



Office of the City Clerk  
City Hall • 375 Merrimack Street • Lowell, MA 01852  
P: 978.674.4161 • F: 978.970.4007  
[www.LowellMA.gov](http://www.LowellMA.gov)

Michael Q. Geary  
City Clerk

# Lowell City Council

## Regular Meeting Agenda

**Date:** September 8, 2020  
**Time:** 6:30 PM  
**Location:** Zoom / Remote Participation

### 1. ROLL CALL

### 2. MAYOR'S BUSINESS

#### 2.1. Communication Remote Participation:

Pursuant To Governor Baker's Emergency Order Modifying The State's Open Meeting Law Issued March 12, 2020, Meetings Will Be Held Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC And 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 Tele-Conferenced In To The Meeting. Email Address Is [MGEARY@LOWELLMA.GOV](mailto:MGEARY@LOWELLMA.GOV). If No Access To Email You May Contact City Clerk At 978-674-4161.  
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)

### 3. CITY CLERK

#### 3.1. Minutes Of Zoning SC August 25th; City Council Meeting August 25th, For Acceptance.

Documents:

[2020 AUGUST 25 ZONING SC MINUTES.PDF](#)  
[2020 AUGUST 25 CC MINUTES.PDF](#)

### 4. GENERAL PUBLIC HEARINGS

#### 4.1. Ordinance-Amend Ch 150 Fees.

Documents:

[ORDINANCE-AMEND CH 150 FEES.PDF](#)

### 5. COMMUNICATIONS FROM CITY MANAGER

#### 5.1. Motion Responses

- A) Motion Response - Monument Committee Actions
- B) Motion Response - Dutton St Soil Stockpile
- C) Motion Response - SiFi Network

- D) Motion Response - Reopening Plans at Academic Institutions
- E) Motion Response - USPS
- F) Motion Response - 150 Fetherston Ave.
- G) Motion Response - Billings and Barker Intersection
- H) Motion Response - Andover Street
- I) Motion Response - Traffic Calming on Varnum Ave.

Documents:

- A) MOTION RESPONSE - MONUMENT COMMITTEE ACTIONS.PDF
- B) MOTION RESPONSE - DUTTON ST SOIL STOCKPILE.PDF
- C) MOTION RESPONSE - SIFI NETWORK.PDF
- D) MOTION RESPONSE - REOPENING PLANS AT ACADEMIC INSTITUTIONS.PDF
- E) MOTION RESPONSE - USPS.PDF
- F) MOTION RESPONSE - 150 FETHERSTON AVE..PDF
- G) MOTION RESPONSE - BILLINGS AND BARKER INTERSECTION.PDF
- H) MOTION RESPONSE - ANDOVER STREET.PDF
- I) MOTION RESPONSE - TRAFFIC CALMING ON VARNUM AVE.PDF

5.2. Informational Reports

- J) Informational - MassDOT Safety Analysis of Pawtucket Blvd and VFW Highway
- K) Informational - FY2021 Budget Presentation
- L) Informational - School Appropriation Letter
- M) Informational - School Facility Preparation Update (report to be provided during meeting)

Documents:

- J) INFORMATIONAL - MASSDOT SAFETY ANALYSIS OF PAWTUCKET BLVD AND VFW HIGHWAY.PDF
- K) INFORMATIONAL - FY2021 BUDGET PRESENTATION.PDF
- L) INFORMATIONAL - SCHOOL APPROPRIATION LETTER.PDF

5.3. Communication-Appoint Erin Gendron To Board Of Health

Documents:

- COMMUNICATION-APPOINT ERIN GENDRON TO BOARD OF HEALTH.PDF

**6. VOTES FROM THE CITY MANAGER**

6.1. Vote-Accept Timely Receipt Of Budget FY21

Documents:

- VOTE-ACCEPT TIMELY RECEIPT OF BUDGET FY21.PDF

6.2. Vote-Appropriation Order - FY2021 Budget

Documents:

- VOTE-APPROPRIATION ORDER - FY2021 BUDGET.PDF

6.3. Vote - Accept Expend Fire SAFE Grant

Documents:

[VOTE - ACCEPT EXPEND FIRE SAFE GRANT.PDF](#)

6.4. Vote- Accept Expend MCC Grant From LMA

Documents:

[VOTE- ACCEPT EXPEND MCC GRANT FROM LMA.PDF](#)

6.5. Vote- Accept.Expend 20K Greening The Gateway Program

Documents:

[VOTE- ACCEPT.EXPEND 20K GREENING THE GATEWAY PROGRAM.PDF](#)

**7. ORDERS FROM THE CITY MANAGER**

7.1. Order-60 Day Trial (Various)

Documents:

[ORDER-60 DAY TRIAL \(VARIOUS\).PDF](#)

**8. ORDINANCES FROM THE CITY MANAGER**

8.1. Ordinance- Amend Fees Ordinance Ch.150

Documents:

[ORDINANCE- AMEND FEES ORDINANCE CH.150.PDF](#)

8.2. Ordinance- Amend Metered Service Water

Documents:

[ORDINANCE- AMEND METERED SERVICE WATER.PDF](#)

8.3. Ordinance- Amend Revolving Fund C.28 S.28-31.1

Documents:

[ORDINANCE- AMEND REVOLVING FUND C.28 S.28-31.1.PDF](#)

8.4. Ordinance-Amend Annual Sewer Use Charge

Documents:

[ORDINANCE-AMEND ANNUAL SEWER USE CHARGE.PDF](#)

**9. REPORTS (SUB/COMMITTEE, IF ANY)**

9.1. Wire Insp. - National Grid - Req. Installation Of (1) SO Pole On Andrews Street.

Documents:

[2020 SEPTEMBER 8 NATL GRID 2 PRINCE ST UPGRADE.PDF](#)

- 9.2. Wire Insp. - National Grid - Req. Installation Of PVC Conduit From New Pole To Existing Manhole On Andrews Street.

Documents:

[2020 SEPTEMBER 8 NATL GRID NEW POLE MARKLEY DATA.PDF](#)

**10. PETITIONS**

- 10.1. Claims - (2) Property Damage.
- 10.2. Misc. - Residents Of East Sixth Street Request East Sixth Street Be Added To Paving List And That Efforts Be Made To End Noise Pollution In The Area.

Documents:

[2020 SEPTEMBER 8 EAST 6TH ST PETITION.PDF](#)

- 10.3. Misc. - McBee Development, LLC (Thomas Broderick, Sr.) Request Permission To Address City Council Regarding Traffic And Parking Issues On Cherry Street Which Affect Access For Police, Fire, Ambulance And Sanitation For Residents On The Street.

Documents:

[2020 SEPTEMBER 8 MCBEE CHERRY ST PET.PDF](#)

- 10.4. Misc. - Melissa Laurin (For The Benefit Of Rosa Castro) Request Installation Of Handicap Parking Sign At 327 East Merrimack Street.

Documents:

[2020 SEPTEMBER 8 LAURIN FBO CASTRO HP 327 E MERRIMACK.PDF](#)

**11. CITY COUNCIL - MOTIONS**

- 11.1. C. Chau - Req. City Mgr. Implement The Repainting Of Vehicle Lane Safety Markings On Thorndike Street At YMCA Drive And In The Areas Adjacent To The Entrance To The Lowell Connector.
- 11.2. C. Chau - Req. City Mgr. Investigate The Addition Of A Left Turning Arrow Traveling Inbound From Chelmsford Street Onto Plain Street (At J. Poitras Shoe Company) And Repaint All Crosswalks At This 3-Street Intersection.
- 11.3. C. Chau - Req. City Mgr. Investigate The Addition Of A Left Turning Arrow Traveling Outbound From Chelmsford Street (At The 99 Restaurant) Onto Industrial Avenue.
- 11.4. M. Leahy - Req. City Mgr. Look Into Possible Use Of New Technology For Filling In Potholes Throughout The City.
- 11.5. M. Leahy - Req. City Mgr. Work With Proper Departments In Order To Establish A Permanent Home In The City For The Aide Therapeutic Day School.

**12. ANNOUNCEMENTS**

**13. ADJOURNMENT**

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



# Lowell City Council

## *Zoning SC Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** August 25, 2020  
**Time:** 5:30 PM  
**Location:** Zoom / Remote Participation

### **PRESENT:**

Present on Roll Call were Chairman Elliott and C. Chau. One absent (C. Nuon). Also present was Eric Slagle (Inspectional Services), Jared Alves (Inspectional Services), C. Mercier, C. Drinkwater, C. Rourke and Manager Donoghue.

### **MEETING CALLED TO ORDER:**

Chairman Elliott called the meeting commenting on zoning issues.

### **ORDER OF BUSINESS:**

Manager Donoghue outlined the motions that were brought before the subcommittee and the reasons behind that. C. Rourke commented on his motion and noted the need to gather information so a comprehensive plan can be brought forward. Mr. Slagle commented on the housing shortage and developing a comprehensive plan as well as prior meetings with the subcommittee. Mr. Slagle noted the national picture regarding housing and the approach to increase the number of units. Mr. Slagle noted on categories that would be addressed to increase housing stock; rezoning sections of the City, changes in dimensional zoning chart, changes in table of uses to better reflect the neighborhoods, converting large structures into multi-unit properties and creation of new housing ordinances. C. Elliott opened meeting up to public; Deb Forgione addressed the body. C. Rourke noted buying and renting in the City is expensive and goal should be to keep residents in the City. C. Elliott noted the Merrimack Valley Housing Partnership is a valuable resource to address housing needs. Manager Donoghue noted this is a broad conversation and balances must be met between neighborhoods and housing needs. C. Elliott noted zoning in the City allows for many kinds of housing and that data from different sources including neighborhood groups is needed so that a comprehensive plan can be developed. C. Drinkwater noted supply and demand drives the housing market and that 300 units per year would need to be developed to keep up with the demand. Mr. Alves commented that must identify the housing need and address them. C. Chau noted there was a lot of criteria to review to develop a plan and that housing should be



affordable and high quality. C. Mercier noted that housing in the City must be affordable for all of its residents. C. Rourke noted housing is a State wide concern and plans must be developed. C. Elliott noted the size of the task and that many groups will need to be involved. Manager Donoghue noted that zoning issues require much information and education.

**ADJOURNMENT:**

**Motion** to adjourn by C. Chau, seconded by C. Elliott. So Voted.

Meeting adjourned at 6:25 PM

Michael Geary, City Clerk



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** August 25, 2020  
**Time:** 6:30 PM  
**Location:** Zoom / Remote Participation

### 1. ROLL CALL

Roll Call showed 8 present, 1 absent (C. Chau).

M. Leahy presiding. Meeting was conducted via teleconference with audio stream by LTC as well as Zoom and recorded due to Covid-19 pandemic.

C. Chau requested moment of silence in darkened chamber for Jim Callahan. M. Leahy requested moment of silence in darkened chamber for Wayne White, Jr. and Lach Malay (mother of C. Nuon).

### 2. MAYOR'S BUSINESS

#### 2.1. Communication Remote Participation:

Pursuant to Governor Baker's Emergency Order modifying the State's Open Meeting Law issued March 12, 2020, meetings will be held using remote participation as follows: Members of the public may view the meeting via LTC and 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 tele-conferenced in to the meeting. Email address is [mgeary@lowellma.gov](mailto:mgeary@lowellma.gov). If no access to email you may contact City Clerk at 978-674-4161.

For Zoom - <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

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

### 3. CITY CLERK

#### 3.1. Minutes of Rules SC August 10th; City Council Meeting August 11th, for acceptance.

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



#### 4. GENERAL PUBLIC HEARINGS

##### 4.1. **Vote-Approve One-Twelfth Budget for the City of Lowell for September of FY21.**

In City Council, Given 2<sup>nd</sup> Reading, hearing held. No Remonstrants. **Motion** to adopt 1/12<sup>th</sup> budget of \$41,909,381 by C. Chau, seconded by C. Drinkwater. Adopted per Roll Call vote 9 yeas. So voted. Manager Donoghue noted that remaining FY21 Budget will be voted on in September.

#### 5. UTILITY PUBLIC HEARING

##### 5.1. **National Grid - Request installation of 375 feet of gas main for infrastructure reinforcement from 1500 to 1524 Gorham Street.**

In City Council, Given 2<sup>nd</sup> Reading. Hearing held. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Rourke, seconded by C. Samaras. So voted.

##### 5.2. **National Grid - Request installation of 700 feet of gas main for infrastructure reinforcement along Gorham Street (Saratoga St. to Rivers Edge Rd.).**

In City Council, Given 2<sup>nd</sup> Reading. Hearing held. Speaking in favor was Chris Maher from National Grid. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Conway, seconded by C. Elliott. So voted.

##### 5.3. **National Grid - Request to reconstruct gas pressure regulator and add SCADA system at the intersection of Carlisle and Gorham Streets.**

In City Council, Given 2<sup>nd</sup> Reading. Hearing held. Speaking in favor was Chris Maher from National Grid. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Rourke, seconded by C. Mercier. So voted.

#### 6. COMMUNICATIONS FROM CITY MANAGER

##### 6.1. **Motion Responses.**

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

**A) Motion Response - Demand Fees** – C. Elliott commented on the report and noted that citizens are requesting information on the matter. C. Elliott noted possible Home Rule Petition to lessen the fees. C. Mercier commented that you should be able to reduce the fees during a pandemic and there is a need for a Home Rule Petition. Conor Baldwin (CFO) noted that there is a process to ensure that people in need are able to have fees waived. **Motion** by C. Elliott, seconded by C. Mercier to request Law Department prepare Home Rule Petition regarding waiver of certain demand fees. So



voted. M. Leahy questioned how the need would be identified. Mr. Baldwin noted the criteria used to identify need.

**B) Motion Response - Marijuana Social Equity Issues** – C. Drinkwater commented on the regulations and that the City was moving in the right direction.

**C) Motion Response - Human Resources Audit** – C. Drinkwater noted the RFP issued calling for a comprehensive audit and noted possible changes to scope to decrease costs as well as searching for outside funding. Manager Donoghue commented on possible outside funding sources from grants or public donations. Manager Donoghue noted that change of scope or phased approach would reduce costs of the audit. C. Elliott noted the scope should be developed. C. Elliott noted that the school side should be audited as well. C. Chau noted there should be a community approach.

## 6.2. Informational Reports

**D) Informational - Construction Update – Motion** by C. Elliott, seconded by C. Samaras to refer matter to Transportation SC. So voted. C. Elliott questioned if lighting at the Lord Overpass could be adjusted. Natasha Vance (Transportation Engineer) noted that the City owns the lights and that there could be adjustments made.

## 6.3. Communication-Appoint Candace Lawrence to Sustainability Council.

In City Council, **Motion** to adopt by C. Drinkwater, seconded by C. Mercier. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

## 7. VOTES FROM THE CITY MANAGER

### 7.1. Vote-Accept Expend \$40,244.36 AFG Award.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Chau, seconded by C. Rourke. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

### 7.2. Vote-Accept Gift from Greater Lowell Technical High School (truck).

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Conway. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted. Manager Donoghue made note of the truck.

### 7.3. Vote-Accept.Expend \$12,500 Municipal Energy Technical Assist. Grant.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Samaras, seconded by C. Conway. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

### 7.4. Vote-Apply Accept Expend \$28,935 JAG FY 2020 Grant.



In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Drinkwater, seconded by C. Chau. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

#### **7.5. Vote-Authorize City Manager Execute Temporary Access Agmt 44 and 71 YMCA Dr.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Chau, seconded by C. Mercier. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

#### **7.6. Vote-Authorize City Manager to issue Proprietary specs.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Samaras. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

### **8. ORDERS FROM THE CITY MANAGER**

#### **8.1. 60 Day Trials.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

### **9. ORDINANCES FROM THE CITY MANAGER**

#### **9.1. Ordinance-Amend Ch 150 Fees.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 8, 2020 at 7PM by C. Samaras, seconded by C. Conway. So voted.

### **10. REPORTS (SUB/COMMITTEE, IF ANY)**

#### **10.1. Zoning SC August 25, 2020.**

In City Council, C. Elliott noted attendance and discussion of zoning and increasing housing stock within the City. C. Elliott noted information would be gathered and further meeting will be held to develop comprehensive form. **Motion** to accept the report as a report of progress by C. Elliott, seconded by C. Rourke. So voted.

### **11. PETITIONS**

#### **11.1. Claim - (1) Property Damage.**

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Chau, seconded by C. Drinkwater. So voted.

#### **11.2. Misc. - Kaushik Patel request installation of street light on pole at the beginning of Cheryl Lee Lane.**



In City Council, **Motion** to refer to Law Department for report and recommendation by C. Samaras, seconded by C. Mercier. So voted.

**11.3. Misc. - Bryan Cowell request continued trash removal service at 24 Nesmith Street.**

In City Council, **Motion** to refer to City Manager and DPW for report and recommendation by C. Conway, seconded by C. Chau. So voted. Manager Donoghue noted that they have discussed the issue and working on solution.

**11.4. Misc. - The Markley Group, LLC request to amend flammable materials license for additional 15,100 gallons of Diesel Fuel II (AST) at 2 Prince Avenue.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on September 22, 2020 at 7PM by C. Mercier, seconded by C. Drinkwater. So voted.

**11.5. Misc. - Michael Deangelis request installation of a handicap parking sign at 33 Jordon Street.**

In City Council, **Motion** to refer to Transportation Engineer to draft ordinance by C. Rourke, seconded by C. Conway. So voted.

**Motion** to suspend rules to update body regarding preparation of school buildings by C. Conway, seconded by C. Chau. So voted. Manager Donoghue noted the City was following State guidelines and beyond as they are expecting 25% capacity. Manager Donoghue outlined the use of space and the purchase of air purifiers as well as the hiring of an outside consultant to review the buildings. Manager Donoghue noted that roof fans were operational and that they were upgrading all windows that needed attention. C. Conway commented on the efforts and questioned financial assistance from the State. Manager Donoghue noted that the Cares Act money is distributed through the State. C. Rourke noted the work and suggested all concerns had been addressed and children and staff should be in the schools.

**12. CITY COUNCIL - MOTIONS**

**12.1. C. Conway - Req. City Mgr. provide an update regarding hiring of our retired police officers for uncovered special details.**

In City Council, seconded by C. Samaras, referred to City Manager. So voted. C. Conway noted that seasoned veterans of the force would be on the details and noted that there were some obstacles present thus far. Manager Donoghue noted that a Home Rule Petition has been approved and that some union language needs to be addressed. City Solicitor O'Connor noted there would be some language changes and it would be a quick resolution.



**12.2. C. Mercier - Req. City Mgr. find ways and means to extend the guard rail along Fisher Street to prevent vehicle cut through at 150 Aiken Avenue.**

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Mercier outlined the area and the need for relief for homeowners.

**12.3. C. Mercier - Req. City Mgr. have Law Department take appropriate steps necessary to address the abandoned home at 150 Fetherston Avenue.**

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Mercier noted it was a foreclosure issue and there was litigation and heirs involved. C. Mercier commented that the City should push the process and have the property cleaned.

**12.4. C. Mercier - Req. City Mgr. provide a report and explanation regarding what material is going into the jersey barrier containment structure at the National Park parking lot on Dutton Street.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Mercier requested the information. M. Leahy noted it was a temporary situation for storage purposes.

**12.5. C. Mercier - Req. City Mgr. provide a report regarding the installation of a walkway along the river behind the Lowell Memorial Auditorium and how it will affect the monuments there.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Mercier noted construction in the area and Veterans' groups want to ensure safety of monuments and trees along the walkway.

**12.6. C. Rourke - Req. City Mgr. have proper department implement that all rental properties in the City have publicly posted information consisting of who the property owner is, along with phone and email contacts; information to be posted on the property in a manner which follow proper guidelines.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Rourke noted it allows residents to get information regarding problem properties. C. Mercier noted the need for local contacts to address any concerns. C. Mercier questioned problem property on Andover Street. C. Chau noted the responsibility of owning property. C. Rourke commented that any fines and fees should be strictly enforced.

**12.7. C. Chau - Req. City Council support the enhancement of the USPS through November 2020 elections for the successful outreach and tabulation of the Vote-By-Mail program within the City; and request City Mgr. immediately notify our representatives in Congress (House and Senate) of the Council action and urge their immediate support.**



In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Chau commented on the need of the post office to operate at full capacity during election. C. Rourke noted opposition to motion has it speaks to a national issue and not an appropriate local agenda item.

**12.8. C. Chau - Req. appropriate Council subcommittee hold a hearing to discuss measures for prevention of illegal dumping within the City of Lowell; and request City Mgr. invite representatives from Inspectional Services Department, Code Enforcement, Police, Fire and DPW, as well as other relevant and interested parties to attend.**

In City Council, seconded by C. Rourke referred to City Manager. So voted. C. Chau noted the issue with illegal dumping all over the City and that it would be best discussed in a Neighborhoods SC along with City inspectors. C. Elliott requested list of areas where it happens frequently. C. Mercier noted further issue of people using outdoors as bathrooms. M. Leahy noted that downtown needs to be addressed in terms of trash pickup.

**12.9. M. Leahy - Req. City Mgr. provide a report regarding large truck traffic on and around Olive Street; report to include possible solutions to lessen such traffic throughout that neighborhood.**

In City Council, seconded by C. Rourke, referred to City Manager. So voted. M. Leahy noted that large trucks are congesting the area.

**12.10. M. Leahy - Req. City Mgr. provide a report regarding traffic flow around Boylston and Laurel Streets; report to include increase in traffic flow on side streets and through parking lot at Store 38.**

In City Council, seconded by C. Samaras, referred to City Manager. So voted. M. Leahy noted speeding in parking lots and side streets.

### **13. CITY COUNCIL - EXECUTIVE SESSION**

**13.1. Executive Session - To consider and discuss the possible purchase or sale of properties (Hurd Street site and the Hamilton Canal District), public discussions of which may have detrimental effect on negotiating position of the City; and further, to discuss matters of litigation (Huot; open meeting complaints), public discussions of which may have a detrimental effect on the City's position.**

In City Council, M. Leahy stated reason for Executive Session, **Motion** by C. Rourke, seconded by C. Chau to enter Executive Session for stated purpose and to adjourn from Executive Session (8:25 PM). Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted. M. Leahy stated that body would adjourn from the Executive Session.



#### 14. ANNOUNCEMENTS

In City Council, Manager Donoghue note continued Covid testing under the Stop Spread Campaign. C. Mercier questioned when body would return to Council Chamber. C. Samaras noted that there should be a Health Department report regarding issue. C. Rourke noted public should attend meetings. Manager Donoghue noted State directive regarding large gatherings and that there could be some hybrid approach to hosting meetings. C. Rourke noted School Committee meetings are not running smoothly with technology. C. Samaras noted they should wait for Health Department directive. M. Leahy noted gifts of face masks received by the City.

#### 15. ADJOURNMENT

In City Council, **Motion** to Adjourn in Executive Session by C. Elliott, seconded by C. Mercier. So voted.

Meeting adjourned at 10:30 PM.

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Michael Geary, City Clerk

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 150 thereof Entitled, "Fees" by amending certain sections.

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

"The Code for the City of Lowell," hereinafter called the "Code", adopted by the City Council on December 23, 2008, is hereby amended with respect to 150 thereof, by amending certain sections:

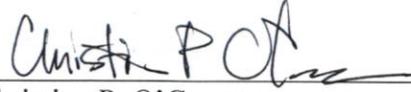
1. By amending Chapter 150, Entitled **Fees; Cemetery** by adding the following new number 19.1 as follows:

	<b>Department/Reference</b>	<b>Unit/ Frequency</b>	<b>Fee</b>
19.1	Columbarium purchases		
	Row 1	Ea.	\$600.00
	Row 2	Ea.	\$700.00
	Row 3	Ea.	\$700.00
	Row 4	Ea.	\$800.00
	Columbarium openings		
	Monday – Friday	Ea.	\$250.00
	Saturday	Ea.	\$400.00

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

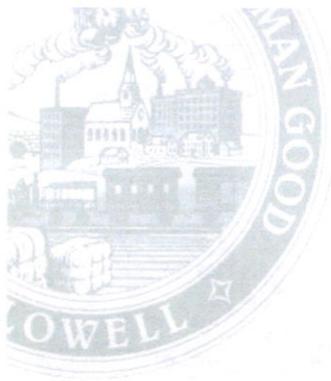
3. This Ordinance shall take effect upon its passage in accordance with the provisions of Chapter 43 of the Massachusetts General Laws.

APPROVED AS TO FORM:

Handwritten signature of Christine P. O'Connor in black ink, written over a horizontal line.

Christine P. O'Connor  
City Solicitor

Ordinanceamendfees/columbarium



## City of Lowell - Law Department

375 Merrimack Street, 3<sup>rd</sup> Floor • Lowell MA 01852-5909  
Tel: 978.674.4050 • Fax: 978.453.1510 • [www.lowellma.gov](http://www.lowellma.gov)

Christine P. O'Connor  
*City Solicitor*

Kerry Regan Jenness  
*1st Assistant City Solicitor*

Gary D. Gordon  
John Richard Hucksam, Jr.

Adam LaGrassa

Stacie M. Moeser

Elliott J. Veloso

*Assistant City Solicitors*

August 21, 2020

City Manager Eileen M. Donoghue  
Mayor John J. Leahy  
And  
Members of the City Council

Re: Ordinance to propose adjustments to Fee Schedule

Dear Manager Donoghue, Mayor Leahy and Members of the City Council:

Attached is an ordinance proposing adjustments to the City's *Fee Schedule* for the *Cemetery* relative to columbarium purchases and openings. The Cemetery Commission voted on prices for the new columbarium located in the Westlawn I Cemetery as evidenced by the enclosed Minutes.

If you have any questions, please feel free to call me.

Very truly yours,

Christine P. O'Connor  
City Solicitor

cc: Christine Clancy, DPW Commissioner  
Cemetery Commission  
Shannon Cohan, Superintendent of Parks and Open Space

# Cemetery Commission Meeting

Tuesday, July 14, 2020 @ 11:00AM

-Minutes-

Meeting called to order at 11:02AM

Roll Call:	Chairman Gerard P. Largay	Present
	Vice Chairman Dennis Mercier	Present
	Member John Bond	Present
	Member Paul Francoeur	Present
	Superintendent Shannon Cohan	Present
	Recording Secretary Jade L. Bernis	Present

## Old Business

- A. Review/accept minutes from the Cemetery Commission Meeting held on Tuesday, April 14, 2020
- Motion to "approve minutes of the meeting held on April 14, 2020 as presented" made by Member John Bond – seconded by Vice Chairman Dennis Mercier
- So voted 4 – 0 – 0

## Unfinished Businesses – POSTPONED UNTIL FURTHER NOTICE

- A) Discuss Chapel renovation (*renovations including a new rug, repair of ceiling and donated pews to be completed. New landscaping at the entrance of the chapel will also be done in the spring*).
- B) Letters to the Law Department re overdue Funeral Billing (Public speaking)
- C) Garage repairs (DPW to address)
- D) School Street wall damage (*First portion of the wall has been completed. Will have to bid out for next section*).
- E) Boston Road flooding issues
- F) Pony Wall to cover loam in storage area of Westlawn I (*Gathering quotes*)
- G) Retired flag box (*Box has been donated, scraped and sanded. Sign has been made. Will be painted shortly*).
- H) Edson Cemetery Entrance (*Waiting for quote*)
- I) Possible Cemetery Clean-up project

## New Business

- 1) Review/discuss Columbarium (landscaping, pricing, plaques, etc.)
- The Commission met at the new Columbarium and discussed landscaping, benches, plaques, flowers, prices, etc. A style of bench was chosen. The landscaping was discussed – a concrete pad will be poured around the columbarium and benches and raised flower beds will be installed. A reclaim path will be created going from the parking area to the columbarium. A motion was made by Member John Bond – seconded by Chairman Gerard Largay to "set the price structure as follows: first row \$600.00, second and third row \$700.00 and the 4<sup>th</sup> row \$800.00. Opening charge Monday through Friday \$250.00 and Saturday Opening charge \$400.00".

So voted 4 – 0 – 0

Bronze plaques will be allowed on the door. At the next meeting the size, lettering, etc. will be discussed.

We will also need to announce that the columbarium is available for sale. It will be listed on the City's website – a letter will be sent to all Funeral Directors – an ad will be placed in the Lowell Sun, etc.

A motion was made by Member John Bond – seconded by Chairman Gerard Largay to “transfer \$750.00 from the Perpetual Care Interest account to cover the cost of an ad in the Lowell Sun”.

So voted 4 – 0 – 0

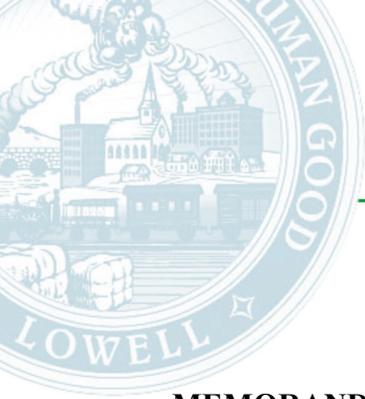
- 2) Review/discuss multiple bench requests – should we allow and if so what kind of bench do we want to allow? What locations?
  - The Commission would allow the same style bench that was chosen for the Columbarium area. Once a request is approved by the Commission it will be sent to the City Council for the subcommittee to approve.
- 3) Review/discuss request from Harvestmoon Paranormal
  - Reviewed and placed on file
- 4) Review/discuss accident on 6/24/2020 at intersection of Boston Road and Swan Street (WI)
  - Reviewed – we are still awaiting a quote to repair the damage.
- 5) Review/discuss accident on 7/3/2020 at the School Street Cemetery
  - Reviewed – we are waiting for a quote to repair the School Street wall which will be forwarded to the insurance company.
- 6) Review/discuss request from Mel Alejandro to film at the public cemeteries
  - This request was discussed and approved with stipulations. Multiple locations need to be scouted and relayed to the office so that we can compare them with any funerals we may have. They are to also leave the area the way they found it and not cause any damage.
- 7) Review/discuss Cemetery Commission job posting
  - Reviewed – placed on file
- 8) Recommendations/concerns/other

### **Adjournment**

Motion to adjourn at 11:43AM

**Next meeting to be held Tuesday, July 28, 2020 @ 11:00AM at the**

**WI Columbarium – 215 Boston Road**



Diane Nichols Tradd  
Assistant City Manager/DPD Director

Craig Thomas  
Deputy Director

**MEMORANDUM**

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Craig Thomas, DPD Deputy Director/Monument Committee Member

DATE: September 8, 2020

SUBJECT: Monument Committee Motion Responses (2)

COUNCIL MOTION OF 4/23/2019 BY COUNCILOR SAMARAS  
REQUEST THE CITY MANAGER INSTRUCT THE PROPER DEPARTMENT TO DEVELOP  
STANDARD PROCEDURES AND PROTOCOLS FOR COMMUNITY GROUPS WISHING TO  
INSTALL MONUMENTS NEAR CITY HALL/JFK PLAZA

On Monday, August 17, 2020 the Monument Committee approved Interim Guidelines for its work, which include detailed information for City Hall/JFK Plaza. The Committee voted to approve the guidelines on an interim basis while it reviews several detailed items. The Committee submits these guidelines for review and approval with this motion response.

