



General Assembly

February Session, 2020

Raised Bill No. 5478

LCO No. 2692



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT CONCERNING A SPECIAL TAXING DISTRICT WITHIN THE CITY OF WEST HAVEN.

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

- 1 Section 1. (*Effective from passage*) (a) For the purposes of this section:
- 2 (1) "District" means that certain real property, situated in the City of
3 West Haven, County of New Haven and the State of Connecticut, West
4 Haven Special Improvement District, a body politic and corporate,
5 consisting of the area bounded and described as follows: Beginning at a
6 point located on the southerly side of Elm Street and at the northeasterly
7 corner of lands now or formerly of SZS Enterprises, LLC, said point
8 being the northwesterly corner of the parcel described in this section;
9 thence running N64°23'05"E a distance of 752.16 feet along the southerly
10 street line of Elm Street to the mean high water line of New Haven
11 Harbor; thence running in a southerly direction a distance of 1,951.3 feet
12 along the mean high water line of New Haven Harbor to the
13 northeasterly corner of lands now or formerly of Bayview
14 Condominiums; thence running S66°27'52"W a distance of 263.4 feet
15 along the northerly line of lands now or formerly of Bayview

16 Condominiums to the easterly street line of Bayview Place; thence
17 running S66°27'52"W a distance of 50 feet crossing Bayview Place to the
18 westerly street line of Bayview Place; thence running S23°32'08"E a
19 distance of 104.6 feet along the westerly street line of Bayview Place to
20 lands now or formerly of Christopher W. and Bonnie A. Jones; thence
21 running S67°06'19"W a distance of 143 feet along the northerly line of
22 lands now or formerly of Christopher W. and Bonnie A. Jones to a point;
23 thence running S23°32'08"E a distance of 5.32 feet to lands now or
24 formerly of Brittany M. Shaw; thence running S66°05'44"W a distance of
25 144.19 feet to the easterly street line of First Avenue; thence running
26 N24°14'02"W a distance of 280.93 feet along the easterly street line of
27 First Avenue to a point; thence running N34°18'02"W a distance of
28 1,293.57 feet along the easterly street line of First Avenue to the
29 southerly line of lands now or formerly of SZS Enterprises, LLC; thence
30 running N36°06'22"W a distance of 100 feet along lands now or formerly
31 of SZS Enterprises, LLC, to the point and place of the beginning. The
32 parcel described in this section contains 1,142,714 square feet or 26.233
33 acres of land. The project boundaries shall also include any off-site
34 locations mandated by any permitting agency for improvements
35 associated with the project's traffic management requirements.

36 (2) "Voter" means (A) any person who is an elector of the district, (B)
37 any citizen of the United States of the age of eighteen years or more who,
38 jointly or severally, is liable to the district for taxes assessed against such
39 citizen on an assessment of not less than one thousand dollars on the
40 last-completed grand list of such district, as the case may be, or who
41 would be so liable if not entitled to an exemption under subdivision (17),
42 (19), (22), (23) or (26) of section 12-81 of the general statutes, or (C) any
43 holder of record of an interest in real property within the district.

44 (3) "Holder of record of an interest in real property" means an owner
45 of a fee simple interest in such property.

46 (b) (1) Upon the petition of fifteen or more persons eligible to vote in
47 the city of West Haven, specifying the district for any or all of the
48 purposes set forth in this section, the mayor of such city shall call a

