



Office of the City Clerk
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Michael Q. Geary
City Clerk

Lowell City Council

Regular Meeting Agenda

Date: August 9, 2022

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA / Zoom
(Hybrid)

1. ROLL CALL

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). Those Wishing To Speak Regarding A Specific Agenda Item Shall Register To Speak In Advance Of The Meeting By Sending Email To City Clerk Indicating The Agenda Item And A Phone Number To Call So That You May Be Issued Zoom Link To The Meeting. Email Address Is MGEARY@LOWELLMA.GOV. If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom - [HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

2.2. Citation - Veteran Of The Month (John MacDonald).

2.3. Proclamation - National Health Week.

3. CITY CLERK

3.1. Minutes Of Housing/Zoning Joint SC July 26th; City Council Regular Meeting July 26th; Election Laws And Redistricting SC July 27th, For Acceptance.

Documents:

[2022 JULY 26 HOUSING JOINT ZONING SC MINUTES.PDF](#)
[2022 JULY 26 CC MINUTES.PDF](#)
[2022 JULY 27 ELECTIONS LAW SC MINUTES.PDF](#)

4. GENERAL PUBLIC HEARINGS

- 4.1. Ordinance - Create Position - Deputy Commissioner-Facilities.

[HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20631?
FILEID=43910](HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20631?FILEID=43910)

5. UTILITY PUBLIC HEARING

- 5.1. Boston Gas D/B/A National Grid - Request Installation Of Scada Box And Vent Pole On Boston Road At Spencer Street.

[HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20585?
FILEID=43889](HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20585?FILEID=43889)

- 5.2. National Grid - Request Installation Of Underground Conduit At Varnum Avenue And Boulevard Street.

[HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20586?
FILEID=43890](HTTPS://WWW.LOWELLMMA.GOV/AGENDACENTER/VIEWFILE/ITEM/20586?FILEID=43890)

6. COMMUNICATIONS FROM CITY MANAGER

- 6.1. Motion Responses

- A) Motion Response - Centralized Reporting Platform
- B) Motion Response - Baker Commodities Odor Complaints
- C) Motion Response - Water Testing Notifications
- D) Motion Response - Increase Patrol on Lower Gorham Street
- E) Motion Response - Traffic Calming Measures For Andrews Street
- F) Motion Response - Beautify The Streets And Roadways
- G) Motion Response - Castle Road Light On Pole
- H) Motion Response - Dutton St. - LHS Improvement Plan
- I) Motion Response - Illegal Dumping in Public Receptacles
- J) Motion Response - Palin City Plaza
- K) Motion Response - Welcome to Lowell Landscaping
- L) Motion Response - John-Merrimack Streets Bus Stop
- M) Motion Response - Llewelyn St. - CPA
- N) Motion Response - Lord Overpass Final
- O) Motion Response - No Parking Ludlam Street
- P) Motion Response - Rodents
- Q) Motion Response - 133 Roadwork
- R) Motion Response - Depreciation Schedules - Capital Assets with Attachments-Links
- S) Motion Response - Vehicle Inventory with Attachment

Documents:

- A) MOTION RESPONSE - CENTRALIZED REPORTING PLATFORM.PDF
- B) MOTION RESPONSE - BAKER COMMODITIES ODOR COMPLAINTS.PDF
- C) MOTION RESPONSE - WATER TESTING NOTIFICATIONS.PDF
- D) MOTION RESPONSE - INCREASE PATROL ON LOWER

GORHAM STREET.PDF
E) MOTION RESPONSE - TRAFFIC CALMING MEASURES FOR ANDREWS STREET.PDF
F) MOTION RESPONSE - BEAUTIFY THE STREETS AND ROADWAYS.PDF
G) MOTION RESPONSE - CASTLE ROAD LIGHT ON POLE.PDF
H) MOTION RESPONSE - DUTTON ST. - LHS IMPROVEMENT PLAN.PDF
I) MOTION RESPONSE - ILLEGAL DUMPLING IN PUBLIC RECEPTACLES.PDF
J) MOTION RESPONSE - PALIN CITY PLAZA.PDF
K) MOTION RESPONSE - WELCOME TO LOWELL LANDSCAPING.PDF
L) MOTION RESPONSE - JOHN-MERRIMACK STREETS BUS STOP.PDF
M) MOTION RESPONSE - LLEWELYN ST. - CPA.PDF
N) MOTION RESPONSE - LORD OVERPASS FINAL.PDF
O) MOTION RESPONSE - NO PARKING LUDLAM STREET.PDF
P) MOTION RESPONSE - RODENTS.PDF
Q) MOTION RESPONSE - 133 ROADWORK.PDF
R) MOTION RESPONSE - DEPRECIATION SCHEDULES - CAPITAL ASSETS WITH ATTACHMENTS-LINKS.PDF
S) MOTION RESPONSE - VEHICLE INVENTORY WITH ATTACHMENT.PDF

6.2. Informational Reports

Informational - Bond Sale and Capital Improvements and Attachment
Informational - Marijuana Delivery with Attachment
Informational - DMU Zoning with Attachment
Informational - Gallagher Station TOD Draft Overlay District with Attachment

Documents:

INFORMATIONAL - BOND SALE AND CAPITAL IMPROVEMENTS AND ATTACHMENT.PDF
INFORMATIONAL - MARIJUANA DELIVERY WITH ATTACHMENT.PDF
INFORMATIONAL - DMU ZONING WITH ATTACHMENT.PDF
INFORMATIONAL - GALLAGHER STATION TOD DRAFT OVERLAY DISTRICT WITH ATTACHMENT.PDF

7. VOTES FROM THE CITY MANAGER

7.1. Vote - Accept/Expend \$467,422 FR-CARA Grant

Documents:

VOTE - ACCEPTEXPEND 467,422 FR-CARA GRANT.PDF

7.2. Vote - Authorize Manager Execute Annual Action Plan FY22-23

Documents:

VOTE - AUTHORIZE MANAGER EXECUTE ANNUAL ACTION PLAN
FY22-23.PDF

7.3. Vote - Transfer Funds For Legal Professional Costs - Law

Documents:

VOTE - TRANSFER FUNDS FOR LEGAL PROFESSIONAL COSTS -
LAW.PDF

7.4. Vote - Transfer Funds For Poll Worker Pay - Elections

Documents:

VOTE - TRANSFER FUNDS FOR POLL WORKER PAY -
ELECTIONS.PDF

8. ORDERS FROM THE CITY MANAGER

8.1. Order - 60 Day Trial

Documents:

ORDER - 60 DAY TRIAL.PDF

9. ORDINANCES FROM THE CITY MANAGER

9.1. Ordinance - Create Lowell Youth Commission

Documents:

ORDINANCE - CREATE LOWELL YOUTH COMMISSION.PDF

9.2. Ordinance - Create Position - COA Bookkeeper

Documents:

ORDINANCE - CREATE POSITION - COA BOOKKEEPER.PDF

10. REPORTS (SUB/COMMITTEE, IF ANY)

10.1. Election Laws/Redistricting SC July 27, 2022.

10.2. Cannabis Control SC August 9, 2022.

11. PETITIONS

11.1. National Grid - Request Installation Of 65 Feet Of Conduit In Sidewalk To
Service 173 East Merrimack Street.

Documents:

2022 AUGUST 9 NATIONAL GRID 65FT OF CONDUIT 173 EAST

MERRIMACK AGENDA.PDF

- 11.2. National Grid - Request Installation Of Fifty Feet Of Concrete Duct To Service 10 Technology Drive.

Documents:

[2022 AUGUST 9 NATIONAL GRID DUCT TO PROVIDE SERVICE FOR 10 TECHNOLOGY DR AGENDA.PDF](#)

- 11.3. National Grid - Request Installation Of (2) JO Poles On Varnum Avenue Across From Boulevard Street.

Documents:

[2022 AUGUST 9 NATIONAL GRID 2 JO POLES VARNUM AVE AGENDA.PDF](#)

- 11.4. Boston Gas D/B/A National Grid - Request Installation Of Gas Mains On Tenth, Grandview And Mt. Pleasant Streets.

Documents:

[2022 AUGUST 9 BOSTON GAS DBA NATIONAL GRID GAS MAIN 10TH ST MT PLEASANT ST GRANDVIEW ST AGENDA.PDF](#)

12. CITY COUNCIL - MOTIONS

- 12.1. C. Mercier - Req. City Mgr. Have Proper Entity Light Up The John Cox Bridge In Purple In Recognition Of "Overdose Awareness Month—August" During The Week Of August 24th To The 31st.
- 12.2. C. Mercier - Req. City Mgr. Provide Support From DPW I.e.; Trash Pickup And Plastic Bags, To Adopt The JAMS (Jackson, Appleton, Middlesex And Summer Streets) Project For The South Common To Empower Individuals To Invest In Their Environment/Community.
- 12.3. C. Mercier - Req. City Mgr. Find Ways And Means To Provide A Memorial Space For Family And Loved Ones Who Experienced A Tragic Loss Due To Any Type Of Violence.
- 12.4. C. Leahy - Req. City Mgr. Report To The City Council As To The Status Of Fire Trucks In The Lowell Fire Department.
- 12.5. C. Leahy/C. Gitschier - Req. City Mgr. Have The DPW Look At School Driveways And Make Necessary Repairs If Warranted.
- 12.6. C. Gitschier - Req. City Mgr. Update The City Council On The Maintenance Plan For The Aiken Street Bridge.
- 12.7. C. Scott/C. Gitschier - Req. City Mgr. Provide An Update On Apparatus Replacement And Equipment Closures Of The Gorham Street Firehouse.
- 12.8. C. Robinson/C. Scott - Req. City Mgr. Have Proper Department Provide An

Update On Progress To Mitigate Odor From Duck Island As Well As Any Recommendations On Best Practices To Further These Efforts.

- 12.9. C. Robinson/C. Scott - Req. City Mgr. Provide An Update On What Measures Has Human Resources Taken To Improve The Hiring Process In The City.
- 12.10.C. Robinson - Req. City Mgr. Have Proper Department Look Into Installation Of A Four Way Stop Sign At The Intersection Of West And West 6th Streets.
- 12.11.C. Robinson - Req. City Mgr. Have Proper Department Explore Involving Local Students Enrolled In Art Programs To Assist In Riverwalk Art Program.
- 12.12.C. Robinson - Req. City Mgr. Have Proper Department Look Into Installing Or Upgrading Lighting In Areas Of 66 Jewett Street, As Well As, 431 Central Street.
- 12.13.C. Robinson - Req. City Mgr. Have Proper Department Provide An Update On Repairs On Dugout Roofs At McPherson Park, As Well As, Progress On Forming A Partnership With YouthBuild Carpentry Students For Similar Projects.
- 12.14.C. Rourke/C. Robinson - Req. City Mgr. Look Into Outreach To Eligible Residents Who Qualify For The Federal Affordable Connectivity Program.
- 12.15.C. Rourke/C. Scott - Req. City Mgr. Update Council Regarding Updating Of Crosswalks At All School Bus Stop Locations Within The City.
- 12.16.C. Jenness - Req. City Mgr. Have Proper Department Improve Signage At The Secure Dropbox At The City Hall Plaza Entrance.
- 12.17.C. Nuon/C. Yem - Req. City Mgr. Have Appropriate Department Update The Council On The Status Of The Use Of Wireless Emergency Alerts (WEA).
- 12.18.C. Nuon/C. Yem - Req. City Mgr. Have The Appropriate Department Quell The Rowdy Parties By The UMass-Lowell Students Around The Varney, Mt. Vernon, Cross And School Streets Area.
- 12.19.C. Drinkwater/C. Leahy - Req. City Mgr. Provide An Update Regarding Planned Traffic Calming Measures And Pedestrian Improvements On Andover Street, As Well As, Line Striping Throughout The City.
- 12.20M. Chau - Req. City Mgr. Have Proper Department Investigate Improvements To The Sidewalks On Prescott Street.
- 12.21M. Chau - Req. City Mgr. Have Proper Department Investigate Repairs And Improvements To The Public Roadway And Sidewalks On Smith Avenue.
- 12.22M. Chau - Req. City Mgr. Have Proper Department Investigate Repairs And Improvements To The Sidewalk On Central Street, In The Front Of The Dollar Center, Water Leaking Into The Building.
- 12.23M. Chau - Req. City Mgr. Have Proper Department Investigate The Condition Of All USA Flags Currently Flown Around The City And Replace As Needed.
- 12.24M. Chau - Req. City Mgr. Have Proper Department Investigate Traffic Calming Measures At The Intersection Of Foster Street And Princeton Boulevard.

13. **ANNOUNCEMENTS**

14. **ADJOURNMENT**

Office of the City Clerk - 375 Merrimack Street - Phone: 978.674.4161



Lowell City Council

Housing SC Joint With Zoning SC Meeting Minutes

Michael Q. Geary
City Clerk

Date: July 26, 2022
Time: 5:30 PM
Location: Council Chamber, City Hall / Zoom(Hybrid)

PRESENT:

Present on Roll Call were Housing SC – C. Yem, C. Drinkwater, C. Nuon; Zoning SC – C. Drinkwater, C. Leahy, C. Yem. Also present was C. Mercier; Christine McCall (DPD); Dave Fuller (Building Inspector); C. Gitschier; C. Robinson; and C. Jenness.

MEETING CALLED TO ORDER:

Chairman Drinkwater called the meeting to order noting attendance and that the discussion which was continued from June 28th meeting noting the topic being accessory dwelling units (ADU). C. Yem noted the attendance.

ORDER OF BUSINESS:

C. Drinkwater reviewed prior meeting and noted the draft ordinance prepared by DPD and that there would be discussions concerning the draft with no votes being taken. C. Drinkwater noted parking restrictions would have to be adjusted with this ordinance. C. Yem opened meeting up to administration and colleagues. C. Nuon noted prior meeting and the request for a draft ordinance and that there would be much input concerning the ordinance. C. Yem commented on the different effects with each zoning district and questioned detached garage conversions. Ms. McCall noted ordinance would not allow such a conversion commenting that the ordinance was written to adjust to different zoning districts. C. Yem questioned use restrictions placed on deed. Ms. McCall noted that was a common element to these types of units. C. Yem noted size restrictions and was concerned with not being large enough. Ms. McCall noted that there is a minimum size regulated and not intended to limit the size. C. Drinkwater questioned ratio of units in regards to the entire dwelling. C. Yem questioned entrance and egress language in the ordinance. Ms. McCall noted language was drafted to avoid issues moving forward. Mr. Fuller commented on State codes regarding egress language. C. Yem questioned status of those units which were not done in accordance with permitting. Ms. McCall noted some of those units would be ‘grandfathered’ and be legal units. C. Drinkwater opened meeting up to public and Tom Flynn and Jerry Frechette addressed the



body. C. Gitschier noted that government can talk out of both sides of mouth and that statements in the proposed ordinance are false. C. Gitschier noted that City struggles with providing services to existing units and that there is really no more affordable housing in this market. C. Gitschier noted he would not support the ordinance. C. Drinkwater opened meeting up to Zoom participants and Deb Forgione and Pat Vondal addressed the body. C. Robinson noted that each district would have different approaches but the opportunity is there to compromise with the goal of increasing the housing stock. C. Drinkwater commented on process and the abundance of public participation noting the housing shortage that needs to be addressed. C. Drinkwater noted majority in City rent and that they are rent burdened. C. Drinkwater noted the City must attract new people as well as keeping others in the City and that this ordinance would not solve housing issue but would be an important piece to the puzzle. C. Drinkwater noted further discussion to follow and meeting would continue at later date.

ADJOURNMENT:

Motion to adjourn and continue by C. Yem, seconded by C. Leahy. So Voted.

Meeting adjourned at 6:29 PM

Michael Geary, City Clerk



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: July 26, 2022

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA / Zoom (Hybrid)

1. ROLL CALL

Roll Call showed 11 present.

M. Chau presiding.

C. Mercier requested moment of silence in darkened chamber for Peter Theokas and Alice Santos. C. Scott requested moment of silence in darkened chamber for Margaret McNamara.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

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[HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

In City Council, **Motion** "To accept and place on file" by C. Drinkwater, seconded by C. Gitschier. So voted.

2.2. Items:

Introduction - Mayor of Sao Domingo (Honorable Dr. Isaias Varela).

In City Council, **Motion** "To accept and place on file" by C. Jenness, seconded by C. Leahy. So voted. M. Chau noted the guest and the pursuit of re-establishing a Sister City with Sao Domingo. Dr. Varela addressed the Council through an interpreter.



Information - Lowell Folk Festival.

In City Council, **Motion** "To accept and place on file" by C. Jenness, seconded by C. Leahy. So voted. Arthur Sutcliffe (Lowell Folk Festival Foundation) commented on the upcoming festival after two years and was hoping for a big success. M. Chau commented on the efforts of the foundation and all of the volunteers.

Citation - BAPS Charities.

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Nuon. So voted. Mr. Pater from BAPS addressed the Council and commented on the charity work done by the organization. C. Mercier commented on the service of the charity and success in the City.

Citation - Toy Vongpheth.

In City Council, **Motion** "To accept and place on file" by C. Nuon, seconded by C. Robinson. So voted. Ms. Vongpheth addressed and thanked the Council for their recognition. A representative from Lowell Community Health Center outlined all of the work done by Ms. Vongpheth.

3. CITY CLERK

3.1. Minutes Of Municipal Facilities Joint With Lowell School Committee Facilities SC July 12th; City Council Regular Meeting July 12th; Public Safety SC July 19th, For Acceptance.

In City Council, minutes read, **Motion** "To accept and place on file as amended" by C. Gitschier, seconded by C. Robinson. So voted.

Motion to take Items #12.6; #12.14; #12.15 and #12.18 out of order by C. Robinson, seconded by C. Yem. So voted.

Roll Call at 8:22 PM upon return from Executive Session noted 11 present. **Motion** to take Item #7.3 out of order by C. Scott, seconded by C. Rourke. So voted.

4. UNFINISHED BUSINESS

4.1. Ordinance - Amend Zoning Section 4.3.3 Home Occupation - As Of Right.

In City Council, Given 2nd Reading, hearing continued from July 12, 2022. **Motion** to adopt by C. Rourke seconded by C. Scott. Defeated by Roll Call vote 4 yeas, 7 nays (M. Chau, C. Gitschier, C. Leahy, C. Mercier, C. Nuon, C. Robinson, C. Rourke). So voted. Speaking in opposition was Robert Hunt. C. Leahy questioned if changes had been made regarding limiting number. Christine McCall (DPD) requested it be approved as proposed and in accordance with Planning Board recommendation. C. Nuon noted there should be a limit on the number allowed as to limit interruptions in the neighborhoods. Motion to suspend rules by C. Leahy, seconded by C. Robinson to entertain motion to refer matter after defeat per Roll Call vote. So voted. **Motion** by C.



Nuon, seconded by C. Scott to refer matter to Zoning SC and DPD to investigate use of cap in the ordinance. Adopted per Roll Call vote 11 yeas. So voted.

5. GENERAL PUBLIC HEARINGS

5.1. Ordinance - Amend C.270 Waste And Recycling.

In City Council, Given 2nd Reading, hearing held. No Remonstrants. **Motion** to adopt by C. Gitschier seconded by C. Jenness. Adopted by Roll Call vote 11 yeas. So voted.

6. COMMUNICATIONS FROM CITY MANAGER

6.1. Motion Responses.

In City Council, **Motion** "To accept and place on file" by C. Yem, seconded by C. Scott. So voted.

A) Motion Response - Informational Sessions Tax Exemption Process – C. Rourke noted the report was informative.

B) Motion Response - Boulevard Street – None.

C) Motion Response - Feasibility Report on Sludge Plant or Regional Sludge Plant – **Motion** by C. Scott, seconded by C. Nuon to refer to Municipal Facilities SC. So voted. C. Gitschier noted the issue arises as to what area to put the facility in. C. Yem commented on costs which could be covered by increased fees to use facility. C. Rourke commented on the recommendation in the report.

D) Motion Response - Burnham Road Berm-Curbing – C. Leahy commented on the report and noted difficulties but stated that case by case review may be warranted in some situations. C. Gitschier noted that adding berm is not a best practice and is costly with no results. Manager Golden, Jr. noted City will always try and help citizens and noted new roads are getting granite curbing. C. Mercier requested update regarding end of Andover Street project. Ms. McCall noted upcoming meeting where she will gather information.

E) Motion Response - Park And Business District Trash – None.

F) Motion Response - Employee Training for Commercial Drivers – C. Gitschier noted that move to in-house training is best approach. C. Yem commented that employment restrictions with license is warranted as it is an expensive process to obtain the license. C. Mercier noted need a return when you invest in employees. Manager Golden, Jr. noted the attempt to have a training facility in the City. C. Robinson commented that the need is there as there is a backup in getting these licenses.

G) Motion Response - Recycling Contamination Rate and Enforcement – C. Scott questioned staffing in the department. Manager Golden, Jr. noted there were only two employees and that shortage effects ticketing. Mark Byrne (DPW) commented on



applicants for the coordinator position and that a recommendation will be made within the week. C. Yem noted concerns with recycling mixing with trash.

H) Motion Response - Open Space Requirements – Motion by C. Nuon, seconded by C. Jenness to refer matter to Zoning SC. So voted.

I) Motion Response - Tree Ordinance and Attachment – Motion by C. Nuon, seconded by C. Jenness to refer matter to Environmental and Flood Issues SC. So voted. C. Gitschier questioned if there was an arborist on staff. Manager Golden, Jr. noted there may be only one. C. Gitschier commented on the need for resources to enhance success of ordinances. C. Jenness noted that UMass-Lowell has a sustainability council that would be able to assist with these issues.

J) Motion Response - Greenhalge School Playground and Attachment – M. Chau noted there was a search for funding to complete work. C. Leahy noted school administration committed to the project and they are responsible. Ms. McCall commented on how the City assists with developing the playgrounds and they never had any advance notice with this playground as the school administration had committed to it. C. Leahy noted it was the school's responsibility. **Motion** to suspend rules to allow speaker to address the Council by C. Gitschier, seconded by C. Mercier. So voted. Sandra McNamara addressed the body.

6.2. Communication - City Manager Request Out Of State Travel (1) DPD.

In City Council, Read. **Motion** to adopt by C. Gitschier, seconded by C. Mercier. Adopted per Roll Call vote 10 yeas, 1 absent (C. Robinson). So voted.

Motion to bundle and waive full reading Items #7.1 and #7.2 by C. Nuon, seconded by C. Mercier. So voted.

7. VOTES FROM THE CITY MANAGER

7.1. Vote - Authorize CM Ex. License Agreement With Granite State Giants.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Gitschier, seconded by C. Yem. Adopted per Roll Call vote 11 yeas. So voted.

7.2. Vote - Authorize CM Ex. License Agreement With Lowell Festival Foundation.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Gitschier, seconded by C. Yem. Adopted per Roll Call vote 11 yeas. So voted.

7.3. Vote - Authorize Purchase And Sales Agreement For Sale Of LeLacheur Park.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Gitschier, seconded by C. Robinson. Adopted per Roll Call vote 11 yeas. So voted. C. Gitschier noted that former City Manager Brian Martin was present in Chamber but called away and he wished to be recorded in favor of the Vote. Manager Golden, Jr.



commented on the effort to be at this point and noted the negotiations with different groups to get here. Manager Golden, Jr. noted efforts of the Council with the agreement and outlined various aspects of the agreement which he believed was in the best interests of the taxpayers of Lowell. C. Rourke noted the effort was over a year and a half long which resulted in putting the City in the best position possible. C. Gitschier noted the debt that the City would be out of as well as the maintenance costs deleted and that University was in a better position to move the facility forward. C. Gitschier noted the effort of the current and prior administrations. C. Drinkwater recognized the facility was an asset for Lowell but ownership was not best management practice. C. Robinson noted all the partners benefited from the sale. C. Scott noted that the taxpayers were well represented by the administration as resources could go towards other vital needs. C. Nuon noted facility is in good ownership hands and was best result for City. C. Jenness lauded the efforts of all partners in the sale and noted that result was in best interest of the City.

Motion to suspend rules to put a motion on the floor by C. Mercier, seconded by C. Gitschier. So voted. **Motion** by C. Mercier, seconded by C. Gitschier to request City Manager address the rat/rodent issue in and around the Middlesex Street DPW garage. C. Mercier described the area. C. Gitschier noted it was due to trash issues. Ms. McCall noted current vendor is dealing with issue and are using best procedures as found in other communities. C. Robinson noted the concerns of the residents and information should be passed along to them to assist.

