A – LIST OF PROJECTS**

**Blue Plains Advanced Wastewater Treatment Plant Rehabilitation  
Sanitary Sewer System Improvement Projects  
Combined Sewer System Improvement Projects – Long Term Control Plan  
Stormwater Sewer System Improvement Projects  
Water Pumping, Distribution & Storage Projects  
Metering & Capital Equipment  
Washington Aqueduct Projects**

**Presented and Adopted: January 7, 2009**  
**SUBJECT: Approval to Execute Contract No. 090250, Sagres**  
**Construction Corporation**

**#10-07**  
**RESOLUTION**  
**OF THE**  
**BOARD OF DIRECTORS**  
**OF THE**  
**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority, ("the Authority"), at the Board meeting held on January 7, 2009 upon consideration of a non-joint-use matter decided by a vote of five (5) in favor and none (0) oppose to approve Contract No. 090250, Sagres Construction Corporation.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to Contract No. 090250, Sagres Construction Corporation. The purpose of the contract is to replace water mains that have experienced failures, or have a history of low water pressure or water quality complaints. The contract amount is \$9,636,660.

This resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Adopted: January 7, 2009**  
**SUBJECT: Approval to Execute Contract No. 090210, Proshot Concrete, Inc.**

**#10-08**  
**RESOLUTION**  
**OF THE**  
**BOARD OF DIRECTORS**  
**OF THE**  
**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority, ("the Authority"), at the Board meeting held on January 7, 2009 upon consideration of a non-joint-use matter decided by a vote of five (5) in favor and none (0) oppose to approve Contract No. 090210, Proshot Concrete, Inc.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to Contract No. 090210, Proshot Concrete, Inc. The purpose of the contract is to provide structural repair and rehabilitation of existing sanitary, combined and storm sewers located under buildings at various locations in the District. The contract amount is \$6,468,720.

This resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Adopted: January 7, 2010**

**Subject: Proposed Implementation of the Impervious Surface Area Charge (IAC) Six-Tier Residential Rate Structure for Fiscal Year 2011**

**#10-10  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The District members of the Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at the Board meeting held on January 7, 2010 decided, in a non-joint use matter, by a vote of five (5) in favor and none (0) opposed, to take the following action with respect to the proposed implementation of the Impervious Surface Area Charge (IAC) Six-Tier Residential Rate Structure.

**WHEREAS**, the Board of Directors adopted Board Resolution #08-34 and Policy #3 on Impervious Surface Area Charge (IAC) to consider whether the classification of residential customers for this charge should be increased from one tier to multiple tiers; and

**WHEREAS**, the Retail Rates Committee met on December 18, 2009 and recommended that the Board consider for public comment the adoption of a Six-Tier Residential Rate Structure for the IAC (see Residential Six-Tier Rate Structure table below).

<b>Tiers</b>	<b>Size of Impervious Area (Square Feet)</b>	<b>Equivalent Residential Unit (ERU)</b>	<b># of properties</b>
Tier 1	100 – 600	0.6	18,563
Tier 2	700 - 2000	1.0	77,514
Tier 3	2,100 – 3,000	2.4	5,736
Tier 4	3,100 – 7,000	3.8	2,499
Tier 5	7,100 - 11000	8.6	124
Tier 6	11,100 and more	13.5	47

**NOW THEREFORE BE IT RESOLVED THAT:**

The General Manager is authorized to take all steps necessary in his judgment and as otherwise required, to initiate the public comment process and shall provide notice of the proposed rate adjustments in the manner provided by 21 DCMR, Chapter 40 and the District of Columbia's Administrative Procedures.

This resolution is effective immediately.

  
Secretary to the Board of Directors



**Presented and Adopted: January 7, 2010**  
**SUBJECT: Approval of Increase in the Amount of the**  
**Commercial Paper Program**

**#10-14**  
**RESOLUTION**  
**OF THE**  
**BOARD OF DIRECTORS**  
**OF THE**  
**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at the Board meeting held on January 7, 2010, upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed, to take the following action with respect to the Commercial Paper Program.

**WHEREAS**, in connection with the Authority's original issuance of Commercial Paper Notes, Series A and Series B ("CP Notes") in November 2001, the Authority obtained two Irrevocable Letters of Credit, each dated November 27, 2001 (together, the "LOCs") from Westdeutsche Landesbank Girozentrale New York Branch ("West LB"), and the Authority entered into a Reimbursement Agreement, dated as of November 1, 2001 (the Reimbursement Agreement") with West LB and an Issuing and Paying Agency Agreement" and, together with the Reimbursement Agreement, the ("CP Agreements") with Deutsche Bank; and

**WHEREAS**, in July 2005, the Authority entered into amendments to the Reimbursement Agreement and obtained amendments to the LOCs for the purpose of extending the terms of the LOCs so that they will not expire until December 15, 2015 if not previously terminated; and

**WHEREAS**, on December 11, 2009 WEST LB, in accordance with the amendments, at its sole discretion, elected to terminate the existing \$100 million LOCs effective July 1, 2010; and

**WHEREAS**, the Authority has determined that it should obtain a new letter of credit and to consider an increase in the amount of the Commercial Paper program from \$100 million up to \$300 million to:

1. Provide interim financing for capital projects; and
2. Finance certain taxable costs of the Washington Aqueduct; and
3. Provide short term financing for capital equipment.

**NOW THEREFORE BE IT RESOLVED THAT:**

The Authority shall seek proposals from qualified firms to provide the following services:

1. A Letter of Credit (LOC) for DCWASA's commercial paper program in an amount deemed advantageous to DCWASA but between \$100 and \$300 million.
2. Dealer services for DCWASA's commercial paper program and
3. A master equipment lease program (MELP).

This resolution is effective immediately.

  
Secretary to the Board of Directors