49 meeting of the voters to act upon such petition, which meeting shall be
50 held at such place within such city and such hour as the mayor
51 designates, not later than thirty days after such petition has been
52 received by the mayor. Such meeting shall be called by publication of a
53 written notice of the same, signed by the mayor, at least fourteen days
54 before the time fixed for such meeting in two successive issues of a
55 newspaper published or circulated in such city. Not later than twenty-
56 four hours before such meeting, (A) two hundred or more voters or ten
57 per cent of the total number of voters of such proposed district,
58 whichever is less, may petition the mayor, in writing, for a referendum
59 of the voters of such proposed district, or (B) the mayor in his or her
60 discretion may order a referendum of the voters of such proposed
61 district, on the sole question of whether the proposed district should be
62 established. Any such referendum shall be held not less than seven or
63 more than fourteen days after the receipt of such petition or the date of
64 such order, on a day to be set by the mayor for a vote by paper ballots
65 or by a "yes" or "no" vote on the voting machines, during the hours
66 between twelve o'clock noon and eight o'clock p.m.; except that such
67 city may, by vote of its city council, provide for an earlier hour for
68 opening the polls but not earlier than six o'clock a.m., notwithstanding
69 the provisions of any special act. If voters representing at least two-
70 thirds of the assessments of holders of record within the proposed
71 district cast votes in such referendum in favor of establishing the
72 proposed district, the mayor shall reconvene such meeting not later than
73 seven days after the day on which the referendum is held. Upon
74 approval of the petition for the proposed district by voters representing
75 at least two-thirds of the assessments of holders of record within the
76 proposed district present at such meeting, or if a referendum is held,
77 upon the reconvening of such meeting after the referendum, the voters
78 may name the district and, upon the vote of voters representing a
79 majority of assessments of holders of record within the proposed
80 district, choose necessary officers therefor to hold office until the first
81 annual meeting thereof; and the district shall, upon the filing of the first
82 report filed in the manner provided in subsection (c) of section 7-325 of
83 the general statutes, thereupon be a body corporate and politic and have

84 the powers provided in sections 7-324 to 7-329, inclusive, of the general
85 statutes, not inconsistent with the general statutes or this section, in
86 relation to the objects for which it was established, that are necessary for
87 the accomplishment of such objects, including the power to lay and
88 collect taxes. The clerk of such district shall cause its name and a
89 description of its territorial limits and of any additions that may be made
90 thereto to be recorded in, and a caveat be placed upon, the land records
91 of the city of West Haven.

92 (2) At the meeting called for the purpose of establishing the district
93 as provided in subdivision (1) of this subsection, the voters may
94 establish the district for any or all of the following purposes: To
95 extinguish fires, to light streets, to plant and care for shade and
96 ornamental trees, to plan, lay out, acquire, construct, maintain and
97 finance roads, sidewalks, crosswalks, drains, sewers and sewage
98 treatment facilities, parking facilities, open space, bulkhead repairs,
99 environmental remediation and other public and private infrastructure
100 improvements, including related site preparation and demolition costs,
101 to acquire, construct, maintain and regulate the use of recreational
102 facilities, parks, playgrounds and public artwork, to plan, lay out,
103 acquire, construct, reconstruct, repair, maintain, supervise and manage
104 a flood or erosion control system, to plan, lay out, acquire, construct,
105 maintain, operate, finance and regulate the use of a community water
106 system, all as referred to in this section as the "improvements". The
107 district may acquire, operate, maintain, repair and replace the
108 improvements and may contract with a town, city, borough or other
109 district for carrying out any of the purposes or the purchase or sale of
110 any of the improvements for which such district was established. Any
111 transfer to the district of real property and the improvements related to
112 such real property shall be deemed development for municipal
113 purposes and shall be expressly excluded from the purposes for which
114 a subdivision, as defined in section 8-18 of the general statutes, may be
115 made.

116 (3) At the meeting called for the purpose of establishing the district
117 as provided in subdivision (1) of this subsection, the voters shall fix the

118 date of the annual meeting of the voters for the election of district
119 officers and the transaction of such other business as may properly come
120 before such annual meeting. At such organizational meeting of the
121 district, the voters shall elect five directors and four officers as follows:
122 A president, a vice-president, a clerk and a treasurer; provided, upon its
123 organization and at all times thereafter, one director may be appointed
124 by the mayor of the city of West Haven. The directors not appointed by
125 the mayor shall be elected to serve for terms of one, two, three and four
126 years, respectively, and thereafter at the annual meeting such directors,
127 as each term ends, shall be elected to serve for a term of four years. Not
128 less than three members of the board of directors shall be residents of
129 the state of Connecticut. Subject to the provisions of subdivision (4) of
130 this subsection, not fewer than fifteen voters of the district shall
131 constitute a quorum for the transaction of business at such
132 organizational meeting of the district; and if fifteen voters are not
133 present at such meeting, the mayor may adjourn such meeting from
134 time to time, until at least fifteen voters are present. Special meetings of
135 the district may be called on the application of ten per cent of the total
136 number of voters of such district or twenty of the voters of such district,
137 whichever is less, or by the president or any three directors upon giving
138 notice as provided in this section. Any special meeting called on the
139 application of the voters shall be held not later than twenty-one days
140 after receiving such application. Notice of the holding of the annual
141 meeting and all special meetings shall be given by publication of a notice
142 of such meetings in a newspaper having a general circulation in such
143 district at least ten days before the day of such meetings, signed by the
144 president or any three directors, which notice shall designate the time
145 and place of such meetings and the business to be transacted at such
146 meetings. Two hundred or more persons or ten per cent of the total
147 number of voters of such district, whichever is less, may petition the
148 clerk of such district, in writing, at least twenty-four hours prior to any
149 such meeting, requesting that any item or items on the call of such
150 meeting be submitted to the voters not less than seven or more than
151 fourteen days thereafter, on a day to be set by the district meeting or, if
152 the district meeting does not set a date, by the board of directors, or a

