

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

VOTE

IN CITY COUNCIL

ORDER,

To transfer PEG funding for use in FY2019.

ORDERED,

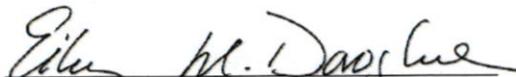
By the City Council of the City of Lowell, as follows:

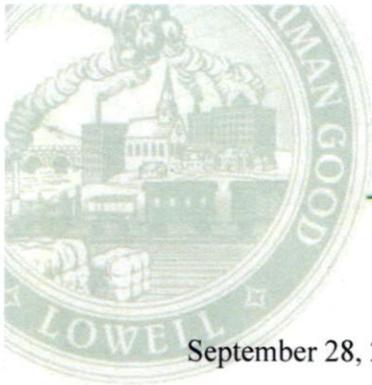
That the amount of **One Hundred Fifty Six Thousand Four Hundred Thirty Five and 0/100 (\$156,435.00) Dollars** be transferred:

FROM: Account # 1710 – more fully described in Attachment “A”.

TO: Account # 01237975-588200 – more fully described in Attachment “A”.

ORDER RECOMMENDED AND INTRODUCED BY:


Eileen M. Donoghue, City Manager



Eileen M. Donoghue
City Manager

September 28, 2018

Mayor William J. Samaras
And
Members of the Lowell City Council

Dear Mayor Samaras and Members of the Lowell City Council,

The Massachusetts Municipal Modernization Act of 2016 (“the Act”) significantly altered the manner by which revenues from Cable Franchise Fees are treated in the municipal accounting structure. In June of 2017, the City Council accepted Massachusetts General Law, Chapter 44, Section 53 F $\frac{3}{4}$ establishing a “PEG Access and Cable Related Fund”. Under this Act, revenues from the cable provider are deposited into a separate revenue account that cannot be expended without an appropriation recommended by the City Manager and approved by the City Council.

In April, the City Council voted a transfer from the PEG fund into the City Manager’s Cable Access Budget for FY18 in order to outfit the Lowell High School’s mobile production van. The amount of \$156,435 was to be used to complete the project within FY18. As the project could not be completed and invoiced prior to the end of the fiscal year, a transfer back into the PEG fund was approved by the City Council in June. This transfer was necessary as the funding would have otherwise fallen to free cash, which would have violated regulations established by the Department of Revenue.

My office has received notification from the Superintendent of Schools that the vendor may not be able to guarantee completion of the project by the end of FY19 if the City does not have a purchase order in place this month. The project is estimated to take 10 – 11 weeks to complete, which can be hindered by a delay in funding. The School Department has already started adapting the media program to incorporate the van, but cannot recruit and train students without the production vehicle.

The Finance team has worked with the Law Department to prepare this vote in order to appropriate the funds into the FY2019 budget and proceed with outfitting the LHS Creegan Studios van, consistent with the original vote of the City Council.

Sincerely,


Eileen M. Donoghue
City Manager