COUNCIL MOTION OF 11/26/2019 BY COUNCILOR MERCIER  
REQUEST CITY MANAGER ALLOW A MEMORIAL PLAQUE OR SIGN AT MCPHERSON  
PARK IN CENTRALVILLE IN HONOR OF MICHAEL “SULLY” SULLIVAN IN GRATITUDE  
FOR HIS MANY YEARS OF SERVICE TO THE YOUTH OF OUR CITY

On Monday, August 17, 2020 the Monument Committee voted, pursuant to its approved interim guidelines, to initiate a public comment period for the Michael “Sully” Sullivan memorial request. The public comment period begins on Monday, August 31, 2020 and will end after 30 days. Comments can be submitted to the Monument Committee email ([monuments@lowellma.gov](mailto:monuments@lowellma.gov)) and/or submitted to the Chairman by calling Development Services at (978) 674-4144. The Committee will meet after the comment period has ended to take a final vote on the request and, if approved, send the approval information to the Board of Parks.

CRT/ns

Attachment

cc: Steve Stowell, Historic Board Administrator/Chairman, Monument Committee  
Monument Committee



## Lowell Municipal District Memorial Marker Locations

As of August 2020

- |   |   |    |  |    |   |
|---|---|----|--|----|---|
| 1 | <b>John B. Green Memorial</b><br>Lowell PD                | 7  | <b>*Identification Missing*</b>                            | 14 | <b>Polish Immigrants</b>                    |
| 2 | <b>*Identification Missing*</b>                           | 8  | <b>Dedicated to the City</b><br>given by John Jacob Rogers | 15 | <b>PFC Donald L. Arcand Memo</b>            |
| 3 | <b>Lithuanian Immigrants</b>                              | 9  | <b>Laotian Immigrants</b>                                  | 16 | <b>Luther Ladd/Addison Whitney Memorial</b> |
| 4 | <b>Firefighters' Memorial</b><br>Lowell FD                | 10 | <b>Cambodian Immigrants</b>                                | 17 | <b>Irish Immigrants</b>                     |
| 5 | <b>Christos G. Rouses Memorial</b><br>Lowell PD           | 11 | <b>Armenian Genocide Memorial</b>                          | 18 | <b>Cardinal O'Connell</b>                   |
| 6 | <b>Smith/Sullivan/Seamans/Brill Memorial</b><br>Lowell PD | 12 | <b>Portuguese Immigrants</b>                               | 19 | <b>Greek Immigrants</b>                     |
|   |   | 13 | <b>Franco-American Immigrant</b>                           |    |   |

**1 John B. Green**  
**Memorial**  
Lowell PD



**2 \*Identification Missing\***

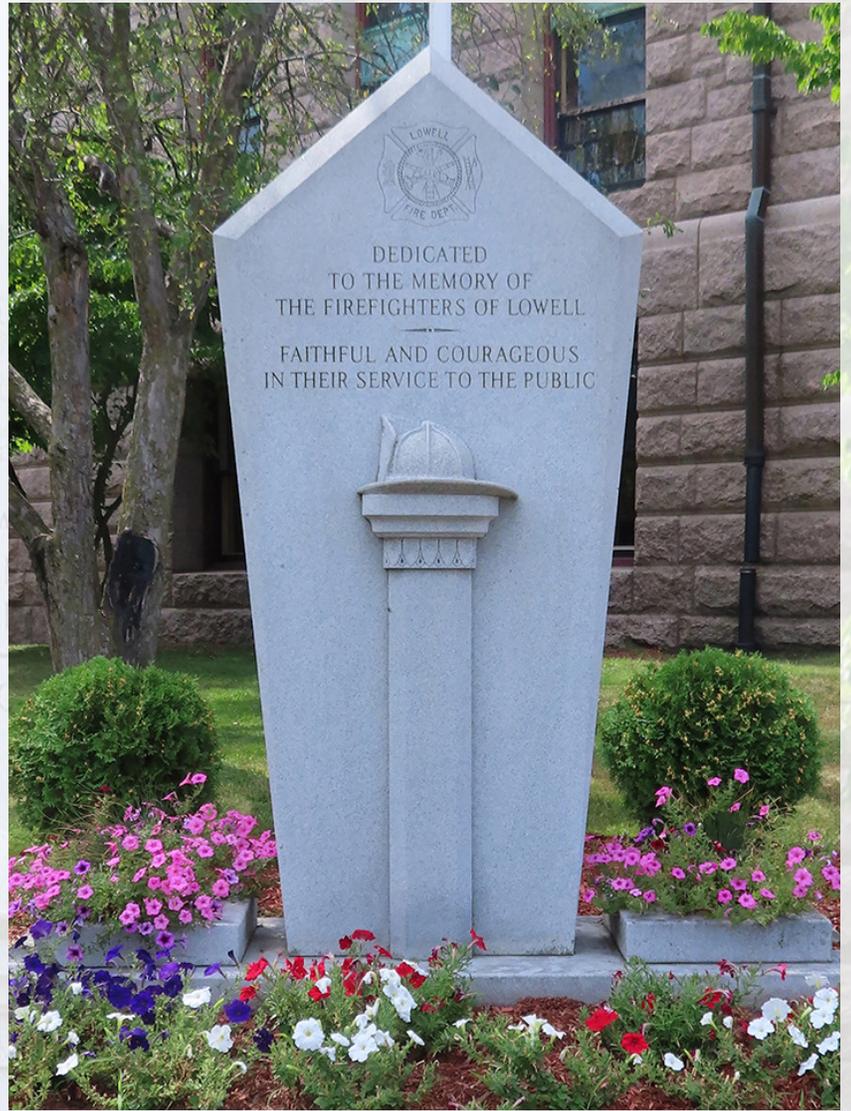


### 3 Lithuanian Immigrants



IN HONOR OF THE  
CAME TO LOWELL  
DEDICATED ON JUNE 23, 2012 BY THE  
DLKV LITHUANIAN CLUB & LADIES AUXILIARY

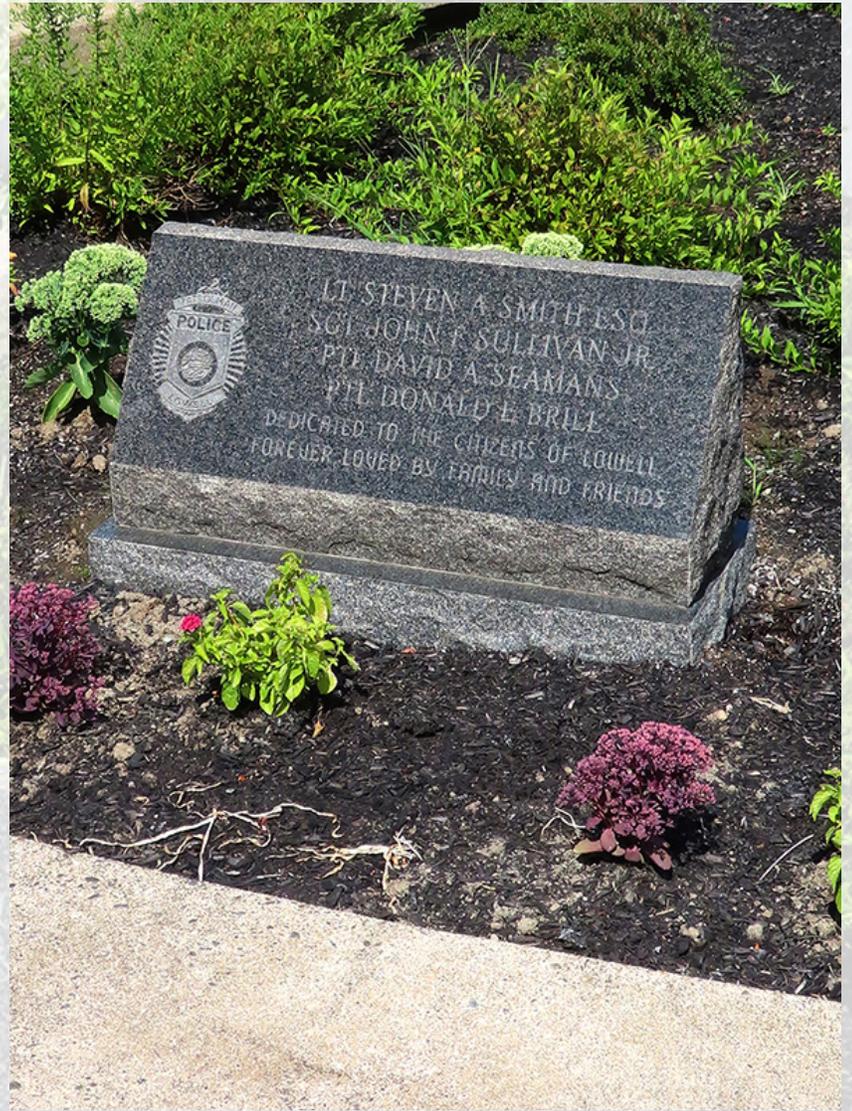
**4** Firefighters'  
**Memorial**  
Lowell FD



**5** **Christos G.  
Rouses Memorial**  
Lowell PD



**6** **Smith/Sullivan/  
Seamans/Brill  
Memorial**  
Lowell PD



**7 \*Identification  
Missing\***



**8 Dedicated  
to the City**  
by John Jacob  
Rogers



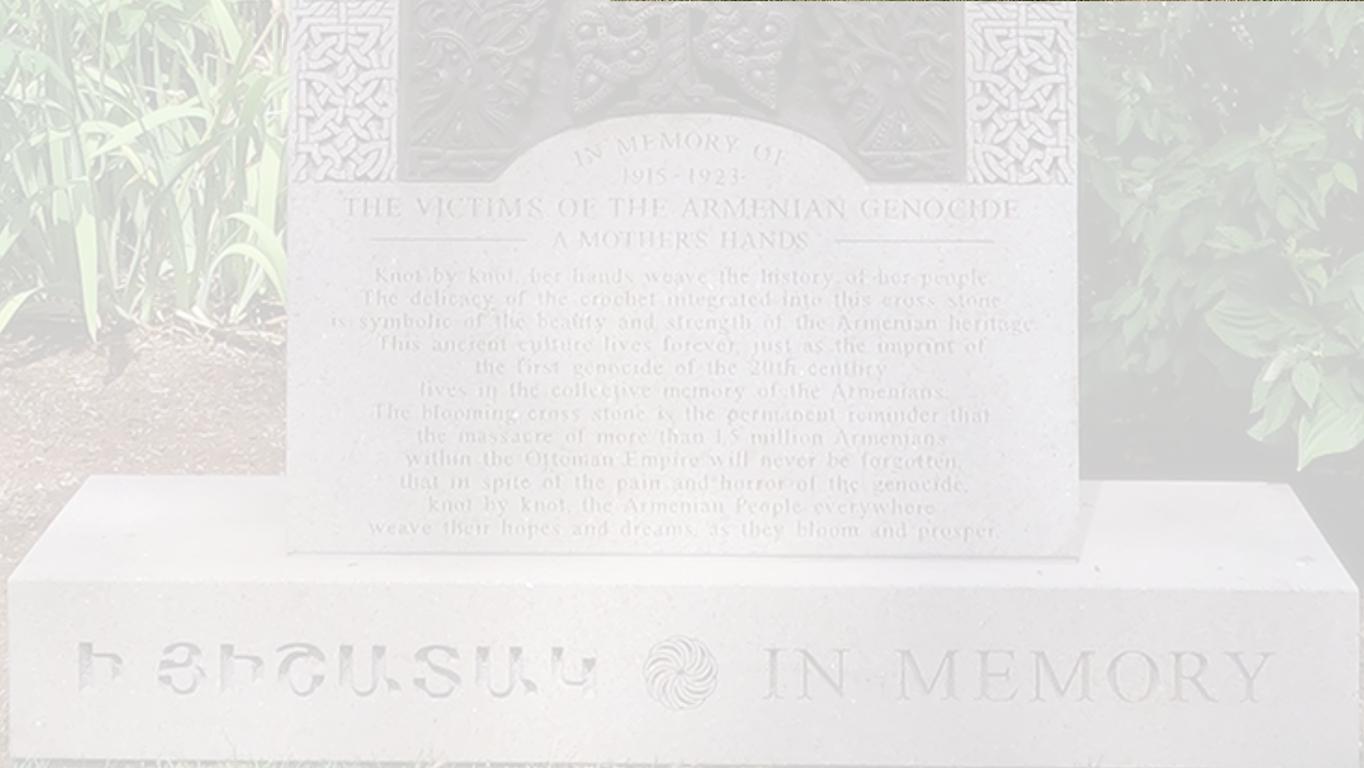
# 9 Laotian Immigrants



# 10 Cambodian Immigrants



# 11 Armenian Genocide Memorial



# 12 Portuguese Immigrants



IN HONOR OF THE  
HERITAGE AND  
CONTRIBUTIONS OF THE  
PORTUGUESE COMMUNITY TO  
THE CITY OF LOWELL

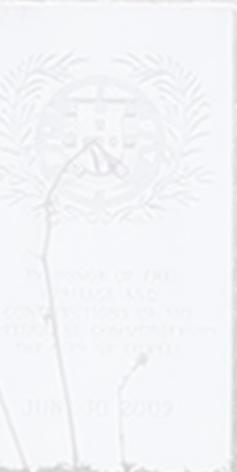
JUNE 10, 2009

# 13 Franco-American Immigrants



EN HONNEUR  
DES  
FRANCO-AMERICAINS  
DE LOWELL, MASS.

# 14 Polish Immigrants



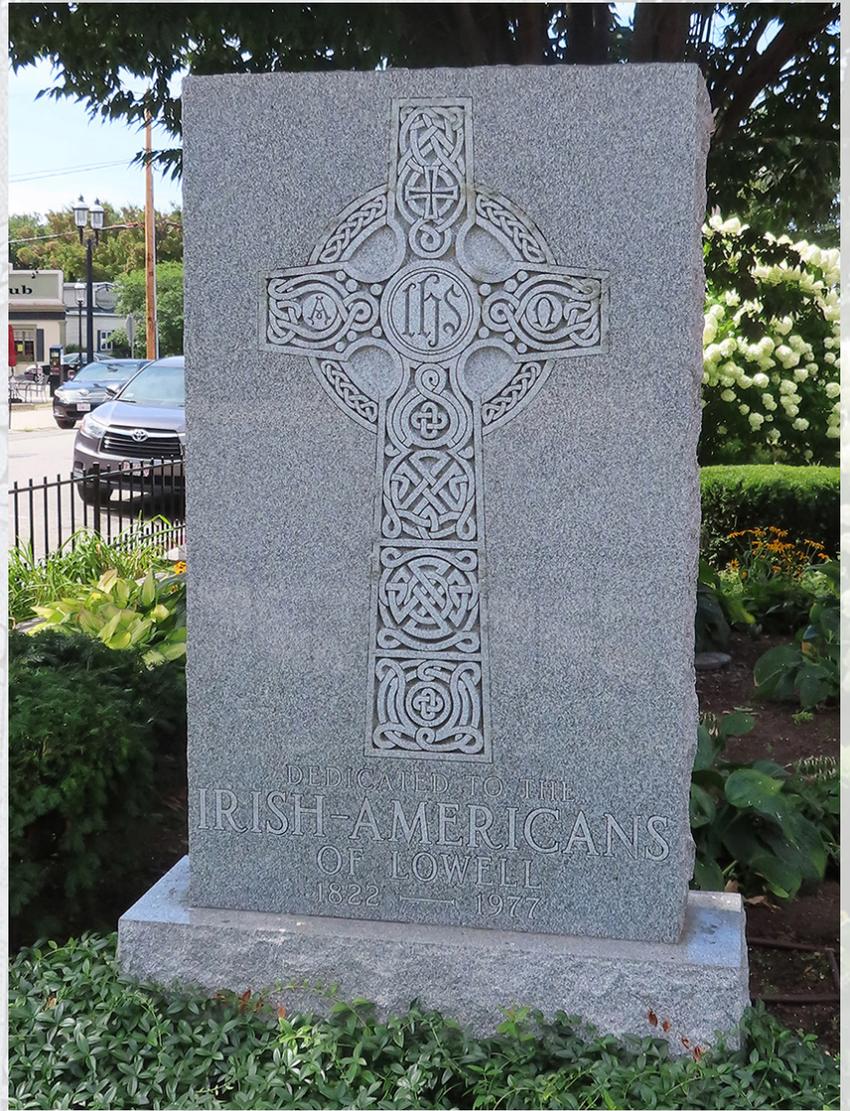
**15 PFC Donald L. Arcand Memorial**



**16 Luther Ladd/  
Addison Whitney  
Memorial**



# 17 Irish Immigrants

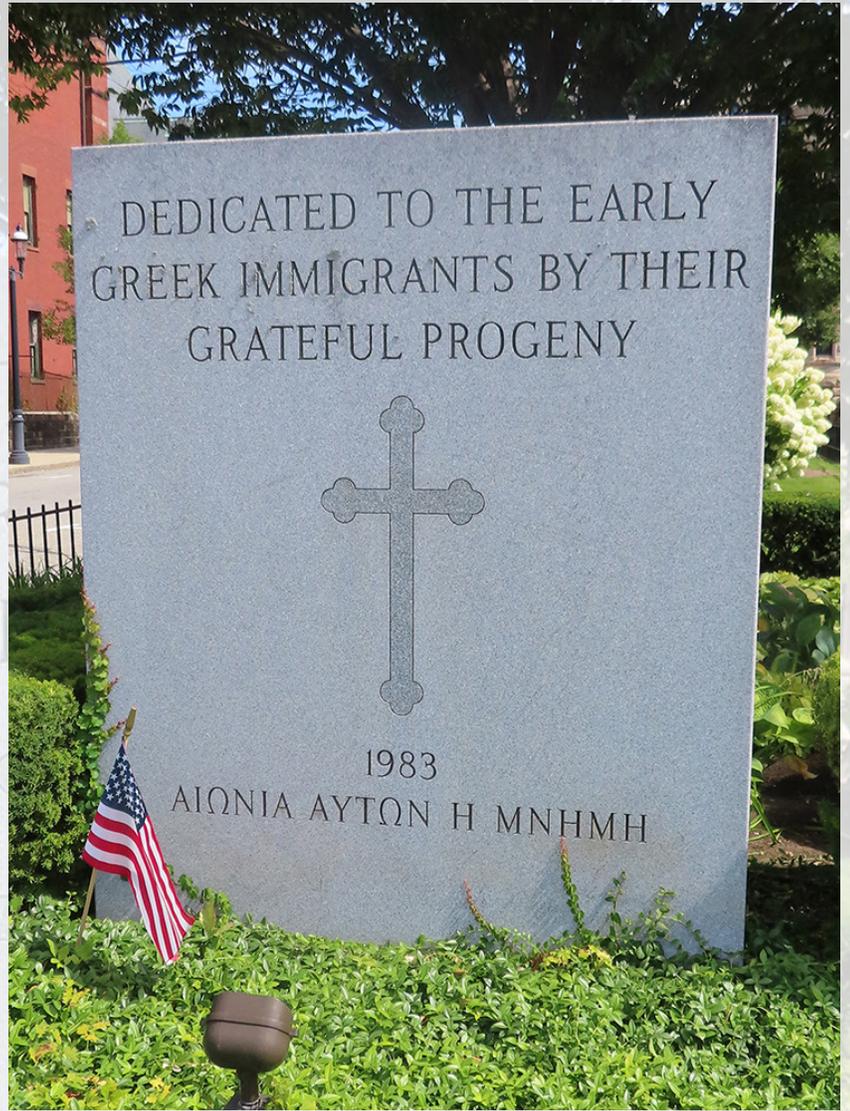


DEDICATED TO THE  
IRISH-AMERICANS  
OF LOWELL  
1822 — 1977

**18 Cardinal O'Connell**



**19** Greek Immigrants



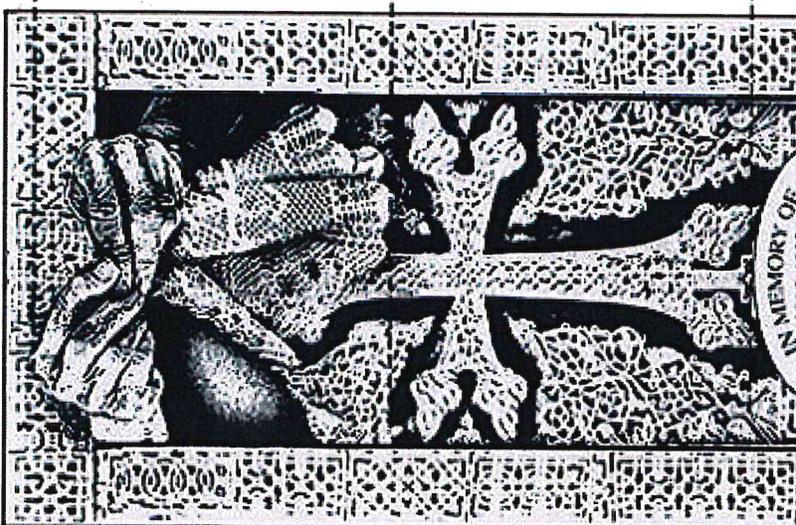
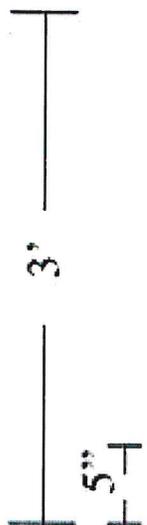
DEDICATED TO THE  
GREEK IMMIGRANTS BY THEIR  
GRATEFUL PROGENY



1983  
ΑΙΩΝΙΑ ΑΥΤΩΝ Η ΜΝΗΜΗ

1983

ΑΙΩΝΙΑ ΑΥΤΩΝ Η ΜΝΗΜΗ



IN MEMORY OF  
1915-1923

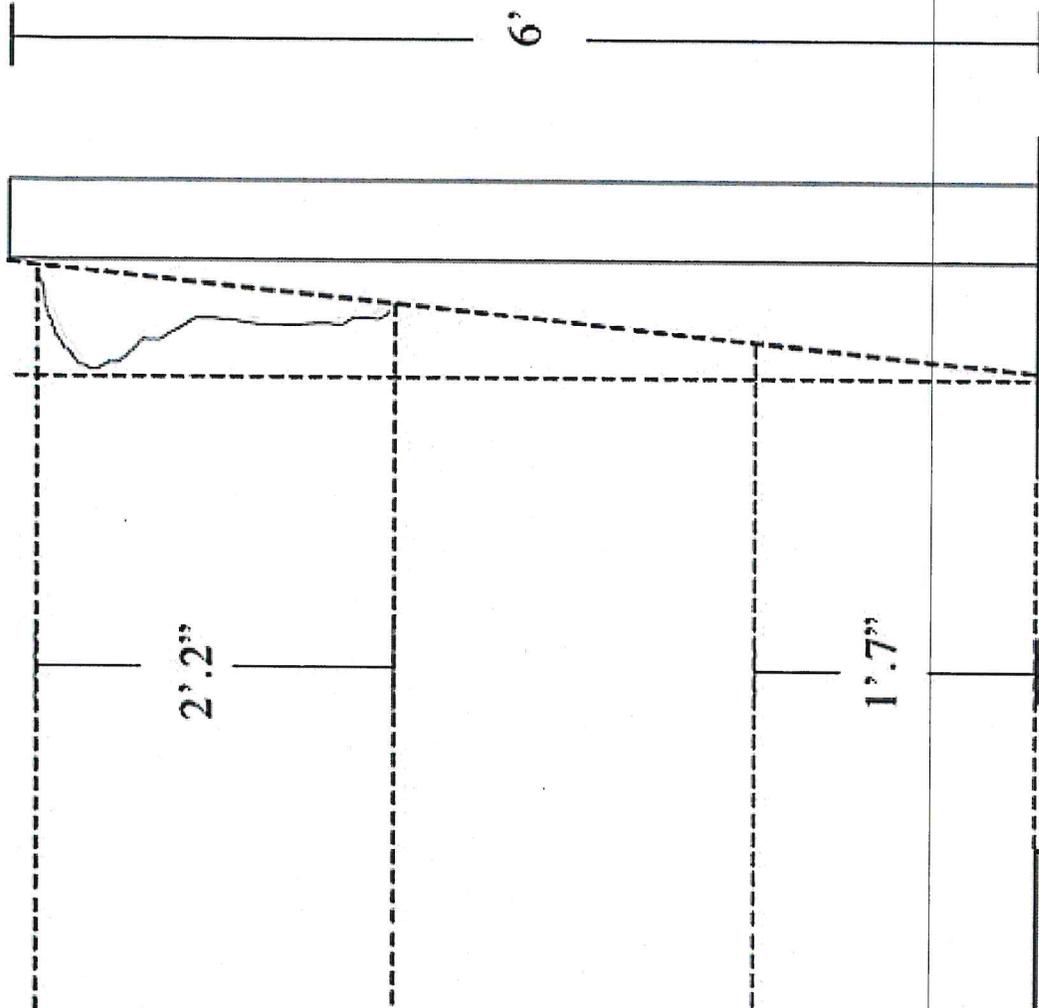
THE VICTIMS OF THE ARMENIAN GENOCIDE  
MOTHER'S HANDS

Knot by knot, her hands weave the history of her people. The delicacy of the crochets integrated into this cross-stitch is symbolic of the beauty and strength of the Armenian heritage.

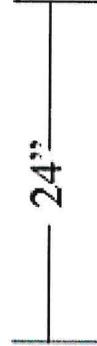
This ancient culture lives forever, just as the imprint of the first genocide of the 20th century exists in the collective memory of the Armenians.

This blooming cross-stitch is a poignant reminder that the daughter of more than 1.2 million Armenians within the Ottoman Empire will never be forgotten and that in spite of the pain and horror of the genocide.

Knot by knot, the Armenian People everywhere continue to weave their hopes and dreams, as they bloom and prosper.



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## MEMORIAL BENCHES POLICY

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Requests for park bench dedications/memorials will be in the form of City Council motions forwarded to the city's Monument Committee. The Monument Committee will initiate a record review with Lowell Police (LPD).

- The Chairman of the Monument Committee will be designated as the CORI representative with LPD. The Chairman will ask LPD to provide a response to the Commission about the CORI, which will include appropriate handling of sensitive information.

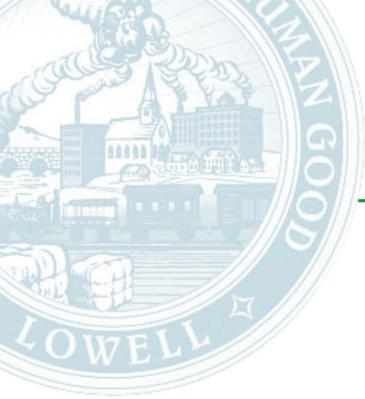
If, after the LPD CORI response, the Monument Committee wishes to move forward with the request then it will initiate a 30-day public comment period regarding the proposed memorial bench through the following actions: 1) post a sign at location of the proposed memorial bench, which shall be of a size and design approved by the Superintendent of Parks; 2) disseminate the memorial request through typical City channels such as land use board distributions to neighborhood groups; and 3) posting the memorial request with the City Clerk. The Committee may in the future include social media postings, but it will not do so at this time. The posting will include the name of the person being memorialized and the proposed bench location. After the 30-day public comment period ends, the Monument Committee will hold a meeting to review submitted comments, if any, and vote on the request based upon an evaluation of the comments. Individuals will not be approved if comments indicate a preponderance of concerns about the individual proposed. Monument Committee recommendations shall be forwarded to the Board of Parks for their review and approval.

The Board of Parks shall set the fee for memorial bench placements, which the Monument Committee suggests should be less than the full price of a new bench. Once Board of Parks approval has been secured, the Parks Department will be notified and coordinate with the family members regarding the delivery of the bench and plan for installation. The Parks Department will need proof of approval from the Monument Committee and Board of Parks prior to bench installation. Parks Department staff will be responsible for acquiring and installing the bench. The style of bench and method of inscription shall be determined by the Parks Department to align with long-term park investment plans.

Park dedications and memorial benches are welcome in any city park that already has existing benches. The City understands that for many people, there are memories and family connections that run deep throughout our neighborhoods, and allowing benches in all our park areas will provide residents an opportunity to dedicate benches in locations with particular meaning.

Bench proponents can request a specific park, but not a specific bench location, as the City would like to avoid installing benches in locations that will alter individual park designs and layout. City staff encourages the Board of Parks to limit benches to areas where seating already exists. Board of Parks will make the final determination on bench location.

At minimum, all benches will remain in place through the lifetime of the manufacturer's warranty. Outside of the manufacturer's warranty, benches will remain in place so long as they remain in good condition. Once benches require replacement, the City will remove the existing bench. A new memorial bench may be dedicated again by working with the family members or a standard City bench may be installed in the location if a new memorial bench is not requested.



Diane Nichols Tradd  
*Assistant City Manager/DPD Director*

Craig Thomas  
*Deputy Director*

MEMORANDUM

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

DATE: September 8, 2020

SUBJECT: MOTION OF 8/25/20 BY COUNCILOR MERCIER  
REQUEST CITY MANAGER PROVIDE A REPORT AND EXPLANATION  
REGARDING WHAT MATERIAL IS GOING INTO THE JERSEY BARRIER  
CONTAINMENT STRUCTURE AT THE NATIONAL PARK PARKING LOT ON  
DUTTON STREET

The City of Lowell, through the Department of Planning and Development, continues to manage the construction of the new parking garage in the Hamilton Canal Innovation District (HCID). The parking garage is entering the final phase of construction and all parties are working together to reach a completion date as soon as possible so that cars may park in the facility, especially those individuals utilizing the Justice Center on Jackson Street.

The opening of the HCID garage requires the construction of an unfinished roadway section that will serve as the garage entrance. The construction of the road required a City permit with the National Park Service (NPS), which included a plan for storing the excess soil generated (known as stockpiling) from the road work. The decision was made to stockpile the soil because this option does not impact the construction timeline for the garage. In addition, because of the City's extensive work in the area around the garage and the NPS parking lots, there is no location to store the soil that will not interfere with either active construction or use of the NPS parking lot.

Thankfully, the City reached an agreement with NPS for soil storage on a modest portion of their existing parking lot. However, the stockpile is required to have protections from cars in the parking lot, which is why the stockpile has jersey barriers on the outside. In addition, to mitigate concerns about dust blowing in the wind and to comply with rules about soils not washing into waterways in the rain, the stockpile is surrounded by an impermeable black sheeting. The stockpile is not permanent and the soil will be removed after construction and planning initiatives in the immediate vicinity are completed.