Motion by C. Scott, seconded by C. Nuon to take Item #11.1 out of order. So voted.

8. ORDINANCES FROM THE CITY MANAGER

8.1. Ordinance - Create Position - Deputy Commissioner-Facilities.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 9, 2022 at 7 PM by C. Leahy, seconded by C. Rourke. So voted.

9. RESOLUTIONS

9.1. Resolution - Declare Lowell A Right-To-Choose Sanctuary City.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Yem, seconded by C. Scott. Adopted per Roll Call vote 11 yeas. So voted. C. Yem noted the importance of the Resolution.

10. REPORTS (SUB/COMMITTEE, IF ANY)

10.1. Public Safety SC July 19, 2022.

In City Council, C. Rourke noted attendance and provided report outlining discussion of 25 MPH City wide speed limit and procedures to implement it. C. Rourke noted discussion will continue on September 13, 2022. **Motion** to accept the report as a report of progress by C. Mercier, seconded by C. Gitschier. So voted.



10.2. Housing SC Joint With Zoning SC July 26, 2022.

In City Council, C. Drinkwater noted attendance and provided report outlining continued discussion regarding Accessory Dwelling Units in the City. C. Drinkwater commented on the proposed ordinance before the body and that discussion would continue around the issue. C. Yem noted the efforts of DPD and that body would proceed with caution. **Motion** to accept the report as a report of progress by C. Leahy, seconded by C. Nuon. So voted.

10.3. Wire Inspector Reports:

1) National Grid - Request Installation Of Underground Electric Conduit At Thorndike And Summer Street; 2) National Grid/Verizon NE - Request Installation (1) JO Pole #3 At Pine Hill Street ; 3) National Grid/Verizon NE - Request Installation Of (1) JO Pole On Summer Street; And 4) National Grid - Request Installation Of Electric Underground Conduit To Service Middlesex Street (Boys And Girls Club).

In City Council, **Motion** to accept and adopt accompanying orders by C. Robinson, seconded by C. Nuon. So voted.

11. PETITIONS

11.1. Claims - (5) Property Damage.

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Nuon, seconded by C. Leahy. So voted. Ms. Jasalin Sabater spoke to one of claims. C. Mercier noted her effort and that attention should be given to her. Asst. City Solicitor Jenness noted that matter would be handles expeditiously.

11.2. Misc. - Gary Benoit Request To Address City Council Regarding Tax Rebates / Abatements.

In City Council, **Motion** to refer to City Manager for report and recommendation by C. Nuon, seconded by C. Mercier. So voted.

11.3. Misc. - Sajid/Jennessa Durrani Request Removal Of Handicap Parking Sign At 29-31 Crowley Street.

In City Council, **Motion** to refer to Transportation Engineer for report and recommendation by C. Leahy, seconded by C. Nuon. So voted.

Motion to bundle Items #11.4 and #11.5 by C. Nuon, seconded by C. Robinson. So voted.



11.4. Boston Gas D/B/A National Grid - Request Installation Of Scada Box And Vent Pole On Boston Road At Spencer Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 9, 2022 at 7 PM by C. Nuon, seconded by C. Jenness. So voted.

11.5. National Grid - Request Installation Of Underground Conduit At Varnum Avenue And Boulevard Street.

In City Council, Given 1st Reading, **Motion** to refer to Public Hearing on August 9, 2022 at 7 PM by C. Nuon, seconded by C. Jenness. So voted.

12. CITY COUNCIL - MOTIONS

12.1. C. Mercier - Req. City Mgr. Have Proper Department Put Light On Pole #2 On Castle Road Behind 28 Hally Road In Pawtucketville.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Mercier commented on the area and the concerns.

12.2. C. Mercier - Req. City Mgr. Have LPD Increase Patrol On Lower Gorham Street, In And Around, The Area Of The Keep And Towers News.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. C. Mercier noted the crowd moved into the area from other section of City. C. Gitschier need increased police presence in the area. Manager Golden, Jr. noted still looking for site for police substation.

Motion by C. Jenness, seconded by C. Gitschier to Waive Rule 5. Adopted per Roll Cal vote 10 yeas, 1 nay (C. Mercier). So voted.

12.3. C. Nuon - Req. City Mgr. Have Appropriate Department Provide A Status Update On "The Douglas Road Project" To Include: Scope, Funding, Timeline And Interdependencies.

In City Council, seconded by C. Robinson, referred to City Manager. So voted.

12.4. C. Nuon - Req. City Mgr. Invite Mass Save To Partner With CMAA To Establish A Program That Utilizes Mass Save Resources In Targeting Areas To Improve Energy Efficiency For Lowell Residents And Businesses.

In City Council, seconded by C. Scott, referred to City Manager. So voted. C. Nuon commented on the need for information from City Manager.

12.5. C. Nuon - Req. City Mgr. Schedule A Commissions And Boards Recruitment Fair Once Per Season With A Focus On Reaching Underrepresented Residents.

In City Council, seconded by C. Yem, referred to City Manager. So voted.



12.6. C. Nuon - Req. City Mgr. Provide A Report Regarding Operation Of The Elevator In Pollard Memorial Library.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. Registered speaker, Donna Richards, addressed the Council. C. Nuon noted the need of an elevator in building for customers and staff. C. Nuon noted air conditioners need repair as well. C. Gitschier questioned if in-house work can be done at facility. Manager Golden, Jr. noted it was contracted work that was repaired but failed shortly thereafter. Manager Golden, Jr. noted air conditioning needs upgrades. C. Gitschier question is whether units are old or service is not being done properly. Manager Golden, Jr. noted his displeasure with latest fix. C. Mercier noted building is a gem in the City and should be maintained.

12.7. C. Robinson - Req. City Mgr. Have Proper Department Look At Bus Stop In Area Of 115 Merrimack Street And Report Alternatives As It Is Inhibiting Parking For Small Businesses After Operating Hours.

In City Council, seconded by C. Jenness, referred to City Manager. So voted. C. Robinson noted spaces could be available when bus in not operating. C. Jenness noted Career Center is located there and have many clients who use bus service. C. Mercier noted same situation with the Association of the Blind organization.

12.8. C. Robinson - Req. City Mgr. Have Proper Department Look Into Feasibility Of Issuing And Enforcing Fines For Illegal Dumping Of Residential Trash In Public Waste Receptacles.

In City Council, seconded by C. Scott, referred to City Manager. So voted. C. Robinson noted it had been done in past with success.

12.9. C. Robinson - Req. City Mgr. Have Proper Department Provide A Process And A Cost Analysis Regarding Repainting Gage Basketball Court.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Robinson noted it could be a low cost job with partners.

12.10. C. Robinson - Req. City Mgr. Work With Proper Authority To Publish Recreational Water Testing Reports On City's Website, Similar To Newburyport.

In City Council, seconded by C. Rourke, referred to City Manager. So voted.

12.11. C. Robinson/C. Scott - Req. City Mgr. Have Proper Department Explore Excluding Pre-Employment Screening For 18 Plus Applicants In Regards To Marijuana / Cannabis, For Non-DOT Regulated Positions.

In City Council, no second needed, referred to City Manager. So voted. C. Robinson noted need to fill many vacancies and it was in no measure pressuring City Manager.



C. Scott noted it was a pre-employment test and not for on the job. C. Yem questioned legal age for consumption of product. C. Robinson noted motion would coincide with what the legal age is.

12.12. C. Scott/C. Yem - Req. City Mgr. Work With Appropriate Department To Develop Traffic Calming Measures For Andrews Street.

In City Council, no second needed, referred to City Manager. So voted. C. Scott commented on the area. C. Yem noted residents' concerns,

12.13. C. Yem - Req. City Mgr. Have The Appropriate Department Provide An Update For Council Regarding The Lord Overpass Project; As To The Progress And Completion Time.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Yem noted the effect on businesses in the area.

12.14. C. Yem - Req. City Mgr. Have The Appropriate Department Provide An Update Regarding Abandoned Building Located At 138 Cross Street.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. Registered speaker, Yun-Ju Choi, addressed the Council. C. Yem noted concern of neighborhood and that property should be maintained even if empty.

12.15. C. Yem - Req. City Mgr. Have The Appropriate Department Renovate The Bathroom With Concession Stand On The North Common For Use By Little League Baseball.

In City Council, seconded by C. Robinson, referred to City Manager. So voted. Registered speakers, Keith Rudy and Maria Claudio (through interpreter), addressed the Council. C. Yem commented on the field and the existing structure which could be upgraded as there is a need. C. Robinson noted he advocates this type of projects involving neighborhoods and organizations. C. Nuon noted partners who can be involved in the project. C. Gitschier noted that it only needs renovations and the State may have some type of assistance. C. Leahy noted Greater Lowell Tech may have manpower for the project.

Motion by C. Robinson, seconded by C. Jenness to take Item #13.1 out of order (8:00 PM). So voted.

12.16. C. Gitschier - Req. City Mgr. Have The Proper Department Provide The City Council With A List Of All Properties That Are Tax Exempt; The Properties Assessed Value, The Owner Of The Property And The Location Of Each Property.

In City Council, seconded by C. Robinson, referred to City Manager. So voted.



12.17. C. Leahy - Req. City Mgr. Compare Current Health Insurance Rates To Blue Cross Blue Shield Rates To Determine If There Would Be Savings With New Provider.

In City Council, seconded by C. Nuon, referred to City Manager. So voted.

12.18. C. Rourke - Req. City Mgr. Begin The Process Of Naming The Basketball Floor At The Lowell High School Field House After Ramon Rivera.

In City Council, seconded by C. Mercier, referred to City Manager. Adopted per Roll Call vote 11 yeas. So voted. Registered speakers, Keith Rudy and Dennis Canney, addressed the Council. C. Rourke noted family was present and that Mr. Rivera was a Lowell Hall of Fame athlete and individual as well as evidence by his involvement in the community. C. Robinson noted every City should have a Ramon Rivera, noting he was truly a legend.

12.19. M. Chau - Req. City Mgr. Have National Grid Investigate Installing A Power Line To The Light Pole Directly In Front Of Palin City Plaza On 6 Branch Street.

In City Council, seconded by C. Nuon, referred to City Manager. So voted.

12.20. M. Chau - Req. City Mgr. Consider Having All City Departments Host A Food Drive In September Of 2022 For The Merrimack Valley Food Bank To Support Their Mission To Fight Food Insecurities And Help Our Struggling And Most Vulnerable Citizens.

In City Council, seconded by C. Robinson, referred to City Manager. So voted.

13. CITY COUNCIL - EXECUTIVE SESSION

13.1. Executive Session - To Consider And Discuss Negotiations Relative To LeLacheur Baseball Stadium Pursuant To The Provisions Of Mass. Gen. Laws C. 30A Sect. 21(6) (For The "Possible Purchase, Exchange, Lease, Or Value Of Real Property;") Public Discussions Of Which May Have A Detrimental Effect On The Negotiating Position Of The City.

In City Council, M. Chau stated reason for Executive Session, **Motion** by C. Robinson, seconded by C. Nuon to enter Executive Session for stated purpose and to adjourn from public session. (8:02 PM). Adopted per Roll Call vote 11 yeas. So voted. M. Chau stated that body would return to public session after Executive Session.

14. ANNOUNCEMENTS

In City Council, C. Robinson noted Centerville Little League City champion. C. Jenness wished Asst. City Solicitor Jenness a happy birthday.



15. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Drinkwater, seconded by C. Scott. So voted.

Meeting adjourned at 10:16 PM.

Michael Q. Geary, City Clerk



Lowell City Council

Election Laws/ Redistricting SC Minutes

Michael Q. Geary
City Clerk

Date: July 27, 2022
Time: 5:00 PM
Location: City Council Chamber/Via Zoom (Hybrid)
375 Merrimack Street, 2nd Floor, Lowell, MA.

PRESENT:

Present on Roll Call were C. Robinson and C. Drinkwater. 1 absent (C. Leahy). Also present was C. Mercier, Nancy McGovern (Mgr. Office); C. Yem; and Greg Pappas (Election Director).

MEETING CALLED TO ORDER:

C. Robinson called the meeting to order noting the agenda.

ORDER OF BUSINESS:

C. Robinson introduced first agenda item concerning Consent Decree regarding filling of vacant positions. C. Robinson opened matter up to public with no comment. C. Drinkwater requested update regarding proposed process to fill vacancies. Mr. Pappas noted he was not yet familiar with this issue. C. Drinkwater noted the need to change the system with new districts. Mr. Pappas commented on converting to a district system. C. Robinson noted the Election Office needs to address this issue as primaries approach. **Motion** by C. Robinson, seconded by C. Drinkwater to have Law Department work with Election Department to establish process to fill election vacancies. So voted.

C. Robinson introduced second agenda item concerning Consent Decree regarding selection of the Mayor. C. Robinson opened matter up to public with no comment. C. Drinkwater noted that the Council had referred this to the Law Department to begin the process for changing system. **Motion** by C. Robinson, seconded by C. Drinkwater to request update from Law Department regarding selection of the Mayor. So voted.

C. Robinson introduced the third agenda item concerning polling location and supplies. C. Robinson noted there is room for improvement regarding locations and resources; further noting that early voting is quickly arriving. C. Robinson opened matter up to public and Yun-Joi Choi addressed the subcommittee. Mr. Pappas noted polling map has been prepared and sent



by the Secretary of State and was approved by the Election Commission. Mr. Pappas noted early voting procedures were approved as well. Mr. Pappas noted ballots have arrived at City Hall and review of all voting machines is currently being done. Mr. Pappas noted training for poll workers is scheduled and they would need about 190 of them and currently they are short of that number but have time to increase. C. Robinson questioned process to become a poll worker. Mr. Pappas commented on the process and use of CORI checks as well. C. Robinson questioned polling locations. Mr. Pappas noted there are 13 approved locations and noted some districts had changed. C. Drinkwater requested list of those locations. Mr. Pappas reviewed the list. C. Drinkwater noted information should go out to public early and often. Mr. Pappas reviewed all of the resources available at polling location. Mr. Pappas commented early voting and vote by mail will decrease traffic at polling locations. Mr. Pappas noted it is difficult to have polling locations certified due to State restrictions. C. Drinkwater questioned when voting information cards would go out and if the information from State website would be available. Mr. Pappas noted both those resources were currently being utilized. C. Robinson commented that there should be a presentation before City Council to assist with getting information out as well.

ADJOURNMENT:

Motion to adjourn by C. Robinson, seconded by C. Drinkwater. So voted.

Meeting adjourned at 5:50 PM.

Michael Q. Geary, City Clerk



MEMORANDUM

Mirán Fernandez
Chief Information Officer
Cable TV Coordinator

John Meyers
MIS Director

TO: Thomas A. Golden, Jr., City Manager 

FROM: Mirán Fernandez, Chief Information Officer

DATE: August 9, 2022

Re: **MOTION RESPONSE: 02/08/2022 by C. Jenness** – Req. City Mgr. Consider Evaluating The Implementation Of A Centralized Problem Reporting Platform That Includes A Mobile App And/Or Text Based Functionality

I write in response to C. Jenness' motion requesting information on evaluating/implementing a centralized problem reporting platform, including a mobile application and/or text based functionality.

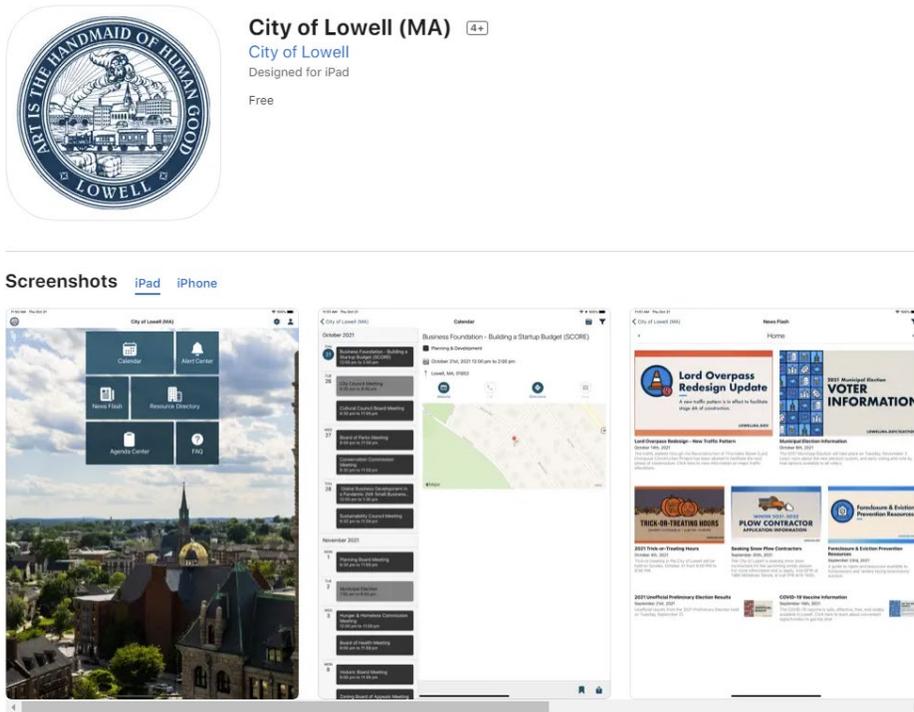
Throughout the years, the city has leveraged a variety of online tools designed to assist visitors, residents, and businesses report their concerns to the city for assistance. As technology has evolved, the city has done its best to keep pace with these changes by either updating existing tools, or introducing new ones. Most recently, the city's relaunched its website with a focus on helping website visitors more easily locate information.

During this effort, a newly designed mobile app for the City of Lowell (MA) was also launched on the Apple and Google app stores. This app was designed to provide a better connection between the City and its residents, businesses, and visitors by delivering access to community news, events and emergency alerts. Features of this app include:

- Citizen Request Tracker – Report a concern in your neighborhood or throughout the city.
- News/ Calendar – Learn about what is going on in the city and sign up for the latest updates.
- Alerts – receive notifications about important community news, street / road closures / conditions, and critical emergencies.

The city continues to actively pursue new and innovative ways to enable communication with constituents, and is currently working on a complete overhaul of the Citizen Request Tracker designed to leverage existing systems, allow more interactive features, and more real time information on requests of all types.

Apple Store Preview (<https://apps.apple.com/us/app/city-of-lowell-ma/id1591467196>)



Google Store Preview (https://play.google.com/store/apps/details?id=com.civicplus.ma_lowell)

City of Lowell (MA)

CivicPlus

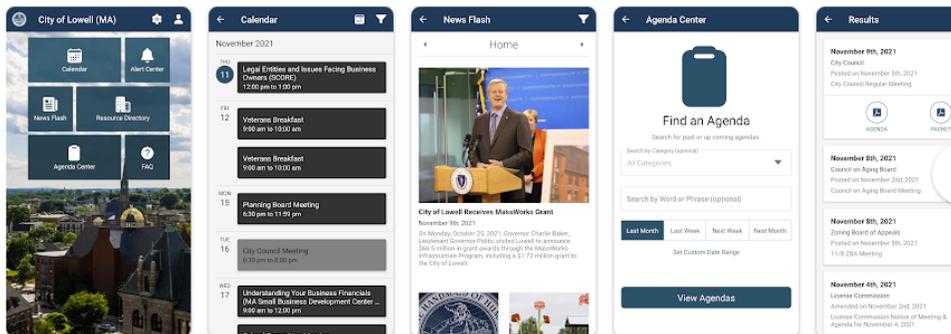
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Lisa Golden, RN, MSN
Director of Health & Human Services
978.674.1050

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager *TA*

FROM: Lisa Golden, Director of Health and Human Services

DATE: August 9, 2022

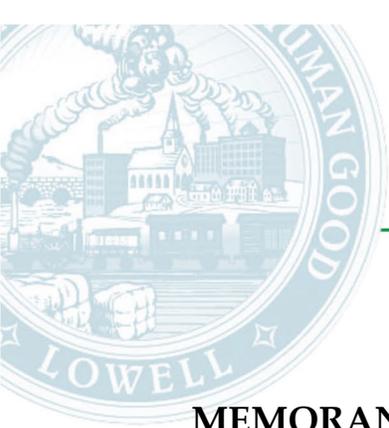
SUBJECT: MOTION RESPONSE – 7/12/2022 – C. Scott - Req. City Mgr. Work With The Appropriate Department To Identify Why Baker Commodities Located In Billerica, MA Has Had A Resurgence In Odor Issues And How They Will Be Addressed; Also, That Reporting Options Be Provided For Residents So That A Proper Tracking Of Odor Complaints Can Be Maintained.

In response to the City Council's request relative to odors emitted by Baker Commodities in Billerica, I have contacted the Town of Billerica's Director of Public Health to ensure that the Town is aware of these concerns. It is our understanding that the Town has coordinated with this business to resolve odor emission issues in the past. Despite the facility's proximity to Lowell and its impact on the South Lowell neighborhood, the City is limited in its ability to investigate the issue further or to respond through enforcement.

Residents experiencing odor issues that they believe to be associated with this company are encouraged to report them to the Town of Billerica online at:

<https://www.town.billerica.ma.us/FormCenter/Town-Manager-4/Report-a-Concern-58>

While the Massachusetts Department of Environmental Protection (DEP) does respond to air pollution complaints involving commercial and industrial facilities, the Department does not directly intake this form of environmental complaint, and advises residents instead to contact the Board of Health of the jurisdiction in which the offending plant is located. More information about the process of filing environmental complaints is available on [MassDEP's website](#).



Lisa Golden, RN, MSN
Director of Health & Human Services
978.674.1050

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager

FROM: Lisa Golden, Director of Health and Human Services

CC: Jimmy Le, Senior Sanitary Code Enforcement Inspector

DATE: August 9, 2022

SUBJECT: MOTION RESPONSE – 7/26/2022 – C.Robinson - Req. City Mgr. Work With Proper Authority To Publish Recreational Water Testing Reports On City's Website, Similar To Newburyport.

In order to mitigate health risks associated with contacting contaminated water, the City of Lowell is required to periodically collect and analyze water samples from the Merrimack River at Rynne Beach. Water testing is conducted through a contract with Frontier Labs, and occurs at least every Friday during the swimming season.

When an elevated bacteria level is detected, the Board of Health is required to post a notice at the beachfront advising residents that the water is unsafe for swimming. Under state regulations, the beach must be closed for swimming if E-Coli levels exceed 235/100ml in a single sample, or 126/100 ml geomean (meaning the average recorded over 5 samples).

The Health Department has created a webpage to publish information related to beach closures, including water testing reports, which can be found here:
<https://lowellma.gov/1686/15267/Water-Alerts>

When Rynne Beach is closed due to elevated bacteria levels, the City Manager's office communicates this information via social media and to local media outlets.

This season, Rynne Beach has been closed since mid-July due to high bacteria levels.

Please note that due to staffing limitations, there has been no lifeguards on duty at the swimming area this summer.



Barry Golner
Interim Superintendent

Mark LeBlanc
Deputy Superintendent

Gregory C. Hudon
Interim Deputy Superintendent

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Barry Golner, Interim Superintendent

CC:

DATE: July 28, 2022

SUBJECT: **MOTION RESPONSE #2: 7/27/2022 – Councilor Mercier – Require City Manager Have LPD Increase Patrol On Lower Gorham Street, In and Around, The Area Of The Keep And Towers News.**

The Lowell Police Department has recently increased the staff of our Neighborhood Action Unit (NAU). The NAU staffing increased from 1 officer to 4 and a supervisor for a 60-day temporary period. The NAU has been tasked with high visibility patrol and enforcement efforts in and around the Middlesex, Appleton, Central and Gorham Streets area including the South Common. They will expand their area of responsibility as needed.

The Police Department and City Manager's Office recognized the need for specific enforcement efforts as one piece of the puzzle in helping improve quality of life issues in the aforementioned area. Other City services have been tasked to assist in daily efforts to curb the public nuisance and disorder that have brought about similar complaints in the past.

In the short period of July 5, 2022 through July 25, 2022, the Neighborhood Action Unit filed a total of 47 reports. They effected 36 arrests and filed 9 criminal complaints. The arrests and complaints were primarily for public drinking, motor vehicle charges, drug offenses, simple assaults and trespassing. In addition, they conducted 78 field interviews and cleared 38 warrants. These statistics are solely for the NAU and their actions in this area. This does not include additional enforcement efforts by patrol cruisers, walking routes and detectives.

