



City of Fall River Massachusetts
Office of the City Clerk

RECEIVED
2015 AUG 14 A 9:53

CITY CLERK
FALL RIVER, MA

ALISON M. BOUCHARD
CITY CLERK

AUGUST 14, 2015
MEETINGS SCHEDULED FOR NEXT WEEK
CITY COUNCIL CHAMBER

INÊS LEITE
ASSISTANT CITY CLERK

TUESDAY, AUGUST 18, 2015

5:30 P.M. COMMITTEE ON FINANCE *PLEASE NOTE EARLIER TIME*****

1. *Discussion of loan orders:
 - a. \$900,000 for yard waste carts
 - b. \$508,000 for a new computer system
2. *Discussion with Administration re: resolutions requesting approval of additional economic opportunity areas (see #3 below)

AGENDA

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF THAT MEETING RUNS PAST 7:00 P.M.

PRIORITY MATTERS

1. *Mayor and proposed ordinance re: Financial Audit Advisory Committee
2. *Mayor and loan orders:
 - a. Fall River Industrial Park Improvements for \$1,034,000
 - b. Lewiston Street Garage Improvements for \$210,000
3. *Mayor and resolutions requesting approval of additional economic opportunity areas for:
 - a. Harbor Mall
 - b. Former Police Station (See #2 Finance)
4. *Mayor and proposed ordinance re: Purchasing requirements and M.G.L. Chapter 30B

PRIORITY COMMUNICATIONS

5. Traffic Commission recommending amendments to the traffic ordinances
6. *Tobacco Control re: Vet's Safety Cab driver smoking violation
7. *Purchasing Agent and order re: surplus property gift to the Fall River Historical Society
8. *Board of Election Commissioners re: certification of Charter Revision or Adoption Petition and order for question to be placed on the Municipal Election Ballot
9. *Board of Election Commissioners and order authorizing polling places for Preliminary Municipal Election, September 22, 2015 and Municipal Election, November 3, 2015

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First Reading:

10. Proposed ordinance – Traffic, miscellaneous
11. Proposed ordinance – Abatement of solid waste household fee

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650

One Government Center • Fall River, MA 02722

TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

All readings with Emergency Preamble:

12. *Proposed ordinance – Traffic, Handicapped parking

Second Reading:

13. *Proposed ordinance – Solid waste amendment, plastic bags

Referral to Full Council:

14. *Resolution – Household trash fee bi-annual billing

Committee on Real Estate recommending:

Grant leave to withdraw:

15. Communication – Residents to purchase city-owned land on Mariano Bishop Blvd.

ORDINANCES

Second Reading and Enrollment:

16. *Proposed ordinance – Traffic, miscellaneous

RESOLUTIONS

17. *Committee on Human Services, Housing and Elder Affairs discuss homeless shelters operating in the City of Fall River
18. *Administration investigate how the City can maintain same level of staffing after SAFER Grant funding ends
19. *City Council go on record opposing House Bill No. 125 – An act ensuring equal access to services for all residents of the Commonwealth of Massachusetts
20. *City Council support relocation of the German 210 mm heavy mortar M 1916 cannon from the west side of Kennedy Park to just outside the entrance of Battleship Cove

CITATIONS

21. Pauline Gousie – Retirement
22. Fall River Charter Review Group – Volunteer service
23. Fred Orlando – 80th Birthday

ORDERS – HEARINGS FOR TONIGHT

Curb removal:

24. Fall River Redevelopment Authority – Removal of 148 feet of curbing for a total of 148 feet of curbing at Innovation Way at the Fall River/Freetown line

ORDERS – HEARINGS TO BE SCHEDULED – None

ORDERS – NO HEARING REQUIRED – None

ORDERS – MISCELLANEOUS

25. *Warrant – Preliminary Municipal Election, September 22, 2015 and Municipal Election, November 3, 2015
26. Police Chief's report on licenses
27. Auto body shop license renewals
28. Auto repair shop license renewals
29. Transfer of auto body shop license no. 140 from Raul and Louis Tavares, LT Auto Body and Sales, Inc., to Shawn and Nathan Tavares, Champion Auto Body, Inc.

