

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Pursuant to Massachusetts General Laws Chapter 44, § 31, the City Council of the City of Lowell consents to incur liability and make expenditures in excess of available appropriations for costs incidental and related to a water main break which occurred in the City of Lowell on or about November 28, 2022.

The City of Lowell does not have sufficient, available appropriations within the FY2023 budget to support the costs associated with the aforementioned emergency; and

It is anticipated that costs associated with addressing the emergency will be required in fiscal year 2023; and

The approval of expenditures in excess of available appropriations for emergency needs due to major disasters by the City Manager and the City Council is required under Massachusetts General Laws Chapter 44, § 31; and

The City Manager has approved such expenditures;

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL BY a TWO-THIRDS VOTE, as follows:

That pursuant to under Massachusetts General Laws Chapter 44, § 31, the City Council of the City of Lowell hereby approved expenditures related to a water main break in the City of Lowell on or about November 28, 2022, in excess of the available appropriation for such purpose during the current fiscal year.

BE IT FURTHER VOTED:

That said expenditures shall be certified to the Board of Assessors and included in the next annual tax rate.

ORDER RECOMMENDED AND INTRODUCED BY:



Thomas A. Golden, Jr., City Manager



Thomas A. Golden, Jr.
City Manager

December 6th, 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 the City Council vote to approve emergency expenditure authorization due to the water main break on Monday, November 28th. By state law, in emergency situations, the city / town's legislative body has the authority to vote to deficit spend in case of an emergency.

If it is the will of the council, this option provides immediate spending authority until other financing sources, such as emergency borrowing or appropriations from available funds, can be put in place to cover the spending. An "emergency" is a major disaster, including, a catastrophe, whether natural or otherwise, which poses an immediate threat to the health or safety of persons or property.

At this time, I would also like to personally thank all the Police, Fire, EMS, Water, Sewer and DPW workers for their immediate response to this emergency, without their help the damage could have been significantly worse. I'd also like to thank the City Council for all their support, as I have personally heard from all of you regarding any help that you could provide.

Please let me know if myself or the finance team can answer any questions you may have regarding this.

Sincerely,

Thomas A. Golden, Jr.
City Manager

Cc: Conor Baldwin, Chief Financial Officer
Kelly Oakes, City Auditor