In coordination with other City assets, the police department will continue our high visibility efforts and help improve the quality of life for all residents, business owners and patrons that frequent the area.



Barry Golner
Interim Superintendent

Mark LeBlanc
Deputy Superintendent

Gregory C. Hudon
Interim Deputy Superintendent

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager ✍️

FROM: Barry Golner, Interim Superintendent

CC:

DATE: July 28, 2022

SUBJECT: **MOTION RESPONSE #12: 7/27/2022 – Councilor Scott/Councilor Yem – Require City Manager Work With Appropriate Department To Develop Traffic Calming Measures For Andrews Street.**

The Police Department will be assigning officers to conduct traffic enforcement on Andrews Street in an attempt to alleviate any potential issues related to excessive speeding and equipment related motor vehicle issues. We will be utilizing our STEP program to assign officers, officers assigned to the traffic division and sector officers to assist in monitoring Andrews Street.

The Police Department will evaluate the activity for a two-week period and then assess the matter. The Police Department is also having the traffic division looking into purchasing several pole mounted speed monitoring devices that will record data. This will assist us and the council in responding to requests for speed monitoring and traffic calming measures. The devices will allow the Police Department to monitor the vehicle speeds and report back on the results, give accurate data and assist in determining times (if necessitated) for deployment. We are looking into the pricing and availability to purchase at least one unit to be able to deploy in each of our sectors of the City.

TO: Thomas A. Golden, Jr. 
City Manager

FROM: Mark E. Byrne 
Interim DPW Commissioner

DATE: August 9, 2022

SUBJECT: **Motion by Councillor Mercier**
"Request the City Manager find ways and means to hire a person to apply chemicals to kill weeds around the City of Lowell to help beautify the streets and roadways".

We are working with the Parks and Streets Divisions to see if there is any interest on some of our employees getting a pesticide applicator certification license. In doing so, this would allow us to treat the street/sidewalk areas for any weeds growing out of these areas on a as needed basis much quicker.

If you have any questions regarding this, please do not hesitate to contact me.

Thank you.



Mark Byrne
Interim Commissioner of Public Works
City of Lowell Department of Public Works
1365 Middlesex Street, Lowell, MA. 01852
P: 978-674-1801* www.Lowellma.gov

TO: Thomas A. Golden, Jr. *TAG*
City Manager

FROM: Mark E. Byrne *MB*
Interim DPW Commissioner

DATE: August 9, 2022

SUBJECT: **Motion by Councillor Mercier**
“Request the City Manager have the proper department put a light on Pole #2 on Castle Road behind 28 Hally Road in Pawucketville”.

The Electrical Division of DPW will be installing a new light on Pole #2 on Castle Road in Pawucketville by August 19, 2022.

If you have any questions regarding this issue, please let me know.

Thank you.

TO: Thomas A. Golden, Jr. *TAG*
City Manager

FROM: Mark E. Byrne *meb*
Interim DPW Commissioner

DATE: August 9, 2022

SUBJECT: Motion by Councillor Robinson
**“Request the City Manager have the proper department
provide an update on whether the section of Dutton Street at
Cobblestones sits is part of the Lowell High School
Improvement Plan”**

The plans for the Lowell High School renovation project on the part of Dutton Street near Cobblestones is not part of the improvement project. This part of Dutton Street will be an entrance leading up towards the rear of Lowell High School and will be an emergency drive thru for fire vehicles, deliveries of food trucks and facility deliveries to Lowell High School loading docks only.

There is going to be a gate installed at the end of Dutton Street on the rear of the High School project site once all the site work is complete around Phase II.

The parking along Dutton Street on one side of the street won't be impacted so parking will be available to the public.

If you have any questions regarding this, please contact me.

Thank you

TO: Thomas A. Golden, Jr. *TAG*
City Manager

FROM: Mark E. Byrne *MB*
Interim DPW Commissioner

DATE: August 9, 2022

SUBJECT: Motion by Councillor Robinson
“Request the City Manager have the proper department look into feasibility of issuing and enforcing fines for illegal dumping of residential trash in public waste receptacles”

The DPW Streets and Parks Divisions, on a daily basis, seven days a week, picks up trash in all parks and satellite business districts. The staff that picks up the trash each day is trained to look for residential or business trash being dumped at these sites illegally. If we identify any illegal dumping we report them to Development Services and they follow through with either a warning or fines, depending on the severity of the incident.

If you have any questions related to this issue, please contact me right away.

Thank you.

TO: Thomas A. Golden, Jr. *TAG*
City Manager

FROM: Mark E. Byrne *MEB*
Interim DPW Commissioner

DATE: August 9, 2022

SUBJECT: **Motion by Mayor Chau**
"Request the City Manager have National Grid investigate installing a power line to the light pole in front of Palin City Plaza at 6 Branch Street"

We have reached out to the representative from National Grid, Curtis Davis, to help guide us with installing a secondary power line to the pole in front of Palin City Plaza on 6 Branch Street. This project will go through the National Grid Engineering Team. It will be assigned to a National Grid line crew to install secondary power lines to this pole to allow the City Electrician to install a light on the pole to improve the lighting in the Cambodian town area. This process will take about a month before a light will be installed on this pole in front of Palin City Plaza.

Please let me know if you have any questions.

Thank you.

TO: Thomas A. Golden, Jr. *TAG*
City Manager

FROM: Mark E. Byrne *MB*
Interim DPW Commissioner

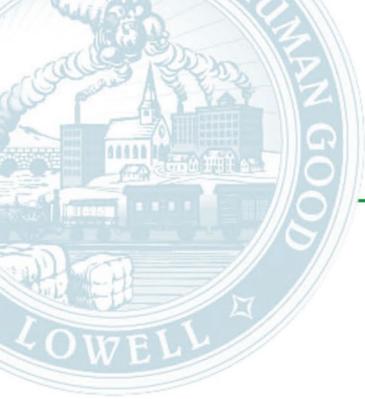
DATE: August 9, 2022

SUBJECT: **Motion by Councillor Jenness**
“Request the City Manager explore options for improving the
“Welcome to Lowell” landscaping in the clove leaf at the end of
the Lowell Connector inbound onto Thorndike Street.”

The Parks Division will continue to maintain the landscaping and make any necessary landscaping improvements that will enhance this area coming into the City of Lowell. The Lands & Buildings Division will make any adjustments to the “Welcome to Lowell” sign using the power washer equipment to remove moss, dirt and grime. This work was completed on July 29, 2022.

If you have any questions, please contact me.

Thank you.



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

CC: Camilo Espitia, Chief Design Planner

SUBJECT: MOTION RESPONSE: Councilor Robinson - July 26, 2022 – Req. City Mgr. Have Proper Department Look At Bus Stop in Area of 115 Merrimack Street and Report Alternatives As It Is Inhibiting Parking for Small Businesses after Operating Hours

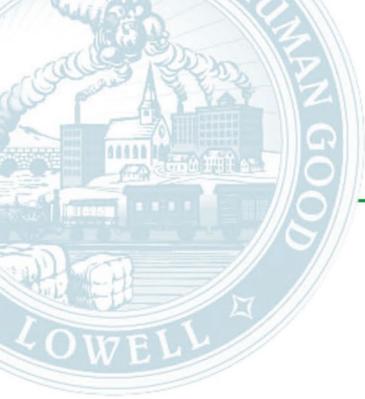
In 2020, the Department of Planning and Development (DPD) began the GoLowell project, a city-wide mobility master plan to increase mobility of residents, commuters, visitors, and schools' faculty, staff, and students. The purpose of the plan is to foster environmental quality, conserve energy, reduce vehicle emissions, address climate change, and promote economic development in Downtown and Greater Lowell region to ultimately enhance the character, livability, and vibrancy of our community. This project was carried out in collaboration with the Lowell Regional Transit Agency (LRTA) and included a strong community engagement process.

One of the results of this project was the recommendation of the improvement of several bus stops around Downtown Lowell, including the bus stop at John Street and Merrimack Street. After discussing options with the LRTA, we learned that parking after bus operation hours is indeed possible and we will be implementing a “shared parking” strategy where cars should be able to park after 7:30 p.m. with the intention to support the businesses in Downtown Lowell.

Within the next month or so, the DPD will coordinate with the LRTA to stripe this area to clarify the bus-drop-off-only zone during bus operational hours (Monday – Saturday 5:30 am - 7:30 pm) and updating the bust stop signage to reflect the correct operational hours.

The DPD is committed to providing alternative modes of mobility for the community and visitors to increase foot traffic into our business districts while also providing parking opportunities where possible with the same purpose.

CE/cmm



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

CC: Yovani Baez-Rose, Deputy Director

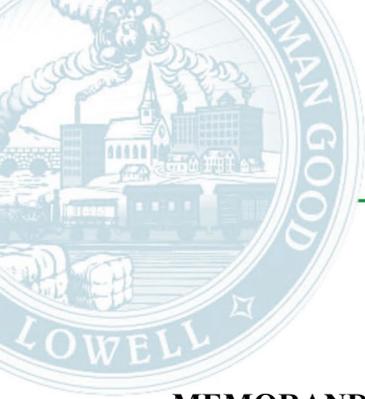
SUBJECT: MOTION RESPONSE: 6/14/22- Councilors Robinson and Gitschier-Req. City Mgr. Look Into Feasibility Of Utilizing CPA Funds To Acquire And Preserve The Apple Orchard Near Llewelyn Street-

The Department of Planning and Development (DPD) has looked into the feasibility and process of utilizing Community Preservation Act (CPA) funds for the Llewelyn Street property. CPA funds may be used for a variety of projects including acquiring, creating, or preserving open space in the City of Lowell. While the acquisition and preservation of this property are eligible for CPA funds, DPD does not recommend the City pursue it at this time.

A variety of park and open space projects are in the Department's queue, including multiple projects we are requesting CPA funding for in the next round. To acquire this property, the City would first need to enter into negotiations with the property owner and agree to a fair market price and then apply for CPA funds to cover those costs. The process and timeline for that type of negotiation do not align with the CPA application process for this year.

CPA funding is available on an annual basis and the preservation of open space will always be an eligible expense for this funding source. DPD recommends engaging in a dialogue with the existing property owner to better understand their intentions with the property and discuss applying for CPA funding in the future to preserve this property as passive open space. The capacity of the Department of Public Works to maintain this property must also be included in conversations as CPA funds cannot be used to maintain the property.

YBR/cmm



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

CC: Camilo Espitia, Chief Design Planner

SUBJECT: MOTION RESPONSE: July 27, 2022 – Councilor Yem - Request City Mgr. Have the Appropriate Department Provide An Update For Council Regarding The Lord Overpass Project; As To The Progress And Completion Time

MOTION RESPONSE: July 12, 2022 – Councilor Chau – Request City Manager Have Proper Department Look Into Temporary Safety Measures To Help Pedestrians Cross the Middlesex & Thorndike, Appleton & Thorndike

The Lord Overpass project is a multi-modal corridor improvement from the Gallagher Terminal through the Hamilton Canal Innovation District (HCID) that will link many economic opportunities, social services, and public institutions while creating a vibrant street atmosphere with economic development and additional transportation mode choices. Construction for this project began in March 18, 2020, with an originally anticipated project completion of January 2023 and a substantial completion of November 2022.

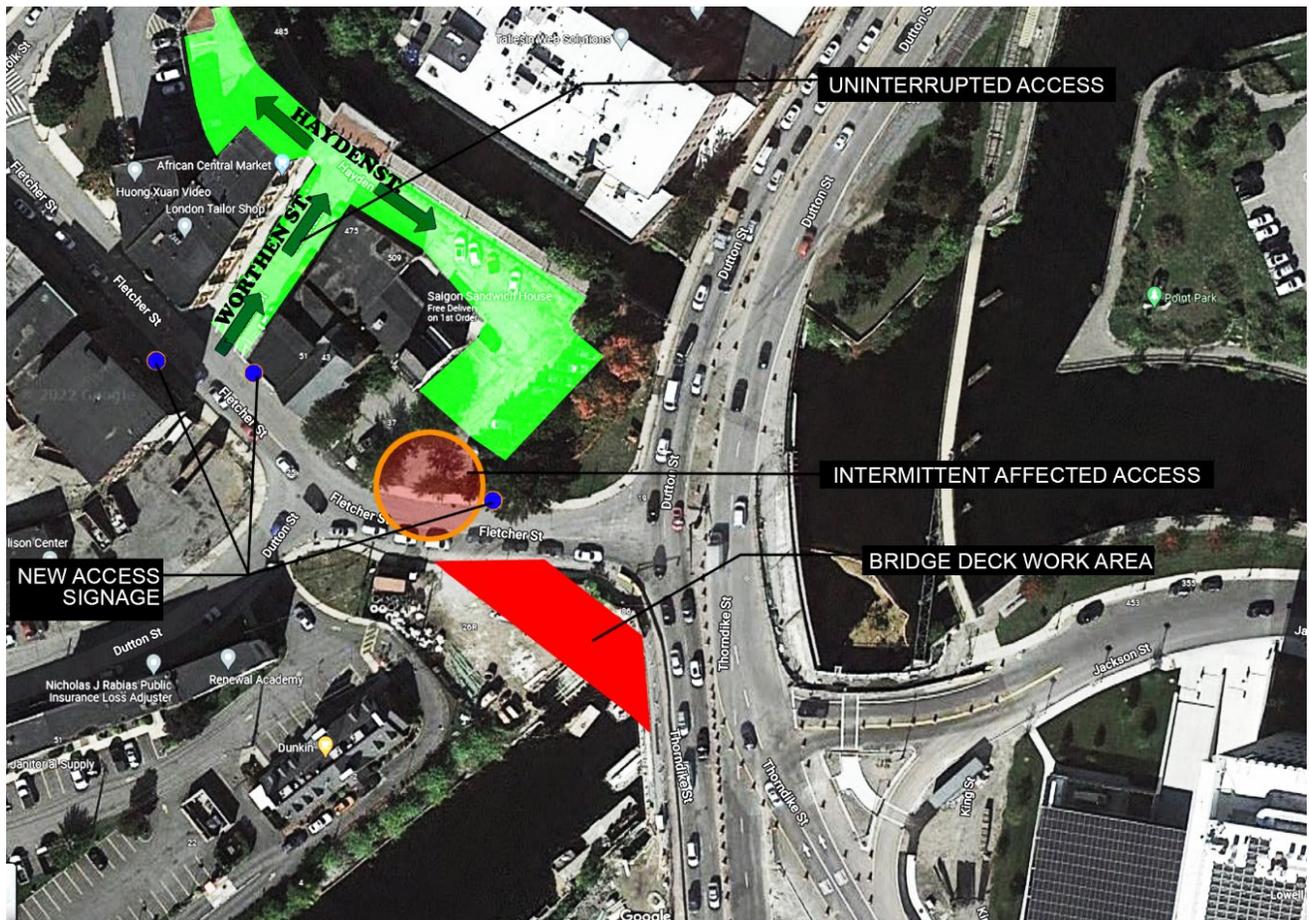
This project is getting closer to the end and has been on schedule, withstanding the challenges of COVID and its impact on workforce and material procurement. Unfortunately, as we are getting closer to the completion of the Thorndike Street – Lord Overpass Project, there are a few items that may impact the original completion date of November 2022.

In all likelihood, the project will be substantially complete from the southern abutment of the Thorndike Street Bridge over the Pawtucket Canal to the southern project limit. This would make approximately 80% of the project area substantially complete.

The “northern” end of the job including the Thorndike Street over Pawtucket Canal Bridge, the Dutton Street over the Western Canal Bridge and the intersection of Dutton Street/Thorndike Street and Fletcher Street may need some additional time and may be completed early in the construction season of 2023. This means access may be restricted at times, but the majority of the work restricting access has been completed. However, this business cluster does have an alternate constant unaffected access directly to their parking lot via a City Street (Worthern and Hayden).

DPD and Engineering have discussed the challenges present for some businesses in the area in terms of patron access and are already looking at signage solutions that will improve visibility and circulation for customers to reduce or eliminate the negative impact this project may have on businesses. At this moment, DPD is procuring signage indicating easier access for both pedestrian and vehicular traffic by clear indication of parking which will be installed in the upcoming weeks.

Attached is an image of the area:



The critical path of the schedule, which drives the finish date are mostly associated with the Thorndike Street over Pawtucket Canal Bridge items and there are temperature/weather sensitive items related to the superstructure of any bridge project, and several of those items need to be completed at the end of the project by nature. Since the beginning of the project schedule setup the substantial completion date has always been tentative, solely due to the time and seasons of the year. There are temperature thresholds that will prevent work such as bridge deck and sidewalk concrete pours, crash barrier concrete pours, bridge deck weatherproofing membrane, bridge deck paving, painting and/or pavement markings.

Unfortunately, the project is at the mercy of the weather in late fall and early winter, which may force a winter construction pause and push remaining items to 2023.

Furthermore, there is an industry-wide current shortage of granite curbing. The demand has overwhelmed the supply to a point where granite vendors have stopped fulfilling orders until 2023.

The granite curbing associated with the Fletcher Street intersection re-alignment of this project potentially could be impacted. However, this will not impact the closure of streets or access to local businesses. It simply means that final paving and markings will be postponed to early 2023.

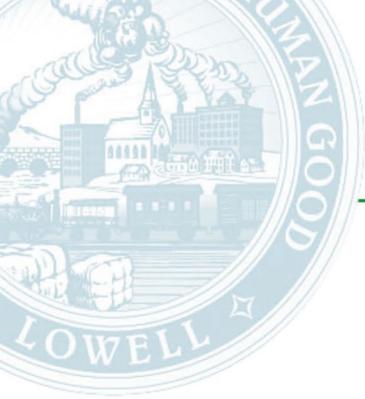
Currently, ET&L is working on an updated schedule to have a concrete date about the entire completion time of the entire project. However, this is dependent on the manufacturer's actual capacity for curb supply.

DPD and the Engineering Department are also working with ET&L on the installation of temporary signage to help pedestrians cross the Middlesex & Thorndike, Appleton & Thorndike. Signage will provide clear wayfinding for pedestrians to make it safer and more comfortable. Signage will be installed in the upcoming weeks.

DPD is committed not only to the social and environmental benefits of these types of infrastructure projects, but also to the safety of our residents and to the economic opportunities that they can create. With that in mind, the Department and all those involved in the management of this complex effort, are cognizant of the challenges the process of construction brings and is doing everything possible to mitigate those challenges. We are confident that additional signage will contribute to a more convenient circulation for pedestrians while this process continues for the benefit of our local business community.

CE/cmm

Cc: John Gleason, Engineer



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

CC: Alan Heredia, Assistant Transportation Engineer

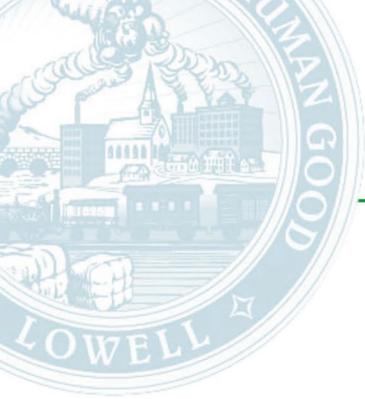
SUBJECT: MOTION RESPONSE: 6/14/22 – Councilor Robinson – Request City Manager Have Proper Department Look Into Painting No Parking and Install Signage at Corners of Barker Ave and Ludlam; There Has Been Accidents And Parking is Creating Blind Spots Pulling Out of Barker Heading Up Ludlam.

City staff conducted a site visit to the above location, as well as reviewed current ordinances to determine the feasibility of placing a “No Parking Here to Corner” signs on Ludlam Street.

During the site visit, nothing was observed that would deter placing “No Parking Here to Corner” signs on Ludlam Street, to improve the visibility of drivers traveling on Barker Avenue. An ordinance prohibiting parking within 20 feet of an intersection already exists.

The Department of Planning and Development will coordinate with the Lowell Police Department to see if the installation of a sign is feasible.

AH/cmm



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

SUBJECT: MOTION RESPONSE: 7/27/2022 – Councilor Mercier– Request City Manager Provide A To The City Council Regarding Rodent Control Options In the City

The Department of Planning and Development (DPD) has contracted with Modern Pest Services LLC to provide inspection and rodent control treatment assistance to residential properties and provide targeted SMART boxes on public property at various locations throughout the City of Lowell.

The contract includes the deployment of fifty (50) SMART boxes in locations throughout the City for nine months. The location of the SMART boxes can be moved depending on the data collected. The DPD has access to an online portal and can see the number of rodents collected by each SMART box. SMART Boxes are non-toxic trapping units that catch rodents above ground. When a rodent enters the trap, sensors detect movement and body heat. A catch function is activated, immediately killing the rodent with an electrical current. The rodent is deposited into a plastic bag in a closed container. The trap is then automatically reset and ready for action again. SMART Boxes do not use toxic bait. They are also securely installed and locked, so they're safe for people, other animals, and the environment. SMART Boxes monitor and record rodent activity 24/7, and they send alerts directly to Modern Pest when activity is detected. Modern Pest services each box every 48 hours or sooner, if needed. The DPD will also use the data from the SMART Boxes to inform ongoing mitigation strategies. SMART boxes were deployed on July 28, 2022.

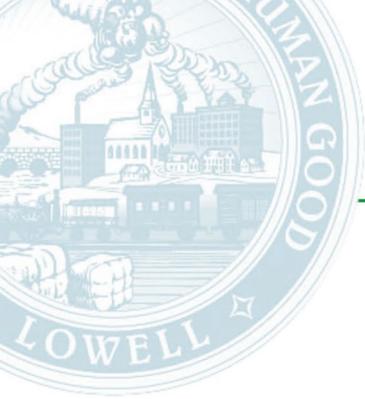
The contract with Modern Pest Services LLC includes a Residential Property Rodent Control Assistance Program. The City will be able to provide free rodent control services to 1,000 residential properties. This will include an exterior residential property evaluation, treatment, and two (2) follow-up inspections. As of writing this memorandum, the DPD is developing an application form and process for the program. We anticipate we will be able to start accepting applications mid-August. We will proactively send applications to residents who have sent complaints to the rodents@lowellma.gov or contacted the office via phone. The Residential Rodent Control Assistance Program offers residents free rodent control services including placement of bait boxes and burrow treatments. City Sanitary Code Enforcement Inspector will survey a property for evidence of rodents and provide educational materials on rodent prevention to owners and tenants, who must agree to take recommended rodent prevention actions. Pest control services will then be provided by a licensed pest control company. The program will be available to residential properties with three or

fewer units, and can only be completed with signed permission from both the property owner and all current tenants living at the property.

More information is available on the City website here: <https://lowellma.gov/1689/Rodent-Control> .

If a resident has concerns about rodents or sees a rodent on private or public property, they should contact 978-674-4144 or email rodents@lowellma.gov .

CMM



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

CC: Ting Chang, City Engineer

SUBJECT: MOTION RESPONSE: 6/1/2022 – Councilor Mercier– Request City Manager Provide A Report Regarding Roadwork Being Done On Andover Street Near The Tewksbury Line and the Immediate Area; Provide Time Line of Work, Replacing Trees, Repaving, Etc...

The Department of Planning and Development (DPD) contacted MassDOT and requested an update on the subject project. The DPD received the Five Week Look Ahead Schedule from the Resident Engineer:

- Traffic Control set ups at Route 133/Weatherbee, Burnham/Route 133 and Plaza Driveway/Route 133 - second and third week of August.
- Roadway widening with concrete subbase work on left side of Route 133 – late first week of August and second week of August.
- Full depth trench patching along Route 133 curb – late first week of August.
- Roadway widening with concrete subbase work at Route 133 at Weatherbee, Burnham and Plaza Driveway - second week of August.
- Sidewalk construction on left side of Route 133 from Holbrook Street to Plaza Driveway - fourth week of August.
- Verizon cable splicing (at Walgreens) - next 5 weeks.

The MassDOT Resident Engineer confirmed that with the roadway widening and sidewalk work underway, it did not make sense to plant the trees until after the disruption is complete. The original planting date was August 2022 and has been extended to spring of 2024.

CMM



Conor Baldwin
Chief Financial Officer

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Conor Baldwin, Chief Financial Officer 

CC: Kelly Oakes, City Auditor

DATE: August 9, 2022

SUBJECT: **MOTION RESPONSE - 6/1/2022 - C. Nuon** - Req. City Auditor Provide Report On The Depreciation Schedule For All The Assets That The City Owns.

