

In City Council, January 13, 2020

1. Acceptance of the minutes of the December 23, 2019 City Council meeting.
2. Acceptance of the minutes of the January 6, 2020 City Council Inauguration.

COMMUNICATIONS:

3. From the Director of Planning and Economic Development requesting that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$229,000 from Department of Housing & Community Development-Commonwealth's Housing Choice Program Grant to City of Brockton Planning and Economic Development-Housing Choice Program Grant Fund. (the grant funds will be used to fund the Keith Park Pedestrian Crossing Improvements as part of a larger push to modernize and revitalize the Campello Neighborhood). This project will address the need for pedestrian infrastructure that makes Brockton safer and more comfortable for the elderly and people with disabilities. No match required.
4. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$229,000 from Department of Housing & Community Development-Commonwealth's Housing Choice Program Grant to City of Brockton Planning and Economic Development-Housing Choice Program Grant Fund. (the grant funds will be used to fund the Keith Park Pedestrian Crossing Improvements as part of a larger push to modernize and revitalize the Campello Neighborhood). This project will address the need for pedestrian infrastructure that makes Brockton safer and more comfortable for the elderly and people with disabilities. No match required.
5. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$229,000 from Department of Housing & Community Development-Commonwealth's Housing Choice Program Grant to City of Brockton Planning and Economic Development-Housing Choice Program Grant Fund.
6. From the Mayor in accordance with M.G.L., Ch. 59, Sec. 25, requesting that the Board of Assessors determine the amount of excess overlay.
7. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the total transfer of \$4,750,000 from Overlay Surplus to Law Department-Court Judgments.
8. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total proposed transfer of \$4,750,000 from Overlay Surplus to Law Department-Court Judgments.
9. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the total transfer of \$300,000 from Overlay Surplus to Human Resources-Full Time Salaries- \$150,000 and to Human Resources-Purchase of Services- \$150,000
10. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total proposed transfer of \$300,000 from Overlay Surplus to Human Resources-Full Time Salaries- \$150,000 and to Human Resources-Purchase of Services- \$150,000
11. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the total transfer of \$99,312.07 from Police Department-Full Time Salaries to Mayor's Office-Personal Services Non Overtime \$74,498.60 and to Law Department-Personal Services Non Overtime \$24,813.44 (in order to pay separation costs for former employees).
12. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total proposed transfer of \$99,312.07 from Police Department-Full Time Salaries to

Mayor's Office-Personal Services Non Overtime \$74,498.60 and to Law Department-Personal Services Non Overtime \$24,813.44

