§ 1230-f. General powers of the water board. Except as otherwise limited by this title, the water board shall have power:

1. To sue and be sued.

2. To have a seal and alter the same at pleasure.

3. To enter into contracts and to execute all instruments necessary or convenient or desirable for the purposes of the water board to carry out any powers expressly given it in this title, provided nothing herein contained shall authorize the water board to issue bonds, borrow money or otherwise contract indebtedness.

4. To enter into agreements with the authority, the city, any other municipality, the state, any state agency, or any person to provide a means whereby the authority or the water board shall finance the cost of constructing projects, as described in the agreement, and the water board may agree to assume title to any such project, and to raise revenues from users through fees, rates or other service charges necessary or appropriate to secure such financing and to pay the cost of the construction, operation, maintenance, management and repair of any such project or the system.

5. To acquire, by purchase, gift, grant, transfer, contract or lease or by condemnation pursuant to the eminent domain procedure law, lease as lessee, hold and use any property, real, personal or mixed or any interest therein, constituting or for use in connection with a project or otherwise, as the water board may deem necessary, convenient or desirable to carry out the purposes of this title. In connection with the acquisition of any property, the water board may assume and agree to perform covenants and observe the restrictions contained in any instrument to which any such property is subject; and furthermore the city, any municipality, the state, state agency or any person, as owner of any properties, which the water board is authorized to acquire, is hereby authorized to sell or otherwise transfer the same to the water board, whereupon the water board shall become charged with the performance of all public duties with respect to such properties with

which such owner was charged and such owner shall become discharged from the performance thereof and, subject to any limitations in any agreement entered into pursuant to this title, to sell, lease as lessor, transfer or otherwise dispose of any such property or interest therein; provided, however, that any property determined by the water board to be no longer necessary by the water board for use in fulfilling the purposes of the water board pursuant to this title which was acquired by the water board from the city, any municipality, the state, state agency or any person shall be conveyed, immediately after such property has been so determined to be no longer necessary by the water board, at no cost, to the city or to such municipality, the state, or such state agency from whom the water board acquired such property, with the consent of the city, or as may be provided otherwise in any agreement with the city and/or the authority, or the grantor of such property.

6. To acquire from the city, the authority and any municipality, title to any water, wastewater, or storm water facility or project.

7. To make and amend by-laws for its organization and management and the regulation of its affairs and rules and regulations governing the exercise and enforcement of its powers and the fulfillment of its purposes under this title, including, but not limited to, the sale of water, wastewater and storm water services and the collection of fees, rates and charges therefor, and collection, transport and treatment of wastewater and storm water flows and the collection of fees, rates and charges therefor. A copy of such rules, regulations and by-laws, and all amendments thereto, duly certified by the secretary of the water board shall be filed in the office of the city clerk.

8. To establish, fix, revise, charge, collect and enforce the payment of all fees, rates, and other service charges for the use of, or services rendered by, or any commodities furnished by any system-related facility so as to provide revenues which, together with other revenues available to the water board, if any, shall be at least sufficient at all times so that such facility or facilities shall be placed on a self-sustaining basis in accordance with this title.

9. To pledge its revenues and mortgage any or all of its properties to secure the obligations of the authority.

10. To construct, improve, maintain, develop, expand, repair, replace or rehabilitate any and all system facilities.

11. To operate and manage and to contract for the operation and management of the facilities and properties of the water board.

12. To enter into contracts, and carry out the terms thereof, for the provision of water, wastewater and storm water services produced or provided by or through supply, transmission, distribution, treatment and other system-related facilities owned, leased, constructed and/or operated by the water board; to collect and treat wastewater through system-related facilities, to provide for storm water drainage and treatment using system-related facilities, and to provide for the disposal of residuals from any water, wastewater or storm water to, or from municipalities, private companies or to any person, as applicable.

13. To apply to the appropriate agencies and officials of federal, state, and local governments for such licenses, permits or approvals of its plans or projects as it may deem necessary or advisable, and upon such terms and conditions as it may deem appropriate, and to accept, in its discretion, such licenses, permits or approvals as may be tendered to it by such agencies and officials.

14. To appoint such officers, agents and employees as it may require for the performance of its duties, and to fix and determine their qualifications, duties, and compensation, subject to the provisions of the civil service law and the rules of the civil service commission of the city, and to retain or employ counsel, auditors, engineers and private consultants on a contractual basis or otherwise for rendering management, professional or technical services and advice.

