

This meeting is being held in accordance with Governor Charlie Baker's signed open meeting law order dated March 12, 2020 which relieves a public body from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means **following COVID-19 procedures.**

In City Council July 27, 2020

1. Acceptance of the City Council minutes of June 18, 2020 special meeting.
2. Acceptance of the City Council minutes of June 22, 2020 meeting.
3. Acceptance of the City Council minutes of July 16, 2020 special meeting.

APPOINTMENTS:

4. Reappointment of David Lynch of 30 Quincy St. Brockton, MA 02302 as a Constable in the City of Brockton for a three-year term.
5. Of Frank Gurley of 375 Pearl St. Brockton, MA 02301 to the Brockton Redevelopment Authority for a five-year term, ending July 2025.
6. Of Phillip Griffin of 19 Emory St. Brockton, MA 02301 to the Brockton Redevelopment Authority for a five-year term, ending July 2025.

HEARINGS:

7. Petition of Andranik Arustamyan dba Advanced Auto Performance LLC of 92 Dartmouth St., Brockton, MA for a transfer of Motor Vehicle Repair Body License located at 210 No. Cary St., Brockton, MA
8. Petition of Abdellatif Naanaa, Naanaa Realty Trust, LLC, of 39 Colonial Rd., Milton, MA, for a Transfer of a Garage License located at 1724A Main St., Brockton, MA (for up to 20 cars)
9. Petition of Abdellatif Naanaa, Naanaa Realty Trust, LLC, of 39 Colonial Rd., Milton, MA, for a Transfer of a Garage License located at 1724B Main St., Brockton, MA (for up to 6 cars)
10. Petition of Abdellatif Naanaa, Champion Auto Center Inc. DBA Green Auto Plus, of 39 Colonial Rd., Milton, MA, for a transfer of Motor Vehicle Repair Mechanical License located at 1724A Main St., Brockton, MA
11. Petition of Abdellatif Naanaa, Champion Auto Center Inc. DBA Green Auto Plus, of 39 Colonial Rd., Milton, MA, for a transfer of Motor Vehicle Repair Body License located at 1724B Main St., Brockton, MA
12. Petition of Abdellatif Naanaa, Champion Auto Center Inc. DBA Green Auto Plus, of 39 Colonial Rd., Milton, A, for a transfer of Motor Vehicle Repair Mechanical License located at 1724B Main St., Brockton, MA
13. Petition of 1854 Main Street, LLC for a Garage License located at 1854 Main St., Brockton, MA
14. Petition of Mass Best Motors, Inc dba Stepvan USA of 286 Ettrick St., Brockton, MA, for a Motor Vehicle Repair Mechanical License located at 1854 Main St., Brockton, MA
15. Petition of Mass Best Motors, Inc dba Stepvan USA of 286 Ettrick St., Brockton, MA, for a Motor Vehicle Repair Body License located at 1854 Main St., Brockton, MA

REPORTS:

16. Of the Ordinance Committee for its meeting on June 17, 2020
17. Of the Finance Committee for its meeting of July 20, 2020

COMMUNICATIONS:

18. From the Mayor recommending that the City Council resolves to appropriate up to \$12,131,213.26 from unanticipated revenues from the Plymouth County CARES disbursement for purposes of mitigating impacts of COVID-19 on city and school operations. Funds to be expended and reimbursed from Plymouth County for the purposes outlined in "Plymouth County CARES Community Update."
19. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the total proposed appropriation up to an amount of \$12,131,213.26 from Unappropriated Estimated Receipts-Plymouth County CARES disbursement for purposes of mitigating impacts of COVID-19 on city and school operations. Funds to be expended and reimbursed from Plymouth County for the purposes outlined in "Plymouth County CARES Community Update" dated May 14, 2020.
20. From the Executive Director of the Parking Authority, requesting the transfer of \$30,704 from Parking Authority Reserve-Meters to Personnel-Part Time Salaries.
21. From the Mayor, recommending that the City Council provide authorization to transfer monies from the Parking Authority Reserve account to the Parking Authority-Personal Services Other Than Overtime-Part Time Salaries line item in the amount of \$30,704.
22. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the transfer of \$30,704 from Parking Authority Reserve account to Parking Authority-Personal Services Other Than Overtime-Part Time Salaries.
23. From the Mayor, recommending that the City Council provide authorization to expend additional funds from the Commonwealth of Massachusetts-Massachusetts Census (CCCGP) Division, 2020 Census Municipal Grant in the amount of \$50,000.
24. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the acceptance and expenditure of the additional sub-recipient grant award in the amount of \$50,000 from Commonwealth of Massachusetts-Massachusetts Census (CCCGP) Division-2020 Census Municipal Grant to Mayor's Office- 2020 Census Municipal Grant Fund.
25. From the Procurement Department, requesting the transfer of \$26,654, to the Procurement Department - Full-Time Salaries. The purpose of the transfer is to fund the vacant position of Administrative Assistant Grade II that was presented as unfunded in the FY21 budget.
26. From the Mayor, recommending that the City council provide authorization to transfer monies from Unappropriated Estimated Receipts to the Procurement-Personal Services Other than Overtime line item in the amount of \$26,654.
27. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the transfer of \$26,654 from Unappropriated Estimated Receipts to Procurement- Personal Services Other Than Overtime.
28. From the Mayor, recommending that the City Council pass the HDIP Tax Increment Exemption between the City of Brockton and One Nine Residencies, LLC for the property located at 19 Main St.

29. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the approval of the HDIP Tax Increment Exemption Agreement between the City and One Nine Residencies, LLC for the property located at 19 Main St.
30. From the Mayor, recommending that the City Council pass the HDIP Tax Increment Exemption between the City of Brockton and 28 Petronelli LLC for the property located at 28 Petronelli Way.
31. From the CFO, in accordance with Section 5 of Chapter 324 of the Acts of 1990, certifying the approval of the HDIP Tax Increment Exemption Agreement between the City and 28 Petronelli LLC for the property located at 28 Petronelli Way.

UNFINISHED BUSINESS:

32. Granting of Marijuana License to Legal Greens, LLC, located at 73-75 Pleasant St., Brockton, MA 02301 (In City Council July 16, 2020 CONTINUED to July 27, 2020 meeting)
33. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That Section 2-127 of Chapter II is hereby amended by adding the following: Division 7.-Department of Human Resources (FAVORABLE AS AMENDED)
34. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That Section 2-127 of Chapter II is hereby amended by adding the following: Section 2-127. -Pay plan, (relative to the Director of Human Resources.) (FAVORABLE AS AMENDED)
35. Ordinance: That the City Council approve “an Ordinance amending Chapter 27 of the Revised Ordinance of the City of Brockton Concerning Restaurants.”  
Be it ordained by the City Council of the City of Brockton as follows:  
Sec. 27-28. C-1 Zones, neighborhood commercial zones, Paragraph 3, Special Permitted Uses, is hereby amended. (FAVORABLE)
36. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That the City Council amend Chapter 27 of the Revised Ordinances of the City of Brockton to create a new zoning overlay district for certain parcels on North Pearl Street. (FAVORABLE ORD/PLANNING)
37. Ordinance: Be it ordained, pursuant to Section 27-5 of the City Ordinances “Zoning Map” whereby reference is made to and incorporation of said boundaries of each of the zones established as shown on the map entitled, “The City of Brockton, Massachusetts Zoning District Map” dated November 10, 1967, and thereafter amended, that said map be amended to reflect zoning changes from C-2/R-2(current) to C-2 (Relative to Quincy St. and Centre St.) (FAVORABLE ORD/PLANNING)
38. Ordered: 1. That the Mayor of Brockton, pursuant to the provisions of M.G.L., Ch. 44, sec. 53A, be and is hereby authorized to accept the grant in the amount of \$920,000 from the Commonwealth of Massachusetts Housing Choice Initiative 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 City’s Department of Public Works. (FAVORABLE)
39. Ordered: The City of Brockton shall accept a \$200,000 40R Smart Growth incentive dividend from the Commonwealth of Massachusetts and reinvest it in planning activities. That \$100,000 of the 40R Smart Growth dividend be appropriated in Fiscal Year 2021 to Department of Planning and Economic Development, 40R Activities, and that the Department is authorized to engage

professional consulting services to prepare various planning documents for various commercial district and in particular the Campello neighborhood. Said documents may include, but shall not be limited to the following; District Master Plans, Rezoning Proposals, Urban Renewal Plans, District Improvement Plans, and Infrastructure Plans. That \$100,000 of the 40R Smart Growth dividend be appropriated into a Thatcher Street stabilization account to be created by the Chief Financial Officer. (FAVORABLE)