153 vote by paper ballots or by a "yes" or "no" vote on the voting machines,
154 during the hours between twelve o'clock noon and eight o'clock p.m.,
155 except that any district may, by vote of its board of directors, provide
156 for an earlier hour for opening the polls but not earlier than six o'clock
157 a.m. The paper ballots or voting machine ballot labels, as the case may
158 be, shall be provided by the clerk. When such a petition has been filed
159 with the clerk, the president, after completion of other business and after
160 reasonable discussion, shall adjourn such meeting and order such vote
161 on such item or items in accordance with the petition; and any item so
162 voted may be rescinded in the same manner. The clerk shall phrase such
163 item or items in a form suitable for printing on such paper ballots or
164 ballot labels. Subject to the provisions of subdivision (4) of this
165 subsection, not fewer than fifteen voters of the district shall constitute a
166 quorum for the transaction of business at any meeting of the district;
167 and if fifteen voters are not present at such meeting, the president of the
168 district or, in such president's absence, the vice-president, may adjourn
169 such meeting from time to time, until at least fifteen voters are present;
170 and all meetings of the district where a quorum is present may be
171 adjourned from time to time by a vote of a majority of the voters voting
172 on the question. At any annual or special meeting, the voters may, by a
173 majority vote of those present, discontinue any purposes for which the
174 district is established or undertake any additional purpose or purposes
175 enumerated in subdivision (2) of this subsection.

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

187 from time to time, until at least fifteen voters or a majority of the holders
188 of record of interests in real property within such district are present
189 and the assessments of such holders of record constitute more than one-
190 half of the total of assessments for all interests in real property within
191 such district.

192 (B) For the transaction of business at any meeting of the district other
193 than a meeting described in subparagraph (A) of this subdivision, a
194 quorum shall be either fifteen voters of the district or a majority of the
195 holders of record of interests in real property within such district, as
196 long as the assessments for such holders of record constitute more than
197 one-half of the total of assessments for all interests in real property
198 within such district. At any meeting of the district other than a meeting
199 described in subparagraph (A) of this subdivision, each holder of record
200 of an interest in real property shall be entitled to cast one vote for each
201 interest in real property that it owns within the district, except as
202 provided in subparagraph (B) of subdivision (1) of subsection (d) of this
203 section. All actions, resolutions and proceedings at such meeting at
204 which a quorum is present shall require a majority vote, each, of (i) the
205 voters of the district present and voting, and (ii) the holders of record of
206 interests in real property within the district representing at least one-
207 half of the assessments of all holders of record of interests in real
208 property within the district, present and voting; provided, the
209 provisions of this sentence may be amended at an annual or special
210 meeting of the district at which a quorum is present only upon a
211 majority vote, each, of (I) all of the voters of the district, and (b) all of the
212 holders of record of interests in real property within the district
213 representing at least two-thirds of the assessments of all holders of
214 record of interests in real property within the district. For the purpose
215 of determining a holder of record of an interest in real property within
216 the district as used in this subdivision (B), such term shall mean an
217 owner of a fee simple interest in such real property. If fifteen voters or a
218 majority of the holders of record of interests in real property within such
219 district are not present at such meeting or the assessments of such
220 holders of record constitute less than one-half of the total assessments

221 for all interests in real property within such district, the president of the
222 district, or in such president's absence, the vice-president, may adjourn
223 such meeting, from time to time, until at least fifteen voters or a majority
224 of the holders of record of interests in real property within such district
225 are present and the assessments of such holders of record constitute
226 more than one-half of the total of assessments for all interests in real
227 property within such district.