COMMUNICATIONS – INVITATIONS – PETITIONS

30. *Claims
31. Planning Board Minutes – April 28, 2015
32. Planning Board Minutes – May 28, 2015
33. Planning Board Minutes – June 9, 2015

BULLETINS – NEWSLETTERS – NOTICES

34. Mass DEP re: corrective action design at 1080 Airport Road
35. Mass DOT re: Rt. 79/I-195, Chapter 91 Waterways License Modification
36. Notice of Casualty and Loss at 1099 Ray Street


Assistant City Clerk

Finance 1A

City of Fall River, In City Council

**LOAN ORDER
Purchase of Yard Waste Carts**

CITY OF FALL RIVER, In City Council

ORDERED: That the City hereby appropriates Nine Hundred Thousand Dollars (\$900,000) to pay costs of purchasing yard waste carts, and for the payment of all other costs incidental and related thereto. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to M.G.L. Chapter 44, Section 7(9) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

**CITY OF FALL RIVER
IN CITY COUNCIL**

JUL 14 2015

*Authorized to be published
and referred to the
Committee on Finance*

July 14, 2015



**City of Fall River
Massachusetts
Office of the Mayor**

RECEIVED

2015 JUL -9 P 4: 53

CITY CLERK _____
FALL RIVER, MA

C. SAMUEL SUTTER
Mayor

July 9, 2015

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

RE: Loan Order for Yard Waste Carts

Dear Honorable Council Members:

As we begin operation of a self-sufficient Sanitation Fund, it is important that all residents who participate in the curbside collection program are afforded the same level of services. At the present time only a portion of our residents are in possession of yard waste carts. These carts allow residents a clean and convenient method of yard waste disposal.

The attached Loan Order will allow the Department of Community Maintenance to purchase additional solid waste carts. A large majority of these carts will be for yard waste and will be made available to those residents who have yet to receive them.

Your favorable action in this regard is respectfully requested.

Best,

C. Samuel Sutter
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL

JUL 14 2015

apc placed on file



**City of Fall River
Massachusetts**

Department of Community Maintenance
CEMETERIES • MUNICIPAL BUILDINGS • PARKS • SANITATION • ENGINEERING
STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

RECEIVED

2015 JUL -9 P 4: 53

C. SAMUEL SUTTER
Mayor

KENNETH C. PACHECO
CITY CLERK Director
FALL RIVER, MA

July 9, 2015

Honorable C. Samuel Sutter
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

Dear Mayor:

This letter is a request through the Mayor to the City Council for the appropriation of \$900,000.00 for the purchase of Yard Waste Carts to complete the City rollout of the automated collection system. This purchase will complete the curbside collection system for the residents of this City. Thank you for your consideration of this request.

Sincerely,

Kenneth C. Pacheco
Director of Community Maintenance

City of Fall River, In City Council

Figure 1 B

LOAN ORDER
New Computer System

CITY OF FALL RIVER, In City Council

ORDERED: That the City hereby appropriates Five Hundred and Eight Thousand Dollars (\$508,000) to pay costs of purchasing a new computer system, and for the payment of all other costs incidental and related thereto. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to M.G.L. Chapter 44, Section 7(28) and Section 7(29) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 14 2015

*Authorized to be published
and referred to the
Committee on Finance, 8 years*

Ad to mem. 4/12/15



City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2015 JUL -9 P 4: 52

CITY CLERK _____
FALL RIVER, MA

C. SAMUEL SUTTER
Mayor

July 9, 2015

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

RE: MIS Upgrade

Honorable Members of the Council:

The City's current computer network and MUNIS software program are in serious need of upgrade. Following is an explanation from our Management Information Systems Manager John Niewola outlining the consequences should we not move forward with this investment in our information systems.

Your approval of the associated Loan Order is respectfully requested.

Best,

C. Samuel Sutter
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL
JUL 14 2015

a/c + placed on file



C. Samuel Sutter
Mayor

City of Fall River Massachusetts

Department of Administrative Services
HUMAN RESOURCES • INFORMATION SYSTEMS • LAW • PURCHASING

Information Systems Division

RECEIVED

2015 JUL -9 P 4: 52

CITY CLERK
FALL RIVER, MA
CATERINA VIVEIROS
City Administrator

JOHN NIEWOLA
Information Systems Manager

July 9, 2015

Mayor C. Samuel Sutter
One Government Center
Fall River, MA 02722

Dear Mayor Sutter:

In Fiscal Year 2009, the Correia Administration started an aggressive plan to update the City's Technical Infrastructure with a 5 year plan. However cuts to local aid forced the cancellation of this project after 1/3 completion. Of the \$400,000.00 that was allocated only \$140,000.00 was spent before the cutbacks. Since these cuts the MIS budgets have either been level funded or reduced despite continued increases in licensing fees and maintenance costs by many vendors. The MIS Department has done an exceptional job in keeping the City's hardware and software functioning at an acceptable level for the last 7 years. Today the MIS Department cannot continue to keep that level due to the retirement of our MUNIS software and our operating system software.