According to the city's most recently audited financial statements, The City's investment in capital assets for governmental activities as of June 30, 2021, amounts to \$356.9 million, net of accumulated depreciation.

The investment in capital assets includes: land, buildings, improvements, infrastructure, vehicles, machinery and equipment, books, and software. Major governmental additions included High school construction, other school updates such as boiler replacement, Lord Overpass Construction, police radio system upgrades, and roadway improvements. The City's investment in capital assets for business-type activities as of June 30, 2021, amounts to \$271.6 million, net of accumulated depreciation. The investment in capital assets for the business-type activities relates to sewer and water infrastructure and systems as well as the various parking garage facilities. Major current year additions included Duck Island facility upgrades, the HCID parking garage and other various water and sewer improvements.

Capital assets, which include land, land improvements, buildings, improvements, machinery and equipment, vehicles and infrastructure (e.g., roads, water mains, sewer mains, and similar items), books and software are reported in the applicable governmental or business-type activity column of the government-wide financial statements, and the proprietary fund financial statements. Capital assets are recorded at historical cost, or at estimated historical cost, if actual historical cost is not available. Donated capital assets; donated works of art; historical treasures and similar assets; and capital assets received in service concession arrangements are recorded at acquisition value. Except for the capital assets of the governmental activities column in the government-wide financial statements, construction period interest is capitalized on constructed capital assets.

Generally accepted accounting principles (GAAP) require, in most cases, that capital assets be depreciated. Depreciation is the systematic and rational allocation of the historical cost of a capital asset over its useful life. The estimated useful life assigned to a capital asset will directly affect the amount of depreciation expense reported each period in an accrual-based operating statement.



Conor Baldwin
Chief Financial Officer

Capital assets (excluding land) are depreciated on a straight-line basis. The estimated useful lives of capital assets are as follows:

Capital Asset Type	Estimated Useful Life (in years)
Buildings & improvements	20-40
Capital improvements (other than buildings)	20
Infrastructure	40-50
Equipment	5-10
Vehicles	5-15
Books	3-10
Software	5

Enclosed with this memorandum is additional information on the City's capital assets from Note 4 to the basic financial statements¹, as well as the detailed schedules to tie out to the depreciation schedules. The total depreciation in FY2021 was \$13,619,217.

The full detailed depreciation schedules for FY2021, which reconcile to the totals on the attached Note 4 from the financial statements have been provided by the City Auditor. However, these files are over 160 pages in length and, in order to save paper, have been uploaded to the city website so that the Council and the public may view them. The links are included below for anyone who may be interested in accessing the information:

- Parking Enterprise Detail - <https://www.lowellma.gov/DocumentCenter/View/19835/FY2021-Depreciation-Schedules---Parking-Enterprise-Fund-Asset-Detail>
- General Fund Detail- <https://www.lowellma.gov/DocumentCenter/View/19834/FY2021-Depreciation-Schedules---General-Fund-Asset-Detail>
- Sewer Enterprise Fund Detail - <https://www.lowellma.gov/DocumentCenter/View/19833/FY2021-Depreciation-Schedules---Sewer-Enterprise-Fund-Asset-Detail>
- Water Enterprise Fund Detail - <https://www.lowellma.gov/DocumentCenter/View/19832/FY2021-Depreciation-Schedules---Water-Enterprise-Fund-Asset-Detail>

Please let me know if there are any questions.

¹ The FY2021 Audited Financial Statement, in full, can be accessed online via this link:
<https://www.lowellma.gov/AgendaCenter/ViewFile/Item/19834?fileID=43260>

NOTE 4 – CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2021, was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental Activities:				
<u>Capital assets not being depreciated:</u>				
Land.....	\$ 34,002,393	\$ -	\$ -	\$ 34,002,393
Construction in progress.....	33,300,132	34,685,603	(545,777)	67,439,958
Total capital assets not being depreciated....	<u>67,302,525</u>	<u>34,685,603</u>	<u>(545,777)</u>	<u>101,442,351</u>
<u>Capital assets being depreciated:</u>				
Buildings and improvements.....	357,421,950	3,783,470	-	361,205,420
Capital improvements (other than buildings).....	30,959,757	820,226	-	31,779,983
Infrastructure.....	202,865,618	6,898,440	-	209,764,058
Vehicles.....	20,850,359	872,941	-	21,723,300
Equipment.....	14,957,274	9,259,291	-	24,216,565
Books.....	7,810,699	-	-	7,810,699
Software.....	495,990	-	-	495,990
Total capital assets being depreciated.....	<u>635,361,647</u>	<u>21,634,368</u>	<u>-</u>	<u>656,996,015</u>
<u>Less accumulated depreciation for:</u>				
Buildings and improvements.....	(240,216,128)	(6,444,925)	-	(246,661,053)
Capital improvements (other than buildings).....	(17,548,934)	(1,093,102)	-	(18,642,036)
Infrastructure.....	(96,493,527)	(3,137,464)	-	(99,630,991)
Vehicles.....	(18,024,002)	(1,304,262)	-	(19,328,264)
Equipment.....	(7,778,707)	(1,484,933)	-	(9,263,640)
Books.....	(7,404,475)	(154,531)	-	(7,559,006)
Software.....	(495,990)	-	-	(495,990)
Total accumulated depreciation.....	<u>(387,961,763)</u>	<u>(13,619,217)</u>	<u>-</u>	<u>(401,580,980)</u>
Total capital assets being depreciated, net.....	<u>247,399,884</u>	<u>8,015,151</u>	<u>-</u>	<u>255,415,035</u>
Total governmental activities capital assets, net....	<u>\$ 314,702,409</u>	<u>\$ 42,700,754</u>	<u>\$ (545,777)</u>	<u>\$ 356,857,386</u>

	Beginning Balance	Increases	Decreases	Ending Balance
Business-Type Activities:				
<u>Capital assets not being depreciated:</u>				
Land.....	\$ 2,844,420	\$ -	\$ -	\$ 2,844,420
Construction in progress.....	58,268,841	2,958,357	(26,916,498)	34,310,700
Total capital assets not being depreciated....	61,113,261	2,958,357	(26,916,498)	37,155,120
<u>Capital assets being depreciated:</u>				
Buildings and improvements.....	3,111,313	-	-	3,111,313
Capital improvements (other than buildings).....	32,008,546	592,040	-	32,600,586
Infrastructure.....	343,787,903	38,294,203	-	382,082,106
Equipment.....	3,803,932	206,000	-	4,009,932
Vehicles.....	2,682,122	-	-	2,682,122
Total capital assets being depreciated.....	385,393,816	39,092,243	-	424,486,059
<u>Less accumulated depreciation for:</u>				
Buildings and improvements.....	(358,254)	(77,546)	-	(435,800)
Capital improvements (other than buildings).....	(13,542,606)	(1,533,870)	-	(15,076,476)
Infrastructure.....	(162,265,828)	(7,398,095)	-	(169,663,923)
Equipment.....	(2,135,503)	(312,984)	-	(2,448,487)
Vehicles.....	(2,287,311)	(163,233)	-	(2,450,544)
Total accumulated depreciation.....	(180,589,502)	(9,485,728)	-	(190,075,230)
Total capital assets being depreciated, net.....	204,804,314	29,606,515	-	234,410,829
Total business-type activities capital assets, net....	\$ 265,917,575	\$ 32,564,872	\$ (26,916,498)	\$ 271,565,949

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental Activities:	
General government.....	\$ 573,040
Public safety.....	1,935,585
Education.....	6,400,467
Public works.....	2,816,443
Human services.....	286,948
Culture and recreation.....	1,606,734
Total depreciation expense - governmental activities....	\$ 13,619,217
Business-Type Activities:	
Water.....	\$ 2,928,916
Sewer.....	4,596,144
Parking.....	1,960,668
Total depreciation expense - business-type activities...	\$ 9,485,728



Conor M. Baldwin
Chief Financial Officer

Austin Ball
Deputy CFO

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Conor Baldwin, Chief Financial Officer

CC: Mark Byrne, Interim DPW Commissioner

DATE: July 30, 2022

SUBJECT: MOTION RESPONSE: C. Gitschier - 1/25/2022 - Req. City Mgr. Provide City Council With An Inventory Of City Owned Vehicles That Have A Purchase Price Of Over \$25,000 And A Life Expectancy Of 10 Years Or More; Include In Report The Year, Make, Model, Age, Expected Replacement Year, And Projected Cost Of The Vehicle At The Time Of Purchase (& **MOTION RESPONSE: C. Gitschier - 5/25/2022** - ibid)

Background

Capital planning is an important annual process for any municipality, which includes both physical infrastructure (roadways, buildings, bridges, etc.), as well as investments in vehicles and equipment. The city maintains rolling, five-year capital plans for vehicles and for hard infrastructure investments. The basic criteria for a project to be included in the capital plan is that a project must cost at least \$25,000, with an expected useful life of at least five years. Non-vehicle capital requests can be for legal borrowing purpose under MGL c. 44 s. 7. Those purposes include, but are not limited to: improvements to land, buildings or infrastructure, or it can be for vehicles or equipment. Typically, the city will waive the \$25,000 requirement for vehicles, since we often need many at one time. We also exclude police cruisers from the capital since cruisers only have a life of two to three years. We need to replace so many cruisers on an annual basis that they are more appropriate for the operating and/or grant budgets. Finally, vehicle replacements for the Water and Sewer enterprise funds are typically accounted for in the operating budget and financed by the retained earnings of each enterprise fund. Enclosed with this memorandum is a report with an inventory of city-owned vehicles.

Generally accepted accounting principles (GAAP) require, in most cases, that capital assets be depreciated. Depreciation is the systematic and rational allocation of the historical cost of a capital asset over its useful life. The estimated useful life assigned to a capital asset will directly affect the amount of depreciation expense reported each period in an accrual-based operating statement. Therefore, it is important to the quality of financial reporting that governments establish reasonable estimates of the useful lives of all of their depreciable capital assets. The best source of relevant information on the estimated useful lives of a government's capital assets normally is its own past experience with similar assets. In Lowell, the experience has been that assets are utilized in excess of their useful life due to budgetary and capital constraints.



Conor M. Baldwin
Chief Financial Officer

Austin Ball
Deputy CFO

The unfortunate impact of deferred capital, however, is an increase in repair and maintenance costs in DPW, including personnel time and materials from the skilled mechanics in DPW and other departments. In preparing, scoring, and analyzing the financial impact of the capital plan each year, vehicles are rated slightly differently than from other project requests. Each department head is asked to rank the replacement priorities in their departments. The finance team then looks, in-depth at each vehicle's level and type of usage. They then consulted with the staff that maintains and repairs the vehicles to define—approximately—an interdepartmental priority.

Other factors such as the vehicle's mileage and its expected life are also considered in the capital planning process. Funding is directed first to the most urgent needs, with the remainder of the replacements scheduled for future years. Although it would be easy to justify the inclusion of more vehicles each year, the Administration must balance the need for both vehicles and infrastructure improvements.

Department Heads are required by City Ordinance (*see Code of Ordinances § 60-3*) to maintain records of all city-owned vehicles within their department. A request was made to all Department Heads at the first leadership meeting held in the new Administration on May 3, 2022 to provide this report to the newly appointed City Manager. Using the data received from each department, the enclosed listing was re-formatted and aggregated to provide the Council with the requested information.

Capital Investment Recap

In the FY2014 Capital Budget, \$1.1 million was appropriated in DPW for various equipment purchases, including three (3) 10-wheel dump trucks, several large pieces of equipment for the Parks Division (Skid Steer, commercial lawn mowers, etc.) and other light truck replacements. In FY2016, \$1.75 million was appropriated for vehicles in the DPW. Since that time, the vehicle component of the Capital Budget has been focused on heavy equipment in the DPW and Fire Apparatus. For example, in the FY2022 capital budget, \$1,000,000 was appropriated for purchase of heavy vehicles in DPW. Since July of 2021, a Skid Street has been purchased. The DPW has also ordered and encumbered the funds for and a Street Sweeper, Wheel Loader, Dump Truck, and a Boom Lift.

Often times, to supplement the capital appropriation; when free cash is certified by the Department of Revenue, the city will utilize a portion of the available balance to make large capital purchases, like vehicles. These purchases reduce the borrowing costs and interest associated with issuing debt to finance vehicle purchases. Recent examples of this include the purchase of the new senior center bus using \$113,429 in FY2019 and the purchase of a new trash truck in the DPW Parks Division for \$186,754 in May of FY2021.

In the FY2023 capital budget, the City Council appropriated \$350,000 for purchase of new heavy equipment in the Streets Division of DPW and various light fleet replacement in Parks & Cemeteries. In the five-year outlook for the capital plan, there are vehicle replacement



Conor M. Baldwin
Chief Financial Officer

Austin Ball
Deputy CFO

allocations included in each year through FY2027. These future allocations, however, are subject to change depending on the financial analysis performed in concert with the budget process and informed by the priorities of the Council and the residents. On pages 641-645 of the FY2023 budget are vehicle replacement request received from departments as part of the FY2023 budget process. These priorities will be revisited in the winter as we prepare the FY2024 budget.

Public Safety Vehicles

The vehicles in the Lowell Police Department (“LPD”) do not follow the standard capital replacement procedure because of the nature of their usage. The majority of the Lowell Police Department fleet consists of marked patrol vehicles. These vehicles are Ford Utility Police Interceptors and currently have an approximate purchase price, fully up-fitted, of \$61,000. These vehicles have a frontline life expectancy (24/7 operation) of approximately three (3) years. These frontline vehicles are then repurposed into secondary assignments until the vehicle is no longer safe or otherwise unfeasible to keep in the fleet. Generally speaking this secondary assignment would last approximately four (4) to five (5) years, giving an average total lifespan of seven (7) to eight (8) years for the majority of the LPD fleet. Funding for the LPD fleet is appropriated in the annual LPD operating budget, or within certain special revenue funds or revolving funds under the care and custody of the Police Chief.

Fire Apparatus replacement in Lowell is funded either through the capital budget or by application to the federal government for various grant programs. The regular replacement of fire apparatus is a best practice as deemed by the Government Financial Officers Association (GFOA). The Fire Department works in partnership with the LPD Office of Research and Development to identify and apply for available grants. Furthermore, a new position was created in the Fire Department to assist with the administrative functions of the department and apply for grants, such as the Assistance for Firefighters (AFG) grant program to supplement the purchase costs and reduce the burden on Lowell residential taxpayers.

Update and Capital Strategy in FY2023 & Use of ARPA

Ideally, our fleet should average no more than one half the expected lives of the vehicles. At that point half of the vehicles would be fairly young and half fairly old. Until we get to that point, we will continue to adjust replacement plans for considerations beyond expected life, but as we approach our targets, replacement will become more uniform and predictable. Also enclosed (**Attachment 2**) with this memorandum is the current five year vehicle funding list on file in the finance department, for discussion.

In the FY2023 capital budget, funding was appropriated by the City Council to match the application for an AFG Grant to replace a spare Engine which is 25 years old. The Grant Committee approved the application in January and the city is awaiting notification of a potential award from FEMA, which occurs on a rolling basis, beginning in the fall of FY2023. If awarded, the City would be awarded approximately \$545,000 to purchase a new Engine.

The Administration is taking a renewed look at the fleet replacement capital needs in all departments in light of new funding opportunities made possible through the American Rescue Plan Act



Conor M. Baldwin
Chief Financial Officer

Austin Ball
Deputy CFO

(“ARPA”). Since the beginning of this Council term, the finance department—including the ARPA finance manager—have been coordinating with the Police and Fire Departments, as well as with the Public Works Commissioner and Executive Directors of the Water and Wastewater Utility Departments, in order to examine the vehicle needs of each department and determine to what extent replacement may be eligible under the ARPA guidelines.

I am pleased to report that the ARPA funding will afford the city to make a significant investment in the city’s ageing fleet in water, sewer, police, and fire. More detailed information will be included in the upcoming update to the City Council on the revised ARPA spending plan, but the following are a number of vehicles from the proposed purchases utilizing the city’s approximately \$76 million ARPA allocation, which have either already been encumbered or are in the immediate-term:

- (Lowell Regional Water Utility) - Water Utility New Vehicles - \$460,000;
- (Lowell Police Department) - New Lowell Police Vehicles - \$248,714.16;
- (Lowell Regional Wastewater Utility) - TV Sewer Inspection Truck - \$334,362;
- (Lowell Regional Wastewater Utility) - Vactor Combo/ Sewer Equipment - \$1,172,228;
- (Lowell Regional Wastewater Utility) - New Street Sweeper/ Vacuum - \$255,571.40;
- (Lowell Public Works/ Parks Division) – Boom Flail Mower - \$34,900;
- (Pollard Memorial Library) – Bookmobile - \$191,766;

In addition to the aforementioned pieces of equipment and vehicles which are budgeted and/ or encumbered, the short-term plan for ARPA also will include the allocation of funds for the following:

- (Lowell Fire Department) – Approximately \$2.05 million to replace 2 pieces of apparatus (1 Ladder Truck and 1 Fire Engine);
- (Lowell Police Department) – Approximately another \$250,000 to replace an additional 4-5 vehicles
- (Lowell Regional Wastewater Utility) – Approximately \$1.2 million for additional Vacuum Trucks
- (Lowell Regional Wastewater Utility) – Approximately \$255,000 for an additional Street Sweeper
- (Lowell Public Works/ Parks Division) – Approximately \$255,000 for purchase of sidewalk sweeper trucks for downtown and neighborhood business districts.

FY2023 – FY2027 Capital Outlay

In the FY2023-FY2027 5-year Capital Plan, approximately \$4.5 million has been allocated for vehicle replacements. A copy of the schedule is attached for reference. Each year’s allocations are subject to appropriation and are revisited in the spring along with the budget process. The city is currently examining options to supplement the replacement of vehicles with lease options, as well as by examining other outside funding sources. Please let me know if there are any questions.

DPW/ PARKS Vehicles 2022

<u>Make</u>	<u>Model</u>	<u>Type</u>	<u>Year</u>	<u>Current Year</u>	<u>Equip./ Vehicle Life (Years)</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
International	Dura Star	Heavy Truck	2013	2023	10	15	Within Useful Life
International	N/A	Heavy Truck	2002	2023	21	15	-6
Ford	Escape	Light Truck	2016	2023	7	15	Within Useful Life
MQPower	Generator	Electrical Equipment	2003	2023	20	10	-10
International	Terra Star	Medium Duty Truck	2012	2023	11	15	Within Useful Life
Ford	F-450	Super Duty	2014	2023	9	15	Within Useful Life
Ford	Transit 250	Cargo Van	2016	2023	7	15	Within Useful Life
Ford	F-150	Light Truck	2003	2023	20	15	-5
Ford	Van	Cargo Van	2013	2023	10	15	Within Useful Life
Ford	Van	Cargo Van	2013	2023	10	15	Within Useful Life
Ford	Van	Cargo Van	2012	2023	11	15	Within Useful Life
Ford	Escape	Light Truck	2011	2023	12	15	Within Useful Life
Ford	F-150	Light Truck	2013	2023	10	15	Within Useful Life
Ford	Transit	Cargo Van	2016	2023	7	15	Within Useful Life
Ford	Transit	Cargo Van	2016	2023	7	15	Within Useful Life
Ford	F-250	Light Truck	2016	2023	7	15	Within Useful Life
Ford	F-250	Light Truck	2000	2023	23	15	-8
Ford	E-250	Cargo Van	2011	2023	12	15	Within Useful Life
Ford	E-250	Cargo Van	2011	2023	12	15	Within Useful Life
Ford	E-250	Cargo Van	2013	2023	10	15	Within Useful Life
Ford	E-250	Cargo Van	2001	2023	22	15	-7
Ford	E-250	Cargo Van	2011	2023	12	15	Within Useful Life
Ford	F-350	Cargo Van	2011	2023	12	15	Within Useful Life
Ford	F-250	Cargo Van	2000	2023	23	15	-8
Ford	F-250	Cargo Van	2000	2023	23	15	-8
JLG	800AJ	Boom Lift	2021	2023	2	15	Within Useful Life
JLG	800AJ	Boom Lift	1996	2023	27	15	-12
Ditch Witch	Trencher	Model Unknown	1999	2023	24	10	-14
JLG	Lift	Model Unknown	2001	2023	22	10	-12
Ford	Explorer	SUV	2013	2023	10	10	0
Chevy	Silverado	Truck	2010	2023	13	10	-3
Chevy	Colorado	Pick-Up	2018	2023	5	10	Within Useful Life
Ford	Utility	Truck	2011	2023	12	10	-2
Ford	F550 Dump	Dump Truck	2019	2023	4	15	Within Useful Life
Ford	Utility	Truck	2011	2023	12	10	-2
Ford	Pickup	Pick-Up	2011	2023	12	10	-2
Ford	F-350	Rack Truck	2017	2023	6	10	Within Useful Life
Ford	Utility	Truck	2011	2023	12	10	-2
Ford	Utility	Truck	2008	2023	15	10	-5
Ford	F-450	Dump Truck	2016	2023	7	15	Within Useful Life
Ford	Utility	Truck	2011	2023	12	10	-2
Ford	Utility	Rack Truck	1999	2023	24	10	-14

<u>Make</u>	<u>Model</u>	<u>Type</u>	<u>Year</u>	<u>Current Year</u>	<u>Equip./ Vehicle Life (Years)</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
Ford	Utility	Pack Truck	1999	2023	24	10	-14
International	Dump	Dump Truck	2006	2023	17	15	-2
Ford	Dump	Dump Truck	2002	2023	21	15	-6
Ford	Dump	Dump Truck	2008	2023	15	15	0
Ford	F-450	Dump Truck	2016	2023	7	15	Within Useful Life
Ford	F-550	Dump Truck	2016	2023	7	15	Within Useful Life
Ford	Dump	Dump Truck	2001	2023	22	15	-7
Chevy	Colorado	Pick-Up	2018	2023	5	10	Within Useful Life
Ford	F-450	Dump Truck	2016	2023	7	15	Within Useful Life
International	4900	Dump Truck	2002	2023	21	15	-6
International	4700	Dump Truck	2001	2023	22	15	-7
International	N/A	Dump Truck	2006	2023	17	15	-2
International	N/A	Dump Truck	2006	2023	17	15	-2
International	N/A	Dump Truck	2006	2023	17	15	-2
Ford	F-250	Pick-Up	2019	2023	4	10	Within Useful Life
Ford	F-250	Pick-Up	2001	2023	22	10	-12
Ford	F-250	Pick-Up	2016	2023	7	10	Within Useful Life
Ford	F-250	Pick-Up	2000	2023	23	10	-13
Ford	F-150	Pick-Up	2003	2023	20	10	-10
Ford	F-350	Pick-Up	2011	2023	12	10	-2
Ford	F-350	Pick-Up	2012	2023	11	10	-1
Ford	F-150	Pick-Up	2013	2023	10	10	0
Ford	F-250	Pick-Up	2019	2023	4	10	Within Useful Life
Ford	E-350	Cargo Van	2001	2023	22	10	-12
Ford	E-150	Cargo Van	N/A	2023	N/A	N/A	N/A
N/A	Light Tower	Electrical Equipment	N/A	2023	10	N/A	N/A
Rite Light	Light Tower	Electrical Equipment	N/A	2023	10	N/A	N/A
International	Sky Worker	Electrical Equipment	N/A	2023	10	N/A	N/A
Brush Bandit	280XP	Parks Equipment	1999	2023	24	10	-14
Brush Bandit	280XP	Parks Equipment	2015	2023	8	10	Within Useful Life
Ford	Ranger	Truck	1997	2023	26	10	-16
Compact	Roller	N/A	2013	2023	10	10	0
Puckett	Paver	Equipment	N/A	2023	N/A	N/A	NA
Power America	Power Washer	Equipment	N/A	2023	N/A	N/A	NA
Cam	Trailer	Equipment	2008	2023	15	15	0
Cam	Trailer	Equipment	2011	2023	12	15	Within Useful Life
Inter	Trailer	Equipment	1993	2023	30	15	-15
Big Tex	Trailer	Equipment	2001	2023	22	15	-7
Cam	Trailer	Equipment	2012	2023	11	15	Within Useful Life
Spaulding	Trailer Hotbox	Equipment	2014	2023	9	15	Within Useful Life
KM	Trailer Hotbox	Equipment	2018	2023	5	15	Within Useful Life
Scag	STM23CV	Mower	N/A	2023	N/A	N/A	N/A
Husqvarna	Mower	Mower	N/A	2023	N/A	N/A	N/A
Whacker	WP1550	Parks Equipment	1999	2023	N/A	N/A	N/A