CRT/ns

cc: Craig Thomas, Deputy Director DPD



## City of Lowell - Law Department

375 Merrimack Street, 3<sup>rd</sup> Floor • Lowell MA 01852-5909  
Tel: 978.674.4050 • Fax: 978.453.1510 • [www.lowellma.gov](http://www.lowellma.gov)

**Christine P. O'Connor**  
*City Solicitor*

**Kerry Regan Jenness**  
*1st Assistant City Solicitor*

**Gary D. Gordon**  
**John Richard Hucksam, Jr.**  
**Adam LaGrassa**  
**Stacie M. Moeser**  
**Elliott J. Veloso**  
*Assistant City Solicitors*

### MEMORANDUM

**TO:** Eileen M. Donoghue, City Manager *EMD*

**FROM:** Christine P. O'Connor, City Solicitor  
Christine Clancy, Commissioner of Public Works

**DATE:** September 8, 2020

**SUBJECT:** MOTION OF 8/11/20 BY COUNCILORS NUON AND SAMARAS  
REQUEST CITY MANAGER REPORT ON RESULT OF PREVIOUS  
NEGOTIATIONS WITH SIFI NETWORKS AND EXPLORE OPTIONS TO  
PROVIDE WIFI THROUGHOUT THE CITY SO ALL STUDENTS CAN  
ASCESS ONLINE LEARING AS NECESSARY

We write in response to a motion request relative to negotiations with SiFi, and further to explore options to provide Wi-Fi throughout the city for online learning for students.

Negotiations with SiFi remain ongoing, although such efforts have paused during this pandemic. To this date, SiFi has not advanced any installations in the New England area. It has been reported to the City of Lowell, that soon SiFi will be doing a pilot program in Salem, Massachusetts.

As part of our own due diligence, the City has been invited to observe the installation and effects of Salem's pilot program. If the pilot program is successful, micro-trenching would then need to be installed in all of Salem's streets.

Whether in Salem or in Lowell, a contract with SiFi would be part of a multi-year effort, and even a community with a recently signed contract would still be years from implementation. Accordingly, while the administration continues to explore a fiber-optic broadband network through SiFi, this product would not, at this time, provide a solution for city-wide Wi-Fi.



Eileen M. Donoghue  
City Manager

Kara Keefe Mullin  
Assistant City Manager

## MEMORANDUM

**TO:** Mayor Leahy and Members of the City Council  
**FROM:** Eileen Donoghue, City Manager *EMD*  
**DATE:** September 8, 2020  
**SUBJECT:** Reopening Plans at Academic Institutions

**Motion by C.Conway on 8/25/2020** - Req. City Mgr., In Light Of Coronavirus Pandemic, To Reach Out To Our Academic Institutions; Lowell Public Schools, UML, MCC, And Private Schools To Discuss The Anticipated Upcoming School Year And How The City Of Lowell Can Help With A Safe And Smooth Opening

Throughout recent months I, along with Director of Health and Human Services Joanne Belanger and other pertinent City officials, have remained in close contact with leaders from Lowell's academic institutions regarding their plans for the upcoming fall 2020 semester. As reopening plans have evolved in response to developments related to the status of the COVID-19 crisis as well as shifting state and federal guidance, we have maintained correspondence with each institution to assess the potential public health implications of their respective plans and to offer the assistance of the City in ensuring that they are executed safely. It bears emphasizing that each institution intends to substantially reduce the in-person presence of students at their facilities and have engaged in extensive efforts to protect the health and safety of their communities.

### **Middlesex Community College**

Citing the goal of avoiding disruptions in student learning in the event of a subsequent surge in COVID-19 cases, Middlesex Community College has decided to conduct nearly all learning remotely, with 95% of courses taking place online during the fall semester which is set to begin on Wednesday, September 9, 2020. This decision significantly limits the number of student and faculty entering the City for classes. The College has identified a limited number of courses that require in-person components such as STEM and performing arts courses. Classrooms hosting in-person courses will be configured to accommodate social distancing. Individuals reporting to campus facilities for these courses or for any other in-person service will be required to comply with strict safety guidelines, including the completion of a daily COVID-19 symptom self-assessment. Students and faculty are required to sign-in upon entry of any MCC building to establish a directory that could be used for contact tracing in the event that a positive case of COVID-19 is identified within the campus community.

President James Mabry informed me that the College will reevaluate this model and determine if it is appropriate for in-person learning to be expanded ahead of the spring semester. He has committed to keeping the City apprised of its decision on the matter.

## **UMass Lowell**

In July, UMass Lowell released a plan under which 25-50% of classes would be held in-person, and 3,600 beds would be opened to students. This plan included stringent testing protocols for students along with other extensive health and safety measures in accordance with state and federal guidelines. Given the anticipated impact of this plan, which would have brought thousands of students into a congregate setting within the City, our Health and Human Services department was in regular contact with University health officials in order to remain informed on their testing, response and isolation plans. Additionally, a broader meeting between City officials and Chancellor Maloney and her team was convened to discuss the details of the University's plan and its implications on the City.

Following the announcement of this plan, the University [decided to scale back](#) the on-campus presence of students and employees for the fall semester citing heightening infection trends in certain regions around the country and Governor Baker's decision to pause the reopening process, among other factors. Under this revised plan, nearly all courses will take place online, with only courses that require in-person instruction taking place on campus. The revised plan also significantly reduces the number of students that are permitted to live in University housing, limiting accommodations in residence halls to only students with extenuating circumstances (e.g. international students), and students who need to live on campus in order to progress academically.

Students who have been determined to need on-campus housing will live in single rooms on the University's east campus. In total, fewer than 800 students will live in University housing during the fall semester. Residential students will be tested through a University-run testing operation on a weekly basis. Certain commuter students and faculty will also be tested weekly. The City's Director of Health and Human Service has remained closely apprised of testing protocols and other control measures in place at the University, and has expressed confidence that the plan in place will ensure the health and safety both of the limited number of UMass Lowell students on campus as well as the surrounding community.

## **Lowell Public Schools**

The Lowell Public Schools released a detailed [plan](#) which gives families the choice of enrolling students in full-time in-person learning, or full-time remote learning. In order to allow for adequate social distancing within school facilities, the number of students that will be allowed to enroll for in-person learning is limited to 3,763, or 25% of the system's total enrollment of 14,906. As "opt-in" applications have exceeded that limit, a weighted lottery will take place at the end of this week to determine which students will be able to attend school on campus.

As the City Council is aware, the City has engaged in extensive efforts to ensure that school facilities are equipped to accommodate in-person learning. Under the direction of Public Works Commissioner Christine Clancy, all buildings are being prepared to standards that meet or exceed guidelines for school facility reopening provided to districts by the Massachusetts Department of Elementary and Secondary Education. As previously detailed, these efforts have included evaluating all HVAC systems, maximizing outdoor ventilation, assessing filters, and providing standalone HEPA air purifiers for each classroom. We will continue to keep the Council updated on developments related to this work.

Based on documents presented by the Public Schools, it is our understanding that extensive safety measures will be in place in settings where in-person learning is taking place, including the requirement of facemasks, configuration of classrooms to enable social distancing, and enhanced sanitization. The school also has plans in

place for possible COVID-19 exposure scenarios. Recently, the Baker Administration announced a rapid response testing program available to schools experiencing a high volume of confirmed cases.



Eileen M. Donoghue  
City Manager

Kara Keefe Mullin  
Assistant City Manager

## MEMORANDUM

**TO:** Mayor Leahy and Members of the City Council  
**FROM:** Eileen Donoghue, City Manager *EMD*  
**DATE:** September 8, 2020  
**SUBJECT:** USPS Support Letter

**Motion by C.Chau on 8/25/2020** - Req. City Council Support The Enhancement Of The USPS Through November 2020 Elections For The Successful Outreach And Tabulation Of The Vote-By-Mail Program Within The City; And Request City Mgr. Immediately Notify Our Representatives In Congress (House And Senate) Of The Council Action And Urge Their Immediate Support.

As requested by the City Council, I have submitted the attached letters to Senator Warren, Senator Markey and Congresswoman Trahan urging their continued support of legislation aimed at protecting mail delivery through the United States Postal Service in light of recent reports of operational changes implemented by the Postmaster General. The letter emphasizes the importance of reliable mail service as we approach the November General Election in order to ensure that all mail-in ballots that are placed in the mail are delivered in a timely manner and that voters have confidence in the vote-by-mail process. My office will continue to monitor developments related to USPS operations as well as any implications on mail delivery locally.

Eileen M. Donoghue  
City Manager

Kara Keefe Mullin  
Assistant City Manager

August 31, 2020

Congresswoman Lori Trahan  
1616 Longworth HOB  
Washington, DC 20510

Dear Congresswoman Trahan,

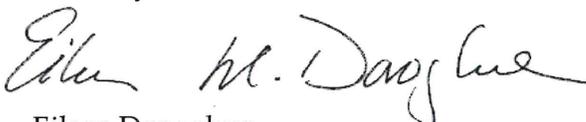
On behalf of the City of Lowell and the Lowell City Council, I would like to express our gratitude for your continued opposition to the disconcerting policies and practices recently implemented by the Postmaster General which stand to jeopardize the reliability of United States Postal Service operations. We appreciate your vote in favor of H.R. 8015, *the Delivering for America Act*. Left in place, the reported operational changes, including the removal of high capacity mail sorting machines, will have significant adverse effects on Lowell residents who rely on timely mail delivery for a host of critical and, in some cases, life-sustaining purposes.

As you have articulated throughout the recent public discourse on this issue, dependable mail delivery is vital to the well-being of millions of Americans at all times, but even more so at this time as we continue to confront the Coronavirus crisis. Delays to mail delivery would impose undue hardship on the countless individuals in Lowell that count on the Postal Service to deliver prescription medication and government benefits, to cite several critical examples.

Disruptions derived from these operational changes also threaten the ability of voters to safely cast their ballot as we prepare for a General Election in which all Massachusetts voters are entitled to vote by mail. In Lowell, more than 12,000 requests for mail-in ballots were received ahead of the September State Primary Election. That number is expected to increase significantly ahead of the General Election. With the integrity of the election and public health in mind, it is imperative both that all ballots placed in the mail are delivered on time and that all voters have confidence in the validity of this method of voting.

Given the potential severity of the consequences which could result from the modifications to the United States Postal Service, it is our request that you remain active in opposing any measure which may disrupt mail delivery and urge you to continue to support legislative action aimed at preserving reliable and timely mail delivery.

Sincerely,



Eileen Donoghue  
City Manager

Eileen M. Donoghue  
City Manager

Kara Keefe Mullin  
Assistant City Manager

August 31, 2020

Senator Edward Markey  
255 Dirksen Senate Office Building  
Washington, DC 20510

Dear Senator Markey,

On behalf of the City of Lowell and the Lowell City Council, I would like to express our gratitude for your continued opposition to the disconcerting policies and practices recently implemented by the Postmaster General which stand to jeopardize the reliability of United States Postal Service operations. Left in place, the reported operational changes, including the removal of high capacity mail sorting machines, will have significant adverse effects on Lowell residents who rely on timely mail delivery for a host of critical and, in some cases, life-sustaining purposes.

As you have articulated throughout the recent public discourse on this issue, dependable mail delivery is vital to the well-being of millions of Americans at all times, but even more so at this time as we continue to confront the Coronavirus crisis. Delays to mail delivery would impose undue hardship on the countless individuals in Lowell that count on the Postal Service to deliver prescription medication and government benefits, to cite several critical examples.

Disruptions derived from these operational changes also threaten the ability of voters to safely cast their ballot as we prepare for a General Election in which all Massachusetts voters are entitled to vote by mail. In Lowell, more than 12,000 requests for mail-in ballots were received ahead of the September State Primary Election. That number is expected to increase significantly ahead of the General Election. With the integrity of the election and public health in mind, it is imperative both that all ballots placed in the mail are delivered on time and that all voters have confidence in the validity of this method of voting.

Given the potential severity of the consequences which could result from the modifications to the United States Postal Service, it is our request that you remain active in opposing any measure which may disrupt mail delivery and urge you to continue to support legislative action aimed at preserving reliable and timely mail delivery.

Sincerely,



Eileen Donoghue  
City Manager

Eileen M. Donoghue  
*City Manager*

Kara Keefe Mullin  
*Assistant City Manager*

August 31, 2020

Senator Elizabeth Warren  
309 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Warren,

On behalf of the City of Lowell and the Lowell City Council, I would like to express our gratitude for your continued opposition to the disconcerting policies and practices recently implemented by the Postmaster General which stand to jeopardize the reliability of United States Postal Service operations. Left in place, the reported operational changes, including the removal of high capacity mail sorting machines, will have significant adverse effects on Lowell residents who rely on timely mail delivery for a host of critical and, in some cases, life-sustaining purposes.

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Sincerely,



Eileen Donoghue  
City Manager



Diane N. Tradd  
*Assistant City Manager/DPD Director*

R. Eric Slagle  
*Director of Development Services*

David Fuller  
*Building Commissioner*

TO: Eileen Donoghue, City Manager *EMD*  
FROM: R. Eric Slagle, Director of Development Services  
DATE: September 2, 2020  
RE: Motion by C. Mercier - Req. City Mgr. Have Law Department Take Appropriate Steps Necessary To Address The Abandoned Home At 150 Fetherston Avenue.

This memorandum addresses the request from Councilor Mercier regarding the status of the property at 150 Fetherston Ave.

The property at 150 Fetherston Ave. originally came on the radar of Development Services back in 2018, with a complaint for overgrowth. At the time, Development Services cited the property and sent notice to the owner of record, Jo Ann Lefebvre. We got no response to our violation notices.

In the summer of 2019, and again in the summer of 2020, we issued violations for overgrowth to the property owner, with no response. Unbeknownst to Development Services, the property owner had passed away, and her estate had not been probated, so there was no person or estate administrator who had responsibility for the property. However, we were told that two of Ms. Lefebvre's children were living at the property.

The taxes for this property have been in arrears for several years, and were sold at various tax lien auctions held by the City. Tallage, LLC purchased the tax liens for this property 4 times (2017, 2018, 2019, and 2020). While the 2017 taxes were redeemed and paid by Ms. Lefebvre's heirs, the remaining taxes are unpaid. Tallage, LLC has filed a request with Land Court, and have served 4 of the 5 heirs in this case. Unfortunately, because Tallage, LLC is not the owner of the property at this time, they do not have the right or the authority to take action to clean up or maintain the property. They would only have this right when and if they are successful in their Land Court foreclosure action.

Attempts to reach out to the heirs of Ms. Lefebvre have been unsuccessful thus far, and any phone numbers that we can find that they may have had at one time are currently disconnected. Given this situation, Development Services will proceed with a request to DPW to clear the overgrowth at the property and lien the property for their cost to do so, as we have done in the past with properties like this. We are currently working directly with DPW to coordinate this work.

ES  
09/02/2020



Diane Nichols Tradd  
*Assistant City Manager/DPD Director*

Craig Thomas  
*Deputy Director*

MEMORANDUM

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

DATE: September 8, 2020

SUBJECT: MOTION OF 6/9/20 BY COUNCILOR ELLIOTT  
REQUEST CITY MANAGER HAVE TRANSPORTATION ENGINEER  
EVALUATE MAKING BILLINGS (ONE-WAY) AND BARKER INTERSECTION A  
THREE WAY STOP

The Transportation staff has reviewed the above location for the possibility of upgrading the intersection to a 3-way stop intersection. Crash reports and ordinances were reviewed for the intersection of Barker Avenue and Billings Street, as well as a site visit was made with a local resident.

Currently, this is a 2-way stop intersection with the stops located on Barker Avenue. During the site visit, the resident expressed concerns about vehicles speeding down Billings Street. The resident stated that there was a recent accident at the intersection, and he believes a stop sign on Billings Street, as well as pavement markings on Barker Avenue, will increase safety. He also believes drivers traveling down Barker Avenue are not respecting the stop signs, and are rolling through the intersection rather than making a complete stop.

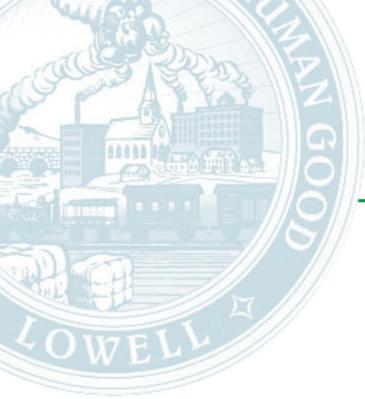
In the past two calendar years, there have been two accidents at this intersection including the one mentioned by the resident. In the most recent accident, the officer at the crash location concluded that a stop was never made on Barker Street. For the other accident, the driver struck a pole due to distracted driving. MUTCD states “five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation” as a criteria for a multi-way stop application, which is not met by this intersection.

The Transportation staff noted in the site visit that the stop sign on the south side of Barker Avenue is placed far away from the curb on Billings Street, and drivers stopped before the sign are unable to see vehicles traveling east on Billings Street. This causes drivers to edge towards the intersection and not make a complete stop before traversing. MUTCD states that signs before a wide curb cut like this one can be placed a minimum of 12 feet from the edge of the intersection, with the maximum being 50 feet. The stop sign on the south side of Barker Avenue is placed 39 feet away from the edge of Billings Street, which is MUTCD compliant.

The Transportation Engineer recommends adding stop bars at each of the stops on Barker Avenue in order for drivers to know where to adequately stop when approaching the intersection. In addition, stenciling ‘STOP’ on the pavement is also recommended. While the intersection does not warrant a multi-way stop, the Transportation staff believes Billings Street would be a good place to implement traffic calming measures to slow down speeding vehicles. Further study, design, and funding will be needed in order to implement any traffic calming measures.

AH/ns

cc: Natasha Vance, Transportation Engineer  
Alan Heredia, Assistant Transportation Planner



Diane Nichols Tradd  
*Assistant City Manager/DPD Director*

Craig Thomas  
*Deputy Director*

MEMORANDUM

TO: Eileen M. Donoghue, City Manager

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

SUBJECT: MOTION OF 6/23/20 BY COUNCILOR CONWAY: REQ. CITY MGR. PROVIDE AN UPDATE ON THE STATUS AND PROGRESS OF RT. 133 (ANDOVER STREET) IN REGARDS TO CALMING SOLUTIONS FOR SAFETY AND TRAFFIC

In FY2020, the City Council appropriated \$200,000 for pedestrian improvements on Andover Street (Rte. 133). The DPW Commissioner, the City Engineer and the Transportation Engineer met for a site visit to determine appropriate next steps along Andover Street. The following are the planned interventions:

- Shift Crosswalk & RRFB at Andover/Douglas to the other side of the intersection. Increases visibility of people waiting to cross by moving the crossing away from the large tree. Increases safety of crossers because it moves the crosswalk away from the left turning movement out of Douglas Road.
- Add ADA-accessible Wheelchair ramps (WCR) with detectible panels. Currently, the crosswalk is not ADA-compliant. Use thermoplastic to improve longevity when replacing the crosswalk.
- Install 100 LF of 4' wide asphalt sidewalk along north side of Andover Street at missing section in front of 658 Andover Street.
- Install 135 LF of 4' wide asphalt sidewalk along south side of Andover Street at missing section in front of 727 Andover Street.
- Install ADA-accessible wheelchair ramps with detectable warning panels and painted crosswalk on Clark Road.
- Install 6" high raised crosswalks on Raven Road at the intersection with Andover Street to slow cross traffic.
- Install 3" high speed hump on Clark Road at the intersection with Andover Street to slow cross traffic.
- Develop a pilot program for a median along Andover Street from Clark to Douglas Road. Install Flex posts, adhered with epoxy (no penetration of the concrete roadway) every 25' along the yellow dashed lines, leaving breaks/turn lanes at cross streets. The intent will be to prevent vehicles from passing in the center lane and reducing speeds due to a perceived reduction in lane width.
- Develop a scope and put out an RFP for a traffic calming study for Andover Street. The study will review current conditions, determine traffic control measures that would be appropriate and can help the City plan for future projects along Andover Street.

See attached Concept plan and cost estimate for more detail.

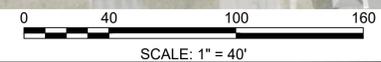
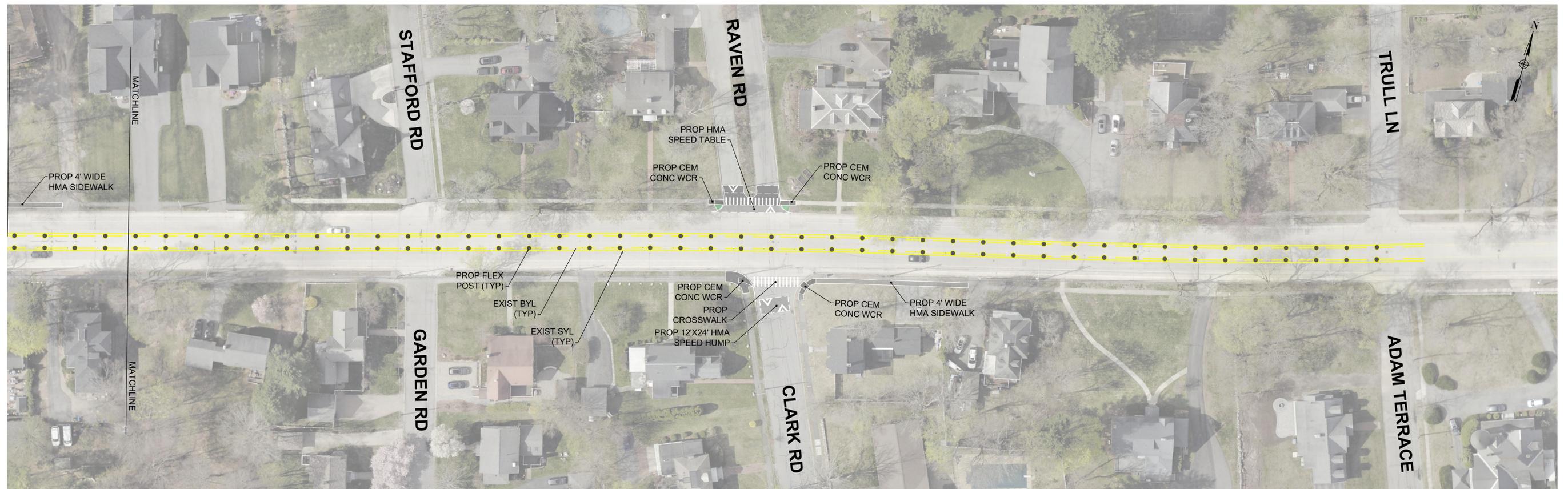
NV/ns

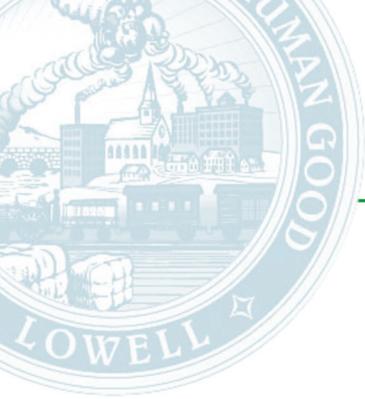
9/1/20

cc: Ting Chang, PE, City Engineer  
Christine Clancy, PE, DPW Commissioner  
Natasha Vance, PE, Transportation Engineer

**DRAFT: Andover Street Traffic Improvement Cost Estimate**

<u>Item #</u>	<u>Item Description</u>	<u>Units</u>	<u>Unit Price</u>	<u>Total Quantity</u>	<u>Total Price</u>
120.10	<b>UNCLASSIFIED EXCAVATION</b>	CY	\$ 50.00	64	\$3,200.00
151.00	<b>GRAVEL BORROW</b>	CY	\$ 55.00	76	\$4,180.00
127.10	<b>REINFORCED CONCRETE EXCAVATION</b>	CY	\$ 3,000.00	5	\$15,000.00
482.40	<b>SAWCUTTING PORTLAND CEMENT CONCRETE</b>	FT	\$ 10.00	450	\$4,500.00
580.00	<b>CURB REMOVED AND RESET</b>	FT	\$ 50.00	150	\$7,500.00
701.20	<b>CEMENT CONCRETE WHEELCHAIR RAMP</b>	SY	\$ 150.00	63	\$9,450.00
702.00	<b>HOT MIX ASPHALT SIDEWALK OR DRIVEWAY</b>	TON	\$ 250.00	90	\$22,378.00
804.20	<b>2 INCH ELECTRICAL CONDUIT TYPE NM - PLASTIC (UL)</b>	FT	\$ 100.00	230	\$23,000.00
813.30	<b>WIRE TYPE 7 NO. 10 GENERAL PURPOSE</b>	FT	\$ 3.00	920	\$2,760.00
817.41	<b>SIGNAL BASE PEDESTAL - 15 INCH SQUARE</b>	EA	\$ 600.00	2	\$1,200.00
824.50	<b>FLASHING WARNING BEACON REMOVED AND RESET</b>	EA	\$ 3,000.00	2	\$6,000.00
834.17	<b>REFLECTORIZED FLEXIBLE DELINEATOR POST (AMBER)</b>	EA	\$ 75.00	178	\$13,332.00
854.10	<b>PAVEMENT MARKING REMOVAL</b>	SF	\$ 2.50	600	\$1,500.00
864.04	<b>PAVEMENT ARROWS AND LEGENDS REFLECTORIZED WHITE (THERMOPLASTIC)</b>	SF	\$ 20.00	750	\$15,000.00
866.112	<b>12 INCH REFLECTORIZED WHITE LINE (THERMOPLASTIC)</b>	FT	\$ 4.00	220	\$880.00
874.20	<b>TRAFFIC SIGN REMOVED AND RESET</b>	EA	\$ 200.00	2	\$400.00
999.99	<b>POLICE DETAILS</b>	LS	\$ 15,000.00	1	\$15,000.00
				<b>Contingency (15%)</b>	\$21,792.00
				<b>SUBTOTAL:</b>	\$167,072.00
999.98	<b>TRAFFIC CALMING STUDY</b>	LS	\$ 50,000.00	1	\$50,000.00
				<b>TOTAL</b>	<b>\$217,072.00</b>





Diane Nichols Tradd  
*Assistant City Manager/DPD Director*

Craig Thomas  
*Deputy Director*

MEMORANDUM

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

DATE: September 8, 2020

SUBJECT: MOTION OF 5/26/20 BY COUNCILOR ELLIOTT  
REQUEST CITY MANAGER HAVE TRANSPORTATION ENGINEER  
DEVELOP TRAFFIC CALMING MEASURES ON VARNUM AVENUE TO  
ADDRESS EXCESSIVE SPEEDING

The Transportation staff within DPD is aware of the concerns of residents regarding driver speed on Varnum Road and throughout the City. Pandemic conditions have resulted in decreased congestion and increased speeding. Traffic calming measures can be effective at reducing the speed of traffic and reducing speeding traffic improves public safety in the City.

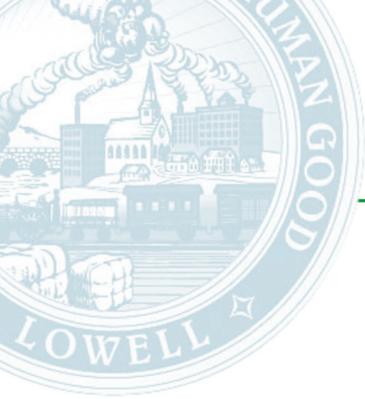
Traffic volumes and patterns in Pawtucketville may change or shift, due to the new Market Basket development at 677-705 Pawtucket Boulevard, which is less than 1 mile from the intersection of Varnum Avenue and West Meadow Road. Market Basket/Demoulas has committed to funding a \$30,000 traffic calming study, which will be managed by the City. In addition, they have committed to a traffic monitoring plan which will perform traffic counts from 6 months to 5 years post-project, to confirm their design engineer's projections for Level of Service (LOS) and additional trips on the adjacent streets. The comprehensive traffic calming study is planned for Varnum Avenue, West Meadow Road and side streets adjacent to the Market Basket, after the opening of the Market Basket in fall 2020 and the initial 6 month monitoring report is received. Doing so will give the City ample data to analyze traffic patterns, volumes and make recommendations for appropriate mitigation measures.

In the interim, prior to the completion of the traffic calming study, the Transportation Engineer recommends the following short term measures:

- Installing a dynamic speed warning sign (DSWS) on Varnum Avenue for 3 months (efficacy decreases after 3 months)
- Increased police enforcement

NV/ns

cc: Natasha Vance, Transportation Engineer  
Alan Heredia, Assistant Transportation Engineer



Diane Nichols Tradd  
Assistant City Manager/DPD Director

Craig Thomas  
Deputy Director

MEMORANDUM

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

DATE: September 8, 2020

SUBJECT: Summary of MassDOT Safety Analysis of Pawtucket Boulevard/VFW Highway

After the fatal crash which took place in May 2020 on VFW Highway in Lowell, and in response to letters from the State Delegation, MassDOT undertook a safety analysis of the portion of the roadway where the crash took place. The City of Lowell received a copy of the report, entitled Lowell – Pawtucket Boulevard (State Route 113) Safety Analysis on August 24, 2020. The report length totals 780 pages, including the Appendices. A brief summary of the report is below.