The following will take place if upgrades are not completed.

The MUNIS financials will be retired as of April, 2015. This date has been moved from April, 2016 by MUNIS. The City's present hardware does not have capacity to support the new version of the financial software.

Therefore the following will happen if the upgrades do not take place:

After April the following will take place:

No enhancements to the software.

No bug fixes will be done.

There will be limited support, but we will still pay the same for licensing and support.

If the State of Massachusetts requires mandated changes to the software they will not be done to this version.

The City will not be able to process W2's or 1099's or any end of the year functions for 2015.

Possibility of no tax bills.

The servers will no longer support any new software.

Currently disk capacity is nearing maximum.

Disaster Recovery will fail.

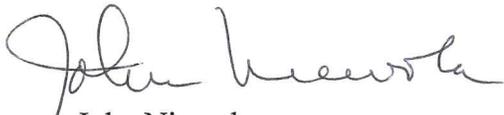
Currently support and all security updates have ended for all pc's with Windows XP.

This will also be an aggressive 5 year plan to upgrade the City's technical infrastructure. This requires a new investment in technology by the City for software, hardware and disaster recovery. Therefore we are requesting the Council approve the loan order so that the City does not have a technology disaster.

RECEIVED

2015 JUL -9 P 4:52

CITY CLERK
FALL RIVER, MA


John Niewola
Manager of Information Systems



**City of Fall River
Massachusetts**

Department of Administrative Services
HUMAN RESOURCES • INFORMATION SYSTEMS • LAW • PURCHASING

Information Systems Division

C. Samuel Sutter
Mayor

CATHY ANN VIVEIROS
City Administrator

JOHN NIEWOLA
Information Systems Manager

July 9, 2015

Mayor C. Samuel Sutter
One Government Center
Fall River, MA 02722

Dear Mayor Sutter:

I am requesting including in the bond request training for the following software that will be updated with the request for new hardware. Software to be updated will be the MUNIS Financial System, Microsoft Windows, and Microsoft Office. The cost will be \$43,750.00

John Niewola
Manager of Information Systems

RECEIVED
2015 JUL 10 A 10:16
CITY CLERK
FALL RIVER, MA

Ask us how to get a free Google Chromecast
*exclusions apply

**COMCAST
 BUSINESS**

SOLUTIONS
 PROVIDER



Quotation

Quote Number:
 12942

Quote Date:
 Jul 7, 2015

Page:
 1

Quoted to:

Fall River, City of
 IT Department
 One Government Center
 FALL River, MA 2720
 LIS