<u>Make</u>	<u>Model</u>	<u>Type</u>	<u>Year</u>	<u>Current Year</u>	<u>Equip./ Vehicle Life (Years)</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
Sakai	PC800	Plate Compactor	2013	2023	10	15	Within Useful Life
Stone	SFP4000	Plate Compactor	N/A	2023	N/A	N/A	N/A
Ford	E-350	Van	1993	2023	30	15	-15
Ford	F-150	Truck	1997	2023	26	15	-11
Ford	Expedition	Truck	1999	2023	24	15	-9
Ford	F-350	Truck	1999	2023	24	15	-9
Ford	F-350	Truck	1997	2023	26	15	-11
Ford	F-350	Truck	2005	2023	18	15	-3
John Deere	310 SJ	Backhoe	2011	2023	12	15	Within Useful Life
Ford	F-550	Dump Truck	2016	2023	7	15	Within Useful Life
Ford	F-550	Dump Truck	2016	2023	7	15	Within Useful Life
Ford	Super Duty	Truck	1996	2023	27	15	-12
Ford	F-350	Truck	1999	2023	24	15	-9
Ford	F-550	Dump Truck	2003	2023	20	15	-5
International	4700	Dump Truck	1996	2023	27	15	-12
International	4700	Dump Truck	1996	2023	27	15	-12
Trackless	MT-6	Sweeper	2011	2023	12	15	Within Useful Life
Trackless	MT-6	Sweeper	2011	2023	12	15	Within Useful Life
International	4300	Dump Truck	2006	2023	17	15	-2
International	4300	Dump Truck	2006	2023	17	15	-2
Elgin Pelican	NP	Sweeper	2014	2023	9	15	Within Useful Life
Elgin Pelican	NP	Sweeper	2013	2023	10	15	Within Useful Life
Elgin Pelican	SE	Sweeper	2002	2023	21	15	-6
Chevrolet	3500	Truck	1996	2023	27	15	-12
International	51600	Dump Truck	1988	2023	35	15	-20
John Deere	60G	Excavator	2014	2023	9	15	Within Useful Life
Volvo	Loader	Loader	2005	2023	18	15	-3
Volvo	Loader	Loader	2021	2023	2	15	Within Useful Life
Volvo	L70F	Loader	2011	2023	12	15	Within Useful Life
John Deere	624K-II	Loader	2017	2023	6	15	Within Useful Life
International	Work Star	Salt Truck	2012	2023	11	15	Within Useful Life
International	Work Star	Salt Truck	2012	2023	11	15	Within Useful Life
International	Work Star	Salt Truck	2012	2023	11	15	Within Useful Life
International	Work Star	Salt Truck	2012	2023	11	15	Within Useful Life
International	Work Star	Salt Truck	2012	2023	11	15	Within Useful Life
International	Work Star	Salt Truck	2012	2023	11	15	Within Useful Life
International	Work Star	Salt Truck	2012	2023	11	15	Within Useful Life
Freightliner	SD108	Commercial Truck	2017	2023	6	15	Within Useful Life
LEROI	Compressor	Equipment		2023	N/A	N/A	N/A
International	Work Star	Salt Truck	2019	2023	4	15	Within Useful Life
International	Work Star	Salt Truck	2012	2023	11	15	Within Useful Life
Ford	F-550	Dump Truck	1999	2023	24	15	-9
Freightliner	S0114	Commercial Truck	2014	2023	9	15	Within Useful Life
Freightliner	SD114	Commercial Truck	2014	2023	9	15	Within Useful Life

<u>Make</u>	<u>Model</u>	<u>Type</u>	<u>Year</u>	<u>Current Year</u>	<u>Equip./ Vehicle Life (Years)</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
Freightliner	SD114	Commercial Truck	2014	2023	9	15	Within Useful Life
CAT	Skid Steer	Skid Steer	2002	2023	21	15	-6
International	4900	Dump Truck	2002	2023	21	15	-6

Fire Vehicles 2022

Vehicle Type	Year	Current Year	Equipment/ Vehicle Life	<u>Useful Life</u>	Past Useful Life (Years)
Engine 1 (Pumper)	1999	2023	24	15	-9
Engine 2 (Pumper)	2017	2023	6	15	Within Useful Life
Engine 3 (Pumper)	2006	2023	17	15	-2
Engine 4 (Pumper)	2001	2023	22	15	-7
Engine 6 (Pumper)	2010	2023	13	15	Within Useful Life
Engine 7 (Pumper)	2020	2023	3	15	Within Useful Life
Engine 10 (Pumper)	2005	2023	18	15	-3
Engine 11 (Pumper)	2010	2023	13	15	Within Useful Life
Spare 7 (Pumper)	1997	2023	26	15	-11
Spare 2 (Pumper)	1996	2023	27	15	-12
Ladder 1 (Ladder)	2000	2023	23	15	-8
Ladder 2 (Ladder)	2017	2023	6	15	Within Useful Life
Ladder 3 (Ladder)	2006	2023	17	15	-2
Ladder 4 (Ladder)	2010	2023	13	15	Within Useful Life
Spare Ladder	1995	2023	28	15	-13
Rescue 1	2017	2023	6	15	Within Useful Life
Spare Rescue	1998	2023	25	15	-10
Car 1 (Sedan)	2015	2023	8	15	Within Useful Life
Car 2 (SUV)	2016	2023	7	15	Within Useful Life
Car 3 (SUV)	2016	2023	7	15	Within Useful Life
Car 4 (SUV)	2011	2023	12	15	Within Useful Life
Car 5 (Sedan)	2011	2023	12	15	Within Useful Life
Car 6 (Sedan)	2000	2023	23	15	-8
Car 7 (SUV)	2006	2023	17	15	-2
Car 8 (Sedan)	2011	2023	12	15	Within Useful Life
Car 9 (Sedan)	2005	2023	18	15	-3
Car 10 (Sedan)	2011	2023	12	15	Within Useful Life
Car 14 (SUV)	2004	2023	19	15	-4
Car 16 (Sedan)	2006	2023	17	15	-2
Car 22 (SUV)	2011	2023	12	15	Within Useful Life
Spare Car (Sedan)	2004	2023	19	15	-4
Academy (Sedan)	2000	2023	23	15	-8
EM-1 (SUV)	2017	2023	6	15	Within Useful Life
EM-2 (SUV)	2013	2023	10	15	Within Useful Life
A25 (Pick-up)	2011	2023	12	15	Within Useful Life
A26 (SUV)	2006	2023	17	15	-2
Truck 11 (Pick-up)	2016	2023	7	15	Within Useful Life
Truck 12 (Pick-up)	2016	2023	7	15	Within Useful Life
FC 60 (Lgt Truck)	2004	2023	19	15	-4
Brush 1 (Pick-up)	1997	2023	26	15	-11
Spec Ops (Box Truck)	2010	2023	13	15	Within Useful Life
CO-OP Car (Sedan)	1996	2023	27	15	-12
Truck 10	1977	2023	46	15	-31

Police Vehicles 2022

<u>Vehicle Type</u>	<u>Make</u>	<u>Year</u>	<u>Current Year</u>	<u>Equipment/ Vehicle Life</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
Four Door Sedan	Ford Taurus	2012	2023	11	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2013	2023	10	15	Within Useful Life
Four Door Sedan	Ford Explorer	2015	2023	8	15	Within Useful Life
Four Door SUV	Ford Explorer	2015	2023	8	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2013	2023	10	15	Within Useful Life
Four Door SUV	Jeep Cherokee	2007	2023	16	15	-1
Four Door SUV	Chevy Tahoe	2011	2023	12	15	Within Useful Life
Four Door SUV	Ford Explorer	2015	2023	8	15	Within Useful Life
Four Door Sedan	Frd. Crw. Vic.	2009	2023	14	15	Within Useful Life
Four Door Sedan	Ford Explorer	2018	2023	5	15	Within Useful Life
Four Door Sedan	Frd.Crw.Vic.	2010	2023	13	15	Within Useful Life
Four Door Sedan	Ford Explorer	2018	2023	5	15	Within Useful Life
Four Door Sedan	Ford Explorer	2021	2023	2	15	Within Useful Life
Four Door Sedan	Honda Accord	2006	2023	17	15	-2
Four Door SUV	Ford Explorer	2018	2023	5	15	Within Useful Life
Four Door Sedan	Ford Explorer	2018	2023	5	15	Within Useful Life
Four Door Sedan	GMC Terrain	2013	2023	10	15	Within Useful Life
Four Door SUV	Lexus R350	2007	2023	16	15	-1
Four Door SUV	Ford Explorer	2018	2023	5	15	Within Useful Life
Four Door SUV	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2013	2023	10	15	Within Useful Life
Four Door Sedan	Taurus	2009	2023	14	15	Within Useful Life
Four Door SUV	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door Sedan	Frd Crwn Vic	2008	2023	15	15	0
Four Door Sedan	Ford Taurus	2009	2023	14	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2013	2023	10	15	Within Useful Life
Four Door SUV	Ford Explorer	2016	2023	7	15	Within Useful Life
Four Door Sedan	Honda Accord	2007	2023	16	15	-1
Four Door SUV	Ford Explorer	2017	2023	6	15	Within Useful Life
Mini Van	Dodge Carav	2010	2023	13	15	Within Useful Life
F350 4X4 Single Cab	Ford Pickup	2001	2023	22	15	-7
Four Door SUV	Honda Pilot	2009	2023	14	15	Within Useful Life
Four Door SUV	Ford Explorer	2019	2023	4	15	Within Useful Life
Four Door Sedan	Chevy Tahoe	2012	2023	11	15	Within Useful Life
Four Door SUV	Chevy Tahoe	2014	2023	9	15	Within Useful Life
Four Door SUV	Ford Expedition	2011	2023	12	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2011	2023	12	15	Within Useful Life
Four Door SUV	Ford Explorer	2020	2023	3	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2013	2023	10	15	Within Useful Life
Four Door Sedan	Nissan Altima	2009	2023	14	15	Within Useful Life
Four Door Sedan	Nissan Altima	2007	2023	16	15	-1
Four Door Sedan	Nissan Altima	2009	2023	14	15	Within Useful Life
Four Door SUV	Ford Explorer	2020	2023	3	15	Within Useful Life
Four Door SUV	Ford Explorer	2014	2023	9	15	Within Useful Life
Four Door SUV	Ford Explorer	2013	2023	10	15	Within Useful Life
Four Door SUV	Ford Explorer	2021	2023	2	15	Within Useful Life
Crew Cab Pickup	Chevy Silverado	2013	2023	10	15	Within Useful Life
Crew Cab Pick up	Toyota Tundra	2010	2023	13	15	Within Useful Life
Four Door Sedan	Ford Taurus	2007	2023	16	15	-1
Four Door Sedan	Ford Crown Vic	2007	2023	16	15	-1
Four Door Sedan	Ford Crown Vic	2008	2023	15	15	0
Four Door SUV AWD	Ford Interceptor	2018	2023	5	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2014	2023	9	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2014	2023	9	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2016	2023	7	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2015	2023	8	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2015	2023	8	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2014	2023	9	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2016	2023	7	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2013	2023	10	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2016	2023	7	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2018	2023	5	15	Within Useful Life
Utility	Ford Interceptor	2021	2023	2	15	Within Useful Life

<u>Vehicle Type</u>	<u>Make</u>	<u>Year</u>	<u>Current Year</u>	<u>Equipment/ Vehicle Life</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
Pick up Truck 4X4	Ford F250	2019	2023	4	15	Within Useful Life
Cargo Van	Ford T350	2021	2023	2	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2013	2023	10	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2018	2023	5	15	Within Useful Life
Four DOOR SUV AWD	Ford Explorer	2018	2023	5	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2021	2023	2	15	Within Useful Life
Four Door UTV	Polaris	2019	2023	4	15	Within Useful Life
Cargo Trailer	Wells Cargo	2021	2023	2	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2011	2023	12	15	Within Useful Life
Crew Cab Truck	F350 4x4	2013	2023	10	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2020	2023	3	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2016	2023	7	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2020	2023	3	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2021	2023	2	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2015	2023	8	15	Within Useful Life
Light Tower	WNCO	2020	2023	3	15	Within Useful Life
Utility	Ford Interceptor	2021	2023	2	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2021	2023	2	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2021	2023	2	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2013	2023	10	15	Within Useful Life
Four Door Sedan	Ford Crwn. Vic.	2006	2023	17	15	-2
Four Door Sedan	Ford Crwn.Vic	2010	2023	13	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2018	2023	5	15	Within Useful Life
Four Door SUV AWD	Ford Utility	2015	2023	8	15	Within Useful Life
Four Door SUV AWD	Ford Utility	2015	2023	8	15	Within Useful Life
Four Door SUV AWD	Ford Utility	2016	2023	7	15	Within Useful Life
Boat	Ribcraft	2018	2023	5	15	Within Useful Life
Cargo Van	Ford Transit	2019	2023	4	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2018	2023	5	15	Within Useful Life
1-Ton Van	Ford E350	2006	2023	17	15	-2
Speed Board	Wanco	2017	2023	6	15	Within Useful Life
Landscape Trailer	BigTx	2017	2023	6	15	Within Useful Life
Landscape Trailer	Master Trailer	1995	2023	28	15	-13
Portable Deisel Air Compr.	Utility Contractor	2005	2023	18	15	-3
Message Board	Traffic Trailer	2001	2023	22	15	-7
Message Board	Traffic Trailer	N/A	2023	N/A	N/A	N/A
Message Board	Traffic Trailer	2020	2023	3	15	Within Useful Life
Boat Trailer	Loadrite	2018	2023	5	15	Within Useful Life
Four Door Utility	Ford Utility	2014	2023	9	15	Within Useful Life
Enclosed 6 place Trailer	STRO Trailer	2005	2023	18	15	-3
Motorcycle	Harley Davidson	2020	2023	3	15	Within Useful Life
Motorcycle	Harley Davidson	2020	2023	3	15	Within Useful Life
Motorcycle	Harley Davidson	2020	2023	3	15	Within Useful Life
Motorcycle	Harley Davidson	2020	2023	3	15	Within Useful Life
Motorcycle	Harley Davidson	2020	2023	3	15	Within Useful Life
Motorcycle	Harley Davidson	2020	2023	3	15	Within Useful Life
Motorcycle	Harley Davidson	2020	2023	3	15	Within Useful Life
Message Board	Trafcon	2018	2023	5	15	Within Useful Life
Dive Bus	Ford E450	2003	2023	20	15	-5
YFM350	Yamaha	1998	2023	25	15	-10
Trailer	BigTx	2011	2023	12	15	Within Useful Life
Four Door SUV	Chevy Tahoe	2016	2023	7	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2016	2023	7	15	Within Useful Life
Four Door Sedan	Frd.Crw.Vic.	2010	2023	13	15	Within Useful Life
Four Door Sedan	Frd Crwn Vic	2008	2023	15	15	0
Prisoner Transport Van	Ford Transport	2016	2023	7	15	Within Useful Life
One-Ton Extended Van	Ford E-350	2010	2023	13	15	Within Useful Life
Message Board	Traffic Trailor	2010	2023	13	15	Within Useful Life
Four Door Sedan	Chevy Caprice	2013	2023	10	15	Within Useful Life
Half Ton Van	Ford E150 Van	2012	2023	11	15	Within Useful Life
Electric ATV	Polaris Ranger	2010	2023	13	15	Within Useful Life
Half-Ton van	Ford E150 Van	2012	2023	11	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2019	2023	4	15	Within Useful Life

<u>Vehicle Type</u>	<u>Make</u>	<u>Year</u>	<u>Current Year</u>	<u>Equipment/ Vehicle Life</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
4 Door Sedan	Ford Crwn Vic	2011	2023	12	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2019	2023	4	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2019	2023	4	15	Within Useful Life
4 Door Sedan	Ford Crown Vic	2009	2023	14	15	Within Useful Life
Cargo Van	E-150 van	2001	2023	22	15	-7
4X4 Pick up	F350 4x4	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Utility	2015	2023	8	15	Within Useful Life
Four Door SUV AWD	Ford Utility	2015	2023	8	15	Within Useful Life
Portable Air Compressor	Atlas Air Comp.	2013	2023	10	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life
Four Door SUV AWD	Ford Explorer	2017	2023	6	15	Within Useful Life

Wastewater Utility Vehicles 2022

<u>Vehicle Type</u>	<u>Make</u>	<u>Year</u>	<u>Current Year</u>	<u>Equipment/ Vehicle Life</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
Pickup	Chevy Colorado	2006	2023	17	10	-7
Pickup	Chevy Colorado	2006	2023	17	10	-7
Pickup	Ford F-250	2001	2023	22	10	-12
Pickup	Ford F-250	2011	2023	12	15	Within Useful Life
Pickup	Ford F-150	2011	2023	12	15	Within Useful Life
Pickup	Ford F-250	2011	2023	12	15	Within Useful Life
Van	Chevy Express	2012	2023	11	15	Within Useful Life
Backhoe	JD Backhoe	2000	2023	23	15	-8
Pickup	Ford F-150	2000	2023	23	15	-8
Pickup	Chevy Silverado	2006	2023	17	15	-2
Pickup	Chevy Silverado	2006	2023	17	15	-2
Mack	Mack Truck	2008	2023	15	15	0
Pickup	Ford F-250	2016	2023	7	15	Within Useful Life
Crane Truck	Ford F-550	2017	2023	6	15	Within Useful Life
Pickup	Ford F-150	2002	2023	21	15	-6
Pickup	Chevy Silverado	2006	2023	17	15	-2
Pickup	Ford F-250	2001	2023	22	15	-7
Pickup	Ford F 250	2015	2023	8	15	Within Useful Life
Pickup	Chevy Silverado	2006	2023	17	15	-2
Pickup	Ford F-250	2011	2023	12	15	Within Useful Life
Pickup	GMC Sierra	2009	2023	14	15	Within Useful Life
Van	GMC Van	2008	2023	15	15	0
TV Truck	Ford E-450	2015	2023	8	15	Within Useful Life
SUV	GMC Envoy	2008	2023	15	15	0
Pickup	Ford F-150	2001	2023	22	15	-7
Vac Truck	Aqua Tech	2013	2023	10	15	Within Useful Life
Vac Truck	Camel	2015	2023	8	15	Within Useful Life
Trailer	Lawnmower Trailer	-	2023	N/A	15	N/A
Forklift	Yale Forklift	1994	2023	29	15	-14
Trailor	Emergency Spill Trailor	2014	2023	9	15	Within Useful Life
Portable Gen.	Koler Trailor Gen.	2002	2023	21	15	-6
Portable Pump	Godwin Trailer Pump	2007	2023	16	15	-1

Water Utility 2022

<u>Vehicle Type</u>	<u>Make</u>	<u>Year</u>	<u>Current Year</u>	<u>Equipment/ Vehicle Life</u>	<u>Useful Life</u>	<u>Past Useful Life (Years)</u>
Pickup	Ford F-150	2009	2023	14	15	Within Useful Life
Pickup	Ford F-250	2000	2023	23	15	-8
Pickup	Ford F-150	2009	2023	14	15	Within Useful Life
Pickup	Ford F-250	2020	2023	3	15	Within Useful Life
Pickup	Ford Ranger	1998	2023	25	15	-10
SUV	Ford Explorer	2022	2023	1	15	Within Useful Life
SUV	Ford Escape	2009	2023	14	15	Within Useful Life
SUV	Ford Escape	2009	2023	14	15	Within Useful Life
Van	Ford Econoline	1995	2023	28	15	-13
Van	Ford Transit	2012	2023	11	15	Within Useful Life
Pickup	Ford F-350 Plow	2013	2023	10	15	Within Useful Life
Skid Loader	JD-318 Skid Steer	2011	2023	12	15	Within Useful Life
Backhoe	JD-410G Backhoe	2006	2023	17	15	-2
Vac Truck	Freightliner 114 SD Vac-con	2015	2023	8	15	Within Useful Life
Dump Truck	International 7300 Dump Truck	2014	2023	9	15	Within Useful Life
Pickup	Ford F-150	2012	2023	11	15	Within Useful Life
Van	Ford Transit	2013	2023	10	15	Within Useful Life
Pickup	Ford F-350 Lift Gate	2011	2023	12	15	Within Useful Life
Pickup	Ford F-350 Plow	2008	2023	15	15	0
Pickup	Ford F-350 Lift Gate	2011	2023	12	15	Within Useful Life
Pickup	Ford F-350 Plow with Crane	2008	2023	15	15	0
Box Truck	Ford F-650 box truck	2019	2023	4	15	Within Useful Life
Compressor	Sullair Compressor	2011	2023	12	15	Within Useful Life
Compressor	Sullair Compressor	2011	2023	12	15	Within Useful Life
Compressor	Sullair Compressor	2016	2023	7	15	Within Useful Life
Van	Ford Transit	2016	2023	7	15	Within Useful Life
Van	Ford Transit	2016	2023	7	15	Within Useful Life
Van	Ford Transit	2016	2023	7	15	Within Useful Life
Backhoe	JD 410L Backhoe	2016	2023	7	15	Within Useful Life
Sedan	Ford Fusion	2017	2023	6	15	Within Useful Life



Conor Baldwin
Chief Financial Officer

Austin Ball
Deputy CFO

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Conor Baldwin, Chief Financial Officer

CC: Theodoros Panagiotopoulos, City Treasurer/Collector

DATE: July 29, 2022

SUBJECT: INFORMATIONAL – Bond Sale – Capital Improvements

I am pleased to inform you that the City received competitive bids from bond underwriters on Wednesday, July 20, 2022, for a \$43,615,000, 25-year general obligation state qualified bond issue. Bank of America Securities was the winning bidder on the Bonds with an average net interest rate of 3.543%. The City received a total of 6 bids on the Bonds. The timeline on this sale was accelerated amidst concerns of increased rates in response to recent actions by the Federal Reserve. The level of competition and the extremely competitive rate will have budgetary benefits for the city over the life of the bonds.

Bond proceeds will be used to fund various municipal capital projects in the City including: improvements to the Lord Overpass, city-wide road paving and sidewalk repairs, bridge repairs, replacement of parking kiosks, and repairs to municipal garages, amongst other critical City Council priorities. The bond also included \$4 million in wastewater treatment facility improvements and \$5 million in clean water improvements. The largest single component of the bond, however, was for the local share of the Lowell High School construction project, at \$20.2 million. Using a sizeable premium earned on the sale of approximately \$3.4 million; the finance department was able to reduce the par value of the sale from \$46.9 million to \$43.6 million. The resizing of the bond will reduce the future debt service on the bonds and save the City approximately \$206,000 over the next 25 years.

Prior to the sale, S&P Global Ratings, a municipal bond credit rating agency, affirmed the City's 'AA-' underlying bond rating. The rating agency specifically cited the City's very strong management with strong financial policies and practices, strong budgetary performance and flexibility, very strong liquidity, and strong institutional framework as positive credit factors. Furthermore, S&P Global Ratings assigned the 'AA' enhanced rating to the Bonds as debt service is secured by the State Qualified Bond Act local state aid intercept program.

A copy of the credit rating is attached for your review. As was cited in the report from S&P, the City must be vigilant with reserve levels as S&P could lower the rating if the city draws on its fund balance to weak levels without a plan to replenish. Please let me know if you have any questions.

RatingsDirect®

Summary:

Lowell, Massachusetts; General Obligation; Non-School State Programs

Primary Credit Analyst:

Victor M Medeiros, Boston + 1 (617) 530 8305; victor.medeiros@spglobal.com

Secondary Contact:

Kaiti Vartholomaios, New York + 1(212) 438 0866; kaiti.vartholomaios@spglobal.com

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Summary:

Lowell, Massachusetts; General Obligation; Non-School State Programs

Credit Profile

US\$46.59 mil GO state qualified mun purp loan of 2022 bnds due 08/01/2052

<i>Long Term Rating</i>	AA/Stable	New
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<i>Underlying Rating for Credit Program</i>	AA-/Stable	New
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Lowell GO st qual rfdg bnds

<i>Long Term Rating</i>	AA/Stable	Affirmed
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<i>Underlying Rating for Credit Program</i>	AA-/Stable	Affirmed
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Rating Action

S&P Global Ratings assigned its 'AA' long-term rating and 'AA-' underlying rating to Lowell, Mass.' \$46.59 million general obligation (GO) state qualified municipal-purpose bonds. At the same time, S&P Global Ratings affirmed its ratings on the city's debt outstanding. The outlook is stable.