13. From the Mayor's Office Grant Coordinator, recommending that the City Council authorize the acceptance and expenditure in the grant award in the amount of \$600,000 From Department of Justice, Office of Justice Programs-Comprehensive Opioid Abuse Site-Based Program (COAP) Grant Funds, To Brockton Mayor's Office-Comprehensive Opioid Abuse Site-Based Program (COAP) Grant Funds. The grant funds will develop a collaborative Champion Plan Prevention model to provide additional resources for individuals suffering from substance use disorders and HIV/AIDS/STI/HCV educational services to the most vulnerable groups identified in the community. No match required.
14. From the Mayor in accordance with M.G.L. Ch. 44, recommending that the City Council authorize the acceptance and expenditure in the grant award in the amount of \$600,000 From Department of Justice, Office of Justice Programs-Comprehensive Opioid Abuse Site-Based Program (COAP) Grant Funds, To Brockton Mayor's Office-Comprehensive Opioid Abuse Site-Based Program (COAP) Grant Funds. The grant funds will develop a collaborative Champion Plan Prevention model to provide additional resources for individuals suffering from substance use disorders and HIV/AIDS/STI/HCV educational services to the most vulnerable groups identified in the community. No match required.
15. From the CFO in accordance with Sec. 5 of Ch. 324 of the Acts of 1990, certifying the acceptance and expenditure in the grant award in the amount of \$600,000 From Department of Justice, Office of Justice Programs-Comprehensive Opioid Abuse Site-Based Program (COAP) Grant Funds, To Brockton Mayor's Office-Comprehensive Opioid Abuse Site-Based Program (COAP) Grant Funds.
16. From the Fire Chief, requesting that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$250,000 From the Commonwealth of Massachusetts Executive Office of Public Safety and Security To Brockton Fire Department. The grant is a SFY2020 Massachusetts Public Safety Staffing grant to be used for overtime necessary to maintain staffing levels. No match is required.
17. From the Mayor in accordance with M.G.L. Ch. 44, recommending that the City Council authorize the acceptance and expenditure in the grant award in the amount of \$250,000 from Commonwealth of Massachusetts Executive Office of Public Safety and Security SFY2020 Massachusetts Municipal Public Safety Staffing grant To Brockton Fire Department – SFY2020 Massachusetts Municipal Public Safety Staffing Grant Fund. This grant will be used for overtime necessary to maintain staffing levels.
18. From the CFO in accordance with Sec. 5 of Ch. 324 of the Acts of 1990, certifying the acceptance and expenditure in the grant award in the amount of \$250,000 from Commonwealth of Massachusetts Executive Office of Public Safety and Security SFY2020 Massachusetts Municipal Public Safety Staffing grant To Brockton Fire Department – SFY2020 Massachusetts Municipal Public Safety Staffing Grant Fund.
19. From the Mayor in accordance with the General Laws of Massachusetts, Chapter 44, recommend that the City Council authorize the total appropriation of \$5,457,233 using the form of order with language as recommended by Attorney Richard Manley of Locke Lord, LLP, the City's bond counsel, in order to provide funding through borrowing said amount, is to pay the following costs:

|                                                                                                                                |             |
|--------------------------------------------------------------------------------------------------------------------------------|-------------|
| Cemetery Department-Capital:<br>(for a cemetery expansion)                                                                     | \$650,000   |
| Fire Department-Capital<br>(for 2 fire pumper trucks)                                                                          | \$1,260,000 |
| Information Technology-Capital<br>(for Information Technology software, computer equipment, radio dispatch, microwave and GIS) | \$448,000   |
| Department of Public Works-Water Division-Capital<br>(for US Filter CPL Treatment Plant, Water Main Replacement Program)       | \$1,126,233 |
| Parks & Recreation-Capital<br>(for various capital items)                                                                      | \$1,973,000 |

20. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed appropriation of and borrowing authorization for \$5,457,233, to provide funding to pay the following costs:
- |                                                                                                                                |             |
|--------------------------------------------------------------------------------------------------------------------------------|-------------|
| Cemetery Department-Capital:<br>(for a cemetery expansion)                                                                     | \$650,000   |
| Fire Department-Capital<br>(for 2 fire pumper trucks)                                                                          | \$1,260,000 |
| Information Technology-Capital<br>(for Information Technology software, computer equipment, radio dispatch, microwave and GIS) | \$448,000   |
| Department of Public Works-Water Division-Capital<br>(for US Filter CPL Treatment Plant, Water Main Replacement Program)       | \$1,126,233 |
| Parks & Recreation-Capital<br>(for various capital items)                                                                      | \$1,973,000 |
21. From the Mayor's Office Grants Coordinator requesting that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$4,855 from Massachusetts Department of Transportation (MASSDOT)-Safe Routes To School, Signs and Lines Grant to Brockton School Department-Safe Routes To School, Signs and Lines Grant Fund. (The grant funds will be used to install a solar-powered School Speed Limit Sign and Crosswalk and Stop Thermo-Line pavement markings on North Main Street at the intersection of Division Street and North Main Street). This will also include the installation of four No Parking signs on the west side of North Main Street, adjacent to the school entrance. No match required
22. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$4,855 from Massachusetts Department of Transportation (MASSDOT)-Safe Routes To School, Signs and Lines Grant to Brockton School Department-Safe Routes To School, Signs and Lines Grant Fund. (The grant funds will be used to install a solar-powered School Speed Limit Sign and Crosswalk and Stop Thermo-Line pavement markings on North Main Street at the intersection of Division Street and North Main Street). This will also include the installation of four No Parking signs on the west side of North Main Street, adjacent to the school entrance. No match required.
23. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$4,855 from Massachusetts Department of Transportation (MASSDOT)-Safe Routes To School, Signs and Lines Grant to Brockton School Department-Safe Routes To School, Signs and Lines Grant Fund.
24. From the Director of Planning and Economic Development requesting that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$200,000 from Department of Housing and Community Development (DHCD)-40R Smart Growth Incentive to City of Brockton Planning and Economic Development-40R Smart Growth Activities. (The incentive funds will be used but not limited to: Transit Village and other zoning work, Campello District Revitalization plan, Campello District Improvement Plan and Programs).
25. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorize the acceptance and expenditure of the grant award in the amount of \$200,000 from Department of Housing and Community Development (DHCD)-40R Smart Growth Incentive to City of Brockton Planning and Economic Development-40R Smart Growth Activities. (The incentive funds will be used but not limited to: Transit Village and other zoning work, Campello District Revitalization plan, Campello District Improvement Plan and Programs). No match required.
26. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the proposed acceptance and expenditure of the grant award in the amount of \$200,000 from Department of Housing and Community Development (DHCD)-40R Smart Growth Incentive to City of Brockton Planning and Economic Development-40R Smart Growth Activities.

27. From the DPW Commissioner requesting that Schedule B, so called “Sewer Charges and Fees” of Article III, “Sewer and Sewage Disposal”, Chapter 23, Division II, “Rates and Charges”, of the Revised Ordinances of the City of Brockton be amended. These changes are necessary to address infrastructure needs throughout the City as well as reimburse the General Fund. Restructuring the rates would bring in additional annual revenue of \$1,900,000 for the Water Enterprise Account. Implementing user fees would increase both the Water and Sewer Enterprise Funds by \$2,300,000 each annually.
28. From the Mayor as recommended by the CFO and the Commissioner of the DPW, requesting that Schedule B, so called “Sewer Charges and Fees” of Article III, “Sewer and Sewage Disposal”, Chapter 23, Division II, “Rates and Charges”; of the Revised Ordinances of the City of Brockton be amended as described herein. 1. Schedule B, “Annual Charges for use of Public Sewer” (reference Section 23-56), delete current schedule of “Annual Charges for use of Public Sewer” and replace it with the following, on the effective date noted below:
- | Rate Block Quarterly Usage (per 100 cubic ft of water usage) | Rate Effective on all bills mailed on or after July 1, 2020 |
|--------------------------------------------------------------|-------------------------------------------------------------|
| -----                                                        |                                                             |
| 1. 0-1250                                                    | \$4.08                                                      |
| 2. 1251-2500                                                 | \$7.06                                                      |
| 3. 2501-5000                                                 | \$8.02                                                      |
| 4. 5001-10000                                                | \$8.02                                                      |
| 5. 10001-25000                                               | \$8.02                                                      |
| 6. 25001-999999                                              | \$8.75                                                      |
2. Section 23-25, “Fees and Charges”, amended by adding a “water user fee” and a “sewer user fee” \$25.00/quarter/account on all bills mailed on or after July 1, 2020.
- The recommended actions will bring in an estimated \$4.2 million of additional annual revenue to the Water Enterprise. In addition, Sewer Enterprise revenue will increase by about \$2.3 Million annually. The purpose of the rate change is to create equity within the block rate. The user fee for both water and sewer will support infrastructure investment in upgraded infrastructure, which will include new water & sewer mains, as well as repair of roads.
29. From the CFO recommending that the City Council adopt the amendments requested by Mayor Rodrigues on this date to the city’s Revised Ordinances, Ch. 23, in order to increase the block rates for water and sewer usage, which will create equity within the block rates and also to implement a user fee to both water and sewer bills to support infrastructure investment in water and sewer pipes as well as roads throughout the City of Brockton. The mayor’s recommendations were developed after an analysis in his office. The rate block and user fee will be implemented after July 1, 2020.