228 (5) In any case in which an action for a vote by the voters of the district
229 is to be initiated by the petition of such voters, in addition to such other
230 requirements as the general statutes or any special act may impose, such
231 petition shall be on a form prescribed or approved by the clerk of such
232 district, and each page of such petition shall contain a statement, signed
233 under penalty of false statement, by the person who circulated such
234 page, setting forth such circulator's name and address, and stating that
235 each person whose name appears on such page signed such page in
236 person in the presence of such circulator, that the circulator either knows
237 each such signer or that the signer satisfactorily identified himself to the
238 circulator and that all the signatures on such page were obtained not
239 earlier than six months prior to the filing of such petition. Any page of
240 a petition that does not contain such a statement by the circulator shall
241 be invalid. Any circulator who makes a false statement in the statement
242 required to be contained on each page of such petition shall be subject
243 to the penalty provided for false statement. No petition shall be valid
244 for any action for a vote by the voters at any regular or special district
245 meeting unless such petition was circulated by a voter eligible to vote in
246 such district.

247 (c) Whenever the officers of such district vote to terminate its
248 corporate existence and whenever a petition signed by ten per cent of
249 the total voters of such district or twenty of the voters of such district,
250 whichever is less, applying for a special meeting to vote on the
251 termination of the district is received by the clerk, the clerk shall call a
252 special meeting of the voters of such district, the notice of which shall
253 be signed by the officers thereof, by advertising such notice in the same
254 manner as provided in section 7-325 of the general statutes. Not later

255 than twenty-four hours before any such meeting, two hundred or more
256 voters or ten per cent of the total number of voters, whichever is less,
257 may petition the clerk of the district, in writing, that a referendum on
258 the question of whether the district should be terminated be held in the
259 manner provided in section 7-327 of the general statutes. If, at such
260 meeting, a two-thirds majority of the voters present vote to terminate
261 the corporate existence of the district, or, if a referendum is held, two-
262 thirds of the voters casting votes in such referendum vote to terminate
263 the corporate existence of the district, the officers shall proceed to
264 terminate the affairs of such district. The district shall pay all
265 outstanding indebtedness and turn over the balance of the assets of such
266 district to the city in which the district is located, if the legislative body
267 of the city authorizes such action. No district shall be terminated under
268 this section until all of its outstanding indebtedness is paid unless the
269 legislative body of the city in which the district is located agrees in
270 writing to assume such indebtedness. On completion of the duties of the
271 officers of such district, the clerk shall cause a certificate of the vote of
272 such meeting to be recorded in the land records of the city in which the
273 district is located and the clerk shall notify the Secretary of the Office of
274 Policy and Management.

275 (d) (1) (A) Except as provided in subparagraph (B) of this subdivision,
276 for the purposes of voting at meetings held by such district, any tenant
277 in common of any interest in real property shall have a vote equal to the
278 fraction of such tenant in common's ownership of such interest. Any
279 joint tenant of any interest in real property shall vote as if each such
280 tenant owned an equal fractional share of such real property. A
281 corporation shall have its vote cast by the chief executive officer of such
282 corporation, or such officer's designee. Any entity that is not a
283 corporation shall have its vote cast by a person authorized by such entity
284 to cast its vote. The district shall not have a vote for any interests in real
285 property that it owns within the district.

286 (B) The district shall not have a vote for any interest in real property
287 within the district owned by such district.

288 (2) No holder of record of an interest in real property within the
289 district shall be precluded from participating in any district meeting or
290 referendum because of the form of entity that holds such interest,
291 whether such holder of record is (A) a corporation, partnership,
292 unincorporated association, trustee, fiduciary, guardian, conservator or
293 other form of entity, or any combination thereof, or (B) an individual
294 who holds interests jointly or in common with another individual or
295 individuals, or with any one or more of the entities listed in
296 subparagraph (A) of this subdivision.