- The study limits are the Tyngsboro/Lowell line to Stockbridge Avenue, 2.6 miles in length.
- Per the report, the speed limit ranges from 40 to 50 mph for this stretch of the roadway. Note that the City of Lowell adopted a special speed regulation (266-43, numbers 19 and 20) designating a 35 mph speed limit on both sides of the road from Lebanon Street to Old Ferry Road in 1990. Then in 1997, the City also adopted a special speed regulation (266-45, numbers 21 and 22) designating the speed limit range from 40 to 45 mph for the City-owned portion of the roadway.
- MassDOT noted missing or damaged speed limit signs and recommends they be replaced.
- Traffic counts taken April 26, 2019-May 2, 2019 indicated that there are 18,960 vehicles per day (VPD) for this segment of the roadway. The traffic count drops to 11,105 VPD at the Tyngsboro/Lowell line.
- This segment experienced 289 total crashes, with 205 occurring directly on Pawtucket Boulevard. There are no Top Crash intersections or HSIP intersections *within* the study area. Note that per the 2017 Regional Transportation Safety Report - Top 100 Crash intersections in NMCOG, there are five Top Crash Intersections on VFW Highway within the City limits (#1 VFW Hwy @ Bridge Street; #3 VFW Hwy @ School/Mammoth; #5 VFW Hwy @ Aiken; #13 VFW Hwy @ University Avenue; #40 VFW Hwy @ Riverside Street)
- The report broke the study area into 15 segments and made recommendations based on those segments as follows:

Segment	Description	# of Crashes	Recommendations
1. Tyngsboro Town line to Riverbend Condos*	Curved 2-lane undivided highway segment	4	Removal of the 2-way eastbound passing zone
2. Riverbend Condos to Westminster Village*	Straight 2-lane undivided highway segment	14	Removal of the 2-way passing zone
3. Westminster Village to 1226 Pawtucket Boulevard*	Straight 2-lane undivided highway segment	23	Removal of the 2-way passing zone Consolidation of access points
4. 1226 Pawtucket Boulevard to Wedgewood Circle*	Curved alignment transitions from 2-lane undivided highway to 4-lane divided highway	6	Relocation of the westbound transition to a point further east of Wedgewood Circle
5. Wedgewood Circle to Power Easement*	Curved alignment 4-lane divided highway	0	None
6. Power Easement to Cross River Center*	Curved alignment 4-lane divided highway	4	None
7. Cross River Center to Lowell City Water Utility*	Straight alignment 4-lane divided highway	0	None
8. Lowell City Water Utility to Old Ferry Road*	Straight alignment 4-lane divided highway	1	None
9. Old Ferry Road to Rourke Bridge**	Straight alignment 4-lane divided highway	15 (all at Old Ferry intersection)	Suggest City review signal timing; Add backplates with reflectorized borders <i>(MB will do this as part of mitigation)</i>
10. Rourke Bridge to Vandenberg Esplanade**	Straight alignment 4-lane divided highway	46	No recommendations since Rourke Bridge project is underway
11. Vandenberg Esplanade to Regatta Field**	Straight alignment 4-lane divided highway	46	Suggest City review signal phasing, signal timing and detector placement; Add backplates with reflectorized borders
12. Regatta Field to Camelot Court II**	Curved alignment 4-lane divided highway	8	Suggest City review and adjust vehicle and pedestrian clearance time; Add backplates with reflectorized borders
13. Camelot Court II to Cheryl Lee Lane**	Straight alignment 4-lane divided highway	14	Restrict traffic to right turn only out of Camelot Court (already done); Suggest City review and adjust vehicle and pedestrian clearance time at pedestrian signal; Add backplates with reflectorized borders

14. Cheryl Lee Lane to Delaware Avenue**	Curved alignment 4-lane divided highway	6	None
15. Delaware Avenue to Varnum Avenue**	Curved alignment 4-lane divided highway	18	Suggest the City add signage with speed advisory; Suggest City review and adjust vehicle and pedestrian clearance time at pedestrian signal; Add backplates with reflectorized borders

\* under MassDOT control

\*\* under City of Lowell control

Suggested Safety Improvements for the corridor as a whole include:

- Review the condition of signs and pavement markings, performed by respective owners
- Conduct a new speed study for the City-owned portion of the roadway (performed by MassDOT)
- Implement a road diet from Wedgewood Circle to Stockbridge Avenue

NV/ns

cc: Natasha Vance, Transportation Engineer

# FISCAL YEAR 2021 PROPOSED BUDGET

City Manager Eileen Donoghue  
Kara Keefe Mullin, Asst. City Manager  
Conor Baldwin, CFO  
Allison Chambers, Deputy CFO



CITY OF  
**LOWELL**  
THERE'S A LOT TO LIKE.

**MAYOR John J. Leahy**

**CITY COUNCILORS**  
Sokhary Chau  
David Conway

**John Drinkwater**  
Rodney Elliott  
Rita Mercier

**Vesna Nuon**  
Daniel Rourke  
William Samaras

# City of Lowell FY21 Budget

## THE BUDGET CALENDAR

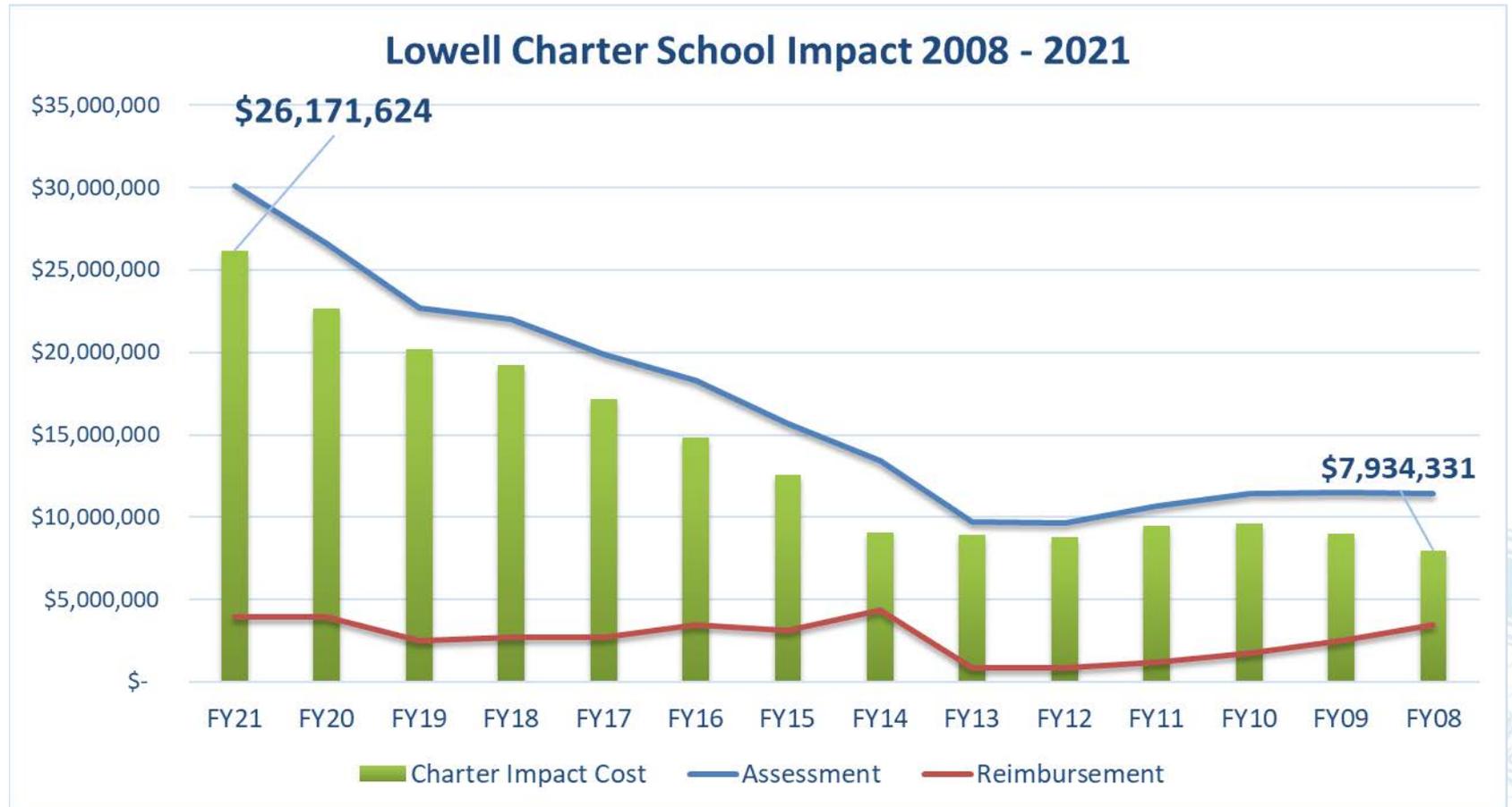
<b>January 7, 2020</b>	Budget Instructions and financial sheets distributed to Department Heads.	<b>May 12, 2020</b>	Joint meeting of the City Council Finance Subcommittee and School Finance Subcommittee to discuss fiscal impact
<b>January 22, 2020</b>	Governor Baker releases \$44.6 billion FY2021 state budget proposal, including \$12.8 million (7.8%) increase to Chapter 70 for LPS.	<b>May 12, 2020</b>	City Council voted to move forward with so-called "One Twelfth Budget", upon recommendation of City Administration and Finance Subcommittee
<b>February 7, 2020</b>	All department budget requests (financials) submitted to the Finance Department for review.	<b>May 12, 2020 To May 21, 2020</b>	Finance Department and Department Heads compile July budget request to continue City operations through 7/31
<b>February 10, 2020 to February 21, 2020</b>	Finance Department worked with department budget staff to compile document and revise requests.	<b>May 26, 2020 To August 25, 2020</b>	Continuing Appropriation Budgets presented to City Council for July, August & September, and referred to public hearings.
<b>February 22, 2020 To March 10, 2020</b>	City Manager and Finance Department close a \$15.64 million funding gap to balance the 2021 spending plan.	<b>July 1, 2020</b>	Begin Fiscal Year 2021.
<b>March 13, 2020</b>	City Manager announces that City Hall and all city buildings would be closed to the public due to evolving concerns related to COVID-19.	<b>September 8, 2020</b>	Full Year "9/12th" budget presented to the City Council, referred to public hearing on <b>September 22, 2020</b>
<b>April 1, 2020</b>	City Manager implements fiscal controls, including hiring freeze, expenditure controls, and OT freeze	<b>October 1, 2020</b>	Begin full "9/12th" FY2021

# City of Lowell FY21 Budget

## Major Fiscal Challenges

- \$1.47 million increase in the city's pension assessment over FY20;
- \$3.5 million increase in “Cherry Sheet” charges for Charter Schools, the single largest increase;
- \$725,000 increase in budgeted amount for trash/ recycling collection. Increased cost due to contaminated recycling.
- Other fixed cost increases (health insurance, electricity, etc.) and increased debt service costs, as well as loss of grant offsets for salaries in Health Department, LPD & LFD
- Most notably, the declaration of the COVID 19 pandemic and the financial havoc wrought upon the City of Lowell.

# City of Lowell FY21 Budget



# City of Lowell FY21 Budget

## Charter School Impact – 5-year History

	FISCAL YEAR 2017	FISCAL YEAR 2018	FISCAL YEAR 2019	FISCAL YEAR 2020	FISCAL YEAR 2021
CHARTER SCHOOL ASSESSMENT	\$19,901,774	\$21,977,227	\$22,712,612	\$26,581,213	\$30,094,618
CHARTER SCHOOL REIMBURSEMENT	\$2,716,394	\$2,728,228	\$2,530,513	\$3,922,994	\$3,922,994
“NET CHARTER COST”	\$17,191,380	\$19,248,999	\$20,182,099	\$22,658,219	\$26,171,624
INCREASE OVER PRIOR YEAR	\$2,332,192	\$2,057,619	\$933,100	\$2,476,120	\$3,513,405

# City of Lowell FY21

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- COVID 19 – Potential Financial Impact
  - Local Aid (UGGA and Chapter 70) limited to level funding from FY2020, with inflation on the Chapter 70 funds
  - Forecasting an impact of loss on some local receipts
  - Expecting the need of Stabilization funds to balance budget
- Mitigating the fiscal challenges imposed by COVID 19
  - Hiring freeze
  - Tightened purchase order restrictions
  - Holding projects that are not in progress or under contract
  - Budget reduction program
  - Diligent tracking of funds qualifying for FEMA or CARES Act reimbursement
  - Working with third party to help forecast revenue impact of five year forecast

# City of Lowell FY21 Budget

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## Highlights & Initiatives

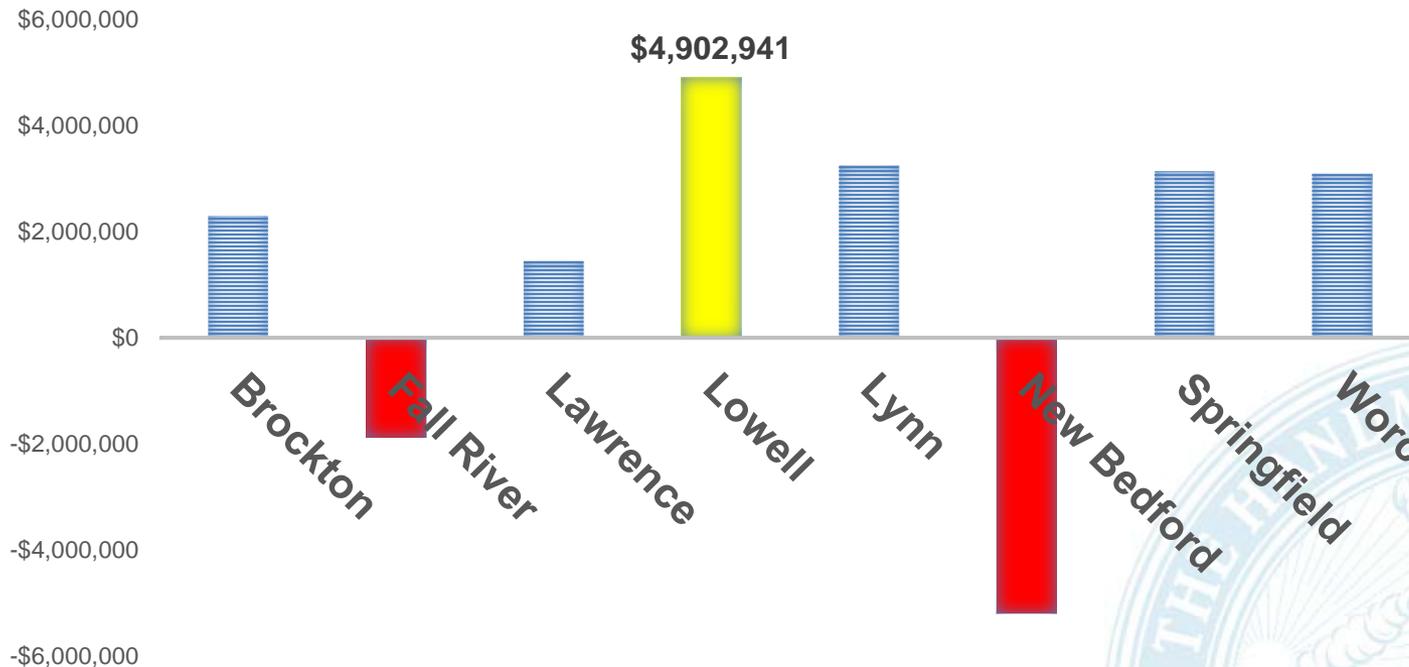
- Continuing to exceed the net school spending requirement over \$4.9 million in additional funding to the LPS between local taxes and Chapter 70 aid;
- The creation of a Homelessness Coordinator position in the Department of Planning and Development and the creation and implementation of a Coordinated Outreach and Engagement Team (COET) that is bringing together a multidisciplinary team to reach individuals living in areas not meant for human habitation, including the encampments and so-called “rough sleepers”.
- Capital investments of approximately **\$6.7 million** in infrastructure, public safety, and community development projects. Much progress has been made with the Hamilton Canal Innovation District Garage with completion expected in October 2020.

# City of Lowell FY21 Budget

## School Funding Comparison

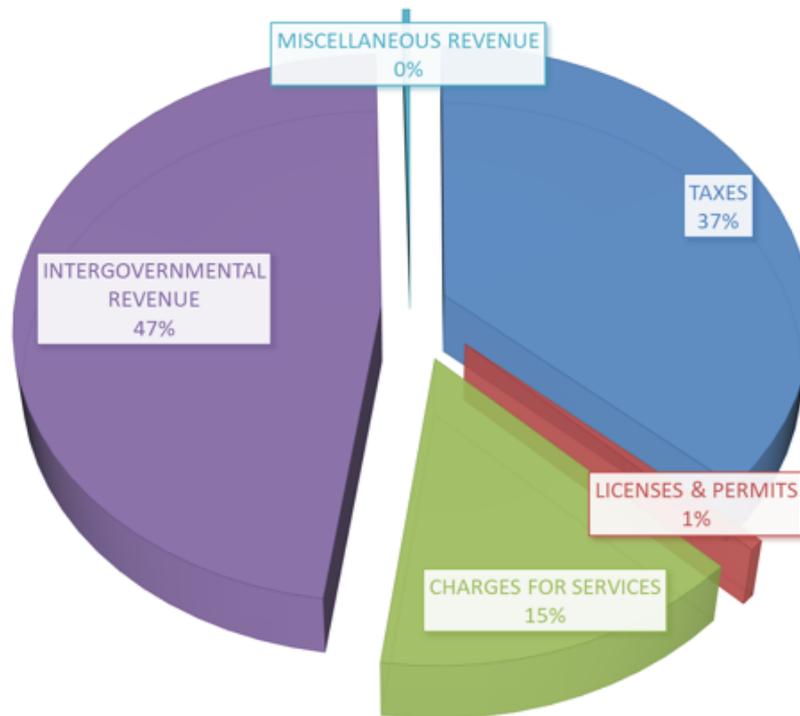
### Compliance with “Net School Spending Requirement” for Gateway Cities as of FY2019

2019 DOLLARS OVER NET SCHOOL SPENDING  
GATEWAY CITIES W/ ENROLLMENT > 10,000



# Revenue by Source

FY21 REVENUE BY SOURCE



TOTAL OPERATING BUDGET: \$439,272,583

*\*Operating Budget Total includes State “cherry sheet” assessments, which are not appropriations pursuant to Department of Revenue regulations*

# City of Lowell – Tax Facts

	2018 Assessed Valuation ("EQV") per Capita	2020 Avg. Single Fam. Tax Bill	Free Cash Total as of 7/1/2019	Stabilization Fund(s) Balances (FY2020)	Debt Service as a % of Total Expenditures (FY2020)	Tax Levy as % of Budget	State Aid as % of Budget
<b>Median</b>	\$150,638	\$5,368	\$1,906,129	\$1,642,075	5.51%	76.4%	10.6%
<b>Lowell</b>	\$73,368	\$4,168	\$7,462,706	\$13,521,175	7.23%	34.0%	48.2%

	Excess Levy Capacity <sup>4</sup>	Free Cash <sup>5</sup>	Stabilization Account(s)	Available Resources <sup>6</sup>	Available Resources as % of Budget
<b>Median</b>	\$120,980	\$1,891,081	\$1,464,399	\$3,462,255	9.5%
<b>Lowell</b>	\$20,573,596	\$7,462,706	\$13,521,175	\$41,557,477	10.2%

FY2020 Tax Levy (DOR certified) = \$138,331,643

FY2021 Proposed Tax Levy Increase = \$143,173,250

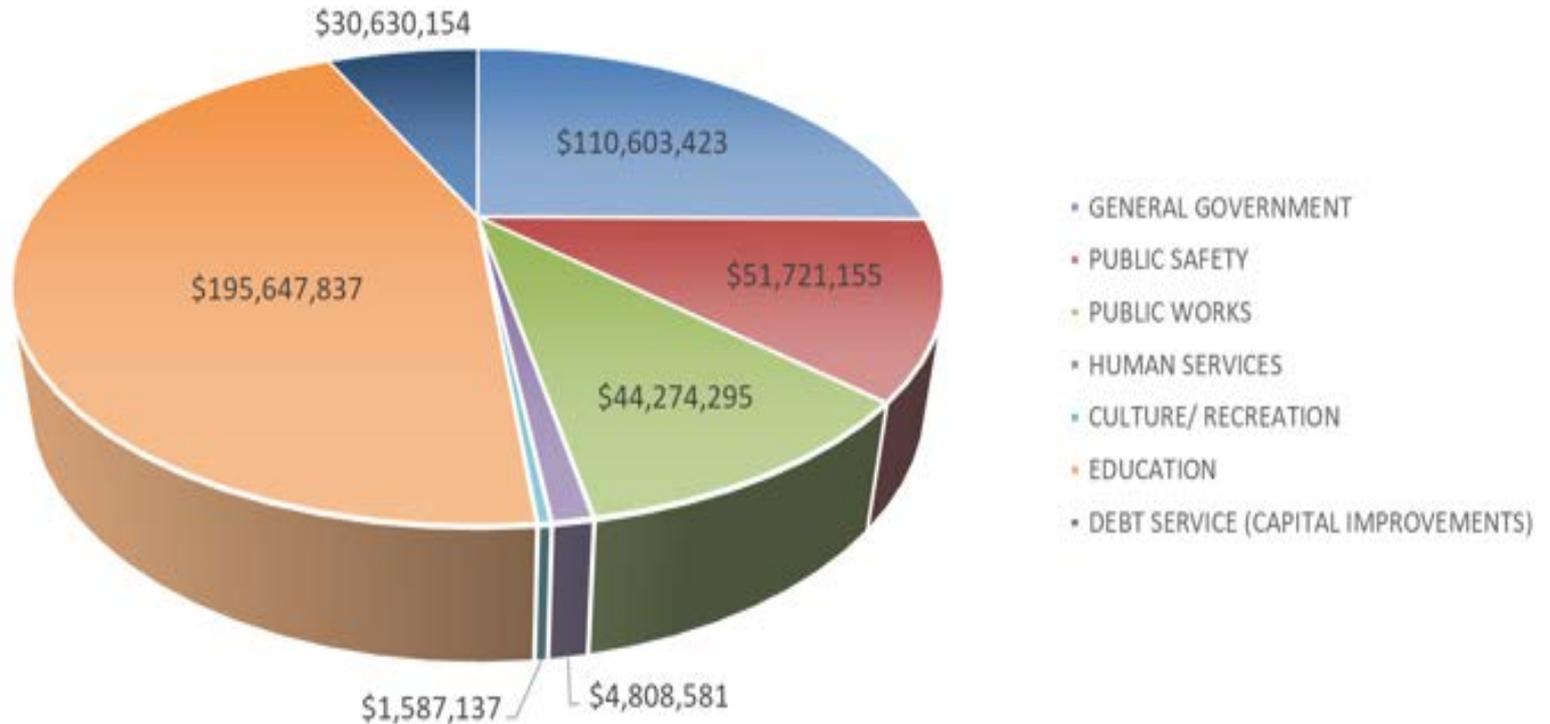
FY2021 New Growth Estimate = \$2,100,000

Estimated Impact to the Average Single Family Home = \$36.47/ quarter

FY2020 avg. value = \$312,007

# Appropriations by Category (All Funds)

2021 Appropriations by Category



# Questions/ Comments



Eileen M. Donoghue  
City Manager

September 1, 2020

Dr. Joel Boyd, Superintendent of Schools  
Lowell Public School Central Administration  
155 Merrimack Street  
Lowell, MA 01852

Mr. Superintendent,

This communication is a follow-up to the letter sent to your attention on March 2, 2020, on the FY2021 budget appropriation for the school department. Considering the unprecedented period of fiscal uncertainty we have faced since March, I wanted to provide sufficient clarity for you to move forward with a budget for the remainder of FY2021.

The Legislature and the Governor have agreed to level-fund the Chapter 70 account at the FY2020 funding level, plus an amount for inflation. For Lowell, the Chapter 70 total for FY2021 is \$166,954,483. This represents a year-over-year increase of \$3,930,536. However, in order to balance the overall FY2021 budget for the city, the maximum contribution to the line-item appropriation for the school department from the tax levy is \$15,736,053, for a combined total appropriation of \$182,690,536. This level of funding is commensurate with the FY2019 funding level from taxes.

Similarly, the city-side of the budget is also facing significant financial challenges in FY2021. These are not unlike the typical budgetary concerns for a gateway city like Lowell, however, this year the concerns have been amplified by the recession and its impact on local receipts. On the city-side of the budget, we lost \$748,903 in unrestricted aid from what had been allocated in the Governor's FY2021 budget. More impactful, however, was the loss of charter school tuition reimbursement that was included in the Governor's budget via the Student Opportunity Act, but has since been cut. Without the increased revenue, the city is facing the \$3.5 million increase in the assessment for charter schools entirely through the existing tax levy. Finally, the city budget in FY2021 must absorb a \$1.47 million increase in the pension assessment, \$725,000 in increased cost for trash and recycling collection and disposal, and the loss of grant offsets in the health, police, and fire departments.

This figure, however, does not take into account the approximately \$50.7 million in costs to support the district funded by the city budget, nor the aggressive capital investment campaign ongoing in the schools. According to DESE's compliance report, if the city were to level-fund the schools from the tax levy, the district would again exceed the net school spending requirement by over \$2.3 million. That number does not take into account, however, inflation for fixed costs paid by the city like retirement and health insurance for retired teachers, nor does it include the increased Charter School assessment and reduction in the charter reimbursement.

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Eileen M. Donoghue  
City Manager

It is my sincere hope that this information will be useful to the School Department for budgeting purposes as you plan for the 2020-2021 school year. While this amount is a reduction from what was expected earlier this year, it is a reflection of the economic situation facing each Gateway City across the Commonwealth.

Sincerely,



Eileen M. Donoghue  
City Manager

Cc: Mayor John J. Leahy and Members of the Lowell City Council  
Conor Baldwin, Chief Financial Officer



Eileen Donoghue  
City Manager

September 2, 2020

Mayor John J. Leahy  
and  
Members of the City Council

RE: Board of Health  
Notice of Appointment

Dear Mayor Leahy and Members of the City Council:

Pursuant to the authority vested in me as City Manager under Mass. G.L. Chapter 111, §26, as amended by Chapter 60 of the Acts of 1997, as further amended by §312 of Chapter 159 of the Acts of 2000, I have appointed Erin Gendron of 56 Wetherbee Avenue, Lowell, MA 01852 to the Board of Health, which term will expire on February 6, 2023 (or such time thereafter until a successor is appointed and qualified.)

Under the above referenced statute, confirmation by the City Council is required for this appointment and is hereby requested.

I have attached her cover letter and resume for your review. If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

Eileen M. Donoghue  
City Manager

boards

cc: City Clerk  
Board of Health  
Law Dept.  
City Auditor  
Human Relations Manager  
MIS

**Erin Gendron**

56 Wetherbee Ave Lowell, Massachusetts [REDACTED]  
[REDACTED]

Ms. Mary Callery  
Human Relations Director  
Lowell City Hall  
375 Merrimack St. Rm 19 Lowell MA 01852

Dear, Ms.Callery,

I am excited to apply for the role of Board of Health Member for the City of Lowell. I possess a bachelor's degree in Psychology from the University of Massachusetts Lowell with over ten years of experience in social services.

In my current role as an Adolescent Social Worker, I have proven to be an efficient, empowering and strong leader in advocating and advancing the well-being of the youth, children and families we serve. In this role I have had the opportunity to develop partnerships and community relations throughout the Northern Region to enhance the permanency and success outcomes of youths in placement settings and other living environments. Additionally, as a union steward for local SEIU 509, I have daily experience and knowledge in agency policy, implementation and practice.

Based on your needs, the following highlights of my background showcase the value I can bring as a Board of Health Member:

- Agency Commissioner of the Homeless and Hunger Coalition in Lowell, MA. This task force aims to reduce homelessness outcomes among adolescent youths and adults as well as bringing together community resources and information sharing.
- An active participant of the JADI Sub-Committee for Dually Involved Youth, which aims to develop strategic and positive interventions to influence the social, emotional and permanency outcomes of youth involved with the Department of Youth Services (DYS) and the Department of Children and Families.
- Previous work history as a phlebotomist in a busy Merrimack Valley Hospital and a Lifeguard for Haverhill public schools. Both roles required keen attention to details regarding public health and policy.

I've attached my resume which further details my skills and education. I am eager to have the opportunity to discuss my experience with you and I can be available for an interview at your convenience.

Sincerely,

Erin Gendron

# ERIN MULDOWNEY GENDRON, LSW

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56 Wetherbee Ave, Lowell, MA 01852 - [REDACTED]

[REDACTED]

## DEPARTMENT OF CHILDREN AND FAMILIES

*ADOLESCENT SOCIAL WORKER*

*NOVEMBER 2015-PRESENT*

Develop, review, update and ensure implementation of strength-based service plans for each child in care or custody including risk assessment, safety plans and goals of all case management cases.

Maintain ongoing communication with DCF staff and other constituencies; initiate court action when necessary.

Work collaboratively with Juvenile court for CRA intakes as well as with Adolescent protective cases.

## ELDER SERVICES OF MERRIMACK VALLEY

*ONGOING CASE MANAGER*

*APRIL 2014-OCTOBER 2015*

Complete Initial Assessment and Determine Eligibility for Older Adults to Obtain the services and programs which will enhance their quality of life and allow them to live as independently as possible with dignity and respect.

Work with Interdisciplinary Team to Assess and Implement service plans and referrals.

Manage and Reassess Ongoing Cases for Changes in Need and Risk Reduction.

## LAHEY BEHAVIORAL HEALTH SERVICES

*THERAPEUTIC TRAINER AND SUPPORT & THERAPEUTIC MENTOR*

*OCTOBER 2012-MARCH 2015*

Assist Clinician in implementing objectives of Treatment Plans, utilizing identified Strengths Based Skills To address Child's Mental Health, Behavioral and Emotional Needs.

Assist Clinician in completing and updating CANS assessment and safety planning as needed

Routinely participates and conducts provider meetings and collateral Contacts to Provide Collaboration of Services

## CARITAS HOLY FAMILY HOSPITAL, Methuen, MA

*CERTIFIED PHLEBOTOMIST and MENTAL HEALTH COUNSELOR*

*SEPT 2007 – JANUARY 2012*

Serve as Certified Phlebotomist for 271 beds, not-for-profit hospital caring for 450,000 individuals yearly

Collect Specimens for In-Patient, Out-Patient and Emergency Room activities

Assisted in Training New Hire Candidates and Student Learning Program.

*MENTAL HEALTH COUNSELOR*

*JANUARY 2009-2010*

Assists with admission and discharge of patients with the supervision of the RN

Consistently assesses the milieu and need for staff intervention to maintain patient and unit safety

Assists the RN / healthcare team in implementation of the Patient Plan of Care as a member of a multidisciplinary team.

## EDUCATION

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**UNIVERSITY OF MASSACHUSETTS - LOWELL**, Lowell, MA

2008 - 2012

*B.A.PSYCHOLOGY - GRADUATION DATE MAY 2012*

*MEMBER OF PSI CHI SOCIETY (3.5 GPA PSYCHOLOGY/3.0 GPA OVERALL REQUIREMENT)*

**NORTHERN ESSEX COMMUNITY COLLEGE**, City, MA

2004 - 2008

*GENERAL STUDIES ASSOCIATES DEGREE (3.0 GPA)*

## CERTIFICATIONS

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EMERGENCY PREPAREDNESS CERTIFICATE - Nashoba Valley Medical Center (2008 - PRESENT)

CPR - American Heart Association/Red Cross (2002 - PRESENT)

MASSACHUSETTS VICTIM ASSISTANCE ACADEMY GRADUATE- Endicott College (July- 2012)

LICENSED SOCIAL WORKER- NSWB- (July 2015- present)

## COMMUNITY

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SECRETARY of the Greater Lowell Children's fund- July 2018- July 2019  
Hunger and Homeless Commission- Commissioner

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Pursuant to Mass. G.L. Ch.44 §32 the City Council of the City of Lowell acknowledges timely receipt from the City Manager on September 8, 2020, of the recommended Budget for the City of Lowell for Fiscal Year 2021, with the understanding that any recommended revisions as may be submitted by the City Manager at a later date, and prior to the date of final approval of said Budget by the City Council, shall collectively be considered the proposed Budget for Fiscal Year 2021 for the City of Lowell. A public hearing on the budget shall be advertised in "The Sun" on \_\_\_\_\_, to be held on Tuesday September 22, 2020 at 7:00 PM, on the City Council remote meeting and on such other dates and times, if necessary and may be publicly announced by the City Council.

