



MEMORANDUM

TO: MIRA Board of Directors
FROM: Donald S. Stein, Chairman
DATE: January 28, 2021
RE: Notice of Special Telephonic Meeting

There will be a *special telephonic* meeting of the Board of Directors of the Materials Innovation and Recycling Authority (MIRA) on *Monday, February 1, 2021 at 10:00 a.m.*

MIRA offices are presently closed to the public due to the Corona Virus outbreak. Members of the public may attend the meeting telephonically by calling (929) 205-6099, entering meeting ID 878 8861 8076 #, then entering the password 488062 # when prompted.

The purpose of this meeting will be:

- I. Pledge of Allegiance
- II. Public Comment – A ½ hour public portion will be held and the Board will accept written testimony and allow individuals to speak for a limit of three minutes.
- III. Executive Session to discuss pending claims and litigation related to *FCR, LLC v. MIRA* (including MIRA’s consideration of settlement) pursuant to Conn. Gen. Stat. Section 1-210(b)(4).
- IV. Board Action will be sought for a Resolution Authorizing the President to Agree to a Settlement and to Transfer Funds (*Attachment 1*).
- V. Executive Session to discuss pending RFPs, pursuant to Conn. Gen. Stat. Section 1- 210(b)(24), and Feasibility Estimates and Evaluations relative to prospective public supply contracts, pursuant to Conn. Gen. Stat. Section 1-210(b)(7), including MIRA RFP’s and prospective contracts for Operation, Maintenance and Optional Redevelopment of the CSWS Recycling Facility; Brokerage of Recycled Commodities from the CSWS Recycling Facility; Transportation, Recycling and/or Disposal of CSWS Metals; and property insurance renewals; and the potential impact of same upon the FY 2021 and draft FY2022 CSWS operating and capital budget scenarios.

RESOLUTION AUTHORIZING THE PRESIDENT TO AGREE TO A SETTLEMENT
AND TO TRANSFER FUNDS

RESOLVED: That the President is hereby authorized to proceed with settlement of all matters between the Authority and FCR, LLC, substantially as presented and on the terms discussed at this meeting, and to execute all documents (including, without limitation, a Settlement and Release Agreement), make all payments, release all claims, and do all other things reasonably necessary to implement said Agreement and accomplish such settlement; and

Further RESOLVED: That management is authorized to transfer the sum of \$3,930,000 from the Property Division General Fund to the CSWS Operating Fund, which sum includes the settlement cost of \$1,300,000 and the estimated cost to process recycling deliveries from February 1, 2021 through June 30, 2021 of \$2,630,000 but excludes lost revenue from operation of the recycling facility to be accommodated through use of the CSWS Tip Fee Stabilization Fund.