John Niewola

508-324-2643

Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
2240	8/6/15	Prepaid	

Quantity	Item	Description	Unit Price	Extension
2.00	V32D12AN2CM9	VNXe3200:2xSP DPE:12x3.5 DS:9x2TB 7200K	7,996.00	15,992.00
2.00	V32-DAE-12	2U DAE WITH 12 x 3.5 INCH DRIVE SLOTS	1,299.96	2,599.92
22.00	V6-PS15-600	VNXe 3200 600GB 15K SAS 12X3.5	749.96	16,499.12
6.00	V32-PWR-12	2 C13 PWRCRD W/ NEMA 5-15 PLUGS 125V 10A		
2.00	VBNXE-LS-SN	VNXe LICENSE SOLUTION PSNT AS		
2.00	456-104-905	VNXE OE PER TB PERFOR FOR VNXe3200	3,299.96	6,599.92
12.00	VNXEPERFTB	VNXe LICENSE SOLUTION PSNT AS	399.96	4,799.52
2.00	PSINST-ESRS	ZERO DOLLAR ESRS INSTALL		
2.00	WU-PREHWE-02	PREMIUM HW SUPPORT-WARR UPG	1,999.96	3,999.92
2.00	M-PRESWE-002	PREMIUM SW SUPPORT	1,699.99	3,399.98
1.00	HZ-ENTN-100-C	HORIZON ENT EDITION 100PK NAMED U	34,500.00	34,500.00
1.00	HZ-ENTN-100-P-SSS-C	PROD SUP HORIZON ENT 100PK NAMED U 1YR	8,750.00	8,750.00
16.00	VS6-STD-C	VSPHERE 6 STD FOR 1 PROC	990.00	15,840.00
16.00	VS6-STD-P-SSS-C	PRODUCTION SUP VSPHERE 6 STD 1 PROC 1YR	315.00	5,040.00
2.00	VCS6-STD-C	VCENTER SVR 6 STD VSPHERE 6 PER INSTANCE	4,899.96	9,799.92
2.00	VCS6-STD-P-SSS-C	PROD SUP VCTR SVR 6 STD VSPH 6 PER 1YR	1,249.96	2,499.92
1.00	VC-SRM6-25S-C	VCENTER SITE RECOVERY MGR 6 STD 25 VMPK	4,875.00	4,875.00
1.00	VC-SRM6-25S-P-SSS-C	PROD VCTR SITE REC MGR 6 STD 25 VMPK 1YR	1,219.00	1,219.00
8.00	780019-S01	DL360 GEN9 E5-2640 V3 SAS US SVR SBY	3,899.96	31,199.68
112.00	726718-S21	8GB 1RX4 PC4-2133P-R KIT SBY	145.00	16,240.00
4.00	652605-S21	146GB 6G SAS 15K SFF SC ENT HD SBUY	270.00	1,080.00
8.00	U7RN8E	CAREPACK 3YR 24X7 DL36X FC SVC SBY	874.00	6,992.00
150.00	C3G80AT#ABA	T310 TERA 2 TERADICI 2321 ETH CLIENT SBY	359.00	53,850.00
48.00	647901-S21	16GB 2RX4 PC3L-10600R-9 LV DIMM SBY	235.00	11,280.00
350.00	NTSERV	NT SERVICE TECHNICIAN HOURLY RATE	140.00	49,000.00

** MTSi requires a 50% deposit on all orders, before the order is processed. Please provide a purchase order number or reference number on a company letter head with a signature which states acceptance of this order products for the total mentioned hereon. I also agree to perform the obligations of the payment method.

**A RMA number is required for all returns. Please contact our ma department to obtain an RMA number. All returns and exchanges must be requested within 30 days of date of invoice. Restocking fees 15% - 25% may apply.

**Micro Technology Solutions, Inc., will gladly replace any part with the exact or equal product from the manufacture within the warranty period on our warranty programs.

**There is a no return policy on software, only an exchange for the same item.

Subtotal	Continued
Sales Tax	Continued
Freight	
Total	Continued

Signature _____

RECEIVED

Quote Number:
12942

2015 JUL -9 P 058
 CITY CLERK
 FALL RIVER, MA

Quote Date:
Jul 7, 2015

Page:
2

Quoted to:

Fall River, City of
 IT Department
 One Government Center
 Fall River, MA 2720
 IIS

John Niewola

508-324-2643

Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
2240	8/6/15	Prepaid	

Quantity	Item	Description	Unit Price	Extension
5.00	HZ-STE-10-A	AE HORIZON STE 10PK	1,699.99	8,499.95
5.00	HZ-STE-10-G-SSS-A	AE BASIC SUP SUB HORIZON STE 10PK 1YR	368.00	1,840.00
8.00	P73-06299	GV WIN SVR STD 2012R2 EN OLP NL 2P	704.00	5,632.00
150.00	R18-04293	GOV WIN SVR CAL12 EN OLP NL U CAL	27.00	4,050.00
150.00	6VC-02080	GOV WIN REM DT SVC CAL12 EN OLP NL U CAL	93.00	13,950.00
150.00	79P-04770	GV OFFICE PRO PLUS 2013 EN OLP NL	405.00	60,750.00
150.00	FQC-08209	GV WINPRO 8.1 EN UPG OLP NL	149.00	22,350.00
5.00	HZ-ENTN-10-C	HORIZON ENT EDITION 10PK NAMED U	3,299.96	16,499.80
5.00	HZ-ENT-10-P-SS-C	PROD SUP HORIZON ENT 10PK NAMED U 1YR	869.00	4,345.00
1.00	AR203A	APC NetShelter 4 Post Open Frame Rack - Rack - black - 44U	450.00	450.00
4.00	SMT3000RM2U	APC SMART-UPS 3000 LCD UPS - AC -120V - 2.7kW - 3000 VA	1,299.98	5,199.92
2.00	B020-008-17	Tripp Lite NetDirector Console KVM Switch with 17" LCD - KVM switch - 8 ports - rack-mountable	1,399.96	2,799.92
16.00	P776-010	Connects a USB computer or a console converter to a Tripp Lite NetDirector KVM switch (Model # B020-008, B020-016 and B022-016), and new Slim KVM's, B022-002-KT	39.96	639.36
2.00	WS-C3850-24T-E	Cisco Catalyst 3850-24T-E - Switch - L3 - managed - 24 x 10/100/1000 - desktop, rack-mountable	4,856.25	9,712.50
2.00	CON-OS-WSC384TE	Cisco SMARTnet Onsite - Extended service agreement - replacement - on-site - 8x5 -	699.96	1,399.92