V:budgetfy21

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

**VOTE**

Approving Budget for the City of Lowell for Fiscal Year 2021.

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WHEREAS, pursuant to Mass. G.L. c.44 §32, the City Manager submitted a proposed budget for fiscal year 2021 to the City Council on September 8, 2020 and the appropriation order was accepted by vote of the City Council; and

WHEREAS, the City Council held advertised public hearings to consider the proposed budget on September 22, 2020 and any other dates necessary, as advertised in the public hearing notice; and

WHEREAS, upon motion the City Council accepted the budget as submitted by the City Manager, after reductions otherwise separately voted, if any.

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

That the City Council of the City of Lowell hereby adopts and approves the budget for fiscal year 2021 for the City of Lowell, including all line items therein as if separately voted thereon, in the sum of \$281,556,022, which sum shall be appropriated and raised by taxation and other sources, including but not limited to intergovernmental revenue, charges for services, licenses and permits, miscellaneous, etc. The full list of appropriations follows this vote.

WHEREAS, THE City of Lowell enterprise funds may have insufficient operating revenues to fund all expenditures of the funds in fiscal year 2021 and appropriation of retained earnings may be required to fund the fiscal year's operations.

**City of Lowell Fiscal Year 2021 City Manager's Recommended Appropriation  
Order**

**Page 2 of 8**

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

That the City Council of the City of Lowell hereby raises and appropriates the following retained earnings:

<b>Fund</b>	<b>Amount</b>	<b>Fund Number</b>
1. Wastewater Enterprise Fund	1,229,606	6000
2. Parking Enterprise Fund	2,763,708	4450
3. Water Enterprise Fund	2,987,595	6100

and that the City Council of the City of Lowell hereby raises and appropriates the following from other funds:

<b>Fund</b>	<b>Amount</b>	<b>Fund Number</b>
1. Property Maintenance	200,000	1107
2. Vacant Foreclosed Properties	250,000	1109
3. Community Preservation Fund	43,977	1713
4. Salary Stabilization	1,000,000	8398
5. Pension Reserve	878,950	8399
6. Capital Debt Service Stab	1,890,688	8397
7. PEG Access Special Revenue	1,200,000	1710
8. Ballpark Capital	192,000	1741
9. General Stabilization	3,495,363	8401

**City of Lowell Fiscal Year 2021 City Manager's Recommended Appropriation Order**

<b>Line</b>			<b>FY2021 Manager</b>
<b>Number</b>	<b>Department</b>	<b>Description</b>	<b>Recommended</b>
			<b>Appropriation</b>
2020-01	City Council	Personal Services	171,923
2020-02	City Council	Ordinary Expenses	5,125
2020-03	Mayor	Personal Services	36,471
2020-04	Mayor	Ordinary Expenses	8,772
2020-05	City Clerk	Personal Services	327,089
2020-06	City Clerk	Ordinary Expenses	28,336
2020-07	City Manager	Personal Services	1,418,808
2020-08	City Manager	Ordinary Expenses	2,816,744
2020-09	City Manager - Lowell School Syst.	Ordinary Expenses	37,499
2020-10	City Manager - Marketing Develop.	Personal Services	10,000
2020-11	City Manager - Marketing Develop.	Ordinary Expenses	353,581
2020-12	City Manager - Contingency	Ordinary Expenses	274,498
2020-13	City Manager - Contingency	Reserve for Wages	-
2020-14	City Manager - Cable Access	Personal Services	92,601
2020-15	City Manager - Cable Access	Ordinary Expenses	141,773
2020-16	City Manager - Cable Access	Transfers to Schools	56,250
2020-17	City Manager – CASE	Personal Services	60,928
2020-18	City Manager – CASE	Ordinary Expenses	-
2020-19	Finance	Personal Services	121,455
2020-20	Finance	Ordinary Expenses	1,025

**City of Lowell Fiscal Year 2021 City Manager's Recommended Appropriation Order**

**Page 4 of 8**

<b>Line</b>			<b>FY2021 Manager</b>
<b>Number</b>	<b>Department</b>	<b>Description</b>	<b>Recommended</b>
			<b>Appropriation</b>
2020-21	Budget	Personal Services	53,358
2020-22	Budget	Ordinary Expenses	-
2020-23	Auditing	Personal Services	372,713
2020-24	Auditing	Ordinary Expenses	4,098
2020-25	Purchasing	Personal Services	188,448
2020-26	Purchasing	Ordinary Expenses	108,918
2020-27	Assessing	Personal Services	405,471
2020-28	Assessing	Ordinary Expenses	41,246
2020-29	Treasurer	Personal Services	465,055
2020-30	Treasurer	Ordinary Expenses	150,400
2020-31	Human Relations	Personal Services	244,839
2020-32	Human Relations	Ordinary Expenses	41,123
2020-33	Management Information Systems	Personal Services	553,357
2020-34	Management Information Systems	Ordinary Expenses	878,610
2020-35	Law	Personal Services	916,838
2020-36	Law	Ordinary Expenses	199,584
2020-37	Elections	Personal Services	56,253
2020-38	Elections	Ordinary Expenses	-
2020-39	Planning & Development	Personal Services	2,150,513
2020-40	Planning & Development	Ordinary Expenses	91,518

**City of Lowell Fiscal Year 2021 City Manager's Recommended Appropriation Order**

<b>Line</b>			<b>FY2021 Manager</b>
<b>Number</b>	<b>Department</b>	<b>Description</b>	<b>Recommended</b>
			<b>Appropriation</b>
2020-41	Police	Personal Services	22,178,167
2020-42	Police	Ordinary Expenses	1,031,073
2020-43	Fire	Personal Services	14,906,698
2020-44	Fire	Ordinary Expenses	598,780
2020-45	Lowell Public Schools	Single Line	
		Appropriation	137,844,749
2020-46	Greater Lowell Technical School	Ordinary Expenses	6,875,241
2020-47	Essex Agricultural High School	Ordinary Expenses	-
2020-48	DPW Administration	Personal Services	366,266
2020-49	DPW Administration	Ordinary Expenses	591,093
2020-50	DPW Engineering	Personal Services	329,774
2020-51	DPW Engineering	Ordinary Expenses	-
2020-52	DPW Land & Buildings	Personal Services	1,433,193
2020-53	DPW Land & Buildings	Ordinary Expenses	476,570
2020-54	DPW Streets	Personal Services	930,313
2020-55	DPW Streets	Ordinary Expenses	13,849
2020-56	Parks	Personal Services	1,114,632
2020-57	Parks	Ordinary Expenses	392,465
2020-58	Cemetery	Personal Services	188,086
2020-59	Cemetery	Ordinary Expenses	156,671

**City of Lowell Fiscal Year 2021 City Manager's Recommended Appropriation Order**

<b>Line</b>			<b>FY2021 Manager</b>
<b>Number</b>	<b>Department</b>	<b>Description</b>	<b>Recommended</b>
			<b>Appropriation</b>
2020-60	DPW Other	Snow & Ice	995,667
2020-61	DPW Other	Street Lighting	218,300
2020-62	DPW Other	Waste Coll./Disposal	4,953,366
2020-63	Health	Personal Services	2,448,110
2020-64	Health	Ordinary Expenses	262,683
2020-65	Council on Aging	Personal Services	329,127
2020-66	Council on Aging	Ordinary Expenses	71,780
2020-67	Veterans'	Personal Services	122,345
2020-68	Veterans'	Ordinary Expenses	470,487
2020-69	Recreation	Personal Services	78,441
2020-70	Recreation	Ordinary Expenses	34,226
2020-71	Library	Personal Services	672,296
2020-72	Library	Ordinary Expenses	118,294
2020-73	Unclassified	Debt Service	3,434,538
2020-74	Unclassified	Workers Comp	603,421
2020-75	Unclassified	Unemployment	393,749
2020-76	Unclassified	Health Insurance	17,712,500
2020-77	Unclassified	Retirement	21,907,282
2020-78	Unclassified	Medicare Tax	2,112,499
2020-79	Unclassified	Claims & Judgments	349,761

**City of Lowell Fiscal Year 2021 City Manager's Recommended Appropriation Order**

<b>Line</b>			<b>FY2021 Manager</b>
<b>Number</b>	<b>Department</b>	<b>Description</b>	<b>Recommended</b>
<b>Number</b>	<b>Department</b>	<b>Description</b>	<b>Appropriation</b>
2020-80	Unclassified	Other Insurance	57,982
2020-81	Unclassified	No. Middlesex	-
<b>Subtotal</b>	<b>General Fund</b>		<b>259,659,694</b>
2020-82	Wastewater	Personal Services	2,446,692
2020-83	Wastewater	Ordinary Expenses	5,805,209
2020-84	Wastewater	Debt Service	2,882,163
<b>Subtotal</b>	<b>Wastewater Enterprise Fund</b>		<b>u11,134,064</b>
2020-85	Parking	Personal Services	358,892
2020-86	Parking	Ordinary Expenses	2,402,027
2020-87	Parking	Debt Service	1,504,305
<b>Subtotal</b>	<b>Parking Enterprise Fund</b>		<b>4,265,224</b>
2020-88	Water	Personal Services	1,942,272
2020-89	Water	Ordinary Expenses	2,673,536
2020-90	Water	Debt Service	1,881,232
<b>Subtotal</b>	<b>Water Enterprise Fund</b>		<b>6,497,040</b>
<b>Grand Total All Funds</b>			<b>281,556,022</b>

**City of Lowell Fiscal Year 2021 City Manager’s Recommended Appropriation Order**

Furthermore, the following projected needs are costs to the City, but according to accounting rules established by the Department of Revenue, are not to be included in the appropriation order.

<b>Line</b>		<b>FY2021 Manager</b>
<b>Number</b>	<b>Department</b>	<b>Recommended</b>
		<b>Amount</b>
2020-91	General Fund - Cherry Sheet Assessments	32,520,668
2020-92	General Fund - Provision for Abatements & Exemptions	1,000,000
2020-93	Indirect costs of the enterprise funds	9,989,799
2020-94	General Fund – COVID 19	217,000



Eileen M. Donoghue  
City Manager

September 1, 2020

To Mayor John J. Leahy and Members of the Lowell City Council:

In accordance with the requirements of the Massachusetts General Laws and the Charter of the City of Lowell, I herewith transmit the proposed **\$439,272,583** FY2021 operating budgets for the city's general fund and three enterprise funds, which begins on July 1, 2020, and the **\$6,771,100** capital budget associated with the city's five-year capital improvement plan.

This document represents the third (3<sup>rd</sup>) fiscal budget of my Administration and has been, without question, the most challenging to date—namely due to the multi-faceted impact that COVID-19 has wrought upon the city. The situation facing the City of Lowell is unlike anything we have experienced before. Customarily, my proposed budget is brought forth in May for the City Council's consideration and adoption before the beginning of the new fiscal year on July 1. The arrival of a worldwide pandemic, however, has resulted in widespread illness and death, and has plunged the United States into a severe recession. Lowell has, however, responded skillfully to this crisis. I am grateful for the City Council's active support over the last several months and for standing behind the City's residents, who have responsibly and admirably adjusted their daily lives. Nevertheless, the COVID-19 pandemic has inflicted tremendous loss and hardship within the city. As of August 7, 2020, one hundred and fifty one Lowell residents have died from the virus, more than 3,000 have tested positive, and hundreds of our residents have fallen ill. According to the U.S. Bureau of Labor Statistics, as of May 2020, the City's unemployment rate stood at 16.1%, up from a historical low of 3.2% before the onset of the pandemic<sup>1</sup>, the volume of home sales was down by 14%, statewide, in comparison with 2019, and local revenue had declined substantially. Behind these numbers are our neighbors, who have suffered the loss of jobs or even family members. There is also considerable uncertainty about the future. While the city has begun cautious movement toward allowing businesses and other activities to reopen, the pandemic rages elsewhere and it will assuredly affect our daily lives in the years to come. These themes have set the stage upon which the 2021 fiscal budget has been crafted and against which all financial decisions must be weighed.

The pandemic's impact has demanded a complete transformation of the city's short-term financial plan, primarily due to a loss of economic activity, locally, and concerns at the State level of potentially \$6-\$8 billion loss in tax revenue. The financial books on the previous fiscal year (FY2020) were closed on June 30<sup>th</sup>, but because of the uncertainty surrounding the State budget picture, the city has since operated using three successive, one-month interim budgets. It was not until the final days of July that the Legislature announced a commitment to fund the two major local aid accounts—Chapter 70 education aid and Unrestricted Aid—at an amount equal to the FY2020 funding level. This announcement gave my finance team sufficient information to retool what had previously been a balanced budget based on the Governor's local aid proposals. The task of rebalancing a full year's budget after the fiscal year had begun and with a

<sup>1</sup> [https://www.bls.gov/eag/eag.ma\\_lowell\\_nd.htm](https://www.bls.gov/eag/eag.ma_lowell_nd.htm)



Eileen M. Donoghue  
*City Manager*

cloud of uncertainty still remaining on several key financial data points has been a challenge. Especially difficult has been the need to balance the rising costs associated with essential services, with the fragile economy and desire to maintain Lowell's relative affordability for the average single family tax bill. Such a balance can only be achieved through prudent fiscal policies and careful attention to ongoing practices in financial management. This document represents the city's plan to allocate resources to meet the most pressing current and future needs of the community, as well as City Council priorities.

Since the moment I took office as City Manager, the cornerstone of my administration has been economic development. In order to strengthen and develop the Lowell economy for the betterment of all residents of the city, we must improve each of the pillars upon which economic development stands. One pillar is a balanced budget based on sound fiscal policies. This budget document communicates the financial strategy for each and every municipal service provided by the city. Arriving at a balanced budget is never an easy task. This year, with COVID-19 driving all municipal decisions in some respect, balancing the budget has been an exercise in prioritization. Each budget I have presented as City Manager has been lean, and this year is no different. There are no frills or non-essential items funded in the budget and I truly believe that the financial plan before you is the most responsible means by which to provide funding for essential services and to accomplish the goals set forth by the City Council and my Administration. Fiscal management and economic development are intrinsically tied, as the city's ability to borrow money to fund capital projects critical to expanding the tax base is reliant upon our credit rating. With several large-scale capital investments on the horizon—most notably the Lowell High School project—maintaining and improving the city's credit rating and adhering to the principles of good fiscal management is more important than ever.

Another pillar in advancing economic development is public safety. If we do not have a safe city, we cannot attract new families nor can we retain the families who have called Lowell home for generations. Public safety is of utmost importance to a gateway city's development, as it is directly influences a company's decision to locate within the city limits. Despite the fiscal challenges, as part of this FY21 budget, I am proposing the Council appropriate funding to maintain the total number of budgeted sworn officers in the Lowell Police Department. The City Council's commitment to public safety has been proven through the numbers. In calendar year 2019, the most recent year of FBI reported crime statistics, there was a 23% decrease in total NIBRS offenses, including a 19% decrease in motor vehicle theft, an 8% decrease in crimes associated with property destructions, and a 14% decrease in burglary. These results have been coupled with a commitment by the LPD to increase community collaboration, foot patrols and integration of the officers within the fabric of the community. Additional neighborhood precincts have been opened or re-opened throughout the city, including a new downtown precinct and a precinct in the newly opened Thorndike Exchange facility. The men and women of the Lowell Police Department work tirelessly to ensure the safety of the residents and businesses in the city and, as such, deserve the adequate resources to carry out their essential duties. In addition to the aforementioned funding in the operating budget, the 2021 capital budget includes long overdue investment into the city's public safety facilities. In the FY2021 Capital Plan, my Administration is recommending funding to make repairs to the police headquarters



Eileen M. Donoghue  
City Manager

building, including improvements to the evidence storage area and repairs to the roof at the department's garage facility.

The FY2021 appropriation in the operating budget for the Lowell Fire Department will continue the City Council's commitment to maintaining the ranks for fire protection and public safety. The fire department is a key component of Lowell's neighborhoods and the school system. In FY2020, over 6,000 children and adults received fire safety instruction from the uniformed members of the Lowell Fire Department. The LFD has also been on the front lines of the opiate epidemic. A firefighter was dedicated to the City CO-OP Team to assist overdose victims and over the past year the department has worked with the Health Department and the School Department to educate high school and middle school children on the dangers of opiates and other illegal drugs. The Chief and members of his Command Staff will continue to participate in the Mayor's Opiate Epidemic Crisis Task Force, the District Attorney's Opiate Epidemic Task Force, and the Homelessness Sustainable Housing Council. The City Council's continued funding commitment has allowed the Chief to keep more companies open and, in 2020, the fire department had forty-one fewer company closings or "brownouts" as compared to the prior year. The total fire department uniformed personnel will be maintained, even though a significant federal grant has ended and the amount paid by the tax levy will increase. In FY2021 the entire department will be fully funded by the tax levy, demonstrative of the commitment of the City Council. In 2021, the city will make significant capital investments in the LFD, as well. The FY2021 Capital Plan includes the requisite city match for a grant application to purchase two new pieces of fire apparatus, an engine and an aerial ladder, for a total funding commitment of over \$1.5 million. The City Council has also committed, through a vote in June of 2020, to allocate an additional \$650,000 in federal community development block grant ("CDBG") funding to purchase another fire truck.

A third pillar is partnerships. The City of Lowell has been fortunate to have so many partners in the private and public sector; partners willing to work with the city to accomplish larger goals. Government cannot do everything on its own and must leverage every resource and partnership we have; we must nurture those partnerships with both businesses and nonprofits. In fiscal year 2020, those partnerships were fortified as progress was made towards addressing the opioid epidemic and the homelessness crisis in the city. The city has set the framework for solutions on substance abuse through the Mayor's Opioid Epidemic Crisis Task Force, a collaborative effort that brings all stakeholders together on a regular basis. Through this effort, the Lowell City Council has demonstrated its commitment to funding these solutions in the public safety departments, as well as through the substance abuse division of the Health Department. In FY2020, Lowell continued to serve as the lead community addressing the opioid epidemic through a collaborative agreement with the City of Lowell and the Towns of Billerica, Chelmsford, Dracut, Westford, Wilmington, and Tewksbury via the Massachusetts Opioid Abuse Prevention Collaboration (MOAPC) Coalition. The division also has conducted life skills trainings curriculum trainings for educational staff and professionals working with youth surrounding addiction issues. Additionally, the Health Department has implemented the "*Strategic Plan for the Partnership for Success*" grant which is working to implement key strategies to work with high school athletes, and their parents and coaches to decrease the misuse of prescription medication in this population.



Eileen M. Donoghue  
*City Manager*

On the issue of homelessness, much progress has been made over the last year, thanks to funding previously appropriated by the City Council and the creation of a Homelessness Coordinator position in the Department of Planning and Development (“DPD”). This position has been able to serve as a point person for the city and strengthen partnerships with other area non-profits and human service agencies, as well as other city departments, to address the issue of homelessness in a more succinct, holistic way. In FY2020 the city saw the creation and implementation of a Coordinated Outreach and Engagement Team (COET) that is bringing together a multidisciplinary team to reach individuals living in areas not meant for human habitation, including the encampments and so-called “rough sleepers”. The group has created the “Lowell Connector,” a by-name list, created to identify a housing pathway for individuals experiencing homelessness in Lowell. By coordinating with South Middlesex Opportunity Council (“SMOC”) on the urban agenda grant for economic and employment development at the Lowell Transitional Living Center, the COET has created a more robust set of resources for individuals experiencing homelessness. And through coordination with the Department of Housing and Community Development (“DHCD”) around the transition of the Lowell Continuum of Care (“CoC”) into the Balance of State, the city has been instrumental in increasing accountability for city, state, and federal tax dollars by monitoring visits for sub-grantees to ensure compliance and improve outcomes for the Notice of Funding Availability (“NOFA”).

Aside from DPD, other city departments have joined the partnership to address homelessness. The Mayor’s Office has worked with area nonprofit organizations and private donors to help reduce youth homelessness in the City. In FY2020, the Lowell Police Department increased its capacity to patrol hard to reach areas such as the Homeless Encampments and Dracut State Forest through the acquisition of a Utility Task Vehicle (“UTV”). Personnel in the Fire Department have participated in the Homelessness Sustainable Housing Council and in FY2021, a stated goal of the Lowell Council on Ageing is to participate and build capacity in the services community for seniors including homeless seniors. The Veteran’s Service Office is also a partner in addressing this issue and this year’s budget provides for funding in order for payments made on behalf of qualified veterans to prevent homelessness through payment of rent to landlords for arrearages.

The opportunity for partnerships exists in many nexus points within the city budget. Under my Administration, the City will continue to foster these relationships, as well as create new partnerships in FY2021. Relationships like those between the Health and Human Services Department and the Cambodian Mutual Assistance Association, whether with their after school and summer programs or with their senior citizen programs. Those partnerships can bring kids into healthy, constructive activities through the Recreation Department, and can strengthen and improve the community relations with the city’s seniors through programming at the Council on Aging. By working together, the city can unlock state and federal grant opportunities for those agencies that can carry out specific missions unable to be advanced by city staff alone. Another partnership evident in the budget document is our commitment to working with nonprofit groups that provide community events focusing on the diverse arts and cultures of all residents. The Arts and Culture groups have a positive impact on the economic development within the city. Community outreach is at the heart of each of these partnerships. Funding for these cultural and special



Eileen M. Donoghue  
*City Manager*

event activities is included in the FY2021 budget. And while the impacts of COVID-19 will undoubtedly affect the types of activities that result from these partnerships, it will not be a barrier to their existence.

The final and, perhaps most important pillar to successful development of any city is its commitment to education in its school district. For most Gateway Cities, the primary source of funding for education comes via the Chapter 70 funding formula from the Commonwealth in the fiscal budget. In this, Lowell is no different. However, for those communities whose funding for schools is disproportionately comprised of Chapter 70 revenue, their ability to increase funding from the tax levy is severely limited. This is where Lowell sets itself apart from its peers and, despite the impact of COVID-19 on city finances, the FY2021 budget affords funding for the Lowell Public Schools sufficient to meet the net school spending requirement by the Commonwealth. The City of Lowell exceeded its Net School Spending requirement by approximately \$4.9 million in FY19—the most recent year that has been certified by DESE—and is projected to exceed the funding requirement FY2020. This spending certification does not include, however, the additional appropriations by the City Council which are currently being expended on projects to replace roofs and boilers at eight (8) schools in Lowell for a total cost of \$13.6 million. Public works will renew its effort to maintain and repair Lowell's schools through daily operations, but the projects submitted to the MSBA for funding in the Accelerated Repair Program will make significant progress in raising the standard for the physical education environment in the city's school buildings. Despite the fact that the debt service associated with these capital repairs cannot be credited towards the city's Net School Spending requirement and must be absorbed by the city's operational budget; this City Council has made it abundantly clear that the focus of capital funding must be directed towards the maintenance and upkeep school facilities.

Through these targeted investment in key priority areas, the city will continue to build on the economic development success in FY2020. This will be accomplished primarily through the funding proposal of the FY2021 capital plan, but also through strategic investments in the FY2021 operational budget and the coordinated efforts of the Economic Development Office of DPD. During these unprecedented times, the city's role in economic development has shifted, significantly, as the DPD not must only focus its efforts as much on business retention as on attracting new businesses. The Governor's Executive Order closing businesses across the Commonwealth has put an incredible strain on Lowell's many businesses, especially those in the hospitality sector, whose doors were forced closed for months after the shutdown in March. Immediately following the closure, at the request of the City Council, the City convened a Lowell Business Recovery Task force to centralize resources for the Lowell business community and to effectively assist local businesses. The purpose of the group is threefold: (1) respond to the emergency; (2) stabilize the local economy; and (3) work collaboratively towards economic recovery and revitalization for the City of Lowell. The Lowell Business Recovery Task Force meets virtually on a weekly basis. In the immediate wake of the pandemic, the Lowell Business Recovery Task Force worked diligently and collaboratively to maximize the resources available, across a variety of mediums and in multiple languages, to all businesses in Lowell. In addition, the city coordinated its marketing efforts to directly support restaurants and small businesses who remained open. Also, with a state Earmark secured by Representative Tom Golden, the Economic

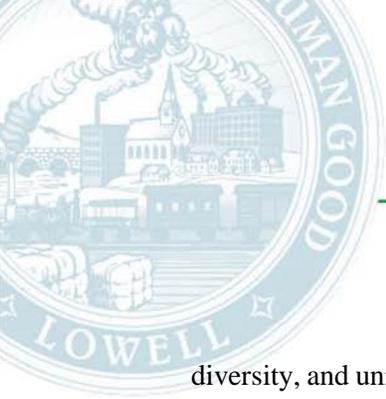


Eileen M. Donoghue  
City Manager

Development Office has provided free technical assistance, education and training to our target group in the form of individual, one-on-one consultation or in a classroom/workshop setting on the following topics: accounting, financing, budgeting, marketing and store layout. Workshops are free to participants of the target group and will provide them with the tools they need to stay competitive. After completing the workshop, businesses received grants of \$2,500-\$10,000 for sign and facade improvements. Finally, the Lowell Economic Development Office made \$150,000 available in for a grant program to assist Lowell's small, independently owned, brick-and-mortar retailers, restaurants, and personal service businesses that have been most significantly impacted by the COVID-19 pandemic. The Lowell *Small Business Emergency Relief Grant Program* was funded through the Community Development Block Grant Program ("CDBG") from the U.S. Department of Housing & Urban Development ("HUD"). However, due to the overwhelming number of applications, we were able to supplement the available funds by re-appropriating FY20 earmark funding, totaling \$240,000 as of August 6, 2020.

Among the other chief priorities advocated for by the City Council has been the investment in infrastructure and the city's municipal facilities. The 2021 Capital Budget makes key investments in the city's roadways and sidewalks and continues the Administration's strategy to match funding provided through the sale of bonds with the annual Chapter 90 roadway grant from the Commonwealth to maximize the amount of paving the city is able to contract for each fiscal year. That amount in FY2021 will be approximately \$3.23 million between the two funding sources. Among the other building and infrastructure projects funded in the capital budget include the repair of the Newhall Street bridge, replacement of the turf at Cawley Stadium, a final component of the Concord River Greenway project, and a continuation of the city's commitment to make the city more accessible for our residents with disabilities through accessibility improvements to roadways, parks, and buildings. These investments are critical and must continue, despite the economic pressures of COVID-19. The current rate environment in the municipal bond market remains strong and, thanks to the good credit of the city, we are able to borrow money at historically low interest rates to fund these projects. The debt service associated with the improvements has been analyzed and is layered into the operating budget in such a way as to not overly burden the tax levy on a year-to-year basis. Also, if capital improvements are further delayed or suspended, the city will face increasing maintenance costs associated with these assets' depreciation.

Because Lowell has created a fertile environment for economic development through its continuous investments, companies who are coming to Massachusetts from all over the country are looking to Lowell because of its affordability, its amenities, and because of certain indefinable qualities that set Lowell apart from other Massachusetts Gateway Cities. To date, the epicenter of this economic boom has been centered tightly on Boston and Cambridge. However, as is the case during any period of sustained economic growth, areas of early concentration quickly price-out residents and business alike, in time. If Lowell continues to position itself as it has, the city can—and will—find itself as the next stop for bio-tech or other emerging technology companies. Companies will see Lowell's ever expanding infrastructure, both in the Hamilton Canal Innovation District ('HCID') and in other opportunity zones like the Ayer's City Industrial District, as prime locations for relocation or expansion. These factors, coupled with Lowell's history, cultural



Eileen M. Donoghue  
*City Manager*

diversity, and unique charm, will make the Mill City an even more attractive location. My Administration's key focus areas will allow for development that provides economic opportunity for everyone from young children to the elderly. Investing in these key focus areas will only increase the return on investment for future generations.

While I am proud of the initiatives presented in this budget, planning for the FY2021 fiscal cycle was not without its substantial challenges, even prior to the prolonged financial implications of COVID-19. The onset of the economic shocks to the local economy have only exacerbated the challenge. Fixed costs continue to rise including a \$1.47 million increase in our pension assessment. As of the date of this letter, "Cherry Sheet" assessments from the Commonwealth will increase by a substantial amount in FY2021 as well, largely due to a \$3.5 million increase to the city's assessment for charter tuition. When the Legislature committed to an FY2020-level of funding, this impacted only the two major revenue accounts: Chapter 70 and UGGA, not the charter school reimbursement revenue that was scheduled to increase for Lowell pursuant to the Student Opportunity Act. Because that amount, which was budgeted at an increase of \$2.3 million in the Governor's January proposal, has been cut by the State, our budget took a loss commensurate with the loss of revenue, in addition to the increase in the assessment. No other, non-fixed cost expense increase is more onerous, however, than the costs associated with trash and recycling collection. As part of the current contract with Waste Management, the city must pay for so-called "contaminated recycling" and must assume the full impact of approximately \$725,000 in the budget based on the city's current contamination level. However, an aggressive campaign in the DPW and Development Services comprised of a combination of education and enforcement is aimed to curb contamination and therefore reduce costs to the city. Without an increase to the trash fee, the increased cost will be borne by the tax base in FY2021. The only potential mitigating factor is in behavior of Lowell residents to keep a careful eye on items thrown into the recycling bin on a weekly basis. Personnel cost increases are fixed based on the last year of the current contracts in effect with the various unions and were structured in a way so that the final COLA component does not impact the budget until after the end of the current fiscal year. The contracts for all 17 city-side bargaining units do expire, however, at the end of fiscal year 2021. All of these fixed costs, combined with our financial commitment to our key focus areas, limited our ability to expand any discretionary funding for the various city departments. In fact, many line items were not just level-funded, but reduced. These necessary cuts in expenses were spread evenly across the departments and were focused on limiting any disruption to service delivery. While I'm confident in my department heads' ability to continue to do the great work they do each year with less, it is worth noting that these departments are as lean as they have ever been.

Many of the aforementioned initiatives and challenges represent a serious cost, but my administration has worked tirelessly to limit the impact to the taxpayer. This budget includes a levy increase of 3.5%. While above the standard 2.5% marker, this increase is consistent with taking on debt service associated with projects overwhelmingly supported by the community, like the Lowell High School construction project. As was discussed and planned at the time of the vote of the \$343.4 million loan order on May 8, 2019, the Administration will do everything possible to phase-in the impact to mitigate the tax impact. As history has shown, Lowell functions best with continuous, modest increases to the levy in order to fund the rising costs



Eileen M. Donoghue  
*City Manager*

of goods and services, while not considerably raising taxes any single year. This fact is evidenced by the over \$20.5 million in excess levy capacity; the amount of money below the tax levy limit prescribed by Proposition 2 1/2. In the coming years, we must continue to find creative ways to increase revenue streams. Lowell is more heavily reliant on state aid than most Massachusetts municipalities, as approximately two-thirds of the entire city budget comes from the State budget.