The city's full-faith-and-credit pledge, subject to limitations of Proposition 2-1/2, secures the bonds. We rate the limited-tax GO debt on par with our view of the city's general creditworthiness, given that we factor Lowell's revenue-raising flexibility and ability to pay debt service into our view of the rating.

Bond proceeds will fund various capital projects within the city. The majority (\$20.2 million) will fund high school construction costs. The construction of a new high school is the largest capital project the city is undertaking.

The total amount authorized is \$381.9 million, of which 80% is reimbursable by the Massachusetts School Building Authority (MSBA).

We base our 'AA' long-term rating on the bonds' eligibility under the Commonwealth's Chapter 44A Qualified Bond Act. The Massachusetts' Municipal Finance Oversight Board has authorized the city to issue bonds or notes as commonwealth-qualified bonds. Under the Qualified Bond Act, the state treasurer pays debt service directly to the paying agent and withholds the amount of the payment from the borrower's annual state aid appropriation, which it receives monthly. The rating is on par with Massachusetts' GO debt and will move in tandem with the state GO rating.

Credit overview

Lowell serves as a gateway city and a hub for the broader region. Its economy centers on education and health services but also benefits from manufacturing, trade, and professional services employment. The city has seen revitalization of several of its downtown parcels and industrial parks which have catered to new development and tax base growth. This has contributed to growth of its unused levy capacity and allowed management to maintain steady budgetary performance. The city benefits from strong management and its conservative budgeting practices. For fiscal 2021, it realized a strong 5% general fund surplus, increasing reserves to their highest point ever. While its financial

position is currently strong, we think sizable unfunded retirement liabilities will test management's ability to sustain reserves at these stronger levels, particularly in a weak economic cycle.

Additional rating factors supporting the 'AA-' rating include the city's:

- Below-average wealth and income indicators, although its economy benefits from its access to and participation in a broad and diverse metropolitan statistical area (MSA);
- Strong financial policies and practices under our Financial Management Assessment (FMA) methodology and strong institutional framework score;
- Stable budgetary performance and strong budgetary reserves and liquidity heading into fiscal year 2023; and
- Weak debt and contingent liability profile reflecting a large pension and other postemployment benefit (OPEB) obligation.

Environmental, social, and governance

Given its location along the Merrimack River, flooding has occurred in certain sections, slightly elevating the city's environmental risks. However, we do not believe these infrequent occurrences pose an abnormal near-term credit risk for the community or its tax base. The city remains very active in resiliency planning and continually invests in infrastructure improvements to mitigate climate-related concerns. We view governance and social risks as being neutral in our credit rating analysis.

Stable Outlook

Downward scenario

We could lower the rating if the city draws on its fund balance to weak levels without a plan to replenish.

Upward scenario

Over time, we could raise the rating if positive economic development were to continue, growing per capita market values to stronger levels. In addition, the city would need to maintain structural balance amid growing debt, pension, and OPEB costs, while sustaining strong budgetary flexibility and addressing its sizable unfunded OPEB liability.

Credit Opinion

Stable economic profile with some growth prospects, benefiting from its location in the broad and diverse Boston MSA

Lowell's economy centers on education and health services but also benefits from manufacturing, trade, and professional services employment. Leading employers include Lowell General Hospital, U-Mass Lowell, and Kronos (a cloud-based workforce management software company). Officials are looking to rebrand the city as an education hub by leveraging the presence of U-Mass Lowell and Middlesex Community College and making them part of the effort to revitalize the downtown area.

Economic development initiatives suffered little effects from the pandemic, and many remain at various stages of planning or construction. The city's commercial sector continues to realize growth with new retail businesses moving

in and several existing businesses expanding. Its economic development incentive program and partnership with the Lowell Development and Financial Corp. has led to over \$150 million in private investment in the past 15 years. Since 2018, the city's assessed value (AV) has grown by 39% to over \$10.6 billion. Residential properties make up 90% of the AV, while commercial and industrial accounts for 10%.

The county unemployment rate has come down to pre pandemic levels, although we note U.S. real-time economic trackers show high prices and interest rates continuing to slow economic activity. The city's economy should remain stable, although local unemployment in the past has exceeded both county and state averages during weak economic cycles. For more information on S&P Global Economics' view, see "Economic Outlook U.S. Q3 2022: The Summer Of Our Discontent," published June 27, 2022, on RatingsDirect.

Well-grounded budgetary assumptions and continued emphasis on financial monitoring and planning highlights its financial management practices and procedures

Officials are conservative with revenue and expenditure assumptions, and they consider historical trends when developing the budget. They have the flexibility to amend the budget as needed, and management monitors performance regularly and makes monthly reports on budget-to-actual results to the city council. It performs formal financial forecasting and maintains a five-year capital improvement plan it updates annually.

Management also maintains a formal reserve policy that requires reserves, including free cash and stabilization funds, but excludes the commonwealth-mandated Chapter 17 special stabilization fund, to remain at 5%-10% of general operating revenue. Lowell follows an internal investment policy and reports on investment holdings and earnings annually. Finally, the city maintains a debt policy that caps debt at 1.5% of total AV and debt service at 10% of general fund revenue.

We note in September 2018, the city developed and adopted an OPEB policy to address the financial challenge those liabilities pose. The policy dedicates an annual appropriation into the budget, beginning in fiscal year 2020, of 10% of the annual certified free cash total to the OPEB trust.

Lastly, the city maintains a Computer Use Policy, which it established in 2018. The intent of the policy is to mitigate cyber security breaches and ensure that the technology resources made available to employees are responsibly managed.

Lowell's financial reserves are at its strongest level and budgetary performance remains steady with the aid of ARPA and CARES Act funding.

Strong management and historically conservative budgeting practices have allowed the city to maintain stable financial operations over several years. Despite early concerns for revenue reductions because of the pandemic, management did well to manage its costs with the support of stimulus funds, which the city used in certain situations to support the budget. Lowell was able to produce a sizable surplus at the close of fiscal 2021, increasing budgetary reserves to strong levels. For fiscal 2022, the city estimates another operating surplus for similar reasons, although not as robust.

State aid, along with property taxes, make up 47% and 34% of general fund revenues, respectively. While we believe the city is likely to face financial pressures due to the weakening economy, management, as it has demonstrated in the

past, will take the necessary and substantive steps to maintain structural balance. The city has about \$18.1 million in unused levy capacity, which management forecasts it will use to accommodate budgetary growth. Lowell has been actively working to build unused levy capacity in anticipation of higher debt service relating to the high school's construction, and to accommodate other budgetary needs.

The 2023 budget totals \$502 million (an 8.3% increase over the prior year), with most of the increase relating to expenditures in education, other fixed costs, and state assessments. Property taxes will increase by 5.5% and the city is also receiving \$22.4 million in additional state aid funding because of the implementation of the Student Opportunity Act, which benefits its school department substantially. The city received upward of \$76 million in direct ARPA funds, and the school district is also benefiting from Elementary and Secondary School Emergency Relief (ESSER) stimulus funds, which we believe provides additional operating flexibility to manage. The city appropriated roughly \$10 million toward lost revenues in 2021 and 2022. It anticipates allocating the remainder toward capital and economic development initiatives.

Weak debt and contingent liability profile reflecting sizable pension and OPEB liabilities and the prospect of an increasing debt load

The city's direct debt totals \$363 million between the government and enterprise funds. Factoring in \$42.9 million in self-support from the enterprise, the net direct debt accounts for roughly 58% of total governmental fund revenue.

The city is currently planning on issuing additional GO debt over the next four years to finance a portion of the new high school, as well as for water and sewer projects and other city capital needs. The Lowell High School project has an expected completion date set for fall 2026. The total debt authorization is for \$381 million, but the city had to recently approve additional funds to manage higher material costs. The city and commonwealth will share the cost of the high school, with Lowell ultimately responsible for 20% of project costs.

Pension and OPEB highlights:

- In our opinion, a credit weakness is Lowell's large pension and OPEB obligation, without a plan in place that we think will sufficiently keep costs from escalating.
- We believe the low pension funded ratio, permissive assumptions, and large OPEB liability, collectively, result in a liability profile that will likely pressure the operating budget, particularly if assumptions are not met.
- While the use of an actuarially determined contribution (ADC) is a positive, we believe some of the assumptions used to build the pension ADC reflect what we view as slightly weak assumptions and methodologies, which we believe increases the risk of unexpected contribution escalations.
- Although the city began prefunding its OPEB liability, annual costs are paid on a pay-as-you-go basis, which, due to claims volatility and medical-cost and demographic trends, is likely to lead to escalating costs.

As of June 30, 2021, the city participated in the following plans:

- Lowell Contributory Retirement System, using a 7.10% discount rate, with an unfunded liability of \$293.6 million, and funded ratio of 61.2%.
- A single employer defined OPEB plan with an unfunded liability of \$883.2 million, and a funded ratio of 1.5%.

As it stands, Lowell is amortizing its unfunded liability with full funding planned for 2036. While we view the city's commitment to funding its pension ADC and periodically lowering the discount rate as positive steps, we believe current underlying plan assumptions and amortization methods still leave Lowell exposed to increasing and potentially volatile cost escalations.

Lowell has established an OPEB trust and maintains policies in funding the liability. While the practice of prefunding the OPEB liability is positive and guided by policy, the city's liability is sizable and will undoubtedly lead to higher costs over time, thereby challenging the budget.

Strong institutional framework

The institutional framework score for Massachusetts municipalities is strong.

Lowell, MA -- Key Credit Metrics				
	Most recent	Historical information		
		2021	2020	2019
Adequate economy				
Projected per capita EBI % of U.S.	79			
Market value per capita (\$)	95,286			
Population		112,018	112,711	112,151
County unemployment rate(%)	4.6			
Market value (\$000)	10,673,763	9,453,615	9,043,323	
Ten largest taxpayers % of taxable value	7.5			
Strong budgetary performance				
Operating fund result % of expenditures		5.0	(0.2)	1.3
Total governmental fund result % of expenditures		3.5	(0.0)	0.5
Strong budgetary flexibility				
Available reserves % of operating expenditures		11.2	5.7	5.9
Total available reserves (\$000)		45,105	23,216	22,004
Very strong liquidity				
Total government cash % of governmental fund expenditures		22	19	15
Total government cash % of governmental fund debt service		1,076	572	695
Very strong management				
Financial Management Assessment	Strong			
Very weak debt & long-term liabilities				
Debt service % of governmental fund expenditures		2.1	3.3	2.1
Net direct debt % of governmental fund revenue	58			
Overall net debt % of market value	3.1			
Direct debt 10-year amortization (%)	48			
Required pension contribution % of governmental fund expenditures		5.7		
OPEB actual contribution % of governmental fund expenditures		3.7		
Strong institutional framework				

EBI--Effective buying income. OPEB--Other postemployment benefits.

Related Research

- Through The ESG Lens 3.0: The Intersection Of ESG Credit Factors And U.S. Public Finance Credit Factors, March 2, 2022

Ratings Detail (As Of July 13, 2022)		
Lowell GO		
<i>Long Term Rating</i>	AA/Stable	Affirmed
<i>Unenhanced Rating</i>	NR(SPUR)	
<i>Underlying Rating for Credit Program</i>	AA-/Stable	Affirmed
Lowell GO mun purp loan bonds ser 2018 due 03/01/2038		
<i>Long Term Rating</i>	AA-/Stable	Affirmed
Lowell GO st qual mun purp loan bnds		
<i>Long Term Rating</i>	AA/Stable	Affirmed
<i>Underlying Rating for Credit Program</i>	AA-/Stable	Affirmed
Lowell GO st qual mun purp loan ser 2020 due 09/01/2050		
<i>Long Term Rating</i>	AA/Stable	Affirmed
<i>Underlying Rating for Credit Program</i>	AA-/Stable	Affirmed
Lowell GO st qual rfdg bnds ser 2021 due 03/01/2030		
<i>Long Term Rating</i>	AA/Stable	Affirmed
<i>Underlying Rating for Credit Program</i>	AA-/Stable	Affirmed
Lowell NONSCHSTPR		
<i>Long Term Rating</i>	AA/Stable	Affirmed
<i>Underlying Rating for Credit Program</i>	AA-/Stable	Affirmed

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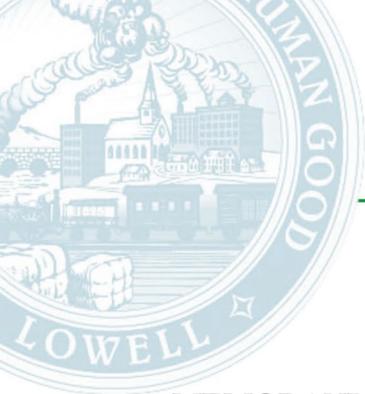
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Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose.
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

SUBJECT: INFORMATIONAL – Marijuana Delivery

The Department of Planning and Development (DPD) is providing a proposed zoning ordinance to that creates a permitting pathway for marijuana delivery operators in the City. We are confident that this proposed ordinance will provide the City the ability to thoughtfully regulate marijuana delivery and it is in compliance with the Massachusetts Cannabis Control Commission’s general marijuana regulations.

The DPD recommends the City Council refer this proposed zoning ordinance to either the Cannabis Control Subcommittee or the Zoning Subcommittee for review and discussion.

CMM

Attachment

Cc: Fran Cigliano, Senior Planner

REVISIONS TO MARIJUANA ORDINANCE

7/12/2022

1. Amend ARTICLE II DEFINITIONS as follows:

REGISTERED MARIJUANA USE: A use engaged in the commercial cultivation, assembly, production, processing, packaging, retail or wholesale, trade, distribution, dispensing, or delivery of recreational Marijuana that is regulated by the Massachusetts Department of Public Health and the Cannabis Control Commission.

MARIJUANA DELIVERY OPERATOR: An entity licensed to purchase at wholesale and warehouse finished Marijuana Products acquired from a Marijuana Cultivation Facility and sell and deliver finished Marijuana Products and Marijuana Accessories directly to consumers. A Delivery Operator is not authorized to repackage marijuana or marijuana or open a storefront under this license. The Delivery Operator must be licensed by the Cannabis Control Commission and the Massachusetts of Department of Public Health.

RECREATIONAL/COMMERCIAL MARIJUANA DISPENSARY: The retail sale of recreational/commercial marijuana and marijuana product items to a person twenty-one years of age and older, provided that the marijuana retailer is licensed by the Cannabis Control Commission (MA) and the Massachusetts Department of Public Health for recreational marijuana sales. This definition shall also apply to marijuana store-front retailer ~~and marijuana delivery retailer.~~

2. Amend ARTICLE XII: TABLE OF USES, by inserting a new use as follows:

12.9 INDUSTRIAL USES	SSF	SMF	SMU	RR	TSF	TTF	TMF	TMU	NB	USF	UMF	UMU	DMU	HRC	INST	OP	LI	GI
12.9.q Marijuana Delivery Operator	N	N	N	PB	N	N	N	N	N	N	N	N	N	PB	N	PB	Y	Y

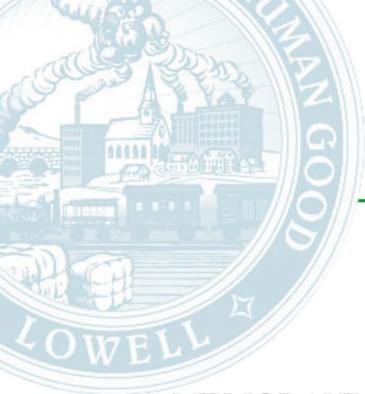
3. Amend ARTICLE XIII: TABLE OF ACCESSORY USES, by inserting a new use as follows:

ACCESSORY USES	SSF	SMF	SMU	RR	TSF	TTF	TMF	TMU	NB	USF	UMF	UMU	DMU	HRC	INST	OP	LI	GI
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r. Marijuana Delivery Operator, as an accessory use to a Marijuana Cultivation Facility	N	N	N	PB	N	N	N	N	N	N	N	N	N	N	PB	N	PB	Y	Y
---	---	---	---	----	---	---	---	---	---	---	---	---	---	---	----	---	----	---	---

4. Amend 6.1.4 Table of Parking Requirements, by inserting the following new sections into said table:

6.1.4(9)(u) Marijuana Delivery Operator, where permitted, 1 space/1,200 sq. ft.



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr. City Manager 

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

SUBJECT: INFORMATIONAL – Downtown Mixed Use Zoning Regulations

The Department of Planning and Development is pleased to provide draft zoning amendments to the City's parking requirements, parking layout, and allowed uses in our Downtown Mixed Use (DMU) zoning district in an effort to support and streamline redevelopment of existing buildings in our Downtown. This DRAFT ordinance is a result of a joint Zoning/Housing subcommittee motion that requested the DPD to review regulatory barriers to redevelopment in our Downtown Mixed Use (DMU) zoning district. We recommend that this proposed zoning ordinance is referred to the joint Zoning/Housing subcommittee for further discussion.

CMM

Attachment

Cc: Fran Cigliano, Senior Planner

Proposed Revisions – Downtown Mixed-Use (DMU) zoning district
6/30/2022

Section 6.1.4 Table of Parking Requirements

1. RESIDENTIAL USES	Zone	Min. Parking Req.
c. Multi-family dwelling including 3-6 units	DMU	1 space per du 0 spaces
	All other permitted zones	.75 spaces per bedroom or 2 spaces per du, whichever is greater [Ord. 4-18-06]
d. Multi-family dwelling including 7 or more units	DMU	1 space per du 0 spaces
	All other permitted zones	.75 spaces per bedroom or 2 spaces per du, whichever is greater [Ord. 4-18-06]
g. One or two dwelling units in a building with a legal non-residential use on the ground floor.	DMU	0 spaces
	All other permitted zones	2 spaces per du
h. Senior Congregate Housing, including, but not limited to, assisted living facilities.	DMU	0 spaces
	All other permitted zones	1 space per du
k.(1) Tourist home; bed and breakfast inn	DMU	0 spaces
	All other permitted zones	1 space per room
k.(2) Boarding or Lodging house, fraternity	DMU	0 spaces
	All other permitted zones	1 space per 2 beds
k.(3) Dormitory	DMU	0 spaces
	All other permitted zones	1 space per 2 beds
k.(4) Hotel	DMU	0 spaces
	All other permitted zones	1 space per room
k.(5) Motel	DMU	0 spaces
	All other permitted zones	1 space per room

Section 6.1.6 Location and Layout of Parking Facilities

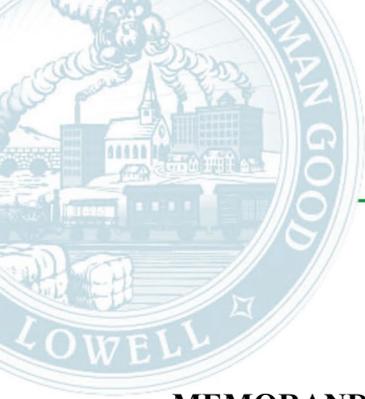
6.1.6(5). In the UMU, TMU, INST, and NB districts ~~and for residential uses in the DMU district~~, all parking requirements may be met by leasing spaces in publicly-owned off-street parking facilities located within one thousand five hundred (1,500) feet of an entrance to the use by special permit if the Planning Board finds that said public parking will accommodate the parking demands of the proposed project. [Ord. 4-18-06]

Article XII Table of Uses

12.1 RESIDENTIAL USES [Ord. 11-13-07]	DMU
a. One detached dwelling unit on a lot occupied by not more than one family	N
b. Two detached or attached dwelling units on a lot occupied by not more than one family each	N
c. Three (3) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments**	SP Y**
d. Four to six (4-6) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, townhouses, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments	SP Y**
e. Seven or more to ten (7-10) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed use project with other uses allowed in the district, including townhouse developments)	SP Y**
f. Eleven (11) or more dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed use project with other uses allowed in the district, including townhouse developments)	SP**^
h. One or two dwelling units in a building with a legal non-residential use on the ground floor.	Y
i. Senior Congregate Housing, including, but not limited to, assisted living facilities.	SP
k.(1) Tourist home; bed and breakfast inn	SP
k.(2) Boarding or Lodging house, fraternity	SP
k.(3) Dormitory	SP
k.(4) Hotel	Y
k.(5) Motel	Y

** Townhouse developments are not allowed in the NB, DMU, HRC, or INST districts.

^ See Section 11.3.10 [Ord. 11-24-09]



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr. City Manager 

FROM: Christine McCall, Assistant City Manager/DPD Director

DATE: August 9, 2022

SUBJECT: INFORMATIONAL – Gallagher Station TOD Draft Overlay District

The Department of Planning and Development is pleased to provide a draft Transit Oriented Development Plan for the area surrounding the Gallagher Train Station for the City of Lowell. At the end of last year, the City received a grant from MassDevelopment to create a TOD Plan within a 1/2 mile radius of the Station. The goal of this plan is to promote revenue generating commercial and high density residential land uses, alternative transportation options, open space, and entertainment/recreational amenities, as well as comply with the new multifamily zoning requirements for MBTA communities.

Attached to this memorandum is a DRAFT zoning ordinance for review. The DPD recommends referring this to the City Council Zoning Subcommittee for review. The City of Lowell is required to have a compliant zoning district by 2024.

CMM

Attachment

Cc: Fran Cigliano, Senior Planner

LOWELL MULTI-FAMILY OVERLAY – HIGH-RISE (MFOH)

Draft as of 6/30/22

XX.XX.XX Purpose

The purpose of this Section XX is to establish the Multi-Family Overlay – High-Rise, to permit transit-oriented, multi-family housing construction in accordance with the purposes of M.G.L. Chapter 40A, Section 3A. Projects within the Lowell Multi-Family Overlay – High-Rise zone that do not have a majority of the gross square footage of building area dedicated to Residential uses shall refer to the underlying zone(s) for dimensional requirements, parking requirements, development guidelines, and permitted uses.

XX.XX.XX Establishment of District

The Lowell Multi-Family Overlay – High-Rise, hereinafter referred to as the “MFOH,” is an overlay district having a land area of approximately 7 acres in size that is superimposed over the underlying zoning district(s) and is shown on the Zoning Map for the City of Lowell.

XX.XX.XX Permitted Uses

The following uses are permitted as-of-right for Projects within the MFOH. Projects of any use not specifically identified as allowed under this Section XX shall refer to the list of allowable uses in the underlying zone(s).

A Project within the MFOH may include:

1. Two detached or attached dwelling units on a lot occupied by not more than one family each
2. Three (3) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
3. Four to six (4-6) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, townhouses, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
4. Seven (7) or more units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
5. One or two dwelling units in a building with a legal non-residential use on the ground

XX.XX.XX Dimensional Requirements

Table of Requirements. The dimensional requirements applicable to Projects in the MFOH with a majority of the gross square footage of building area dedicated to Residential uses are as follows:

Requirement	MFOH
Maximum height (feet, stories)	200, 15
Minimum lot area per unit (square feet)	0
Minimum front yard (square feet)	0
Minimum side yard (feet)	0*
Minimum usable open space per unit (square feet)	0

*Podium, with 30' minimum side yard for tower. A tower-and-podium building includes a tower constructed on top of a 3 to 7 story podium base. The tower must be set back from the lot line.

XX.XX.XX Parking Requirements

Parking at a rate of up to 0.5 spaces per dwelling unit may be provided on-site such that it is fully accessible to the general public 24-hours per day both by car from a driveway accessing a public right-of-way as well as by foot from a level ADA-compliant walkway connecting to a public sidewalk along the primary frontage of the building. The entirety of this parking supply may be provided off-site, and the entirety of any parking provided in excess of this rate must be provided off-site. Any off-site parking must be recorded with the building permit along with a current documented leasehold, shared parking, or other acceptable agreement. Any off-site parking must be located within 1,200-feet of the primary building entrance along a publicly-accessible and ADA-compliant walking route.