15. To make plans and studies necessary, convenient or desirable for the effectuation of the purposes and powers of the water board and to prepare recommendations in regard thereto.

16. To make use of existing studies, surveys, plans, data and other material in the possession of any state agency, the city, any municipality, any person or the authority in order to avoid duplication of effort.

17. To enter upon such lands, waters, effluent source or premises as in the judgment of the water board shall be necessary for the purpose of making surveys, soundings, borings, inspections and examinations to accomplish any purpose authorized by this title, the water board being liable only for actual damage done.

18. To apply for and to accept any gifts or grants or loans of funds or property or financial or other aid in any form from the federal government or any agency or instrumentality thereof, from the state or any agency or instrumentality thereof, from any municipality, the city, the authority or from any other source, for any or all of the purposes specified in this title, and to comply, subject to the provisions of this title, with the terms and conditions thereof.

19. To produce, develop, distribute, supply and sell water for domestic, commercial and public purposes at wholesale or retail to any state agency, municipalities, the city, utility companies, private corporations, and persons or individual consumers within or without the city and the service area.

20. To produce, develop, supply and sell wastewater and storm water collection, treatment and disposal services as well as services for the treatment and disposal of biosolids, sludge, grit and related materials for domestic, commercial and public purposes at wholesale or retail to any state agency, municipalities, the city, utility companies, private corporations, and persons or individual consumers within or without the city and service area.

21. To purchase water in bulk from any person, private corporation, state agency, utility company, the city or municipality when necessary or convenient for the operation of any water facility, wastewater

facility or storm water facility.

22. To enter into cooperative agreements with the authority, any state agency, other authorities, any municipality, the city, any utility company, private corporation, or person within or without the service area for the interconnection of facilities, the exchange or interchange of services and commodities or for the construction and operation and maintenance of any system facility by the water board for any municipality or person having power to construct and develop a water facility, wastewater facility or storm water facility, upon such terms and conditions as shall be determined to be reasonable including, but not limited to, the reimbursement of all costs of such construction, or for any other lawful purposes necessary or desirable to effect the purposes of this title.

23. To enter into agreements with the state, any state agency, any municipality, the authority, the city, or any person, in furtherance of the purposes of this title as herein provided.

24. To examine, repair or replace any water meter, and to enter upon any property, upon reasonable notice in advance of such entry, for the purpose of such meter examination, repair or replacement as deemed necessary or appropriate by the water board, and to accept an easement or license from the property owner therefor.

25. To invest moneys not required for immediate use or disbursement, subject to such restrictions as may be imposed by any agreement with the authority, in such obligations or deposits with such banks or trust companies as it may determine and designate, provided that any such deposit with a bank or trust company shall be continuously and fully secured by direct obligations of the state or the United States, or obligations, the principal of and interest on which are guaranteed by the state or the United States, of a market value equal at all times to at least the amount of the deposit.

26. To establish and maintain such reserves, special funds and accounts, to be held in trust or otherwise, as may be required by any

agreement with the authority and/or any municipality in the service area.

27. With the consent of the chief executive officer of the city or a municipality, as the case may be, to use officers and employees of the city or such municipality and to pay a proper portion of compensation or costs for the services of such officers or employees.

28. To establish, adopt, amend or cancel and issue a code of ethics, and such rules, regulations, permits and orders as it deems necessary, desirable or convenient, for the jurisdiction, control, supervision, possession, operation and use of the system and its facilities and for the administration and enforcement of this title.

29. To issue permits and orders for all users of the system and to enforce the rules, regulations, orders and permits of the water board for all users and persons and, in the event of non-compliance therewith, to take any enforcement action, as may be established in the water board's rules and regulations or otherwise allowed by this title.

30. To have jurisdiction, control, possession and supervision of the existing system and any project; to maintain, operate, reconstruct and improve the same as a comprehensive system and to make additions, betterments and extensions thereto, and to have all the rights, privileges and jurisdiction necessary or proper for carrying such power into execution. No enumeration of powers in this or any other general, special or local law shall operate to restrict the meaning of this general grant of power or to exclude other powers comprehended within this general grant, except as expressly limited in this title.

31. To engage in any activity otherwise permitted by law which in its judgment would be helpful or convenient for the public or users of the system facilities and in the service of the city or its service area.

32. To do all things necessary, convenient or desirable to carry out its purposes and for the exercise of the powers granted in this title.