297 (e) Notwithstanding any provision of the general statutes, including
298 sections 7-324 to 7-329, inclusive, of the general statutes, the district shall
299 have the power to assess, levy and collect benefit assessments upon the
300 land and buildings in the district that, in the judgment of such district,
301 are benefited by the improvements.

302 (f) (1) Notwithstanding any provision of the general statutes,
303 including sections 7-324 to 7-329, inclusive, of the general statutes, the
304 district shall have the power to fix, revise, charge, collect, abate and
305 forgive reasonable taxes, fees, rents and benefit assessments, and other
306 charges for the cost of the improvements, financing costs, operating
307 expenses and other services and commodities furnished or supplied to
308 the real property in the district in accordance with the applicable
309 provisions of the general statutes that apply to districts established
310 under section 7-325 of the general statutes, and this section and in the
311 manner prescribed by the district. Notwithstanding any provision of the
312 general statutes, the district may pay the entire cost of any
313 improvements, including the costs of financing such improvements,
314 capitalized interest and the funding of any reserve funds necessary to
315 secure such financing or the debt service of bonds or notes issued to
316 finance such costs, from taxes, fees, rents, benefit assessments or other
317 revenues and may assess, levy and collect said taxes, fees, rents or
318 benefit assessments concurrently with the issuance of bonds, notes or
319 other obligations to finance such improvements based on the estimated
320 cost of the improvements prior to the acquisition or construction of the
321 improvements or upon the completion or acquisition of the

322 improvements.

323 (2) Notwithstanding any provision of the general statutes, whenever
324 the district constructs, improves, extends, equips, rehabilitates, repairs,
325 acquires or provides a grant for any improvements or finances the cost
326 of such improvements, such proportion of the cost or estimated cost of
327 the improvements and financing thereof as determined by the district,
328 may be assessed by the district, referred to in this section as "benefit
329 assessments", in the manner prescribed by such district, upon the
330 property benefited by such improvements and the balance of such costs
331 shall be paid from the general funds of the district. The district may
332 provide for the payment of such benefit assessments in annual
333 installments, not exceeding twenty, and may forgive such benefit
334 assessments in any single year without causing the remainder of
335 installments of benefit assessments to be forgiven. Benefit assessments
336 to buildings or structures constructed or expanded after the initial
337 benefit assessment may be assessed as if the new or expanded buildings
338 or structures had existed at the time of the original benefit assessment.
339 For the purposes of this section, the provision of open space, whether
340 within the district or in the city of West Haven, shall be deemed a benefit
341 to all the property in the district.

342 (3) In order to provide for the collection and enforcement of its taxes,
343 fees, rents, benefit assessments and other charges, the district is hereby
344 granted all the powers and privileges with respect thereto as districts
345 organized pursuant to section 7-325 of the general statutes, and as held
346 by the city of West Haven or as otherwise provided in this section. Such
347 taxes, fees, rents or benefit assessments, if not paid when due, shall
348 constitute a lien upon the premises served and a charge against the
349 owners thereof, which lien and charge shall bear interest at the same
350 rate as delinquent property taxes. Each such lien may be continued,
351 recorded and released in the manner provided for property tax liens and
352 shall take precedence over all other liens or encumbrances except a lien
353 for taxes of the city of West Haven. Each such lien may be continued,
354 recorded and released in the manner provided for property tax liens.

355 (4) The budget, taxes, fees, rents, benefit assessments and any other
356 charges of the district of general application shall be adopted and
357 revised by the board at least annually no more than thirty days before
358 the beginning of the fiscal year in accordance with the procedures to be
359 established by the board at a meeting called by the board, assuring that
360 interested persons are afforded notice and an opportunity to be heard.
361 The board shall hold at least two public hearings on its schedule of fees,
362 rates, rents, benefit assessments and other charges or any revision
363 thereof before adoption, notice of which shall be delivered to the mayor
364 and city council of the city of West Haven and be published in at least
365 two newspapers of general circulation in the city of West Haven at least
366 ten days in advance of the hearing. Not later than the date of the
367 publication, the board shall make available to the public and deliver to
368 the mayor and the city council of the city of West Haven the proposed
369 schedule of fees, rates, rents, benefit assessments and other charges. The
370 procedures regarding public hearing and appeal provided by section 7-
371 250 of the general statutes shall apply for all benefit assessments made
372 by the district except that the board shall be substituted for the water
373 pollution control authority. If the benefit assessments are assessed and
374 levied prior to the acquisition or construction of the improvements, the
375 amount of the benefit assessments shall be adjusted to reflect the actual
376 cost of the improvements, including all financing costs, once the
377 improvements have been completed, provided the actual cost is greater
378 than or less than the estimated costs. If the benefit assessments are
379 assessed and levied after the acquisition or construction of the
380 improvements, the amount of the benefit assessments shall reflect the
381 actual cost of the improvements, including all financing costs, and such
382 costs may be included in the bonds or budget of the district, as
383 determined by the board. Benefit assessments shall be due and payable
384 at such times as are fixed by the board, provided the district shall give
385 notice of such due date not less than thirty days prior to such due date
386 by publication in a newspaper of general circulation in the city of West
387 Haven and by mailing such notice to the owners of the property
388 assessed at their last-known address.