XX.XX.XX Development Standards. The development shall contribute to a high quality, vibrant, transit-oriented district while not interfering with the environmental conditions of adjacent properties. To achieve these objectives, the following standards shall be met:

1. Ground floor uses and entrances: More actively occupied non-residential interior spaces shall correspond to more actively used public streets and public spaces. Primary non-residential and lobby entrances shall be located towards public streets and public spaces rather than towards automobile parking. Each ground floor residential unit shall have an individual exterior entrance.
2. Private outdoor space: Buildings containing more than four units shall provide each residential unit with a private outdoor space that must have an unobstructed area of 24 square feet that may be used for seating. Private outdoor spaces must be provided as a balcony, deck, patio, porch, roof deck, roof terrace, or yard that is directly accessible by a doorway from a habitable room within the dwelling unit the outdoor amenity space is meant to serve. Residential units above the podium level in high-rise buildings are exempt from this requirement.
3. Materials: Chain link fence, barbed wire, razor wire, and chicken wire are not permitted where visible from public streets or public parks. Architectural character and expression shall be of consistently high quality on all exterior portions and sides of a structure. Accessory components and building systems including by not limited to porches, canopies, railings, gates, fences, garden walls, lighting, mechanical penthouses, balconies, doors, lighting, weather protection, and gutters shall reinforce the overall building style.

4. Building orientation: Building mass shall generally parallel streets at the ground level. Upper-story orientation may vary, provided that buildings continue to create a sense of enclosure to public streets and parks.
5. Building articulation: Larger buildings shall avoid the appearance of a wall by adding variation to the height profile. Larger buildings shall articulate at least every 60 feet of facade length throughout the ground floor level by using techniques such as offsets, projections, and recesses. Building design shall distinguish the podium from upper stories to create visual variety.
6. Wind: Site, open space, and building design strategies shall block wind, particularly prevailing winds and downdrafts. Coniferous vegetation may be planted on the north sides of open spaces and along the edges and against any blank walls. Proposed buildings that are over 150 feet or at least twice as tall as any adjacent building shall be required to study the pedestrian-level wind impact of the building by wind tunnel or other appropriate means of testing.
7. Sun and shadow: Sites and buildings shall minimize shadows on residential uses and public open spaces. Applications shall include a shadow analysis with before-and-after scenarios. The analysis shall consider shadows on three representative days of the year (March 21, June 21, and December 21). For each day, the analysis shall consider those shadows occurring each hour between 1.5 hours after sunrise and 1.5 hours before sunset. The results will be evaluated according to the seasonal reach and uses impacted. Preference shall be given to planting deciduous trees on the southern face of a building or outdoor area to provide shade in the summer and allow sunlight to filter in the winter.
8. Service areas: Mechanical equipment, refuse storage, service areas, and loading areas not entirely enclosed within buildings shall be located outside required setbacks and not within 10 feet of any property line, and shall be permanently screened from view from adjacent public streets and parks and from abutting property under separate ownership when on the ground.
9. Motor vehicle access and parking: Surface motor vehicle parking is generally prohibited in the area between building frontages and public streets or parks. Access drives shall provide direct access to parking and loading elsewhere on the site. Each 100 feet of frontage shall have a maximum of one access drive. Access drives are encouraged to be shared with abutting sites, both existing and planned.
10. Motor Vehicle Parking Garages: Parking garages shall be located within the interior of the site to minimize visibility from public streets and parks. People walking and using wheeled devices shall have direct access to parking garages from a public street. Parking shall be designed to have the ability to be shared with other users or be publicly accessible.

LOWELL MULTI-FAMILY OVERLAY – MID-RISE (MFOM)

Draft as of 6/30/22

XX.XX.XX Purpose

The purpose of this Section XX is to establish the Multi-Family Overlay - Mid-Rise, to permit transit-oriented multi-family housing construction in accordance with the purposes of M.G.L. Chapter 40A, Section 3A. Projects within the Lowell Multi-Family Overlay – Mid-Rise zone that do not have a majority of the gross square footage of building area dedicated to Residential uses shall refer to the underlying zone(s) for dimensional requirements, parking requirements, development guidelines, and permitted uses.

XX.XX.XX Establishment of District

The Lowell Multi-Family Overlay - Mid-Rise, hereinafter referred to as the “MFOM,” is an overlay district having a land area of approximately 241 acres in size that is superimposed over the underlying zoning district(s) and is shown on the Zoning Map for the City of Lowell.

XX.XX.XX Permitted Uses

The following uses are permitted as-of-right for Projects within the MFOM. Projects of any use not specifically identified as allowed under this Section XX must refer to the list of allowable uses in the underlying zone(s).

A Project within the MFOM may include:

1. One detached dwelling unit on a lot occupied by not more than one family
2. Two detached or attached dwelling units on a lot occupied by not more than one family each
3. Three (3) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
4. Four to six (4-6) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, townhouses, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
5. Seven (7) or more units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
6. One or two dwelling units in a building with a legal non-residential use on the ground

XX.XX.XX Dimensional Requirements

Table of Requirements. The dimensional requirements applicable to Projects in the MFOM with a majority of the gross square footage of building area dedicated to Residential uses are as follows:

Requirement	MFOM
Maximum height (feet, stories)	85, 7
Minimum lot area per unit (square feet)	200
Minimum front yard (feet)	0

Minimum side yard (feet)	0*
Minimum usable open space per unit (square feet)	0

*Except if abutting residential use, then 5' from abutting residential lot line.

XX.XX.XX Parking Requirements

Parking at a rate of up to 1.0 spaces per dwelling unit may be provided on-site such that it is fully accessible to the general public 24-hours per day both by car from a driveway accessing a public right-of-way as well as by foot from a level ADA-compliant walkway connecting to a public sidewalk along the primary frontage of the building. The entirety of this parking supply may be provided off-site, and the entirety of any parking provided in excess of this rate must be provided off-site. Any off-site parking must be recorded with the building permit along with a current documented leasehold, shared parking, or other acceptable agreement. Any off-site parking must be located within 1,200-feet of the primary building entrance along a publicly-accessible and ADA-compliant walking route.

XX.XX.XX Development Standards. The development shall contribute to meeting the multifamily housing objective while harmonizing with existing adjacent land uses and not interfering with the privacy, connectivity, environmental condition, and amenity of adjacent properties. To achieve these objectives, the following standards shall be met:

1. Ground floor uses and entrances: Each separately leased retail space shall have an individual public entrance onto the abutting street. More actively occupied non-residential interior spaces shall correspond to more actively used public streets and public spaces. Primary non-residential and lobby entrances shall be located towards public streets and public spaces rather than towards automobile parking. Each ground floor residential unit shall have an individual exterior entrance.
2. Private outdoor space: Buildings containing more than four units shall provide each residential unit with a private outdoor space that must have an unobstructed area of 24 square feet that may be used for seating. Private outdoor spaces must be provided as a balcony, deck, patio, porch, roof deck, roof terrace, or yard that is directly accessible by a doorway from a habitable room within the dwelling unit the outdoor amenity space is meant to serve.
3. Materials: Chain link fence, barbed wire, razor wire, and chicken wire are not permitted where visible from public streets or public parks. Architectural character and expression shall be of consistently high quality on all exterior portions and sides of a structure. Accessory components and building systems including by not limited to porches, canopies, railings, gates, fences, garden walls, lighting, mechanical penthouses, balconies, doors, lighting, weather protection, and gutters shall reinforce the overall building style.
4. Building orientation: Building mass shall generally parallel streets at the ground level. Upper-story orientation may vary, provided that buildings continue to create a sense of enclosure to public streets and parks.
5. Building articulation: Larger buildings shall avoid the appearance of a wall by adding variation to the height profile. Larger buildings shall articulate at least every 60 feet of facade length throughout the ground floor level by using techniques such as offsets,

projections, and recesses. Building design shall distinguish the podium from upper stories to create visual variety.

6. Sun and shadow: Sites and buildings shall minimize shadows on residential uses and public open spaces. Applications shall include a shadow analysis with before-and-after scenarios. The analysis shall consider shadows on three representative days of the year (March 21, June 21, and December 21). For each day, the analysis shall consider those shadows occurring each hour between 1.5 hours after sunrise and 1.5 hours before sunset. The results will be evaluated according to the seasonal reach and uses impacted. Preference shall be given to planting deciduous trees on the southern face of a building or outdoor area to provide shade in the summer and allow sunlight to filter in the winter.
7. Service areas: Mechanical equipment, refuse storage, service areas, and loading areas not entirely enclosed within buildings shall be located outside required setbacks and not within 10 feet of any property line, and shall be permanently screened from view from adjacent public streets and parks and from abutting property under separate ownership when on the ground.
8. Motor vehicle access and parking: Surface motor vehicle parking is generally prohibited in the area between building frontages and public streets or parks. Access drives shall provide direct access to parking and loading elsewhere on the site. Each 100 feet of frontage shall have a maximum of one access drive. Access drives are encouraged to be shared with abutting sites, both existing and planned.
9. Motor Vehicle Parking Garages: Parking garages shall be located within the interior of the site to minimize visibility from public streets and parks.

LOWELL MULTI-FAMILY OVERLAY – NEIGHBORHOOD (MFON)

Draft as of 6/30/22

XX.XX.XX Purpose

The purpose of this Section XX is to establish the Multi-Family Overlay - Neighborhood, to permit transit-oriented multi-family housing construction in accordance with the purposes of G.L. Chapter 40A, Section 3A. Projects within the Lowell Multi-Family Overlay – Neighborhood zone that do not have a majority of the gross square footage of building area dedicated to Residential uses shall refer to the underlying zone(s) for dimensional requirements, parking requirements, development guidelines, and permitted uses.

XX.XX.XX Establishment of District

The Lowell Multi-Family Overlay - Neighborhood, hereinafter referred to as the “MFON,” is an overlay district having a land area of approximately 49 acres in size that is superimposed over the underlying zoning district(s) and is shown on the Zoning Map for the City of Lowell.

XX.XX.XX Permitted Uses

The following uses are permitted as-of-right for Projects within the MFON. Projects of any use not specifically identified as allowed under this Section XX must refer to the list of allowable uses in the underlying zone(s).

A Project within the MFON may include:

1. One detached dwelling unit on a lot occupied by not more than one family
2. Two detached or attached dwelling units on a lot occupied by not more than one family each
3. Three (3) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
4. Four to six (4-6) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, townhouses, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
5. Seven (7) or more units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
6. One or two dwelling units in a building with a legal non-residential use on the ground

XX.XX.XX Dimensional Requirements

Table of Requirements. The dimensional requirements applicable to Projects in the MFON with a majority of the gross square footage of building area dedicated to Residential uses are as follows:

Requirement	MFON
Maximum height (feet, stories)	35, 3
Minimum lot area per unit (square feet)	800
Minimum front yard (feet)	0
Minimum side yard (feet)	5 SUM 20*
Minimum usable open space per unit (square feet)	0

*An individual side yard may be 5’ deep, so long as the sum of the depths of all side yards is equal to at least 20’.

XX.XX.XX Parking Requirements

Parking at a rate of at least 0.5 spaces per dwelling unit may be provided on-site. The entirety of this parking supply may be provided off-site. Any off-site parking must be recorded with the building permit along with a current documented leasehold, shared parking, or other acceptable agreement. Any off-site parking must be located within 1,200-feet of the primary building entrance along a publicly-accessible and ADA-compliant walking route.

XX.XX.XX Development Standards. The development shall contribute to creating a high-quality residential neighborhood, increase the supply of housing units in the district, and not interfere

with the privacy and amenity of adjacent properties. To achieve these objectives, the following standards shall be met:

1. Ground floor uses and entrances: Primary non-residential and lobby entrances shall be located towards public streets and public spaces rather than towards automobile parking.
2. Private outdoor space: Buildings containing more than four units shall provide each residential unit with a private outdoor space that must have an unobstructed area of 24 square feet that may be used for seating. Private outdoor spaces must be provided as a balcony, deck, patio, porch, roof deck, roof terrace, or yard that is directly accessible by a doorway from a habitable room within the dwelling unit the outdoor amenity space is meant to serve.
3. Materials: Chain link fence, barbed wire, razor wire, and chicken wire are not permitted where visible from public streets or public parks. Architectural character and expression shall be of consistently high quality on all exterior portions and sides of a structure. Accessory components and building systems including by not limited to porches, canopies, railings, gates, fences, garden walls, lighting, mechanical penthouses, balconies, doors, lighting, weather protection, and gutters shall reinforce the overall building style.
4. Motor vehicle access and parking: Surface motor vehicle parking is generally prohibited in the area between building frontages and public streets or parks. Access drives shall provide direct access to parking and loading elsewhere on the site. Each 100 feet of frontage shall have a maximum of one access drive. Access drives are encouraged to be shared with abutting sites, both existing and planned.
5. Motor Vehicle Parking Garages: Parking garages shall be located within the interior of the site to minimize visibility from public streets and parks.

USE TABLE ADDITIONS

	TMF	NB	UMU	DMU	HRC	HCD	LI	SG	MFOH	MFOM	MFON
12.1 Residential uses											
a. One detached dwelling unit on a lot occupied by not more than one family	Y	N	SP	N	N	N	N	N	N	Y	Y
b. Two detached or attached dwelling units on a lot occupied by not more than one family each	Y	N	SP	N	N	N	N	N	Y	Y	Y
c. Three (3) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)	PB	PB	PB	SP	N	Y	N	N	Y	Y	Y

d. Four to six (4-6) dwelling units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, townhouses, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)	PB	PB	PB	SP	N	Y	N	Y	Y	Y	Y
e. Seven (7) or more units on one lot (in any combination of single-family detached dwelling units, attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)	N	PB	PB	SP	SP	Y	N	Y	Y	Y	Y
h. One or two dwelling units in a building with a legal non-residential use on the ground	Y	Y	Y	SP	SP	N	SP	N	Y	Y	Y

COMMONWEALTH OF MASSACHUSETTS
CITY OF LOWELL

In City Council

VOTE

Authorizing the City Manager to Accept and to Expend Funds from the First Responders-Comprehensive Addiction and Recovery Support Services Act (FR-CARA) grant from the Substance Abuse and Mental Health Services Administration (SAMHSA), to be administered by the City of Lowell Health Department.

The City of Lowell is desirous of accepting and expending said Grant from the U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA); and

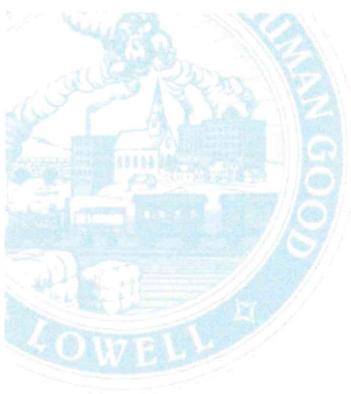
The FR-CARA Grant will make available to the City the sum of Four Hundred Sixty-Seven Thousand Four Hundred Twenty-Two and 00/100 (\$467,422.00) Dollars to support efforts to enhance existing naloxone distribution, harm reduction, and post-overdose outreach in the City of Lowell. This federal funding will total 1.9 million dollars over a period of four years, commencing on September 30, 2022 and running through September 29, 2026.

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL:

That the City Manager be and is hereby authorized to accept and expend First Responders-Comprehensive Addiction and Recovery Support Services Act (FR-CARA) grant funds from the Substance Abuse and Mental Health Services Administration (SAMHSA), to be administered by the City of Lowell Health Department in the amount of Four Hundred Sixty-Seven Thousand Four Hundred Twenty-Two and 00/100 (\$467,422.00) Dollars to support efforts to enhance existing naloxone distribution, harm reduction, and post-overdose outreach in the City of Lowell.

BE IT FURTHER VOTED:

That the City Manager, on behalf of the City of Lowell, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA), including the expenditure thereof.



Lisa Golden, RN, MSN
Director of Health & Human Services
978.674.1050

TO: Thomas Golden, City Manager
FROM: Lisa Golden, Director, Health and Human Services
DATE: August 2, 2022
SUBJECT: Notice of Award of Federal Grant Funding Totaling 1.9 Million over Four Years

The Health Department has been awarded the First Responders-Comprehensive Addiction and Recovery Support Services Act (FR-CARA) grant via the Substance Abuse and Mental Health Services Administration (SAMHSA), which totals 1.9 million dollars in federal grant funds over four years. FR-CARA funding begins September 30, 2022 and runs through September 29, 2026.

The Health Department is partnering with Lowell House Addiction Treatment and Recovery, Trinity EMS a Division of PrideStar, and UMass Lowell's Center for Community Research and Engagement on FR-CARA efforts to enhance existing naloxone distribution, harm reduction, and post-overdose outreach.

FR-CARA will support, expand, and enhance existing programs for outreach works ("first responders") and recovery support workers to train, carry, and distribute Naloxone in Lowell, with a specific focus on adults 18 years of age and older at risk of substance use, which includes the underserved Hispanic and Black communities. FR-CARA will:

- 1) Increase the number of first responders and members of other key community organizations trained in the use of naloxone, and increase the distribution of naloxone;
- 2) Establish processes, protocols, and mechanisms for referral to appropriate treatment and recovery support services, and safety around opioids and other dangerous licit and illicit drugs;
- 3) Increase access to culturally and linguistically sustaining appropriate materials, services, wound care, and infection treatment for people who use substances;
- 4) Increase knowledge within the substance using community, and their networks about the Good Samaritan Law in order to increase bystander use of naloxone when needed, and reduce stigma therein;
- 5) Utilize FirstWatch for real-time data of opioid-related 9-1-1 calls; and
- 6) Maintain detailed electronic record-keeping of individuals at risk of substance use to provide time appropriate referrals and recovery support services.

We look forward to working with our partner organizations to positively impact Lowell.

Thank you,

Lisa Golden

COMMONWEALTH OF MASSACHUSETTS
CITY OF LOWELL

In City Council

VOTE

Authorizing the approval and submission of the Federal Fiscal Year 2022-2023 City of Lowell Annual Action Plan to the Department of Housing and Urban Development (HUD).

The City of Lowell is submitting a Federal Fiscal Year 2022-2023 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD), which plan will address the community development and housing needs and priorities identified by the community; and

The Federal Fiscal Year 2022-2023 Annual Action Plan calls for the anticipated expenditure of \$3,660,100 in funding for the period beginning July 1, 2022 and ending June 30, 2023; and

The Lowell City Council determines that the proposed use of the Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), Emergency Solutions Grant (ESG) funding is necessary and desirable in order to improve the economic and living conditions of the residents of the City; and

The Annual Action Plan includes the anticipated expenditure of \$3,660,100 in funding for the period beginning July 1, 2022 and ending June 30, 2023 which includes a total of \$1,985,000 in CDBG, \$1,430,600 in HOME, \$244,500 in ESG for a Total of \$3,660,100 in Federal grant funds.

The Lowell City Council determines that the proposed use of CDBG, HOME, and ESG Program funding for the City of Lowell, is necessary and desirable in order to improve the economic and living conditions of the residents of the City.

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

That the proposed plan for the Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grant, is hereby endorsed, approved and included in the Federal Fiscal Year 2022-2023 City of Lowell Annual Action Plan, to be submitted to the U.S. Department of Housing and Urban Development for its approval.

2022-2023 Draft Annual Action Plan

The following activities have been tentatively selected to receive support using Consolidated Plan program funds during the 2022-2023 program year

ORGANIZATION	PROJECT NAME	
CDBG Public Service		
Boys & Girls Club	Family Advocate	\$ 15,000.00
Catholic Charities of Merrimack Valley	Lowell Food Pantry Collaborative	\$ 50,000.00
CMAA	After School Program	\$ 20,000.00
Coalition for a Better Acre	Walk in Center	\$ 15,000.00
Dwelling House of Hope.	Food Pantry	\$ 20,000.00
Girls Inc.	Operations, Outreach	\$ 15,000.00
Kids in Tech, Inc.	After School Tech Club	\$ 20,000.00
Lowell Association for the Blind	Adult Services Program	\$ 15,000.00
Mass Alliance of Portuguese Speakers	Immigrant & Elder Services	\$ 15,000.00
MassHire Greater Lowell Workforce Board	Youth Work Experience	\$ 15,000.00
Merrimack Valley Food Bank	Mobile Pantry	\$ 15,000.00
Merrimack Valley Housing Partnership	First Time Home Buyer Training	\$ 15,000.00
Mill City Grows, Inc.	Food is Medicine	\$ 15,000.00
RARA	Programs/Services	\$ 20,000.00
St. Paul's Soup Kitchen	Admin/Salary/Supplies	\$ 15,000.00
YWCA of Lowell	Youth Enrichment Training Institute	\$ 15,000.00
THRIVE	Wrap Around Re Entry Services	\$ 20,000.00
UTEC	Workforce Development	\$ 15,000.00
Whistler House Museum of Art	Youth Summer Art Program	\$ 15,000.00
CDBG Non-Public Service		
Acre Family Child Care	Child Care Development & Support	\$ 35,000.00
Boys & Girls Club	Architectural Services	\$ 180,000.00
City of Lowell	Senior Center Lease	\$ 350,000.00
City of Lowell	Code Enforcement	\$ 100,000.00
City of Lowell – DPD	Emergency Housing Repair	\$ 20,000.00
City of Lowell - DPD	Roberto Clemente Park	\$ 500,000.00
City of Lowell - DPD	JFK ADA Ramps	\$ 150,000.00
City of Lowell - Economic Development	ED Assistance Fund	\$ 150,000.00
City of Lowell - Economic Development	Sign & Facade	\$ 130,000.00
Lowell Parks & Conservation Trust	Urban Forestry Program	\$ 25,000.00

ESG		
Alternative House	Emergency Housing Stabilization	\$ 47,500.00
Community Teamwork	Individual Homelessness	\$ 44,800.00
Eliot Presbyterian Church	Eliot Day Program	\$ 27,200.00
House of Hope	Shelter Operations	\$ 50,000.00
SMOC/LTLC	Winter Emergency Bed Program	\$ 30,000.00
SMOC/LTLC	Homeless Diversion	\$ 45,000.00
HOME		
City of Lowell , DPD	First Time Home Buyer	\$300,000.00
City of Lowell , DPD	Home Housing Rehab	\$738,150.00
CHDO Reserve	Community Development Housing Organization	\$142,450.00
Boston Capital	Renovation of former Food Bank into Affordable Housing	\$250,000.00



Thomas A. Golden, Jr.
City Manager

Shawn Machado
Assistant City Manager

August 9, 2022

To: Mayor Sokhary Chau
and
Members of the Lowell City Council

Reference: FY 2022- 2023 Action Plan

Dear Mayor Chau and Members of the City Council:

The City of Lowell Department of Planning and Development (DPD) is pleased to present the annual Action Plan for the period of July 1, 2022 through June 30, 2023. This document provides a strategy for the use of federal entitlement funds granted to the City by the U.S. Department of Housing and Urban Development under the CDBG, ESG, and HOME programs. Programs and activities described in the plan are intended to primarily benefit low and moderate-income residents of the City, neighborhoods with high concentrations of low- and moderate-income residents, and the City as a whole.

The Action Plan includes tentative funding awards for the 2022 – 2023 Program Year. The projects proposed were solicited through a competitive RFP process as a volunteer Citizens Advisory Committee and the Administration worked hard to ensure that the goals of the Action Plan are met. A list of funding recommendations is attached to this communication.

The Lowell City Council must approve this document before it is submitted to HUD. The Law Department has prepared the necessary vote for your consideration.

If you have any questions about these documents or this process, please feel free to contact Christopher Samaras, Community Development Director at csamaras@lowellma.gov or 978-674-1429.

Sincerely,

Thomas A. Golden Jr.
City Manager

Attachment

cc: Christine McCall, Assistant City Manager/DPD Director
Yovani Baez-Rose, DPD Deputy Director
Christine O'Connor, City Solicitor
Christopher Samaras, Community Development Director

COMMONWEALTH OF MASSACHUSETTS
CITY OF LOWELL

VOTE

IN CITY COUNCIL:

ORDER,

To transfer funds for various legal professional services costs in excess of the FY2023 budgeted amount for the Law Department.

