

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.**

Out of respect for public health and in response to the Governor's declared state of emergency, this meeting will be via ZOOM. Interested parties can instead access the deliberations via a livestream

<https://www.youtube.com/user/TheBrocktonChannels/live>

In City Council, January 11, 2021

Nominations for Council President for the year 2021

Exchanging of the gavel.

1. Acceptance of the Minutes of the December 28, 2020 City Council meeting

#### APPOINTMENTS:

2. Reappointment of Richard Bath of 38 Frost Ave., Brockton, MA to the Council on Aging Board of Directors for a three (3) year term ending January 2024.

#### REPORTS:

3. Of the Ordinance Com..mittee for its meeting of December 29, 2020

#### COMMUNICATIONS:

4. From the Mayor asking for a waiver under Section 2-100 of the Ordinances of the City of Brockton on behalf of Donnette McManus of the Procurement Department.
5. From the Superintendent of the School Department requesting permission to put out and RFP for a five (5) year contract for Food Service Management for the Brockton Public Schools cafeteria meals program.
6. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorizes Superintendent Michael P. Thomas to put out an RFP for a five (5) year contract for Food Service Management for the Brockton Public Schools cafeteria meals program. The current Food Service Provider contract expires on June 30, 2021.
7. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying that the financial resources and revenues of the City of Brockton are and will continue to be adequate to support the School Departments request to execute a contract for five (5) years. Although the City Council does not exercise oversight of school spending, contracts exceeding three (3) years require local legislative approval.
8. From the Chief of the Police Department requesting authorization to expend grant monies related to the FY 2021 Byrne JAG Local Law Enforcement Opportunity from the Executive Office of Public Safety and Security, Office of Grants and Research in the amount of \$40,000. This funding is a pass-through from Edward Byrne Memorial Justice Assistance Grant funds awarded to the state of Massachusetts.

9. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorizes the acceptance and expenditure of the total grant award in the amount of \$40,000 from the Executive Office of Public Safety and Security, Office of Grants and Research-FY2021 Byrne JAG Local Law Enforcement Opportunity Grant Fund. The FY2021 Byrne JAG Local Law Enforcement Opportunity Grant will be used to purchase P25 compliant interoperable radios by the Brockton Police Department. The Brockton Police Department will be purchasing fourteen Motorola APX6000 radio units. There is no required match for these funds, but since the maximum award that could be earned was \$40,000, the Brockton Police Department chose to request 14 radio units at a cost of \$41,829.76. The Brockton Police Department will need to spend \$1,829.76 to complete the purchase of these units.
10. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total grant in the amount of \$40,000 from Executive Office of Public Safety and Security, Office of Grants and Research-FY2021 Byrne JAG Local Law Enforcement Opportunity Grant to City of Brockton Police Department-FY 2021 Byrne JAG Local Law Enforcement Opportunity Grant Fund.
11. From the Chief of the Fire Department requesting that the City Council authorize the acceptance and expenditure a total of \$250,000.00 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security. This is a non-matching grant with no cost to the city. The Fire Department intends to use these grant funds for overtime necessary to maintain staffing levels.
12. From the Mayor in accordance with M.G.L., Ch. 44, recommending that the City Council authorizes the acceptance and expenditure of the total grant award in the amount of \$250,000.00 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security-SFY 2021 Massachusetts Municipal Public Safety Staffing Grant to the Fire Department-SFY2021 Massachusetts Municipal Public Safety Staffing Grant Fund. The SFY 2021 Massachusetts Municipal Public Safety Staffing Grant will be used to fund the overtime necessary to maintain staffing levels for the Brockton Fire Department. There is no required match for these funds.
13. From the CFO in accordance with Section 5 of Ch. 324 of the Acts of 1990, certifying the total acceptance and expenditure of the grant award in the amount of \$250,000 from Commonwealth of Massachusetts Executive Office of Public Safety and Security-SFY 2021 Massachusetts Municipal Public Safety Staffing Grant to Fire Department-SFY 2021 Massachusetts Municipal Public Safety Staffing Grant Fund.

ORDERS:

14. Ordinance: Be it ordained by the City Council of the City of Brockton as follows: That the City Council adopt the following Amendment to the Ordinance Establishing Licensing and Regulation for Adult Use Marijuana Establishments: Section 1.004(1)(h) is amended by inserting the following sentence to the end of section 1.004(1)(h): "This section limiting the number of recreational retail marijuana licenses shall not apply to an RMD that was provisionally licensed not later than July 1, 2017." Be it further ordained by the City Council of the City of Brockton as follows: That the language "Intentionally omitted" in Section 1.005 be stricken and the following language be inserted in its place, so that the following language replaces Section 1.005 in its entirety: "Upon such time as the City Council has granted all available recreational retail marijuana licenses pursuant to subsection 1.004(1)(h), the Clerk of the City Council shall no longer accept any new applications for a recreational retail marijuana license. Notice shall be given in writing to any applicant with a pending application notifying the applicant that there are no available recreational retail marijuana licenses. If any recreational retail marijuana licenses become available in the City of Brockton, the City Clerk shall post notice of the same on the City website and by posting notice of the same in City Hall."
15. Ordered: At the first Finance Committee meeting in February, 2021, the chief financial officer shall present a report to the Council on spending levels during the first half of Fiscal Year 2021 and information on any projected deficits which may

occur requiring supplemental appropriations from any source. Further, that the mayor be invited to provide an overview of spending and a summary of reimbursements obtained from the Federal C.A.R.E.S. Act.

16. Order: Rules and Regulations governing motor vehicles for hire under Chapter 159A for the carrying of passengers.
17. Order: Assessors to act as agents of City Council in matter of apportionment of betterments.
18. Order: Clerk to give notice of hearings before Council.
19. Order: Regulations governing the operation of hawkers and peddlers within the City of Brockton.
20. Order: Pawnbrokers are to deliver a list of purchased/pawned articles to the Chief of Police.
21. Ordered: The City Council reviews a request of waiver of the residency requirements in accordance with the revised Ordinances of the City of Brockton Article III Section 2-100, City of Brockton Ordinance Waiver of Residency in reference to the Procurement Department.
22. Ordered: That the Superintendent of the School Department Michael P. Thomas be authorized to put out an RFP for a five (5) year contract for Food Service Management for the Brockton Public Schools cafeteria meals program. The current Food Service Provider contract expires on June 30, 2021.
23. Ordered: Appropriation of \$40,000  
From: Executive Office of Public Safety and Security, Office of Grants and Research-FY2021 Byrne JAG Local Law Enforcement Opportunity Grant Fund  
To: Brockton Police Department-FY2021 Byrne JAG Local Law Enforcement Opportunity Grant fund.
24. Ordered: Appropriation of \$250,000  
From: Commonwealth of Massachusetts Executive Office of Public Safety and Security-SFY 2021 Massachusetts Municipal Public Safety Staffing Grant  
To: Fire Department-SFY2021 Massachusetts Municipal Public Safety Staffing Grant Fund.

### **Councilor's Recognition**

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.