389 (g) (1) Notwithstanding any provision of the general statutes,
390 including sections 7-324 to 7-329, inclusive, of the general statutes,
391 whenever the district has authorized the acquisition or construction of
392 the improvements or has made an appropriation therefor, the district
393 may authorize the issuance of up to forty million dollars of bonds, notes
394 or other obligations to finance the cost of the improvements, the creation
395 and maintenance of reserves required to sell the bonds, notes or
396 obligations and the cost of issuance of the bonds, notes or obligations,
397 except that, until such time the district enters into an interlocal
398 agreement with the city of West Haven to share said city's incremental
399 increase in real property taxes, in accordance with the procedures
400 provided by section 7-339c of the general statutes, including at least one
401 public hearing on the proposed agreement and ratification by the city
402 council of said city, no bonds secured by a pledge of revenues derived
403 from the interlocal agreement shall be issued. The bonds, notes or other
404 obligations may be secured as to both principal or interest by (A) the full
405 faith and credit of the district, (B) fees, revenues or benefit assessments,
406 or (C) a combination of subparagraphs (A) and (B) of this subdivision.
407 Such bonds, notes or obligations shall be authorized by resolution of the
408 board. The district is authorized to secure such bonds by the full faith
409 and credit of the district or by a pledge of or lien on all or part of its
410 revenues, fees or benefit assessments. The bonds of each issue shall be
411 dated, shall bear interest at the rates and shall mature at the time or
412 times not exceeding twenty years from their date or dates, as
413 determined by the board, and may be redeemable before maturity, at
414 the option of the board, at the price or prices and under the terms and
415 conditions fixed by the board before the issuance of the bonds. The
416 board shall determine the form of the bonds, and the manner of
417 execution of the bonds, and shall fix the denomination of the bonds and
418 the place or places of payment of principal and interest, which may be
419 at any bank or trust company within the state of Connecticut and other
420 locations as designated by the board. In case any officer whose signature
421 or a facsimile of whose signature shall appear on any bonds or coupons
422 shall cease to be an officer before the delivery of the bonds, the signature
423 or facsimile shall nevertheless be valid and sufficient for all purposes

424 the same as if the officer had remained in office until the delivery.

425 (2) While any bonds or notes issued by the district remain
426 outstanding, the powers, duties or existence of the district shall not be
427 diminished or impaired in any way that will affect adversely the
428 interests and rights of the holders of the bonds or notes. Bonds or notes
429 issued under this section, unless otherwise authorized by law, shall not
430 be considered to constitute a debt of the state of Connecticut or the city
431 of West Haven, or a pledge of the full faith and credit of the state of
432 Connecticut or the city of West Haven, but the bonds or notes shall be
433 payable solely by the district or as special obligations payable from
434 particular district revenues. Any bonds or notes issued by the district
435 shall contain on their face a statement to the effect that neither the state
436 of Connecticut nor the city of West Haven shall be obliged to pay the
437 principal of or the interest thereon, and that neither the full faith and
438 credit or taxing power of the state of Connecticut or the city of West
439 Haven is pledged to the payment of the bonds or notes. All bonds or
440 notes issued under this section shall have and are hereby declared to
441 have all the qualities and incidents of negotiable instruments, as
442 provided in title 42a of the general statutes.