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **Two Hundred Fifty Thousand and 00/100 (\$250,000.00) Dollars** be transferred:

FROM: Manager's Contingency – Expenses, as more fully described in “Attachment A”

TO: Law Department – Prof. Services, as more fully described in “Attachment A”

ORDER RECOMMENDED AND INTRODUCED BY:



Thomas A. Golden, Jr., City Manager

Budget Transfer Form

Requestor: Christine O'Connor, City Solicitor

Date: 8/4/2022

Fund	Organizational ID	Object	Amount Requested	(1) Source of Additional Funding***	(1) Amount (transfers only)
0010	01514153	530000	\$ 250,000.00	01237056-561700	\$ 250,000.00

***Include Fund, Org, and Object if this is a budget transfer

Reason for budget adjustment:

To transfer funds for various legal professional services costs in excess of the budgeted amount in FY2023 (expert witness fees, depo's, outside counsel)

Department Head Approval:

Christina P. O'Connor

CFO Approval:



City Auditor Approval:

Attachment "A"



Conor Baldwin
 Chief Financial Officer

Austin Ball
 Deputy CFO

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager

FROM: Conor Baldwin, Chief Financial Officer 

CC: Christine O'Connor, City Solicitor

DATE: August 4, 2022

SUBJECT: Law Department Transfer – Professional Services (City Manager’s Contingency)

The law department has sent along a request to transfer supplemental funds into the accounts budgeted for payments associated with professional services. The need is associated with a number of professional services costs (expert witness fees, outside counsel, etc.) associated with ongoing litigation.

The funding to satisfy the transfer needs has been identified by the finance department from the Manager’s Contingency account. This transfer will have no impact on the tax rate for FY2023.

Below is a summary of the impacted accounts:

	Original Budget	Previous Transfers	Revised Budget	YTD Expenditures (Actual)	Encumbrances	Balance Before Transfer	Balance After Transfer
Transfer TO:							
TO: 1. Law Department - Prof. Services	\$ 135,000	\$ -	\$ 135,000	\$ -	\$ 40,550	\$ 94,450	\$ 250,000
Transfer FROM:							
FROM: 1. Manager's Contingency - Expenses	\$ 2,078,911	\$ -	\$ 2,078,911	\$ -	\$ -	\$ 2,078,911	\$ (250,000)
							\$ 1,828,911



Thomas A. Golden, Jr.
City Manager

August 9, 2022

Mayor Sokhary Chau
And
Members of the Lowell City Council

Dear Mayor Chau and Members of the Lowell City Council,

I am hereby requesting that the City Council vote to transfer \$250,000 into the Law Department budget from the City Manager's contingency budget. The City Solicitor has worked with the CFO and finance team to identify existing funds to support additional costs associated with increased litigation expenses in excess of the amount budgeted in FY2023. It is important to note that this transfer will add no additional burden to the tax levy.

Enclosed with this letter is a memorandum from the Chief Financial Officer which outlines the details of the transfer and the budget accounts, as well as a memo from the City Solicitor. Please do not hesitate to let me know if there are any questions.

Sincerely,

Thomas A. Golden, Jr.
City Manager

CC: Conor Baldwin, Chief Financial Officer
Christine O'Connor, City Solicitor
Kelly Oakes, City Auditor

COMMONWEALTH OF MASSACHUSETTS
CITY OF LOWELL

VOTE

IN CITY COUNCIL:

ORDER,

To transfer funds for an increase of poll worker rates to \$20 per hour and to add two additional part-time assistants in the Elections Office for upcoming September and November elections.

ORDERED,

By the City Council of the City of Lowell, as follows:

That the amount of **Sixty One Thousand and 00/100 (\$61,000.00) Dollars** be transferred:

FROM: Manager's Contingency – Wages, as more fully described in "Attachment A"

TO: Elections Temporary S&W, as more fully described in "Attachment A"

ORDER RECOMMENDED AND INTRODUCED BY:



Thomas A. Golden, Jr., City Manager

Budget Transfer Form

Requestor: Christine O'Connor, City Solicitor

Date: 8/3/2022

Fund	Organizational ID	Object	Amount Requested	(1) Source of Additional Funding***	(1) Amount (transfers only)
0010	01624151	512000	\$ 61,000.00	01237056-561700	\$ 61,000.00

***Include Fund, Org, and Object if this is a budget transfer

Reason for budget adjustment:

To provide funding for increase of poll workers rate to \$20 per hour for upcoming September and November elections.

Department Head Approval:

Christine P. O'Connor

CFO Approval:

[Signature]

City Auditor Approval:

Attachment "A"



Conor Baldwin
 Chief Financial Officer

Austin Ball
 Deputy CFO

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager

FROM: Conor Baldwin, Chief Financial Officer 

CC: Christine O'Connor, City Solicitor
 Greg Pappas, Director of Elections
 Mary Callery, HR Director

DATE: August 9, 2022

SUBJECT: MOTION RESPONSE – 7/12/22 - C. Jenness - Req. City Mgr. Have Proper Department Review The Current Compensation For Election Poll Workers And Consider Raising Rates So Workers Are Making At Least Minimum Wage.

Upon the request of the City Council, the finance department has worked with the Elections Office and HR to analyze the funding needs in the department to raise the wages of the city's poll workers to a rate of \$20 per hour. Funding is also proposed to add two additional part-time assistants in the office through the end of the November election, at a rate of \$25 per hour.

In previous elections, the City of Lowell has offered a rate of \$180 per day for approximately fourteen (14) hours of work or about \$12.86 per hour. As has been reported in the Boston media¹, many other communities in Massachusetts are reviewing their own pay structures to address a lack of interest in light of a lack of interest from residents whom have previously served in the roles. The current proposal is to raise the daily rate in Lowell to \$280 per day, or approximately \$20 per hour for each election. The approximate budgetary impact on the Elections Office is \$61,000 to provide the increase for both the September preliminary and November general elections in calendar year 2022. The proposed funding source for this transfer is the City Manager's contingency budget. Included below is a schedule of the impacted accounts. Please let me know if there are any questions. I have asked the Law Department to prepare the necessary vote to be on the next Council agenda, in time for the pending election.

Account Name	Original Budget	Previous Transfers	Revised Budget	YTD Expenditures (Actual)	Encumbrances	Balance Before Transfer	Balance After Transfer
Transfer TO:							
TO: 1. Elections Temporary S&W	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -	\$ 100,000	\$ 161,000
Transfer FROM:							
FROM: 1. Manager's Contingency - Wages	\$ 1,589,411	\$ -	\$ 1,589,411	\$ -	\$ -	\$ 1,589,411	\$ 1,528,411

¹ "With election workers harder to find, city and town clerks look to boost pay" (WGBH, Feb 2022)
<https://www.wgbh.org/news/local-news/2022/02/15/with-election-workers-harder-to-find-city-and-town-clerks-look-to-boost-pay>



Thomas A. Golden, Jr.
City Manager

August 9, 2022

Mayor Sokhary Chau
And
Members of the Lowell City Council

Dear Mayor Chau and Members of the Lowell City Council,

I am hereby requesting that the City Council vote to transfer funds from the City Manager's Contingency Fund to the Election Office's salaries and wages account. The total amount of the transfer is \$61,000.

This funding will afford the city the opportunity to raise the rate of pay for election poll workers, in response to a motion approved by the Council last month. A copy of the relevant financial information and further detail on the transfer are enclosed in a memorandum from the Chief Financial Officer.

Sincerely,

Thomas A. Golden, Jr.
City Manager

CC: Conor Baldwin, Chief Financial Officer
Christine O'Connor, City Solicitor
Greg Pappas, Director of Elections

COMMONWEALTH OF MASSACHUSETTS
CITY OF LOWELL

In City Council

ORDER

Pursuant to Chapter 266 of the Code of Ordinances City of Lowell, Massachusetts, concerning Section 266-6 thereof entitled "Temporary Experimental Regulations", temporary traffic regulations are hereby implemented for a period up to sixty (60) days.

The City of Lowell desires to make temporary rules regulating traffic under actual conditions for a period of sixty (60) days; and

Chapter 266 of the Code of Ordinances City of Lowell, Massachusetts", Section 266-6 thereof entitled "Temporary Experimental Regulations" authorizes the City Council to make such temporary rules for a period up to sixty (60) days;

BE IT ORDERED, ADJUDGED AND DECREED by the City Council of the City of Lowell as follows:

Effective immediately for a period of up to sixty (60) days, the following temporary traffic regulations shall be implemented:

SECTION 266-47

STOP INTERSECTIONS. is hereby amended by **adding** the following

Stop Sign On
High Street

Direction of Travel
North and South

At Intersection of
Sherman Street

(Initiated by Motion)

SECTION 266-54

TWO-HOUR PARKING AREAS. is hereby amended by **adding** the following

Name of Street
Canal Street

Side
Both

Location
From Dutton Street to Jackson Street

Canal Street

East

From Jackson Street to Middlesex Street

SECTION 266-56

PARKING PROHIBITED ON CERTAIN STREETS AT ALL TIMES. is hereby amended by **adding** the following

Name of Street	Side	Location
Standish Street	Both	Entire length
June Street	East	From 13 th Street northerly to the end of June Street where it meets the Henry J Robinson School driveway.

(Initiated by DPD and Motion)



Christine McCall
Assistant City Manager/DPD Director

Yovani Baez-Rose
Deputy Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager
FROM: Christine McCall, Assistant City Manager/DPD Director
DATE: August 9, 2022
SUBJECT: PROPOSED 60 DAY TRIAL TRAFFIC ORDERS

Attached is the 60-day trial traffic order for this week as follows:

- Stop intersections – High Street. Per motion below.
- Two hour parking areas – Canal Street and Francis Street. Per the Parking Department.
- Parking for handicapped persons, removal – Crowley Street and Lee Street. Per petition and resident request.
- Parking for handicapped persons – Lee Street. To improve parking as previous spot was next to a large tree pit. Per resident request.
- Parking prohibited on certain streets at all times – Standish Street. Parking is currently allowed on one side but the street is not wide enough to allow parking and two-way traffic. Per DPD.
- Parking prohibited on certain streets at all times – June Street. Per Motion below.

Motions:

C. Nuon - Req. City Mgr. Have Proper Department Install A Stop Sign At The Intersection Of High and Sherman Street.

C. Robinson and C. Drinkwater - Req. City Mgr. Have Proper Department Look Into Banning Parking On One Side Of Street From Area Of 37 June Street Down To End Of Block

If impacted residents have any feedback on 60-day trials, they can email them to 60daytrial@lowellma.gov

AH/cm

cc: Alan Heredia, Assistant Transportation Engineer
Chris Panagiotakos, Lieutenant, Police
John Cooper, Sign and Meter Division

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance Amending the Code of Ordinances City of Lowell, Massachusetts, with respect to Chapter 9, entitled "Boards, Commissions and Committees".

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

"The Code of Ordinances City of Lowell, Massachusetts" hereinafter called the "Code", adopted by the City Council on December 23, 2008, is hereby amended with respect to Chapter 9 thereof, entitled "Boards, Commissions and Committees", by adding a new Article XVI entitled Lowell Youth Commission as follows:

ARTICLE XVI.
Lowell Youth Commission

§ 9-54. Establishment; function and purpose.

- A. Under the authority of legislation enacted by the commonwealth, M.G.L. c. 40 § 8E, there is hereby created, in the City of Lowell, a Youth Commission.
- B. The Lowell Youth Commission shall carry out programs which may be designed or established to meet the opportunities, challenges and problems of youth of the City and in conjunction with any similar or related programs of any agency of the commonwealth or any agency of the federal government.
- C. It shall keep accurate records of its meetings and actions and shall file an annual report. The commission may appoint such clerks and other employees as it may from time to time require.

§ 9-55 Membership; appointment; terms; qualifications.

- A. The members of the Lowell Youth Commission shall be appointed by the City Manager and shall consist of a minimum of three and a maximum of twenty-one members, who must be residents of the City.

- B. When a commission is first established, the terms of the members shall be for one, two or three years and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for a term of three years each.
- C. Any member of a commission so appointed may, after a public hearing, if requested, be removed for cause by the appointing authority. A vacancy occurring otherwise than by expiration of a term shall in a city or town be filled for the unexpired term in the same manner as an original appointment.

§ 9-56 Gifts.

Said commission may receive gifts of property, both real and personal, in the name of the City, subject to the approval of the City Council, such gifts to be managed and controlled by the commission for the purposes of this section.

All provisions of the Code of the City of Lowell, as amended, which are consistent with this Ordinance shall continue in effect but all provisions of said Code inconsistent herewith are repealed.

This Ordinance shall take effect upon its passage in accordance with the provisions of Chapter 43 of the General Laws of the Commonwealth of Massachusetts, as amended.

APPROVED AS TO FORM:



Christine P. O'Connor
City Solicitor



City of Lowell - Law Department

375 Merrimack Street, 3rd Floor • Lowell MA 01852-5909
Tel: 978.674.4050 • Fax: 978.453.1510 • www.lowellma.gov

Christine P. O'Connor
City Solicitor

Kerry Regan Jenness
1st Assistant City Solicitor

August 9, 2022

City Manager Thomas A. Golden, Jr.
Mayor Sokhary Chau
And
Members of the City Council

Helen Anderson
Alethea Dys
Mark Jorgenson
John J. McKenna
Assistant City Solicitors

Re: Creation of Lowell Youth Commission

Dear Manager Golden, Mayor Chau, and Members of the City Council:

Attached please find a proposed ordinance establishing the Lowell Youth Commission. If approved, the Lowell Youth Commission will be added to Chapter 9, "Boards Commissions and Committees," and would give a voice to the youth of Lowell to participate in their City, enhance their quality of life and to reflect the pride of residency in Lowell.

Very truly yours,

Christine P. O'Connor
City Solicitor

Enc.

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance creating one (1) new part-time position entitled COA Bookkeeper and establishing the salary therefor in the Council on Aging.

The City Council by virtue of General Laws, Chapter 43, §105 has the right to create and/or delete positions.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

The Code of Ordinances City of Lowell, Massachusetts, hereinafter called the "Code", adopted by the City Council on December 23, 2008, as amended, is hereby further amended as follows:

1. In accordance with Chapter 43, Section 105 Mass. General Laws, the following position and salary is created in the Council on Aging, effective upon passage:

One (1) COA Bookkeeper
Ordinance, Non-Union
Part-Time \$22/hour; 15 hours per week

2. All provisions of the Code of the City of Lowell, as amended, which are not inconsistent with this Ordinance shall continue in effect, but all provisions of said Code inconsistent herewith are repealed.

3. This Ordinance shall take effect upon its passage in accordance with the provisions of Chapter 43 and 40A of the General Laws of the Commonwealth of Massachusetts.

APPROVED AS TO FORM:



Christine P. O'Connor
City Solicitor

City of Lowell
Job Description
Please Post: May 17, 2022
Deadline: May 31, 2022
Council on Aging
Part-Time Bookkeeper

Job Title: COA Bookkeeper
Department: Council on Aging
Reports to: Council on Aging Director
Union: Ordinance/Non-Union
Salary: \$22/hour; 15 hours per week (no benefits)

SUMMARY:

This highly responsible and detail-oriented position supports all senior center financial operations including payroll and purchasing. Assists COA director with administrative tasks including grant reporting, implementing financial best practices, and coordinating vehicle and facility maintenance, training and inspections.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned.

- Enter weekly payroll from timesheets into Munis software
- Assist COA director in tracking hiring process, employee accruals, and payroll updates

- Find state contract or lower price options for supplies, equipment and services
- Maintain all office supplies; keep all equipment in good working order; create and place orders to re-fill supplies as necessary
- Assist Chef in making cost-effective weekly food orders, including free meal supplies from state commodity program and food bank
- Enter requisitions as approved by COA Director

- Serve as the Senior Center's accounts payable contact for vendors including class instructors
- Manage completion of accounts payable to ensure timely payment. Confirm goods or services have been received before processing invoices. Prepare invoices and A/P sheet for weekly submission to Auditing Dept.
- Track blanket Purchase Orders – notify Director when balances are low
- Review all open POs monthly for missing invoices or ready to be closed. Request invoices from vendors as needed.

- Track COA expense accounts in Munis; develop working knowledge of how each account is used. Monitor accounts for low-balance or ahead-of-schedule spending.
- Prepare monthly financial report for COA Director including status of open Purchase Orders, year-to-date spending for all accounts
- Assist COA Director in preparation of financial reports for grant funders
- Complete monthly report to Food Bank on food distributed
- Complete monthly report to LRTA on passenger trips
- Prepare monthly invoices for grant funders and inter-departmental transfers
- Assist in implementation of online event sign-up and credit card payment processing
- Count and sign daily cash receipts for Treasurer's office with receptionist
- Document senior trip payments and initiate refunds when needed
- Maintain understanding of City, state, and national best practices for purchasing, recordkeeping, and financial management through continuing education. Document and review senior center financial practices to suggest improvements.
- Maintain payroll and purchasing records.
- Schedule vehicle training, maintenance and inspections for fleet (4 vehicles in FY23); maintain compliance with regulations including MASSDOT, FMCSA, and terms of vehicle leases. Maintain vehicle calendars and checklists.
- Schedule kitchen and facilities training, maintenance and inspections with Chef, Custodian, Condo Association/Property Manager and COA Director. Maintain kitchen and facilities calendars and checklists.
- Become familiar with Senior Center security system, recommend improvements and access closed-circuit security footage as needed.
- Provide backup support for front desk, dining room, and emergency shelter operations.

OTHER SKILLS AND ABILITIES

- Familiar with Munis or other accounting software. Proficient in Microsoft Skills, particularly Excel and Outlook. Ability to learn specific software quickly.
- Excellent communication skills, both written and verbal.
- High attention to detail required for accurate data entry, appropriate calculations, and to catch numerical errors and anomalies
- Knowledge of business office procedures and local government purchasing processes.
- Must be highly organized and possess excellent follow through.

SUPERVISORY RESPONSIBILITIES

None

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or

ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

EDUCATION and/or EXPERIENCE

High School diploma or GED required. Associates or bachelor's degree in a related field preferred. At least three 3 years of bookkeeping or related experience required.

LANGUAGE SKILLS

Ability to read, analyze and interpret written directions, technical procedures, or governmental regulations. Ability to write reports, correspondence and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, residents, and the general public. Bilingual skills a plus.

MATHEMATICAL SKILLS

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute ratio and percent and to draw and interpret bar graphs. Ability to perform these functions with or without the use of a computer or calculator.

REASONING ABILITY

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of information and instructions furnished in written, oral, diagram, or graphic form.

CERTIFICATES, LICENSES, REGISTRATIONS

N/A

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to talk or hear. The employee frequently is required to use hands to finger, handle, or feel and reach with hands and arms. The employee must occasionally lift and/or move up to 15 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, and ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is occasionally exposed to outside weather conditions and risk of electrical shock (electrical outlets). The noise level in the work environment is usually moderate.

The City of Lowell is a smoke and drug free employer and requires a physical with drug screen and CORI, post offer.

Qualified individuals should send application/resume with cover letter to the Human Relations Office, Mary Callery, HR Director Room 19 - City Hall, Lowell, MA 01852 by 4:00 PM: Deadline ~ May 31, 2022. Applicants may also send application/resume with cover letter to fax 978-446-7102 or email to cityjobs@lowellma.gov

EOE/AA/504 Employer



Lillian Hartman, MPA
Council on Aging Director
978.674.4131(P)
978.970.4134(F)

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager

FROM: Lillian Hartman, Council on Aging Director

DATE: July 7, 2022

SUBJECT: Request for new Part-Time Ordinance Position

I am writing to request the creation of a part-time ordinance position “COA Bookkeeper” for the Council on Aging. This position is now necessary due to increased complexity with new funding sources, which have expanded our staff and services. This new position will be a cost-effective way to ensure compliance with grant guidelines and reporting so that we can maintain outside grant funds.

The bookkeeper will also handle payroll, purchasing, accounts payable, and building maintenance requests. These functions were split out of the Senior Center in 2019, but as assistance from other departments goes down, they are shifting onto to the Council on Aging Director. Assigning these tasks to a bookkeeper will allow the Director to dedicate more time to employee performance and development, partner relationships, and proactive response to senior requests. This often high-risk, low-tech population deserves direct attention from outreach staff and the department head to fulfill their needs in one place.

Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Project Address

Utility
(Select one) **Electric**



173 East Merrimack St

Reason install 65' of 2"-4" conduit in sidewalk to service #173 East Merrimack St.

and a handhole.

Date Submitted 7/20/2022

Review done by Peter Moloney

Sidewalk Material **Asphalt**



Note: Sidewalk material to be replaced in kind (Concrete in full panels only)

Are Sidewalk Vaults present?

YES

NO

Is Work on Street under a Paving Moratorium?

YES

NO

Is this location within the Flood Plain?

YES

NO

Are ADA requirements being met?

YES

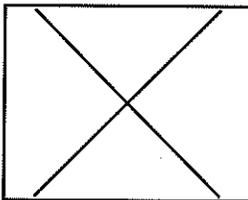
NO

Comments

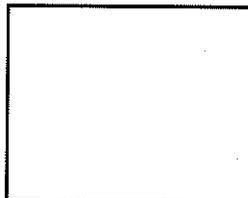
Sidewalk is in very poor shape, tree at edge of sidewalk.

Outcome of Review

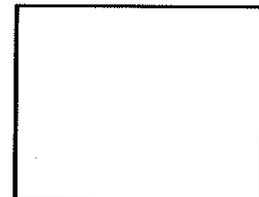
Recommended



Recommended With
Comments



Not Recommended



Ting Chang, P.E.
City Engineer



Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Project Address

Utility
(Select one) **Other**



10 Technology Drive

Reason

install 50' of 4"-5" concrete Duct to service #10 Technology Drive.

Date Submitted 7/20/2022

Review done by Peter Moloney

Sidewalk Material **No Sidewalk**

Note: Sidewalk material to be replaced in kind (Concrete in full panels only)

Are Sidewalk Vaults present? YES NO

Is Work on Street under a Paving Moratorium? YES NO

Is this location within the Flood Plain? YES NO

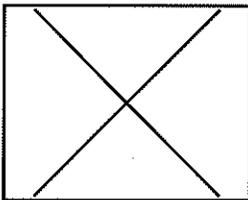
Are ADA requirements being met? YES NO

Comments

No comment

Outcome of Review

Recommended



Recommended With
Comments



Not Recommended



Ting Chang, P.E.
City Engineer



Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Project Address

Utility
 (Select one) **Electric**



Varnum Ave at Boulevard St's

Reason Relocate Two poles on Varnum Avenue across from Boulevard St.

P. 92 & P. 89

Date Submitted 7/20/2022

Review done by Peter Moloney

Sidewalk Material **No Sidewalk**

Note: Sidewalk material to be replaced in kind (Concrete in full panels only)

Are Sidewalk Vaults present? YES NO

Is Work on Street under a Paving Moratorium? YES NO

Is this location within the Flood Plain? YES NO

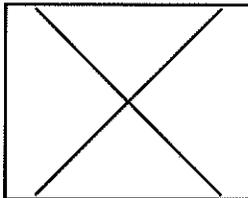
Are ADA requirements being met? YES NO

Comments

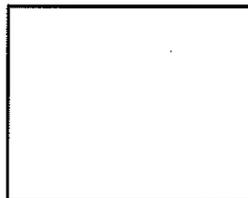
No sidewalk on varnum Avenue at this location.

Outcome of Review

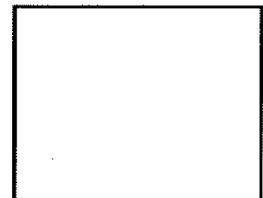
Recommended



Recommended With
Comments



Not Recommended



Ting Chang, P.E.
 City Engineer

Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Project Address

Utility
(Select one) Gas

Tenth St, Grandview St @ Mt Pleasant St's

Reason Replace portions of gas mains on Tenth St, Grandview St @ Mt Pleasant St's

Date Submitted 7/14/2022

Review done by Peter Moloney

Sidewalk Material No Sidewalk

Note: Sidewalk material to be replaced in kind (Concrete in full panels only)

Are Sidewalk Vaults present? YES NO

Is Work on Street under a Paving Moratorium? YES NO

Is this location within the Flood Plain? YES NO

Are ADA requirements being met? YES NO

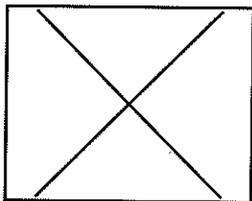
Comments

Tenth St and Mt Pleasant are in very good shape, Grandview is in poor shape.

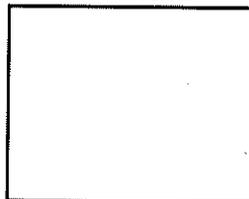
Tenth St & Mt Pleasant st require curb to curb restoration.

Outcome of Review

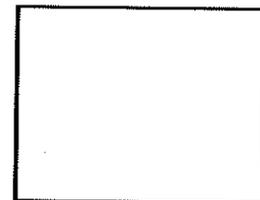
Recommended



Recommended With
Comments



Not Recommended



Ting Chang, P.E.
City Engineer