**ORDERS:**

30. Ordinance: An Ordinance Amending Ch. 23, Division II, Rates and Charges, Schedule B of the Revised Ordinances of the City of Brockton  
Be it Ordained by the City Council of the City of Brockton as follows: that Schedule B, so called “Sewer Charges and Fees” of Article III, “Sewer and Sewage Disposal”, Chapter 23, Division II, “Rates and Charges”; of the Revised Ordinances of the City of Brockton be amended
31. Order: Rules and Regulations governing motor vehicles for hire under Chapter 159A for the carrying of passengers.
32. Order: Assessors to act as agents of City Council in matter of apportionment of betterments.
33. Order: Clerk to give notice of hearings before Council.
34. Order: Regulations governing the operation of hawkers and peddlers within the City of Brockton.

35. Order: Pawnbrokers are to deliver a list of purchased/pawned articles to the Chief of Police.
36. Ordered: total transfer of \$4,750,000  
From Overlay Surplus  
To: Law Department-Court Judgments
37. Ordered: total transfer of \$300,000  
From: Overlay Surplus  
To: Human Resources-Full Time Salaries- \$150,000 and  
To: Human Resources-Purchase of Services- \$150,000
38. Ordered: total transfer of \$99,312.07  
From: Police Department-Full Time Salaries  
To: Mayor's Office-Personal Services Non Overtime \$74,498.60 and  
To: Law Department-Personal Services Non Overtime \$24,813.44
39. Ordered: Acceptance of grant for \$600,000  
From: Department of Justice, Office of Justice Programs-Comprehensive Opioid Abuse Site-Based Program (COAP) Grant Funds,  
To: Brockton Mayor's Office-Comprehensive Opioid Abuse Site-Based Program (COAP) Grant Funds.
40. Ordered: Acceptance of grant for \$250,000  
From: Commonwealth of Massachusetts Executive Office of Public Safety and Security SFY2020 Massachusetts Municipal Public Safety Staffing grant  
To: Brockton Fire Department – SFY2020 Massachusetts Municipal Public Safety Staffing Grant Fund.
41. Ordered: that sum of \$5,457,233 is appropriated to pay various capital costs as set forth, including the payment of all costs incidental and related thereto: to Cemetery Department-\$650,000, Fire Department-\$1,260,000, Information Technology Total-\$448,000, Water Department Total-\$1,126,233 and Parks and Recreation Total-\$1,973,000
42. Ordered: 1. That the Mayor of Brockton, pursuant to the provisions of M.G.L., ch. 44, rec. 53A, be and is hereby authorized to accept grants from the Commonwealth's MassWorks Program; and 2. That the Mayor of Brockton be and is hereby authorized to expend and take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Department of Planning and Economic Development; and 3. That this order shall take effect upon passage.
43. Ordered: Acceptance and expenditure of the grant award in the amount of \$200,000  
From: Department of Housing and Community Development (DHCD)-40R Smart Growth Incentive  
To: City of Brockton Planning and Economic Development-40R Smart Growth Activities.
44. Ordered: Acceptance and expenditure of the grant award in the amount of \$4,855  
From: Massachusetts Department of Transportation (MASSDOT)-Safe Routes To School, Signs and Lines Grant  
To: Brockton School Department-Safe Routes To School, Signs and Lines Grant Fund.

### **Councillor's Recognition**

All items on agenda are available in their entirety for review in the City Clerk's Office for all interested parties.

All council business as listed on the agenda have been emailed to the City Council members in their complete form, with exception of oversized material, such as maps, photos, etc.