443 (h) (1) The board may authorize that the bonds be secured by a trust
444 agreement by and between the district and a corporate trustee, which
445 may be any trust company or bank having the powers of a trust
446 company within the state of Connecticut. The trust agreement may
447 pledge or assign the revenues. Either the resolution providing for the
448 issuance of bonds or the trust agreement may contain covenants or
449 provisions for protecting and enforcing the rights and remedies of the
450 bondholders as may be necessary, reasonable or appropriate and not in
451 violation of law.

452 (2) All expenses incurred in carrying out the trust agreement may be
453 treated as a part of the cost of the operation of the district. The pledge
454 by any trust agreement or resolution shall be valid and binding from
455 time to time when the pledge is made; the revenues or other moneys so
456 pledged and then held or thereafter received by the board shall

457 immediately be subject to the lien of the pledge without any physical
458 delivery thereof or further act; and the lien of the pledge shall be valid
459 and binding as against all parties having claims of any kind in tort,
460 contract or otherwise against the board, irrespective of whether the
461 parties have notice thereof. Notwithstanding any provision of the
462 Uniform Commercial Code, neither this subsection, the resolution or
463 any trust agreement by which a pledge is created need be filed or
464 recorded except in the records of the board, and no filing need be made
465 under title 42a of the general statutes.

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

477 (j) Bonds may be issued under this section without obtaining the
478 consent of the state of Connecticut or the city of West Haven, and
479 without any proceedings or the happening of any other conditions or
480 things other than those proceedings, conditions or things that are
481 specifically required thereof by this section, and the validity of and
482 security for any bonds issued by the district shall not be affected by the
483 existence or nonexistence of the consent or other proceedings,
484 conditions or things.

485 (k) The district and all its receipts, revenues, income and real and
486 personal property shall be exempt from taxation and benefit
487 assessments and the district shall not be required to pay any tax, excise
488 or assessment to or from the state of Connecticut or any of its political
489 subdivisions. The principal and interest on bonds or notes issued by the

490 district shall be free from taxation at all times, except for estate and gift,
491 franchise and excise taxes, imposed by the state of Connecticut or any
492 political subdivision thereof, provided nothing in this section shall act
493 to limit or restrict the ability of the state of Connecticut or the city of
494 West Haven to tax the individuals and companies, or their real or
495 personal property or any person living or business operating within the
496 boundaries of the district.

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

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

513 (2) The district shall take affirmative steps to provide for the full
514 disclosure of information relating to the public financing and
515 maintenance of improvements to real property undertaken by the
516 district. Such information shall be provided to any existing residents
517 and to all prospective residents of the district. The district shall furnish
518 each developer of a residential development within the district with
519 sufficient copies of such information and provide each prospective
520 initial purchaser of property in such district with a copy, and any
521 developer of a residential development within the district, when
522 required by law to provide a public offering statement, shall include a

523 copy of such information relating to the public financing and
524 maintenance of improvements in the public offering statement.

525 (n) (1) This section shall be deemed to provide an additional,
526 alternative and complete method of accomplishing the purposes of this
527 section and exercising the powers authorized hereby and shall be
528 deemed and construed to be supplemental and additional to, and not in
529 derogation of, powers conferred upon the district by law and
530 particularly by sections 7-324 to 7-329, inclusive, of the general statutes;
531 provided insofar as the proceedings of this section are inconsistent with
532 any general statute or special act, or any resolution or ordinance of the
533 city of West Haven, this section shall be controlling.

534 (2) Except as specifically provided in this section, all other statutes,
535 ordinances, resolutions, rules and regulations of the state of Connecticut
536 and the city of West Haven shall be applicable to the property, residents
537 and businesses located in the district. Nothing in this section shall in any
538 way obligate the city of West Haven to pay any costs for the acquisition,
539 construction, equipping or operation and administration of the
540 improvements located within the district or to pledge any money or
541 taxes to pay debt service on bonds or notes issued by the district except
542 as may be agreed to in any interlocal agreements executed by the city of
543 West Haven and the district.

544 (o) This section being necessary for the welfare of the city of West
545 Haven and its inhabitants shall be liberally construed to affect the
546 purposes hereof.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Purpose:

To permit the establishment of a special taxing district in West Haven and authorize such district to make expenditures for public and private infrastructure improvements and issue bonds to finance the improvements.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]