This budget is the result of months of work by my finance team in conjunction with the City's department heads. While we were not able to meet every request, we tried to be as reasonable and fair with each department while still maintaining fiscal discipline. The result is a budget that addresses the City's fiscal difficulties while investing in key programs and initiatives. It is my hope that this budget will be a major first step toward my goal of improving the economic vitality of the city through sound fiscal planning, increased public safety, and strategic partnerships. I would like to thank Chief Financial Officer Conor Baldwin, Deputy CFO Allison Chambers, Chief Information Officer Mirán Fernandez, Human Relations Director Mary Callery, all of the Department Heads whom played an integral role in developing and producing this budget. I also thank the City Council for its vision and support; the residents are lucky to have leadership of this caliber at the local level. Finally—and most importantly—I wish to thank the city's greatest resource, its citizens; it is truly a pleasure to serve as your City Manager.

Sincerely,

Eileen M. Donoghue

City Manager

Cc: Conor Baldwin, Chief Financial Officer

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the City Manager, acting through the Fire Department, to accept and expend grant in the total amount of \$1,764 from the Commonwealth of Massachusetts via Executive Office of Public Safety and Security (“EOPSS”)

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The Lowell Fire Department has been approved for a Student Awareness of Fire Education (S.A.F.E.) grant to be used toward repairs of the district’s fire safety house and The City of Lowell desires to accept and expend said grant funds.

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

That the City Manager, acting through the Fire Department, be and is hereby authorized in the name of the City of Lowell to accept and expend a Grant in the amount of \$1,764.00 from the Commonwealth of Massachusetts via Executive Office of Public Safety and Security.

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 Commonwealth of Massachusetts referred to above.

V:grant/SAFE



Eileen M. Donoghue  
*City Manager*

September 1, 2020

Mayor John J. Leahy  
And  
Members of the Lowell City Council

Dear Mayor Leahy and Members of the Lowell City Council,

I respectfully request that the City Council vote to accept and appropriate a grant from the Commonwealth in the amount of \$1,764 to be used toward repairs of the district's fire safety house.

Please do not hesitate to let me know if there are any questions.

Sincerely,

Eileen M. Donoghue  
City Manager

Cc: Conor Baldwin, Chief Financial Officer  
Joseph Roth, Acting Fire Chief

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the City Manager, acting through the Finance Department, to accept and expend a Gaming Mitigation grant in the total amount of \$180,628.00 from the Commonwealth of Massachusetts via the Massachusetts Cultural Council ("MCC")

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The Lowell Memorial Auditorium has been approved for a gaming mitigation grant through the first round of grants funded by the Gaming Mitigation Program, which was established by M.G.L. c. 23K s. 59; and

The City of Lowell desires to accept and expend said grant funds for the Lowell Memorial Auditorium to compete in a new, unbalanced marketplace due to the legalization of gaming in Massachusetts.

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

That the City Manager, acting through the Finance Department, be and is hereby authorized in the name of the City of Lowell to accept and expend a Grant in the amount of \$180,628.00 from the Commonwealth of Massachusetts via the Massachusetts Cultural Council.

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 Commonwealth of Massachusetts referred to above.

V:grant/massculturalcouncil



July 14, 2020

Eileen M. Donoghue, City Manager  
City of Lowell  
City Hall  
375 Merrimack Street  
Lowell, MA 01852-5983

Dear Ms. Donoghue:

We are pleased to inform you that Lowell Memorial Auditorium has been approved for a Gaming Mitigation grant of \$180,628 (Grant #FY21-GM-GAM-0556) from the Mass Cultural Council.

This is the first round of grants funded by the Gaming Mitigation Program, which was established by MGL Section 59 chapter 23K, and aims to mitigate a direct threat to the sustainability of non-profit and municipal performing arts centers in Massachusetts by providing capital to preserve their ability to complete in a new, unbalanced marketplace. This round is distributing the funds received by the Program through February 29, 2020.

Enclosed you will find a contract package that contains award instructions and reporting requirements. Please review these documents carefully and return the required paperwork to Contracts Officer, Cyndy Gaviglio, by mail. This will help us process your grant as quickly as possible. For questions about the contract, please contact Cyndy at 617-858-2711 or [Cyndy.Gaviglio@art.state.ma.us](mailto:Cyndy.Gaviglio@art.state.ma.us). For questions about the program, please contact Program Officer Cheyenne Cohn-Postell at [Cheyenne.Cohn-Postell@art.state.ma.us](mailto:Cheyenne.Cohn-Postell@art.state.ma.us).

You play an integral role in creating and supporting a cultural life in Massachusetts that is vital, accessible, and thriving. Congratulations on your successful application and thank you for all that you do.

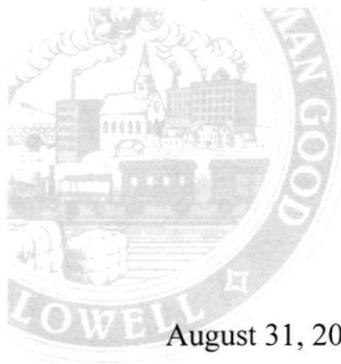
Sincerely,

A handwritten signature in cursive script that reads 'Nina Fialkow'.

Nina Fialkow  
Chair

Enclosures

cc: Peter Lally, General Manager, Lowell Memorial Auditorium



Eileen M. Donoghue  
City Manager

August 31, 2020

Mayor John J. Leahy  
And  
Members of the Lowell City Council

Dear Mayor Leahy and Members of the Lowell City Council,

I respectfully request that the City Council vote to accept and appropriate a grant from the Commonwealth in the amount of \$180,628, from the Massachusetts Cultural Council to support the Lowell Memorial Auditorium ("LMA"). These funds are derived from the state's gaming revenue fund, which was established after the legalization of gaming in Massachusetts to aid in offsetting the economic impact to smaller cultural institutions runs by municipalities and non-profits.

My finance team has been working with the Lowell Management Group and Peter Lally, the general manager, to strategize the best use of funds to improve the quality of the shows offered at the LMA. As per the rules of the funds, the money must be used for performance fees for shows at the LMA, and can be allocated to any show that goes to contract before 6/30/2021. The current plan would allow the LMA to once again host a touring Broadway series.

The LMA previously hosted a Broadway subscription series from 1991 through 2015. However, the market conditions and economics of touring Broadway have eliminated the possibility of a touring Broadway series returning to the LMA without some outside financial support. These gaming funds give Lowell Auditorium the chance to once again become a touring Broadway house and bring back to the LMA a cornerstone of performing arts center programming. The Broadway series was a significant attraction for patrons of the LMA and is sorely missed. And as many business owners downtown will attest, the Broadway series was one of the best economic drivers that the LMA provided, and I am excited bring forth a plan, in partnership with the management at the LMA, that would use these funds to bring it back to life.

Please do not hesitate to let me know if there are any questions.

Sincerely,

Eileen M. Donoghue  
City Manager

cc: Conor Baldwin, Chief Financial Officer

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the City Manager to accept and expend a Greening the Gateway Cities Grant from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, Department of Conservation and Recreation in the amount of up to \$20,000 in reimbursements for items specifically related to tree planting, including creating new tree pits, stump removal and purchase of tree watering bags to help sustain new planted trees in the City of Lowell.

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The City of Lowell is desirous of improving the tree canopy within the project area by 5%, which is an average of 400 trees per planting season in the fall and spring; and

The City was recently informed DCR's Urban Forestry Crew has expanded their work area to include Lowell. Funds will be used for items specifically related to tree planting, including creating new tree pits, stump removal and purchase of tree watering bags to help sustain new planted trees.

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL:

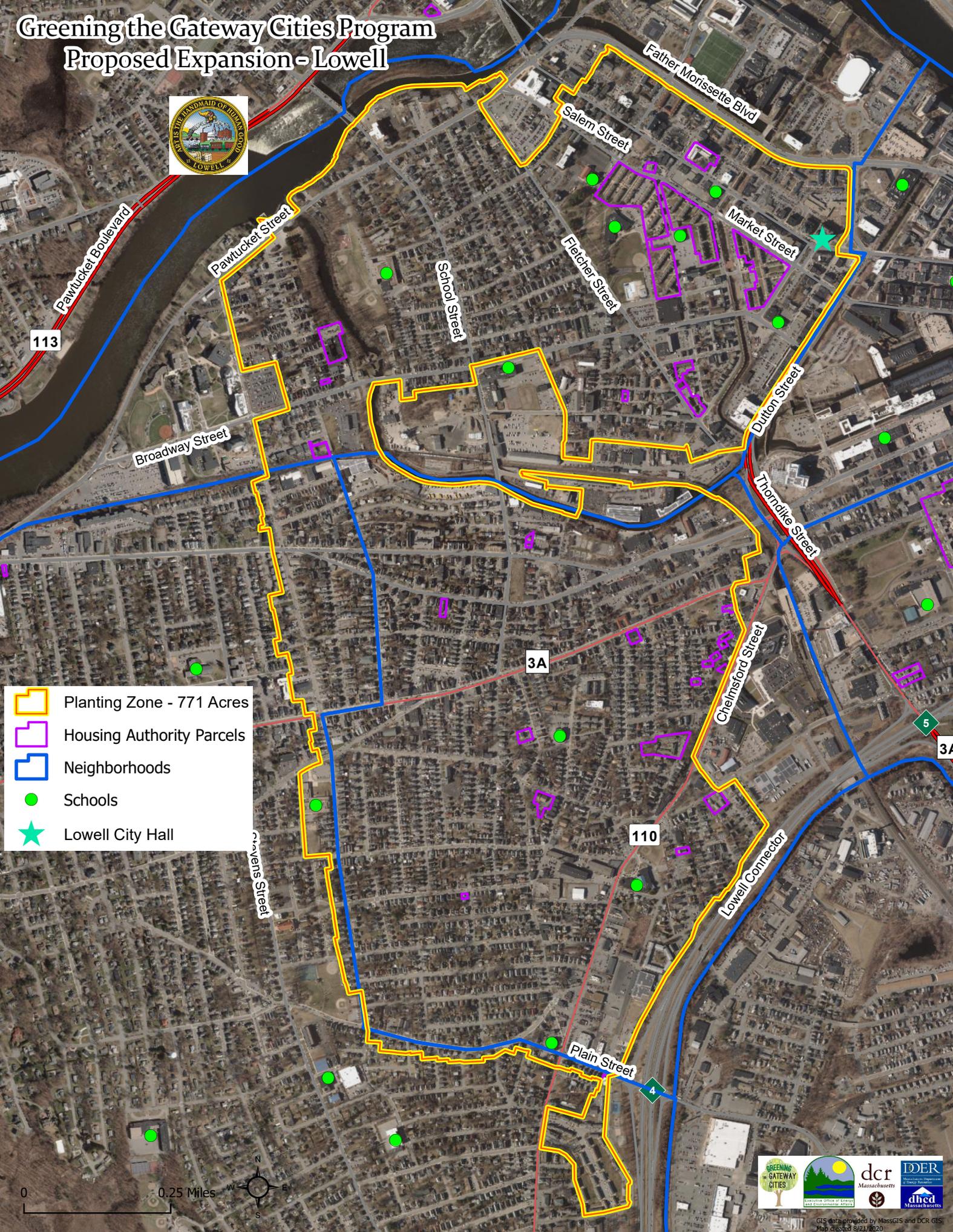
That the City Manager be and is hereby authorized to accept, and expend a grant from the Greening the Gateway Cities Grant Program from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA), Department of Conservation and Recreation in the amount of up to Twenty Thousand (\$20,000) Dollars in reimbursements for items specifically related to tree planting, including creating new tree pits, stump removal and purchase of tree watering bags to help sustain new planted trees 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 Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs Grant.

V:grant/GreeningtheGateway2020

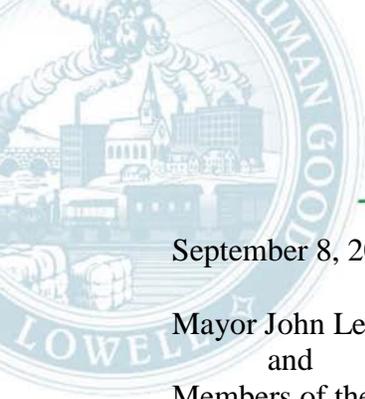
# Greening the Gateway Cities Program Proposed Expansion - Lowell



-  Planting Zone - 771 Acres
-  Housing Authority Parcels
-  Neighborhoods
-  Schools
-  Lowell City Hall



GIS data provided by MassGIS and DCR GIS. Map created 8/21/2020



September 8, 2020

Eileen M. Donoghue  
City Manager

Mayor John Leahy  
and  
Members of the City Council

Kara Keefe Mullin  
Assistant City Manager

REFERENCE: Approval to accept, and expend a Greening the Gateway Cities Grant from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, Department of Conservation and Recreation

Dear Mayor Leahy and Members of the City Council:

The Department of Planning and Development (DPD) is requesting approval to apply for, accept and expend a Greening the Gateway Cities Grant from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, Department of Conservation and Recreation.

The City was recently informed DCR's Urban Forestry Crew has expanded their work area to include Lowell. DPD and DPW staff have worked directly with the Greening the Gateway Cities Program staff to finalize a project focus area that met the program guidelines for Environmental Justice areas with lower tree canopy coverage. A map of the project focus area is attached.

DCR's goal is to improve the tree canopy within the project area by 5%, which is an average of 400 trees per planting season in the fall and spring. The goal is to plant 2,400 trees in a three year period on public and private properties. Trees are provided by DCR and planted by DCR's forestry crew, who are often hired locally. Plantings in Lowell will begin in the spring of 2021.

DPD submitted a grant application for the Greening the Gateway Cities Program for up to \$20,000 in reimbursements for items specifically related to tree planting, including: creating new tree pits, stump removal and purchase of tree watering bags to help sustain new planted trees.

I respectfully request that the City Council authorize the City Manager to apply for, accept and expend up to \$20,000 from the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs, Department of Conservation and Recreation for the Greening the Gateway Cities Program.

Sincerely,

Eileen M. Donoghue  
City Manager

EMD/ns  
Attachment

cc: Christine P. O'Connor, City Solicitor  
Diane N. Tradd, Assistant City Manager/DPD Director  
Yovani Baez-Rose, Design Planner

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.

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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:

**§266-44**

**One-way streets designated** is hereby amended by **adding** the following

**Name of Street**

**Location**

Hutchinson Street

From Liberty Street southerly to Shaw Street

Arthur Street

From Sagamore Street to Hutchinson Street

**§266-47**

**Stop intersections** – is hereby amended by **adding** the following:

<b>Stop Sign On</b>	<b>Direction of Travel</b>	<b>At intersection of</b>
Newhall Street	North and South	Chambers Street
Chambers Street	East	Newhall Street
Mt Hope Street	Northwest and Southeast	White Street

**§266-49**

**Yield Intersections** is hereby amended by **deleting** the following:

H. Hutchinson Street, against southbound drivers on Hutchinson Street, at Shaw Street.

**§266-49**

**Yield Intersections** is hereby amended by **adding** the following:

H. Shaw Street, against eastbound drivers on Shaw Street, at Hutchinson Street.

**§266-52**

**Thirty minute parking area** - is hereby amended as follows:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Central Street (438-440)	East	Beginning at a point 95 feet south of the southerly curblineline of Charles Street running south for a distance of 20 feet along Central Street.

**§266-56**

**Parking prohibited on certain streets at all times** is hereby amended by **adding** the following:

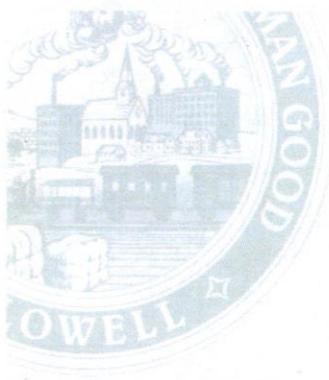
<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Hutchinson Street	West	From Arthur Street to Shaw Street.
Arthur Street	South	From Sagamore Street to Hutchinson Street.

Hutchinson Street

East

Beginning at the southerly curbside of Liberty Street running southerly a distance of 60 feet to the northerly curbside of Arthur Street.

Order60day09-08-20



Diane Nichols Tradd  
*Assistant City Manager/DPD Director*

Craig Thomas  
*Deputy Director*

MEMORANDUM

TO: Eileen M. Donoghue, City Manager

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

DATE: September 8, 2020

SUBJECT: PROPOSED 60 DAY TRIAL TRAFFIC ORDERS

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

- Thirty minute parking areas – Central Street, to remove the 30-minute spot in front of 440 Central Street. The business at 438 Central Street, Classic Hair Design, was previously granted a 30-minute spot in front of 440 Central Street. The property owner of 440 Central Street petitioned for that 30-minute spot to be removed to alleviate parking for the residents of the property. This spot is 1 of 3 spots for the business Classic Hair Design.
- Stop intersections – Newhall Street and Chambers Street. To improve safety on the intersection due to cut through traffic on Newhall Street and a visibility issue on Chambers Street, per resident request.
- Stop intersections – Mt. Hope Street. To improve safety at the intersection of Mt. Hope Street and White Street, per resident request.
- One-way streets designated – Hutchinson Street and Arthur Street. To improve accessibility to streets, as they are not wide enough for two-way traffic and on street parking, per City Engineer.
- Parking prohibited on certain streets at all times - Hutchinson Street and Arthur Street. To improve accessibility to streets, as they are not wide enough for parking on both sides, per City Engineer.
- Yield intersections – Hutchinson Street and Shaw Street. Improving safety on the intersection of Hutchinson Street and Shaw Street by switching the yield sign from Hutchinson to Shaw, per Transportation Engineer.

If impacted residents have any feedback on 60-day trials, they can email them to [60daytrial@lowellma.gov](mailto:60daytrial@lowellma.gov)

AH/nv

cc: John Cooper, Sign and Meter Division  
Terry Ryan, Parking Director  
Natasha Vance, Transportation Engineer  
Alan Heredia, Assistant Transportation Planner

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 150 thereof Entitled, "Fees" by amending certain sections.

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

"The Code for the City of Lowell," hereinafter called the "Code", adopted by the City Council on December 23, 2008, is hereby amended with respect to 150 thereof, by amending certain sections:

1. By amending Chapter 150, Entitled **Fees; Police Department** by adding the following new number 19 as follows:

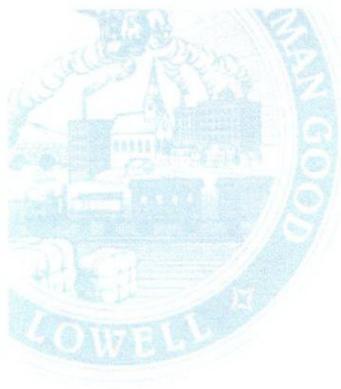
	<b>Department/Reference</b>	<b>Unit/ Frequency</b>	<b>Fee</b>
19	Police Detail – Cruiser Fee	Per Hour	\$10.00/ hour

2. All provisions of the Lowell City Code, as amended, which are consistent 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 of the Massachusetts General Laws.

APPROVED AS TO FORM:



Christine P. O'Connor  
City Solicitor



Raymond Kelly Richardson  
Superintendent

Barry Golner  
Deputy Superintendent

Daniel R. Larocque  
Deputy Superintendent

*OK  
9/1/2020*

**To:** City Manager Eileen Donoghue  
**From:** Superintendent Raymond K. Richardson  
**Re:** Garage Repair/Service Vehicles revolving fund consideration  
**Date:** September 1, 2020

The Lowell Police Department has proposed to create an ordinance that would allow the City to charge vendors a ten dollar (\$10.00) per hour fee for all details that require the usage of a City of Lowell Police Department cruiser. This fee will not be charged to any details or projects funded by the City of Lowell. The fee will be charged only for details in which the vendor requests the use of a police cruiser or those in which the Commanding Officer of the Detail Office or his/her designee deem a cruiser necessary for public safety purposes.

As you are aware, the cost of repairing police cruisers has almost doubled from the old Ford Crown Victoria Cruisers to the new Ford Sport Utility Prices. The parts alone have almost doubled in price and the department is proposing a cost savings solution to this ever increasing issue. It is our hope that with the passing of this ordinance, the department will initially be able to supplement all of the increased cost in this line item for the budget. Over time, it is our belief that this ordinance will allow us to self-fund the repairs via the revolving account and eliminate the cost from the budget permanently.



Eileen M. Donoghue  
*City Manager*

September 1, 2020

Mayor John J. Leahy  
And  
Members of the Lowell City Council

Dear Mayor Leahy and Members of the Lowell City Council,

Enclosed is an Ordinance to establish a new fee in the Lowell Police Department. The purpose of this new fee is to recover costs by the city in conjunction with wear and tear to police cruisers when used for construction details. The accumulated cost to the taxpayers to repair and maintain these vehicles is significant, and the implementation of this fee will switch the operation to a fee-for-service model whereby those companies or corporations who order the police details will help offset the costs for fleet maintenance.

This vote accompanies the ordinance to establish a revolving fund for the same purpose. Both votes are on the agenda together. This accounting method will allow the Police Superintendent greater flexibility to use the funds and will afford the Lowell Police Department the opportunity to maintain the fleet without looking to the taxpayers to fund the work.

Sincerely,

Eileen M. Donoghue  
City Manager

cc: Conor Baldwin, Chief Financial Officer  
Raymond “Kelly” Richardson, Superintendent of Police

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 272, Article VI §272-86 entitled "Metered Service Water".

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It is necessary to amend §272-86 entitled "Metered Service Water " with respect to fees.

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

"The Code of Ordinances of the City of Lowell, Massachusetts", adopted by the City Council on December 23, 2008, as amended, is hereby further amended, with respect to Chapter 272 entitled "Water and Sewers", as follows:

**§272-86 Metered Service Water** is hereby amended as follows:

By deleting the rate schedule listed and substituting the following rates, effective July 1, 2020:

A. Regular Rates.

1. Effective for bills issued after July 1, 2020, all metered service for water use shall be charged in accordance with the following rate schedule based on volume of water use on a quarterly basis:

<u>Number of hundred cubic feet per quarter</u>	<u>Rate per hundred cubic feet per quarter</u>
0 – 50 (min. 14 hcf)	2.191
51 – 100	2.588
101 – 200	2.629
201 – 500	2.668
Over 500+	3.650

2. Usage is as recorded on the meters in each building served with water by the Lowell Regional Water Utility in which a meter is installed. On such premises where meters record a quarterly consumption of less than 1,400 cubic feet of water, there shall be charged a minimum amount of \$29.93 per quarter, per meter.

B. Single-family rates.

1. Single-family units shall be charged at the rate set forth in Subsection A hereof.
2. For single-family units where the elderly rates under Subsection C hereof are not applicable and where meters record a quarterly consumption of less than 1,400 cubic feet of water, there shall be charged a minimum amount of \$29.93 per quarter, per meter.

C. Elderly Discount

1. Notwithstanding Subsections A and B above, for single-family units in which an owner of record who actually resides in the premises is age 65 years or older, the following rate schedule shall apply, based on the volume of water use on a quarterly basis:

<u>Number of hundred cubic feet per quarter</u>	<u>Rate per hundred cubic feet per quarter</u>
0 – 50 (min. 14 hcf)	1.096
51 – 100	2.191
101 – 200	2.588
201 – 500	2.688
Over 500	2.688

2. Proof of age, ownership and residence shall be required to be established by the owner to the satisfaction of the Water Department, annually, as of January 1 of each year, on forms to be furnished by that Department.

- D. Any charge for trash/recycling or water or sewer use due to the City which is not paid in full by the due date on the bill rendered therefor shall bear interest on any unpaid balance at the rate of 14% per annum, in accordance with Chapter 28, § 28-12 of this Code, provided that in any case where said charge has been abated by order of the Executive Director of Lowell Regional Water Utility or the Water Board pursuant to Article VII or VIII of this chapter, the Executive Director and Board shall have the power to stay and/or waive any such interest for a commensurate amount. Further, the Board and/or Executive Director of the Lowell Regional Water Utility may abate or adjust in whole or in part interest on a recalculated water bill.

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, but as specified herein, the rate provisions become effective and July 1, 2020.

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Christine P. O'Connor", written over a horizontal line.

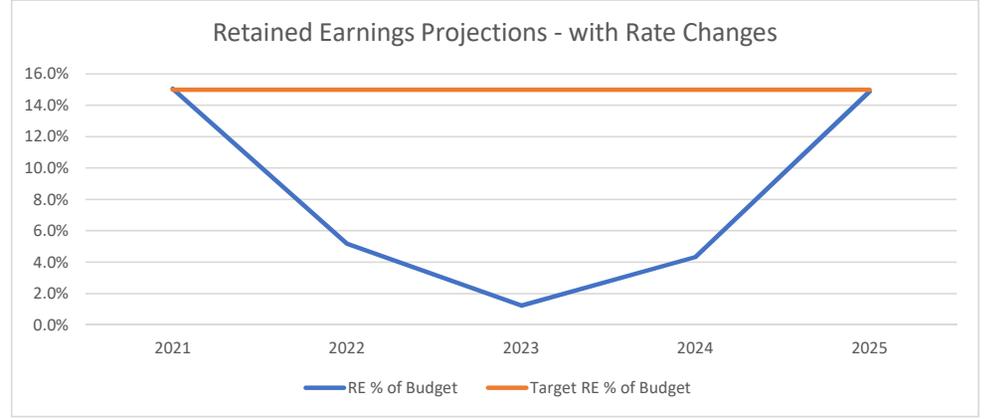
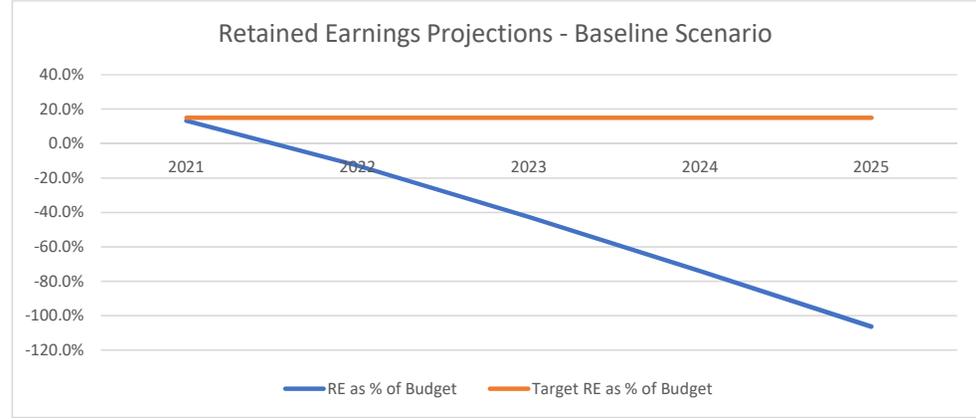
Christine P. O'Connor  
City Solicitor

<b>Target Retained Earnings as % of Budget:</b>	15.0%
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<b>Rate Increases:</b>	2.5%	20.0%	15.0%	10.0%	10.0%
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Baseline	2021 PROJECTED	2022 PROJECTED	2023 PROJECTED	2024 PROJECTED	2025 PROJECTED
Surplus/Deficit	\$ (3,281,837)	\$ (3,875,471)	\$ (5,026,673)	\$ (5,434,583)	\$ (5,803,139)
Projected Retained Earnings	\$ 1,928,893	\$ (1,946,578)	\$ (6,973,251)	\$ (12,407,834)	\$ (18,210,973)
RE as % of Budget	13.2%	-12.8%	-42.7%	-74.1%	-106.4%
Target RE as % of Budget	15.0%	15.0%	15.0%	15.0%	15.0%

Rate Impact	2021 PROJECTED	2022 PROJECTED	2023 PROJECTED	2024 PROJECTED	2025 PROJECTED
Surplus/Deficit	\$ (3,013,925)	\$ (1,410,679)	\$ (584,688)	\$ 523,249	\$ 1,822,125
Projected Retained Earnings	\$ 2,196,805	\$ 786,126	\$ 201,438	\$ 724,687	\$ 2,546,812
RE % of Budget	15.1%	5.2%	1.2%	4.3%	14.9%
Target RE % of Budget	15.0%	15.0%	15.0%	15.0%	15.0%