40. Ordered: That the City of Brockton shall accept a \$50,000 Planning Assistance Grant from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs (EEA), for the purposes of developing Transit Oriented Development zoning in the Campello Neighborhood, and That the required 25% match of \$12,500 come from the Thatcher Street 40R Smart Growth dividend, and That the Mayor of Brockton be and is hereby authorized to 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. (FAVORABLE)
41. Ordered: that the City Council re-authorize the Parking Authority's Revolving Fund for revenues from parking fines up to and including the amount of \$250,000 for FY2021 (FAVORABLE AS AMENDED)

#### ORDERS:

42. Ordinance: An Ordinance Amending Section 2-181 of the Revised Ordinances of the City of Brockton. Be it Ordained by the City Council of the City of Brockton as follows: Section 2-181 is repealed in its entirety and in its place the following is inserted: "The city solicitor shall be an active attorney at law in the Commonwealth of Massachusetts, properly licensed and in good standing with the Massachusetts Bar Association. He or she shall have a minimum of five (5) years of experience in the practice of law in Massachusetts with a thorough knowledge of Massachusetts General Laws including municipal law. He or she shall have demonstrated trial experience including the research, preparation, and management of civil or criminal cases during the various stages of litigation. The provisions of Section 2-110 of the Revised Ordinances shall not apply to this position. However, where two or more candidates have equal qualifications and experience as determined by the mayor, preference shall be given to a resident of the city or a candidate willing to move into the city within one (1) year of appointment."
43. Brockton Social Equity & Economic Empowerment Ordinance: An ordinance to (establish by public mandate) to prioritize the establishment of minority owned dispensaries and to ensure minority owned businesses have access to participate in the Commercialization of Cannabis.
44. Ordered: That the City Council of the City of Brockton finds that there is a clear need for an Urban Renewal Plan. In order to achieve the approved objectives on the Brockton Comprehensive Plan, A Blueprint for Brockton., that the Downtown / Trout Brook Urban Revitalization Plan, as described in Exhibit A, prepared by Harriman and RKG Associates, dated June 2020 is an Urban Renewal Plan prepared in accordance with MGL Chapter 121B and 760 CMR 12.00, that the City Council approves the boundaries of the Downtown / Trout Brook Urban Revitalization Plan. Plan located in City Clerk's Office for review.
45. Ordered: Appropriation of up to \$12,131,213.26  
From: Unappropriated Estimated Receipts-Plymouth County CARES disbursement for purposes of mitigating impacts of COVID-19 on city and school operations. Funds to be expended and reimbursed from Plymouth County for the purposes outlined in "Plymouth County CARES Community Update."

46. Ordered: Total Transfer of \$30,704  
From: Parking Authority Reserve account  
To: Parking Authority – Personal Services Other Than Overtime-Part Time Salaries.
47. Ordered: Total Transfer of \$50,000  
From: Commonwealth of Massachusetts-Massachusetts Census (CCCGP) Division-2020 Census Municipal Grant  
To: Mayor’s Office- 2020 Census Municipal Grant Fund
48. Ordered: Total Transfer of \$26,654  
From: Unappropriated Estimated Receipts  
To: Procurement- Personal Services Other Than Overtime
49. Ordered: That the City Council authorize the proposed HDIP Tax Increment Exemption between the City of Brockton and One Nine Residencies, LLC for the property located at 19 Main St.
50. Ordered: That the City Council authorize the proposed HDIP Tax Increment Exemption between the City of Brockton and 28 Petronelli LLC for the property located at 28 Petronelli Way.
51. Resolved as follows: That the City of Brockton shall conduct a study to better understand the availability and quantity of excess water and sewer capacity of the City of Brockton, that the City of Brockton explore the prospective income to the City by providing water and sewer to surrounding communities, that the City of Brockton shall study the status of Intermunicipal Agreements and ways to cultivate purchasers of City water and sewer, that the City of Brockton shall also study the financial feasibility of purchasing the Aquaria Water LLC desalination plant and selling this extra water capacity to surrounding communities, that the Study be conducted by a Committee consisting of the City of Brockton’s DPW Commissioner, Chief Financial Officer, the Law Department and select City Councilors, that the Committee shall submit a full and final report to the full City Council within 120 days of the approval of this resolve.

### **Councilor’s Recognition**

**Executive Session- to discuss legal matter regarding Open Meeting Law Complaints if the Council determines that an open session discussion would have a detrimental effect on the City.**

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. Recommendations are based on reports from committees.