Description	2017	2018	2019	2020	2020	2021	2022	2023	2024	2025	COMMENTS
	ACTUAL	ACTUAL	ACTUAL	BUDGETED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	
<b>Revenues and Other Sources</b>						2.50%	20.00%	15.00%	10.00%	10.00%	
Usage Charges	\$ 9,796,895	\$ 9,495,027	\$ 10,127,624	\$ 10,014,146	\$ 10,014,146	\$ 10,264,500	\$ 12,317,400	\$ 14,165,010	\$ 15,581,510	\$ 17,139,662	FY20 based on budget; FY21 on, based on rate increases shown
Liens	\$ 702,343	\$ 654,243	\$ 645,873	\$ 702,343	\$ 702,343	\$ 719,902	\$ 863,882	\$ 993,464	\$ 1,092,811	\$ 1,202,092	FY20 based on budget; FY21 on, based on rate increases shown
Junk/Scrap Metal	\$ 8,174	\$ 4,610	\$ 1,142	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	FY20 based on budget; FY21 on, assume nothing, based on five-year forecast
Permit Fees	\$ 247,676	\$ 245,261	\$ 239,996	\$ 275,000	\$ 275,000	\$ 275,000	\$ 275,000	\$ 275,000	\$ 275,000	\$ 275,000	FY20 based on budget; FY21 on, assume level
Bulk Sales	\$ -	\$ 2,430	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Nothing FY20 and on, per the five-year forecast
Solar Renewable Energy	\$ -	\$ 379,425	\$ 276,039	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	\$ 120,000	FY20 based on budget; FY21 on, assume level, even though not in forecast, per the CFO
Miscellaneous Revenue	\$ 182,457	\$ 231,382	\$ 118,580	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	FY20 based on budget; FY21 on, assume level
<b>Sub Total</b>	<b>\$ 10,937,545</b>	<b>\$ 11,012,378</b>	<b>\$ 11,409,254</b>	<b>\$ 11,321,489</b>	<b>\$ 11,311,489</b>	<b>\$ 11,579,401</b>	<b>\$ 13,776,281</b>	<b>\$ 15,753,474</b>	<b>\$ 17,269,321</b>	<b>\$ 18,936,753</b>	
Retained Earnings	\$ -	\$ -	\$ -	\$ 3,367,640	\$ 3,367,640	\$ -	\$ -	\$ -	\$ -	\$ -	FY20 amount as indicated in five-year forecast file
<b>Total Revenues and Other Sources</b>	<b>\$ 10,937,545</b>	<b>\$ 11,012,378</b>	<b>\$ 11,409,254</b>	<b>\$ 14,689,129</b>	<b>\$ 14,679,129</b>	<b>\$ 11,579,401</b>	<b>\$ 13,776,281</b>	<b>\$ 15,753,474</b>	<b>\$ 17,269,321</b>	<b>\$ 18,936,753</b>	
<b>Expenditures and Other Uses</b>											
Salaries and Wages	\$ 1,924,090	\$ 1,972,985	\$ 2,149,155	\$ 2,541,536	\$ 2,541,536	\$ 2,617,782	\$ 2,696,316	\$ 2,777,205	\$ 2,860,521	\$ 2,946,337	FY20 from Budget; FY21 on increased 3.0% yearly, per five-year forecast
Operations and Maintenance and Other Expenses	\$ 2,780,763	\$ 2,860,848	\$ 3,036,117	\$ 4,122,500	\$ 4,122,500	\$ 4,204,950	\$ 4,289,049	\$ 4,374,830	\$ 4,462,327	\$ 4,551,573	FY20 from Budget; FY21 on increased 2.0% yearly, per five-year forecast
Existing Long Term Debt Service - MCWT Debt	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,084,855	\$ 2,618,800	\$ 2,624,049	\$ 2,622,920	\$ 2,626,200	FY21 and on from City's existing debt schedule; only includes MCWT debt FY21 and on
Existing Long Term Debt Service - GOB or All Debt	\$ 3,865,898	\$ 4,619,673	\$ 4,579,372	\$ 5,076,263	\$ 5,076,263	\$ 1,387,869	\$ 1,380,550	\$ 1,293,625	\$ 1,178,270	\$ 1,143,153	All debt here FY17-20; FY20 from budget; FY21 and on from City's existing debt schedule
New Long Term Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,009,369	\$ 2,041,012	\$ 2,303,100	\$ 2,324,239	Based on assumptions laid out on Capital Plan tab
Short Term Debt (Related to New Debt Service)	\$ -	\$ -	\$ -	\$ -	\$ 114,819	\$ 260,575	\$ 64,463	\$ 5,175	\$ -	\$ 104,625	1.25% of amount expended in the "lag" year, per the CFO; see Capital Plan tab
<b>Sub Total</b>	<b>\$ 8,570,751</b>	<b>\$ 9,453,505</b>	<b>\$ 9,764,644</b>	<b>\$ 11,740,299</b>	<b>\$ 11,855,118</b>	<b>\$ 11,556,031</b>	<b>\$ 12,058,546</b>	<b>\$ 13,115,896</b>	<b>\$ 13,427,137</b>	<b>\$ 13,696,126</b>	
Indirect Costs	\$ 3,049,297	\$ 2,672,026	\$ 2,948,830	\$ 2,948,830	\$ 2,948,830	\$ 3,037,295	\$ 3,128,414	\$ 3,222,266	\$ 3,318,934	\$ 3,418,502	FY20 from budget; FY21 on increased 3% yearly, based on average increase shown in forecast
Transfers/Adjustments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	FY20 from budget; FY21 on increased 3% yearly, based on average increase shown in forecast
<b>Total Expenditures and Other Uses</b>	<b>\$ 11,620,048</b>	<b>\$ 12,125,531</b>	<b>\$ 12,713,474</b>	<b>\$ 14,689,129</b>	<b>\$ 14,803,948</b>	<b>\$ 14,593,326</b>	<b>\$ 15,186,960</b>	<b>\$ 16,338,162</b>	<b>\$ 16,746,072</b>	<b>\$ 17,114,628</b>	
<b>Excess (Deficiency) of Revenues and Available Funds &gt; Expenditures and Other Uses</b>	<b>\$ (682,502)</b>	<b>\$ (1,113,153)</b>	<b>\$ (1,304,220)</b>	<b>\$ -</b>	<b>\$ (124,819)</b>	<b>\$ (3,013,925)</b>	<b>\$ (1,410,679)</b>	<b>\$ (584,688)</b>	<b>\$ 523,249</b>	<b>\$ 1,822,125</b>	
<b>Retained Earnings Summary</b>											
Certified Retained Earnings as of July 1, 2019			\$ 5,335,549								
Available Retained Earnings Start of FY				\$ 5,335,549	\$ 5,210,730	\$ 2,196,805	\$ 786,126	\$ 201,438	\$ 724,687		
Retained Earnings Appropriated				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Current Year Surplus/(Deficit)				\$ (124,819)	\$ (3,013,925)	\$ (1,410,679)	\$ (584,688)	\$ 523,249	\$ 1,822,125		
<b>Projected Retained Earnings Balance</b>				<b>\$ 5,210,730</b>	<b>\$ 2,196,805</b>	<b>\$ 786,126</b>	<b>\$ 201,438</b>	<b>\$ 724,687</b>	<b>\$ 2,546,812</b>		
Projected Retained Earnings Balance as % of Budget				35.2%	15.1%	5.2%	1.2%	4.3%	14.9%		

Description	2017	2018	2019	2020	2020	2021	2022	2023	2024	2025	COMMENTS
	ACTUAL	ACTUAL	ACTUAL	BUDGETED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	
<b>Revenues and Other Sources</b>											
Usage Charges	\$ 9,796,895	\$ 9,495,027	\$ 10,127,624	\$ 10,014,146	\$ 10,014,146	\$ 10,014,146	\$ 10,014,146	\$ 10,014,146	\$ 10,014,146	\$ 10,014,146	FY20 based on budget; FY21 on, level to show possible impact of no rate changes
Liens	\$ 702,343	\$ 654,243	\$ 645,873	\$ 702,343	\$ 702,343	\$ 702,343	\$ 702,343	\$ 702,343	\$ 702,343	\$ 702,343	FY20 based on budget; FY21 on, level to show possible impact of no rate changes
Junk/Scrap Metal	\$ 8,174	\$ 4,610	\$ 1,142	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	FY20 based on budget; FY21 on, assume nothing, based on five-year forecast
Permit Fees	\$ 247,676	\$ 245,261	\$ 239,996	\$ 275,000	\$ 275,000	\$ 275,000	\$ 275,000	\$ 275,000	\$ 275,000	\$ 275,000	FY20 based on budget; FY21 on, assume level
Bulk Sales	\$ -	\$ 2,430	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Nothing FY20 and on, per the five-year forecast
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Retained Earnings	\$ -	\$ -	\$ -	\$ 3,367,640	\$ 3,367,640	\$ -	\$ -	\$ -	\$ -	\$ -	FY20 amount as indicated in five-year forecast file
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<b>Sub Total</b>	<b>\$ 8,570,751</b>	<b>\$ 9,453,505</b>	<b>\$ 9,764,644</b>	<b>\$ 11,740,299</b>	<b>\$ 11,855,118</b>	<b>\$ 11,556,031</b>	<b>\$ 12,058,546</b>	<b>\$ 13,115,896</b>	<b>\$ 13,427,137</b>	<b>\$ 13,696,126</b>	
Indirect Costs	\$ 3,049,297	\$ 2,672,026	\$ 2,948,830	\$ 2,948,830	\$ 2,948,830	\$ 3,037,295	\$ 3,128,414	\$ 3,222,266	\$ 3,318,934	\$ 3,418,502	FY20 from budget; FY21 on increased 3% yearly, based on average increase shown in forecast
Transfers/Adjustments	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	FY20 from budget; FY21 on increased 3% yearly, based on average increase shown in forecast
<b>Total Expenditures and Other Uses</b>	<b>\$ 11,620,048</b>	<b>\$ 12,125,531</b>	<b>\$ 12,713,474</b>	<b>\$ 14,689,129</b>	<b>\$ 14,803,948</b>	<b>\$ 14,593,326</b>	<b>\$ 15,186,960</b>	<b>\$ 16,338,162</b>	<b>\$ 16,746,072</b>	<b>\$ 17,114,628</b>	
<b>Excess (Deficiency) of Revenues and Available Funds &gt; Expenditures and Other Uses</b>											
	\$ (682,502)	\$ (1,113,153)	\$ (1,304,220)	\$ -	\$ (124,819)	\$ (3,281,837)	\$ (3,875,471)	\$ (5,026,673)	\$ (5,434,583)	\$ (5,803,139)	
<b>Retained Earnings Summary</b>											
Certified Retained Earnings as of July 1, 2019			\$ 5,335,549								
Available Retained Earnings Start of FY				\$ 5,335,549	\$ 5,210,730	\$ 1,928,893	\$ (1,946,578)	\$ (6,973,251)	\$ (12,407,834)		
Retained Earnings Appropriated				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Current Year Surplus/(Deficit)				\$ (124,819)	\$ (3,281,837)	\$ (3,875,471)	\$ (5,026,673)	\$ (5,434,583)	\$ (5,803,139)		
<b>Projected Retained Earnings Balance</b>				<b>\$ 5,210,730</b>	<b>\$ 1,928,893</b>	<b>\$ (1,946,578)</b>	<b>\$ (6,973,251)</b>	<b>\$ (12,407,834)</b>	<b>\$ (18,210,973)</b>		
Projected Retained Earnings Balance as % of Budget				35.2%	13.2%	-12.8%	-42.7%	-74.1%	-106.4%		

## WATER ENTERPRISE SUMMARY

	<b>FY18 Actual</b>	<b>FY19 Actual</b>	<b>FY20 Approved</b>	<b>FY21 Prelim. Estimate</b>	<b>FY21 Final Estimate</b>
<b>Revenues</b>	11,012,378	11,409,254	11,321,489	11,169,258	12,106,297
	<b>FY18 Actual</b>	<b>FY19 Actual</b>	<b>FY20 Approved</b>	<b>FY21 Request</b>	<b>FY21 Manager</b>
Personal Services	1,972,985	2,149,155	2,541,536	2,577,695	2,579,657
Ordinary Expenses	2,860,848	3,036,117	4,122,500	4,796,500	3,951,500
Debt Service	4,619,673	4,579,372	4,714,358	4,714,358	4,714,358
Indirect Costs	2,672,026	2,948,830	2,948,830	4,149,348	3,848,378
Transfers/Adjustments	1,523,950	(97,056)			
<b>Total Expenditures</b>	13,649,481	12,616,418	14,327,224	16,237,901	15,093,892
<b>Surplus/(Deficit)</b>	<b>(2,637,103)</b>	<b>(1,207,165)</b>	<b>(3,005,735)</b>	<b>(5,068,643)</b>	<b>(2,987,595)</b>
<b>Beginning Fund Balance</b>	10,237,598	7,600,494	6,393,330	3,387,595	3,387,595
Estimated Operations			<b>(3,005,735)</b>	<b>(5,068,643)</b>	<b>(2,987,595)</b>
<b>Projected Ending Fund Balance</b>	10,237,598	7,600,494	3,387,595	<b>(1,681,048)</b>	400,000
Actual Operations	<b>(2,637,103)</b>	<b>(1,207,165)</b>			
<b>Projected Ending Fund Balance (must be &gt;0)</b>	<b>7,600,494</b>	<b>6,393,330</b>	<b>3,387,595</b>	<b>(1,681,048)</b>	<b>400,000</b>

Integrated Capital Improvement Plan  
**Lowell Drinking Water & Wastewater Utilities**  
 \$112M CIP Phase 3 (2020 - 2029)

**DRINKING WATER**

Redundant Transmission Line (Finished Water Main)	\$4 M
Drinking Water Facility Upgrades (Ferry Crossing Facility)	\$8 M
Water Meter & Backflow Device Replacement (Water Distribution System)	\$3 M
Lead Water Service Replacement (Water Distribution System)	\$4 M
Transmission Main Vulnerabilities (Water Distribution System)	\$2 M
Finished Water Storage Tank (Underground Facility at Fort Hill)	\$15 M
Permitting, Planning, Design & Construction (Technical and Engineering Services)	\$9 M
<b>Drinking Water Subtotal</b>	<b>\$45M</b>

**WASTEWATER**

Wet-Weather Storage Facility (Winward/Douglas Road)	\$6 M
Wet-Weather Treatment Facility (North Bank at Read Station)	\$16 M
Wastewater Facility Upgrades (Duck Island Facility)	\$8 M
Wet-Weather Storage/Pumping Facility (Pevey/Marginal/Middlesex Corridor)	\$10 M
Satellite Station Upgrades (Various Pump/Diversion Stations)	\$6 M
Drainage, Sewerage & Green Infrastructure (Various Locations)	\$9 M
Permitting, Planning, Design & Construction (Technical and Engineering Services)	\$12 M
<b>Wastewater Subtotal</b>	<b>\$67 M</b>



Conor Baldwin  
Chief Financial Officer

Allison Chambers  
Deputy CFO

## MEMORANDUM

**TO:** Eileen Donoghue, City Manager

**FROM:** Conor Baldwin, Chief Financial Officer 

**CC:** Mark Young, Executive Director, Water/ Sewer Utility

**DATE:** August 30, 2020

**RE:** FY21 Enterprise Fund Rates & Forecast – Water Rate Recommendation

During the final preparations for the FY2021 operating budgets for the general fund and the city’s three enterprise funds (water, sewer, and parking); the finance department updated the existing forecast models to incorporate oncoming debt service and other rising fixed costs. This annual process is an important component of the city’s financial plan and helps assess the short and medium term fiscal health of each fund. Over the course of the past year, the finance department has worked with the management team at the water and sewer departments and with outside engineering and CPA firms to fine tune the cost projections associated with the \$45 million and \$67 million loan orders approved by the City Council in June of 2019 for water and sewer capital improvements, respectively.

### Water & Sewer Enterprise Funds - Background

Based on the most recent certification by the Department of Revenue (“DOR”), the retained earnings for the water enterprise is approximately \$5.3 million and the retained earnings for the wastewater enterprise is \$4.2 million. An undesignated fund balance equal to 10% or greater of the annual revenue for the fund is a best practice according to the Government Finance Officers Association (“GFOA”). For the water fund this would be \$1.2 million and for the wastewater fund it would be \$2.5 million. The healthy accumulated balances in both funds will quickly deteriorate, though, after the additional debt service associated with utility infrastructure capital improvement plan (“CIP”) comes online.

Previously, in the water fund, the fund balance had been able to sustain the expenses based largely on increased revenue from the installation of more accurate meter reading but revenues have since plateaued in the last three fiscal cycles. A further benefit to the fund has been revenue from the sale of solar renewable energy credits (SREC), which has provided an additional revenue stream other than local usage. In the sewer fund, a re-negotiated revenue pact with surrounding towns whose wastewater is treated by Lowell has helped mitigate the impact on local users. However in both funds an immediate increase, albeit smaller than in prior years, is necessary to sustain the level of retained earnings and prevent the necessity of a larger year-to-year increase when the city permanently finances the capital repairs from phase 3 of the CIP.



Conor Baldwin  
*Chief Financial Officer*

Allison Chambers  
*Deputy CFO*

The city must be fiscally prudent when looking to the future by taking proactive fiscal measures to avoid the need to drastically raise rates in any one single year. A series of incremental increases to the water and sewer rates will aid in mitigating the impact to local ratepayers. By employing this method, each fund can gradually build-up the revenue capacity to absorb the full debt service costs for the capital improvements. According to the most recent *Tighe & Bond* survey, which compiles water rates and average annual costs for all communities in Massachusetts; the City of Lowell has among the lowest water and sewer rates in the Commonwealth. The City has been able to take advantage of low-interest financing through the Massachusetts Clean Water Trust (“MCWT”) and will continue to the work with the State Treasurer’s Office to take advantage of loan forgiveness programs for projects, both clean water and drinking water, financed through the Trust. However, the entire scope of work to be funded by the recently revised loan orders are ineligible for funding by the MCWT.

#### Water Rate – Analysis & Recommendation

Enclosed is an analysis of the water enterprise fund’s historic budgetary performance and the five-year financial forecast. Also attached are the preliminary budget estimate for the projects tentatively scheduled to be financed by the \$45 million loan order authorized in 2019. According to the baseline analysis, without any rate increase in the water enterprise, the fund will become insolvent sometime in either fiscal year 2022 or 2023, depending on annual budgetary performance. If this were to happen, annual operating deficit would need to be raised on the subsequent year’s tax rate, according to the rules established by the DOR.

The recommendation to increase revenues necessary to fund operations and build capacity for oncoming capital debt service is twofold. First, the increase to the local rate users whose water usage falls within the first three tiers is 2.5%. The recommended increase to the largest usage tier, which will impact primarily commercial and industrial users, is based on a comparable rates in gateway communities. Please see the attached revenue analysis.

Please let me know if you have further questions.



Eileen M. Donoghue  
*City Manager*

August 31, 2020

Mayor John J. Leahey  
And  
Members of the Lowell City Council

Dear Mayor Leahey and Members of the Lowell City Council,

In 2019, the City Council approved a \$45 million loan authorization financed by the water enterprise fund in order to fund capital expenses including new construction and replacement of water main and appurtenances, repairs to existing transmission main vulnerabilities, and upgrades to the treatment facility. These improvements were critical to ensure the resiliency of the city's drinking water infrastructure. Clean water is an important component of public health which has—since the onset of COVID-19—become ever more important.

Thanks in large part to the large scale deployment of advanced metering technology financed by a loan order approved by the City Council in 2013, the water enterprise fund has performed well with little need for rate adjustment over the last decade. Revenues have increased due to a better accounting of usage. While the fund continues to perform well, the additional debt service associated with phase 2 construction to replace ageing infrastructure has begun to hit the water operating budget and the retained earnings of the enterprise are beginning to diminish. The city continues to work with the Massachusetts Clean Water Trust (MCWT) to pursue low-interest financing on eligible water projects. Projects accepted by the MCWT to be financed through their loan pools benefits from low interest rates and bear the potential of loan forgiveness if funds are appropriated by the Commonwealth. However, now that the water fund has realized its full revenue potential, the ability to raise revenue without amending rates has concluded. The proposed amendment is extremely modest and, the timing is such that the additional debt service can be incorporated—over time—without over burdening the users.

The true purpose of enterprise accounting is such that the users pay for the costs of the service in a way that is proportional to their usage. This method is far more fair and equitable than the alternative: for the cost of the water operation to be borne by all taxpayers uniformly. By employing enterprise fund accounting, the rates are set commensurate with the operation and the city can be sure that entities which pay for utilities like water and sewer, but are exempt from taxes under state law are paying their fair share.



Eileen M. Donoghue  
City Manager

Attached please find a vote to amend the water rate for FY21. The change in rate is detailed in the table below:

Number of Hundred Cubic Feet Per Quarter	Current Rate Per Hundred Cubic Feet Per Quarter	New Rate Per Hundred Cubic Feet Per Quarter
0 – 50 (min. 14 hcf)	2.138	2.191
51-100	2.525	2.588
101-200	2.565	2.629
201-500	2.603	2.668
Over 500	2.623	3.650
* This represents an increase of \$2.43 per quarterly bill for the average residential user at 94 gallons per day, according to the AWWA.		

Sincerely,

Eileen M. Donoghue  
City Manager

Cc: Conor Baldwin, Chief Financial Officer  
Mark Young, Executive Director, Water/ Sewer Department

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 28, Article VI § 28-31.1 entitled “Revolving Funds”.

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

“The Code of Ordinances of the City of Lowell, Massachusetts”, adopted by the City Council on December 23, 2008, as amended, is hereby further amended, with respect to Chapter 28, Article VI § 28-31.1 entitled “Revolving Funds”, by creating a new subsection “F” entitled LPD Vehicle Maintenance Revolving Fund as follows:

**§ 28-31.1 Revolving Funds is hereby amended as follows:**

**F. LPD Vehicle Maintenance Revolving Fund:**

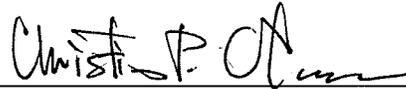
- 1) Fund Name: LPD Vehicle Maintenance Revolving Fund
- 2) Revenues: The City Auditor shall establish the Garage Repair/Service Vehicles Revolving Fund as a separate account and credit to the fund all fees charged to persons, organizations, or entities and received by the Lowell Police Department Detail Office and the City of Lowell to repair and or service police vehicles.
- 3) Purposes and Expenditures: During each fiscal year, the Lowell Police Department Fleet Maintenance Department incurs costs related to the up keep of Lowell Police Department Vehicles. As a result of these costs the Lowell Police Department Fleet Maintenance Department will spend monies from the Lowell Police Department Garage Repair/Service Vehicles Account for, parts, supplies, technical advice, service and equipment. Salaries or wages of employees shall not be paid from the fund.
- 4) Fiscal Years: The Lowell Police Department Garage Repair/Service Vehicles Account Revolving Fund shall operate for fiscal years that begin on or after July 1, 2020.

All paragraphs, sentences, clauses and phrases of the ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is found unconstitutional or otherwise invalid by the valid judgement or decree of a court of competent jurisdiction, such finding(s) shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance.

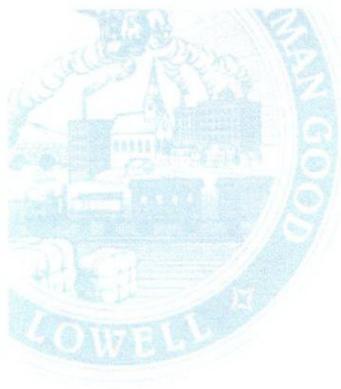
All provisions of the Code not inconsistent with this Ordinance shall continue in effect, but all inconsistent provisions are repealed.

The 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:

A handwritten signature in black ink, appearing to read "Christine P. O'Connor", written over a horizontal line.

Christine P. O'Connor  
City Solicitor



Raymond Kelly Richardson  
Superintendent

Barry Golner  
Deputy Superintendent

Daniel R. Larocque  
Deputy Superintendent

*OK  
9/1/2020*

**To:** City Manager Eileen Donoghue  
**From:** Superintendent Raymond K. Richardson  
**Re:** Garage Repair/Service Vehicles revolving fund consideration  
**Date:** September 1, 2020

The Lowell Police Department has proposed to create an ordinance that would allow the City to charge vendors a ten dollar (\$10.00) per hour fee for all details that require the usage of a City of Lowell Police Department cruiser. This fee will not be charged to any details or projects funded by the City of Lowell. The fee will be charged only for details in which the vendor requests the use of a police cruiser or those in which the Commanding Officer of the Detail Office or his/her designee deem a cruiser necessary for public safety purposes.

As you are aware, the cost of repairing police cruisers has almost doubled from the old Ford Crown Victoria Cruisers to the new Ford Sport Utility Prices. The parts alone have almost doubled in price and the department is proposing a cost savings solution to this ever increasing issue. It is our hope that with the passing of this ordinance, the department will initially be able to supplement all of the increased cost in this line item for the budget. Over time, it is our belief that this ordinance will allow us to self-fund the repairs via the revolving account and eliminate the cost from the budget permanently.



Eileen M. Donoghue  
City Manager

September 1, 2020

Mayor John J. Leahy  
And  
Members of the Lowell City Council

Dear Mayor Leahy and Members of the Lowell City Council,

Enclosed is an Ordinance to establish a new departmental revolving fund in the Lowell Police Department. The departmental revolving fund statute, G.L. c. 44, § 53E½, was amended by the Municipal Modernization Act (St. 2016, c. 218, § 86). These amendments eliminated the caps on the amount that could be spent from the revolving funds authorized for a particular department and in total from all authorized revolving funds. In addition, the Municipal Modernization Act changed the local procedure for continuing the existence of the funds. Rather than requiring legislative action at the end of each fiscal year to continue any fund into the next fiscal year, cities and towns now must establish these accounts by ordinance—meaning that they will continue unless rescinded by the legislative body.

The City Council must still vote on or before July 1 each year on the amount that may be spent from each fund during the upcoming fiscal year. By instituting a new fee to be added to police details, which is charged to companies doing work throughout the city; the City can recover costs expended on maintaining and repairing police vehicles, which see significant wear and tear while being used on construction details.

This accounting method will allow the Police Superintendent greater flexibility to use the funds and will afford the Lowell Police Department the opportunity to maintain the fleet without looking to the taxpayers to fund the work.

Sincerely,

Eileen M. Donoghue  
City Manager

CC: Conor Baldwin, Chief Financial Officer  
Raymond “Kelly” Richardson, Superintendent of Police

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 272, Article VI §272-87 entitled "Annual Sewer Use Charge".

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It is necessary to amend §272-87 entitled "Annual Sewer Use Charge" with respect to fees.

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

"The Code of Ordinances of the City of Lowell, Massachusetts", adopted by the City Council on December 23, 2008, as amended, is hereby further amended, with respect to Chapter 272 entitled "Water and Sewers", as follows:

§272-87. **Annual Sewer Use Charge** is hereby amended as follows:

By deleting the rate schedule listed and substituting the following rates, effective July 1, 2020:

<u>Number of hundred cubic feet of wastewater discharged per quarter</u>	<u>Rate per hundred cubic feet per quarter</u>
First 50 (base rate)	4.845
51 – 100	5.115
101 – 200	5.195
201 – 500	5.282
Over 500	5.360

Minimum wastewater charge equal to rate charged for 1400 cubic feet based on above rate schedule.

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, but as specified herein, the rate provisions become effective, retroactive, to July 1, 2020.

APPROVED AS TO FORM:

Handwritten signature of Christine P. O'Connor in black ink, written over a horizontal line.

Christine P. O'Connor  
City Solicitor

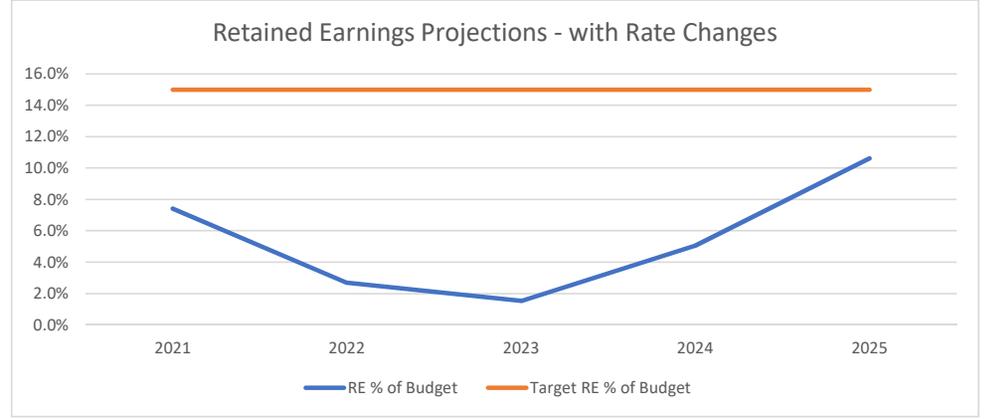
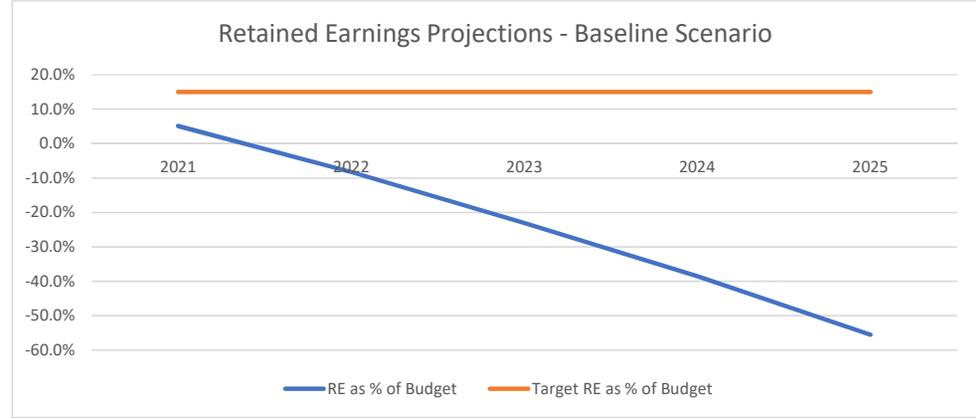
Ordin/water/wastewater-amendsewerrate

<b>Target Retained Earnings as % of Budget:</b>	15.0%
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<b>Rate Increases:</b>	3.5%	10.0%	8.0%	8.0%	8.0%
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Baseline	2021 PROJECTED	2022 PROJECTED	2023 PROJECTED	2024 PROJECTED	2025 PROJECTED
Surplus/Deficit	\$ (2,812,864)	\$ (3,533,730)	\$ (4,176,342)	\$ (4,534,264)	\$ (5,615,652)
Projected Retained Earnings	\$ 1,315,260	\$ (2,218,470)	\$ (6,394,812)	\$ (10,929,076)	\$ (16,544,728)
RE as % of Budget	5.1%	-8.3%	-23.1%	-38.5%	-55.6%
Target RE as % of Budget	15.0%	15.0%	15.0%	15.0%	15.0%

Rate Impact	2021 PROJECTED	2022 PROJECTED	2023 PROJECTED	2024 PROJECTED	2025 PROJECTED
Surplus/Deficit	\$ (2,220,955)	\$ (1,191,463)	\$ (293,759)	\$ 1,011,860	\$ 1,727,095
Projected Retained Earnings	\$ 1,907,169	\$ 715,706	\$ 421,947	\$ 1,433,807	\$ 3,160,902
RE % of Budget	7.4%	2.7%	1.5%	5.1%	10.6%
Target RE % of Budget	15.0%	15.0%	15.0%	15.0%	15.0%



	2017	2018	2019	2020	2020	2021	2022	2023	2024	2025	
Description	ACTUAL	ACTUAL	ACTUAL	BUDGETED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	COMMENTS
<b>Revenues and Other Sources</b>											
Usage Charges	\$ 13,989,479	\$ 15,685,090	\$ 16,478,305	\$ 15,928,595	\$ 15,928,595	\$ 15,928,595	\$ 15,928,595	\$ 15,928,595	\$ 15,928,595	\$ 15,928,595	FY20 based on budget; FY21 on, level to show possible impact of no rate changes
Liens	\$ 983,082	\$ 1,066,411	\$ 1,208,422	\$ 983,082	\$ 983,082	\$ 983,082	\$ 983,082	\$ 983,082	\$ 983,082	\$ 983,082	FY20 based on budget; FY21 on, level to show possible impact of no rate changes
Septage	\$ 1,780,842	\$ 1,926,779	\$ 2,775,745	\$ 1,875,000	\$ 1,875,000	\$ 1,975,000	\$ 2,075,000	\$ 2,175,000	\$ 2,275,000	\$ 2,375,000	FY20 from budget; FY21 on \$100,000 increase annually
Junk/Scrap Metal	\$ 1,183	\$ 1,444	\$ 5,220	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Nothing FY20 and on, per the five-year forecast
Laboratory Analysis	\$ 19,159	\$ 20,225	\$ 21,672	\$ 18,100	\$ 18,100	\$ 18,462	\$ 18,831	\$ 19,208	\$ 19,592	\$ 19,984	FY20 from budget; FY21 on 2% increase, per five-year forecast
Tewksbury Assessment	\$ 1,347,901	\$ 603,301	\$ 1,694,438	\$ 1,207,791	\$ 1,207,791	\$ 1,268,181	\$ 1,331,590	\$ 1,398,169	\$ 1,468,078	\$ 1,541,481	FY20 from budget; FY21 on 5% increase, per five-year forecast
Chelmsford Assessment	\$ 1,651,171	\$ 1,393,950	\$ 1,319,985	\$ 1,319,986	\$ 1,319,986	\$ 1,385,985	\$ 1,455,284	\$ 1,528,048	\$ 1,604,451	\$ 1,684,673	FY20 from budget; FY21 on 5% increase, per five-year forecast
Dracut/Tyngsborough Assessment	\$ 1,223,032	\$ 1,542,190	\$ 1,048,283	\$ 1,048,283	\$ 1,048,283	\$ 1,100,697	\$ 1,155,732	\$ 1,213,519	\$ 1,274,195	\$ 1,337,905	FY20 from budget; FY21 on 5% increase, per five-year forecast
Miscellaneous Revenue	\$ 136,694	\$ 245,973	\$ 265,874	\$ 225,000	\$ 227,000	\$ 238,350	\$ 250,268	\$ 262,781	\$ 275,920	\$ 289,716	FY20 from budget; FY21 on 5% increase, per five-year forecast; Forecast's FY20=\$227K
<b>Sub Total</b>	<b>\$ 21,132,544</b>	<b>\$ 22,485,361</b>	<b>\$ 24,817,945</b>	<b>\$ 22,607,337</b>	<b>\$ 22,607,837</b>	<b>\$ 22,898,352</b>	<b>\$ 23,198,382</b>	<b>\$ 23,508,402</b>	<b>\$ 23,828,912</b>	<b>\$ 24,160,436</b>	
Retained Earnings	\$ -	\$ -	\$ -	\$ 1,524,037	\$ 1,524,037	\$ -	\$ -	\$ -	\$ -	\$ -	FY20 amount as indicated in five-year forecast file
<b>Total Revenues and Other Sources</b>	<b>\$ 21,132,544</b>	<b>\$ 22,485,361</b>	<b>\$ 24,817,945</b>	<b>\$ 24,131,374</b>	<b>\$ 24,131,874</b>	<b>\$ 22,898,352</b>	<b>\$ 23,198,382</b>	<b>\$ 23,508,402</b>	<b>\$ 23,828,912</b>	<b>\$ 24,160,436</b>	
<b>Expenditures and Other Uses</b>											
Salaries and Wages	\$ 3,190,612	\$ 3,233,541	\$ 3,263,531	\$ 3,419,733	\$ 3,419,733	\$ 3,522,325	\$ 3,627,995	\$ 3,736,835	\$ 3,848,940	\$ 3,964,408	FY20 from Budget; FY21 on increased 3.0% yearly, per five-year forecast
Operations and Maintenance	\$ 5,698,526	\$ 5,760,355	\$ 5,955,550	\$ 6,797,500	\$ 6,797,500	\$ 6,933,450	\$ 7,072,119	\$ 7,213,561	\$ 7,357,833	\$ 7,504,989	FY20 from Budget; FY21 on increased 2.0% yearly, per five-year forecast
Collection	\$ 1,644,959	\$ 1,251,794	\$ 1,165,034	\$ 1,430,000	\$ 1,430,000	\$ 1,458,600	\$ 1,487,772	\$ 1,517,527	\$ 1,547,878	\$ 1,578,836	FY20 from Budget; FY21 on increased 2.0% yearly, per five-year forecast
Existing Long Term Debt Service - MCWT Debt	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,362,983	\$ 5,368,811	\$ 5,364,483	\$ 5,116,242	\$ 5,118,079	FY21 and on from City's existing debt schedule; only includes MCWT debt FY21 and on
Existing Long Term Debt Service - GOB or All Debt	\$ 6,462,639	\$ 6,398,879	\$ 7,281,163	\$ 7,309,748	\$ 7,309,748	\$ 2,946,367	\$ 2,876,268	\$ 2,727,635	\$ 2,558,903	\$ 2,478,925	All debt here FY17-20; FY20 from budget; FY21 and on from City's existing debt schedu
New Long Term Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 697,629	\$ 1,263,504	\$ 1,875,556	\$ 3,132,312	Based on assumptions laid out on Capital Plan tab
Short Term Debt (Related to New Debt Service)	\$ -	\$ -	\$ -	\$ -	\$ 62,181	\$ 157,865	\$ 112,005	\$ 207,000	\$ 234,000	\$ -	1.25% of amount expended in the "lag" year, per the CFO; see Capital Plan tab
<b>Sub Total</b>	<b>\$ 16,996,736</b>	<b>\$ 16,644,570</b>	<b>\$ 17,665,278</b>	<b>\$ 18,956,981</b>	<b>\$ 19,019,162</b>	<b>\$ 20,381,590</b>	<b>\$ 21,242,598</b>	<b>\$ 22,030,545</b>	<b>\$ 22,539,351</b>	<b>\$ 23,777,548</b>	
Indirect Costs	\$ 3,050,277	\$ 4,919,831	\$ 5,023,683	\$ 5,174,393	\$ 5,174,393	\$ 5,329,625	\$ 5,489,514	\$ 5,654,199	\$ 5,823,825	\$ 5,998,540	FY20 from budget; FY21 on increased 3% yearly, based on average increase shown in f
Transfers/Adjustments	\$ 1,593,059	\$ 802,076	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Historical amounts included
<b>Total Expenditures and Other Uses</b>	<b>\$ 21,640,072</b>	<b>\$ 22,366,477</b>	<b>\$ 22,688,961</b>	<b>\$ 24,131,375</b>	<b>\$ 24,193,556</b>	<b>\$ 25,711,216</b>	<b>\$ 26,732,112</b>	<b>\$ 27,684,744</b>	<b>\$ 28,363,176</b>	<b>\$ 29,776,089</b>	
<b>Excess (Deficiency) of Revenues and Available Funds &gt; Expenditures and Other Uses</b>											
	\$ (507,528)	\$ 118,885	\$ 2,128,984	\$ (1)	\$ (61,682)	\$ (2,812,864)	\$ (3,533,730)	\$ (4,176,342)	\$ (4,534,264)	\$ (5,615,652)	
<b>Retained Earnings Summary</b>											
Certified Retained Earnings as of July 1, 2019			\$ 4,189,806								
Available Retained Earnings Start of FY				\$ 4,189,806	\$ 4,128,124	\$ 1,315,260	\$ (2,218,470)	\$ (6,394,812)	\$ (10,929,076)		
Retained Earnings Appropriated				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Current Year Surplus/(Deficit)				\$ (61,682)	\$ (2,812,864)	\$ (3,533,730)	\$ (4,176,342)	\$ (4,534,264)	\$ (5,615,652)		
<b>Projected Retained Earnings Balance</b>				<b>\$ 4,128,124</b>	<b>\$ 1,315,260</b>	<b>\$ (2,218,470)</b>	<b>\$ (6,394,812)</b>	<b>\$ (10,929,076)</b>	<b>\$ (16,544,728)</b>		
Projected Retained Earnings Balance as % of Budget				17.1%	5.1%	-8.3%	-23.1%	-38.5%	-55.6%		

Description	2017	2018	2019	2020	2020	2021	2022	2023	2024	2025	COMMENTS
	ACTUAL	ACTUAL	ACTUAL	BUDGETED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	PROJECTED	
<b>Revenues and Other Sources</b>						3.50%	10.00%	8.00%	8.00%	8.00%	
Usage Charges	\$ 13,989,479	\$ 15,685,090	\$ 16,478,305	\$ 15,928,595	\$ 15,928,595	\$ 16,486,096	\$ 18,134,705	\$ 19,585,482	\$ 21,152,320	\$ 22,844,506	FY20 based on budget; FY21 on, level to show possible impact of no rate changes
Liens	\$ 983,082	\$ 1,066,411	\$ 1,208,422	\$ 983,082	\$ 983,082	\$ 1,017,490	\$ 1,119,239	\$ 1,208,778	\$ 1,305,480	\$ 1,409,919	3-year average FY20; rate impact FY20-FY24 shown if any rate changes chosen
Septage	\$ 1,780,842	\$ 1,926,779	\$ 2,775,745	\$ 1,875,000	\$ 1,875,000	\$ 1,975,000	\$ 2,075,000	\$ 2,175,000	\$ 2,275,000	\$ 2,375,000	FY20 from budget; FY21 on \$100,000 increase annually
Junk/Scrap Metal	\$ 1,183	\$ 1,444	\$ 5,220	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Nothing FY20 and on, per the five-year forecast
Laboratory Analysis	\$ 19,159	\$ 20,225	\$ 21,672	\$ 18,100	\$ 18,100	\$ 18,462	\$ 18,831	\$ 19,208	\$ 19,592	\$ 19,984	FY20 from budget; FY21 on 2% increase, per five-year forecast
Tewksbury Assessment	\$ 1,347,901	\$ 603,301	\$ 1,694,438	\$ 1,207,791	\$ 1,207,791	\$ 1,268,181	\$ 1,331,590	\$ 1,398,169	\$ 1,468,078	\$ 1,541,481	FY20 from budget; FY21 on 5% increase, per five-year forecast
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Miscellaneous Revenue	\$ 136,694	\$ 245,973	\$ 265,874	\$ 225,000	\$ 227,000	\$ 238,350	\$ 250,268	\$ 262,781	\$ 275,920	\$ 289,716	FY20 from budget; FY21 on 5% increase, per five-year forecast; Forecast's FY20=\$227K
<b>Sub Total</b>	<b>\$ 21,132,544</b>	<b>\$ 22,485,361</b>	<b>\$ 24,817,945</b>	<b>\$ 22,607,337</b>	<b>\$ 22,607,837</b>	<b>\$ 23,490,261</b>	<b>\$ 25,540,649</b>	<b>\$ 27,390,985</b>	<b>\$ 29,375,036</b>	<b>\$ 31,503,184</b>	
Retained Earnings	\$ -	\$ -	\$ -	\$ 1,524,037	\$ 1,524,037	\$ -	\$ -	\$ -	\$ -	\$ -	FY20 amount as indicated in five-year forecast file
<b>Total Revenues and Other Sources</b>	<b>\$ 21,132,544</b>	<b>\$ 22,485,361</b>	<b>\$ 24,817,945</b>	<b>\$ 24,131,374</b>	<b>\$ 24,131,874</b>	<b>\$ 23,490,261</b>	<b>\$ 25,540,649</b>	<b>\$ 27,390,985</b>	<b>\$ 29,375,036</b>	<b>\$ 31,503,184</b>	
<b>Expenditures and Other Uses</b>											
Salaries and Wages	\$ 3,190,612	\$ 3,233,541	\$ 3,263,531	\$ 3,419,733	\$ 3,419,733	\$ 3,522,325	\$ 3,627,995	\$ 3,736,835	\$ 3,848,940	\$ 3,964,408	FY20 from Budget; FY21 on increased 3.0% yearly, per five-year forecast
Operations and Maintenance	\$ 5,698,526	\$ 5,760,355	\$ 5,955,550	\$ 6,797,500	\$ 6,797,500	\$ 6,933,450	\$ 7,072,119	\$ 7,213,561	\$ 7,357,833	\$ 7,504,989	FY20 from Budget; FY21 on increased 2.0% yearly, per five-year forecast
Collection	\$ 1,644,959	\$ 1,251,794	\$ 1,165,034	\$ 1,430,000	\$ 1,430,000	\$ 1,458,600	\$ 1,487,772	\$ 1,517,527	\$ 1,547,878	\$ 1,578,836	FY20 from Budget; FY21 on increased 2.0% yearly, per five-year forecast
Existing Long Term Debt Service - MCWT Debt	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,362,983	\$ 5,368,811	\$ 5,364,483	\$ 5,116,242	\$ 5,118,079	FY21 and on from City's existing debt schedule; only includes MCWT debt FY21 and on
Existing Long Term Debt Service - GOB or All Debt	\$ 6,462,639	\$ 6,398,879	\$ 7,281,163	\$ 7,309,748	\$ 7,309,748	\$ 2,946,367	\$ 2,876,268	\$ 2,727,635	\$ 2,558,903	\$ 2,478,925	All debt here FY17-20; FY20 from budget; FY21 and on from City's existing debt schedule
New Long Term Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 697,629	\$ 1,263,504	\$ 1,875,556	\$ 3,132,312	Based on assumptions laid out on Capital Plan tab
Short Term Debt (Related to New Debt Service)	\$ -	\$ -	\$ -	\$ -	\$ 62,181	\$ 157,865	\$ 112,005	\$ 207,000	\$ 234,000	\$ -	1.25% of amount expended in the "lag" year, per the CFO; see Capital Plan tab
<b>Sub Total</b>	<b>\$ 16,996,736</b>	<b>\$ 16,644,570</b>	<b>\$ 17,665,278</b>	<b>\$ 18,956,981</b>	<b>\$ 19,019,162</b>	<b>\$ 20,381,590</b>	<b>\$ 21,242,598</b>	<b>\$ 22,030,545</b>	<b>\$ 22,539,351</b>	<b>\$ 23,777,548</b>	
Indirect Costs	\$ 3,050,277	\$ 4,919,831	\$ 5,023,683	\$ 5,174,393	\$ 5,174,393	\$ 5,329,625	\$ 5,489,514	\$ 5,654,199	\$ 5,823,825	\$ 5,998,540	FY20 from budget; FY21 on increased 3% yearly, based on average increase shown in f
Transfers/Adjustments	\$ 1,593,059	\$ 802,076	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	Historical amounts included
<b>Total Expenditures and Other Uses</b>	<b>\$ 21,640,072</b>	<b>\$ 22,366,477</b>	<b>\$ 22,688,961</b>	<b>\$ 24,131,375</b>	<b>\$ 24,193,556</b>	<b>\$ 25,711,216</b>	<b>\$ 26,732,112</b>	<b>\$ 27,684,744</b>	<b>\$ 28,363,176</b>	<b>\$ 29,776,089</b>	
<b>Excess (Deficiency) of Revenues and Available Funds &gt; Expenditures and Other Uses</b>	<b>\$ (507,528)</b>	<b>\$ 118,885</b>	<b>\$ 2,128,984</b>	<b>\$ (1)</b>	<b>\$ (61,682)</b>	<b>\$ (2,220,955)</b>	<b>\$ (1,191,463)</b>	<b>\$ (293,759)</b>	<b>\$ 1,011,860</b>	<b>\$ 1,727,095</b>	
<b>Retained Earnings Summary</b>											
Certified Retained Earnings as of July 1, 2019			\$ 4,189,806								
Available Retained Earnings Start of FY					\$ 4,189,806	\$ 4,128,124	\$ 1,907,169	\$ 715,706	\$ 421,947	\$ 1,433,807	
Retained Earnings Appropriated					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Current Year Surplus/(Deficit)					\$ (61,682)	\$ (2,220,955)	\$ (1,191,463)	\$ (293,759)	\$ 1,011,860	\$ 1,727,095	
<b>Projected Retained Earnings Balance</b>					<b>\$ 4,128,124</b>	<b>\$ 1,907,169</b>	<b>\$ 715,706</b>	<b>\$ 421,947</b>	<b>\$ 1,433,807</b>	<b>\$ 3,160,902</b>	
Projected Retained Earnings Balance as % of Budget					17.1%	7.4%	2.7%	1.5%	5.1%	10.6%	

## WATER ENTERPRISE SUMMARY

	<b>FY18 Actual</b>	<b>FY19 Actual</b>	<b>FY20 Approved</b>	<b>FY21 Prelim. Estimate</b>	<b>FY21 Final Estimate</b>
<b>Revenues</b>	11,012,378	11,409,254	11,321,489	11,169,258	12,106,297
	<b>FY18 Actual</b>	<b>FY19 Actual</b>	<b>FY20 Approved</b>	<b>FY21 Request</b>	<b>FY21 Manager</b>
Personal Services	1,972,985	2,149,155	2,541,536	2,577,695	2,579,657
Ordinary Expenses	2,860,848	3,036,117	4,122,500	4,796,500	3,951,500
Debt Service	4,619,673	4,579,372	4,714,358	4,714,358	4,714,358
Indirect Costs	2,672,026	2,948,830	2,948,830	4,149,348	3,848,378
Transfers/Adjustments	1,523,950	(97,056)			
<b>Total Expenditures</b>	13,649,481	12,616,418	14,327,224	16,237,901	15,093,892
<b>Surplus/(Deficit)</b>	<b>(2,637,103)</b>	<b>(1,207,165)</b>	<b>(3,005,735)</b>	<b>(5,068,643)</b>	<b>(2,987,595)</b>
<b>Beginning Fund Balance</b>	10,237,598	7,600,494	6,393,330	3,387,595	3,387,595
Estimated Operations			<b>(3,005,735)</b>	<b>(5,068,643)</b>	<b>(2,987,595)</b>
<b>Projected Ending Fund Balance</b>	10,237,598	7,600,494	3,387,595	<b>(1,681,048)</b>	400,000
Actual Operations	<b>(2,637,103)</b>	<b>(1,207,165)</b>			
<b>Projected Ending Fund Balance (must be &gt;0)</b>	<b>7,600,494</b>	<b>6,393,330</b>	<b>3,387,595</b>	<b>(1,681,048)</b>	<b>400,000</b>

Integrated Capital Improvement Plan  
**Lowell Drinking Water & Wastewater Utilities**  
 \$112M CIP Phase 3 (2020 - 2029)

**DRINKING WATER**

Redundant Transmission Line (Finished Water Main)	\$4 M
Drinking Water Facility Upgrades (Ferry Crossing Facility)	\$8 M
Water Meter & Backflow Device Replacement (Water Distribution System)	\$3 M
Lead Water Service Replacement (Water Distribution System)	\$4 M
Transmission Main Vulnerabilities (Water Distribution System)	\$2 M
Finished Water Storage Tank (Underground Facility at Fort Hill)	\$15 M
Permitting, Planning, Design & Construction (Technical and Engineering Services)	\$9 M
<b>Drinking Water Subtotal</b>	<b>\$45M</b>

**WASTEWATER**

Wet-Weather Storage Facility (Winward/Douglas Road)	\$6 M
Wet-Weather Treatment Facility (North Bank at Read Station)	\$16 M
Wastewater Facility Upgrades (Duck Island Facility)	\$8 M
Wet-Weather Storage/Pumping Facility (Pevey/Marginal/Middlesex Corridor)	\$10 M
Satellite Station Upgrades (Various Pump/Diversion Stations)	\$6 M
Drainage, Sewerage & Green Infrastructure (Various Locations)	\$9 M
Permitting, Planning, Design & Construction (Technical and Engineering Services)	\$12 M
<b>Wastewater Subtotal</b>	<b>\$67 M</b>



Conor Baldwin  
Chief Financial Officer

Allison Chambers  
Deputy CFO

## MEMORANDUM

**TO:** Eileen Donoghue, City Manager

**FROM:** Conor Baldwin, Chief Financial Officer 

**CC:** Mark Young, Executive Director, Water/ Sewer Utility

**DATE:** August 30, 2020

**RE:** FY21 Enterprise Fund Rates & Forecast – Sewer Rate Recommendation

During the final preparations for the FY2021 operating budgets for the general fund and the city's three enterprise funds (water, sewer, and parking); the finance department updated the existing forecast models to incorporate oncoming debt service and other rising fixed costs. This annual process is an important component of the city's financial plan and helps assess the short and medium term fiscal health of each fund. Over the course of the past year, the finance department has worked with the management team at the water and sewer departments and with outside engineering and CPA firm to fine tune the cost projections associated with the \$45 million and \$67 million loan orders approved by the City Council in June of 2019 for water and sewer capital improvements, respectively.

### Water & Sewer Enterprise Funds - Background

Based on the most recent certification by the Department of Revenue ("DOR"), the retained earnings for the water enterprise is approximately \$5.3 million and the retained earnings for the wastewater enterprise is \$4.2 million. An undesignated fund balance equal to 10% or greater of the annual revenue for the fund is a best practice according to the Government Finance Officers Association ("GFOA"). For the water fund this would be \$1.2 million and for the wastewater fund it would be \$2.5 million. The healthy accumulated balances in both funds, however, will quickly deteriorate after the additional debt service associated with utility infrastructure capital improvement plan ("CIP") comes online.

The undesignated fund balance had dropped below \$1 million in FY2016, but by carefully reducing budgeted expenses and seeking efficiencies in operations, the retained earnings have been built-up over the subsequent three fiscal years. Fiscal year 2019's budgetary results were especially favorable, with revenues exceeding expenditures by over \$2.1 million. As of the most recent certification from DOR, the retained earnings were 17.1% of the wastewater. The city must be fiscally prudent when looking to the future by taking proactive fiscal measures to avoid the need to drastically raise rates in any one single year. A series of incremental increases to the water and sewer rates will aid in mitigating the impact to local ratepayers.



Conor Baldwin  
*Chief Financial Officer*

Allison Chambers  
*Deputy CFO*

According to the most recent *Tighe & Bond* survey, which compiles sewer rates and average annual costs for all communities in Massachusetts; the City of Lowell has among the lowest rates in the Commonwealth. The City has also been able to take advantage of low-interest financing through the Massachusetts Clean Water Trust (“MCWT”) and will continue to the work with the State Treasurer’s Office to take advantage of loan forgiveness programs for projects, both clean water and drinking water, financed through the Trust. However, the entire scope of work to be funded by the recently revised loan orders are ineligible for funding by the MCWT.

### Sewer Rate – Analysis & Recommendation

Enclosed is an analysis of the sewer enterprise fund’s historic budgetary performance and the five-year financial forecast. Also attached are the preliminary budget estimate for the projects tentatively scheduled to be financed by the \$67 million loan order authorized in 2019. According to the baseline analysis, without any rate increase in the sewer enterprise, the fund will become insolvent sometime in either fiscal year 2022 or 2023, depending on annual budgetary performance. If this were to happen, annual operating deficit would need to be raised on the subsequent year’s tax rate, according to the rules established by the DOR.

The recommendation to increase revenues necessary to fund operations and build capacity for oncoming capital debt service is twofold. First, the increase to the local rate users whose sewer usage falls within the first several tiers is 3.5%. The recommended increase to the largest usage tier, which will impact primarily commercial and industrial users, is based on a comparable rates in gateway communities. Please see the attached revenue analysis.

Please let me know if you have further questions.



Eileen M. Donoghue  
*City Manager*

August 31, 2020

Mayor John J. Leahey  
And  
Members of the Lowell City Council

Dear Mayor Leahey and Members of the Lowell City Council,

In 2019, the City Council approved a \$67 million loan authorization financed by the sewer enterprise fund in order to fund various capital expenses included in phase 3 of the sewer long-term capital plan. These improvements were critical to ensure the resiliency of the city's drinking water infrastructure. Clean water is an important component of public health which has—since the onset of COVID-19—become ever more important.

The COVID-19 pandemic has taken on some distressing patterns: minority communities are being infected and dying at a disproportionately high rate and hotspots of infections are emerging in some of the country's older cities, like Lowell. Underpinning these patterns is a drinking water and clean water (i.e. "wastewater") infrastructure system in the United States that is outdated, unequal, and inadequate for ensuring public health. While regular hand washing and frequent cleaning are critical to preventing the spread of COVID-19, such practices are impossible without regular, affordable access to water. The serious financial difficulties the pandemic has caused for many people, especially to communities of color, has put access to safe drinking water at greater risk. In order to safeguard access to drinking water, municipalities must commit to investing in drinking water and clean water infrastructure for those who need it most. The Lowell City Council has done this by authorizing significant capital investments to the utility infrastructure.

Thanks in large part to the renegotiation of the city's inter-municipal agreements with the surrounding towns whose water is treated at the Lowell Regional Wastewater Treatment Plant, the enterprise fund for sewer has performed well over the last few years. Revenues have increased due to a better accounting of usage and allocation of debt service costs associated with the treatment system to the towns. While the fund continues to have positive annual budgetary results; the additional debt service associated with phase 2 construction, which mostly financed sewer separation work will quickly deteriorate the accumulated retained earnings in the fund. To mitigate this impact, the city continues to work with the Massachusetts Clean Water Trust ("MCWT") to pursue low-interest financing on eligible water projects.

The proposed amendment is extremely modest and, the timing is such that the additional debt service can be incorporated—over time—without over burdening the users. The true purpose of enterprise accounting is such that the users pay for the costs of the service in a way that is



Eileen M. Donoghue  
City Manager

proportional to their usage. This method is far more fair and equitable than the alternative: for the cost of the water operation to be borne by all taxpayers uniformly. By employing enterprise fund accounting, the rates are set commensurate with the operation and the city can be sure that entities which pay for utilities like water and sewer, but are exempt from taxes under state law are paying their fair share.

Attached please find a vote to amend the water rate for FY21. The change in rate is detailed in the table below:

Number of Hundred Cubic Feet Per Quarter	<b>CURRENT - Rate Per Hundred Cubic Feet Per Quarter</b>	<b>NEW RATE</b> Per Hundred Cubic Feet Per Quarter
0 – 50 (min. 14 hcf)	4.681	4.845
51-100	4.942	4.845
101-200	5.019	5.115
201-500	5.103	5.195
Over 500	5.178	5.282
* This represents an increase of \$7.66 per quarterly bill for the average residential user at 94 gallons per day, according to the AWWA.		

Sincerely,

Eileen M. Donoghue  
City Manager

cc: Conor Baldwin, Chief Financial Officer  
Mark Young, Executive Director, Water/ Sewer Department

CITY OF LOWELL



# City of Lowell

COMMONWEALTH OF MASSACHUSETTS

TO THE CITY COUNCIL:

The Department of Public Works, Division of Streets and Highways and Superintendent of Wires of the City of Lowell, to whom was referred the petition of

Re: Upgrade system to provide additional power for 2 Prince Avenue.

respectfully report thereon as follows:

Would recommend the granting of said petition and the accompanying order is introduced with the recommendation that it be adopted.

FOR DEPARTMENT OF PUBLIC WORKS  
DIVISION of STREETS and HIGHWAYS

A handwritten signature in cursive script, appearing to read "Victoria Cap".

SUPERINTENDENT OF WIRES



# City of Lowell

COMMONWEALTH OF MASSACHUSETTS

TO THE CITY COUNCIL:

The Department of Public Works, Division of Streets and Highways and Superintendent of Wires of the City of Lowell, to whom was referred the petition of

Re: City Council petition for National Grid requesting to install (2) 6" PVC conduits from new pole to existing manhole on Markley Data Center property.

respectfully report thereon as follows:

Would recommend the granting of said petition and the accompanying order is introduced with the recommendation that it be adopted.

FOR DEPARTMENT OF PUBLIC WORKS  
DIVISION of STREETS and HIGHWAYS

SUPERINTENDENT OF WIRES

cc: City Manager: Eileen Donoghue

We, the undersigned, petition the Engineers and DPW of Lowell to repave East Sixth street for the safety of the many small children who ride bikes up and down East Sixth Street and to STOP THE NOISE POLLUTION from the trucks and heavy equipment vehicles that have traveled over our streets in building a house on the opposite street. The NOISE POLLUTION is extremely annoying for the many elderly homeowners due to the streets deep crevices and extremely broken up pavement.

Sincerely,

ROGER Landry 54 EAST 6th St Lowell (978-452-6246)

Representative THOMAS "Tipa" Golden LOWELL, MA

M.A. Midge Landry 54 E. 6th St Lowell (978-452-6246)

Martin Regor 95 Fox St 978-995-404

100 E 6th  
Apartments

Panos Eleftheriou 917-870-7918 #1

CARRIE Rys 100 E. 6th St #2 Dracut 617-945-6523 #4

Tsongos Lambri 100 E 6th Unit 4 Dracut MA 9816546299 #5

Mercado 100 E. 6th Dracut MA #6

Diane Hernandez 100 E 6th St Dracut MA

Page 1

We, the undersigned, petition the Engineers and DPW of Lowell to repave East Sixth street for the safety of the many small children who ride bikes up and down East Sixth Street and to STOP THE NOISE POLLUTION from the trucks and heavy equipment vehicles that have traveled over our streets in building a house on the opposite street. The NOISE POLLUTION is extremely annoying for the many elderly homeowners due to the streets deep crevices and extremely broken up pavement.

Sincerely,

- Apartments  
 100 E 6th Aida Prieto W Guptoni 603 261 1050. #17
- " Mark Cross Mark Cross 585 200-6460 #16
- " Alicia Cross Alicia Cross 585-703-4768 #10
- " John Edwards 978-319-0462 #9
- #16 East 6th ARTHUR MWEBE 910-476-7793
- #23 Fawcett Jennifer Kilbride 978-866-5980
- 65 E 6th St. Lynn FERGUSON 978-479-4836
- 34 E 6th Nanette Letrancois 978-551-6614
- 34 E 6th Matthew Letrancois 351 302 7818

We, the undersigned, petition the Engineers and DPW of Lowell to repave East Sixth street for the safety of the many small children who ride bikes up and down East Sixth Street and to STOP THE NOISE POLLUTION from the trucks and heavy equipment vehicles that have traveled over our streets in building a house on the opposite street. The NOISE POLLUTION is extremely annoying for the many elderly homeowners due to the streets deep crevices and extremely broken up pavement.

Sincerely,

Ron Mc 34 E. Sixth St. Lowell

Kathy Green 79 Mt Pleasant St Lowell

James Clark 102 E 6th St Lowell

Dan P Budnig 88 East 6th Lowell

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

cc City Manager

**McBEE DEVELOPMENT, LLC**  
**1201 Westford Street, Suite G-1B**  
**Lowell, MA 01851**  
**(978)804-2128**

September 3, 2020

RE: 8 CHERRY STREET, LOWELL, MA

To The Lowell City Council Members:

I wish to address the City Council regarding the traffic and parking issues at Cherry Street, which create a public safety issue relative to street access for Fire, Ambulance, Police and Sanitation matters for residents on that street.

Sincerely,



McBee Development, LLC

By: Thomas G. Broderick, Sr., Member

From the Desk of  
**MEEMS REALTY TRUST**

44 LEDGE ROAD \* NORTH CHELMSFORD \* MA \* 01863

978-828-5370 \* MELISS0827@AOL.COM

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August 27, 2020

RE: Rosa Castro of 327 East Merrimack St. Lowell, MA 01854 (928-289-5273)

To whom it may concern,

My tenant, Rosa Castro, is legally disabled and has my permission to install a handicapped pole in front of the residence or on the entryway of her residence on Willow St. Rosa has a history of falling and parking is limited on the street. I am hoping that this will ensure her safety.

Should you have any questions, please do not hesitate to contact me.

Thank you,



Melissa Laurin

Owner, Meems Realty Trust

978-828-5370

978-828-5370

PL0920766

Expires:

10-04-23

Disabled Persons  
Parking Identification Placard



*Photo & Identity*



CASTRO

ROSA

Commonwealth of  
**Massachusetts**