** MTSi requires a 50% deposit on all orders, before the order is processed. Please provide a purchase order number or reference number on a company letter head with a signature which states acceptance of this order products for the total mentioned hereon. I also agree to perform the obligations of the payment method.

**A RMA number is required for all returns. Please contact our rma department to obtain an RMA number. All returns and exchanges must be requested within 30 days of date of invoice. Restocking fees 15% - 25% may apply.

**Micro Technology Solutions, Inc., will gladly replace any part with the exact or equal product from the manufacture within the warranty period on our warranty programs.

**There is a no return policy on software, only an exchange for the same item.

Subtotal	Continued
Sales Tax	Continued
Freight	
Total	Continued

Signature _____



Quoted to:

Fall River, City of
 IT Department
 One Government Center
 FALL River, MA 2720
 US

John Niewola

508-324-2643

Fax:

Customer ID	Good Thru	Payment Terms	Sales Rep
2240	8/6/15	Prepaid	

Quantity	Item	Description	Unit Price	Extension
		response time: NBD - for P/N: WS-C3850-24T-E, WS-C3850-24T-E-RF, WS-C3850-24T		

** MTSI requires a 50% deposit on all orders, before the order is processed. Please provide a purchase order number or reference number on a company letter head with a signature which states acceptance of this order products for the total mentioned hereon. I also agree to perform the obligations of the payment method.

**A RMA number is required for all returns. Please contact our rma department to obtain an RMA number. All returns and exchanges must be requested within 30 days of date of invoice. Restocking fees 15% - 25% may apply.

**Micro Technology Solutions, Inc., will gladly replace any part with the exact or equal product from the manufacture within the warranty period on our warranty programs.

**There is a no return policy on software. only an exchange for the same item.

Signature _____

Subtotal	464,174.27
Sales Tax	
Freight	
Total	464,174.27



City of Fall River
Massachusetts
Office of the Mayor

C. SAMUEL SUTTER
Mayor

RECEIVED
2015 AUG 11 P 1:23
CITY CLERK
FALL RIVER, MA

August 11, 2015

Honorable Members of the City Council
One Government Center
Fall River, MA 02722

RE: Financial Audit Advisory Committee

Mr. President and Members of the Honorable Council:

The attached proposed Ordinance will establish a Financial Audit Advisory Committee within the City of Fall River: The establishment of this Committee is in accordance with discussions between this Administration, our current independent auditor Clifton, Larson Allen LLC and your Honorable Body. This Committee will provide the direction and oversight needed to assure that the City's Independent Audit process addresses our areas of concern while maintaining full transparency and the highest integrity.

The Administration looks forward to working with the City Council to establish this important Committee.

Best,

C. Samuel Sutter
Mayor

CITY OF FALL RIVER

ORDINANCE CREATING A FINANCIAL AUDIT ADVISORY COMMITTEE

The Mayor, in collaboration with the City Council, hereby creates a Financial Audit Advisory Committee to assist the City in the review of audit and fiscal accountability matters.

**Financial Audit Advisory Committee
Purposes, Composition and Appointment, Meetings and
Duties**

Purpose: The Financial Audit Advisory Committee will advise the Auditor, through the Mayor, and has as its purpose to enable the City Auditor, hereinafter Auditor, to devote more time to fiscal accountability matters, and thereby elevate the importance of fiscal accountability through strong internal controls, budgetary and other legal compliance, accurate and timely financial reporting and a culture of ethical behavior.

The Financial Audit Advisory Committee will assist and advise the Mayor and the Auditor in exercising its oversight responsibilities for the financial reporting process to ensure transparency and integrity, effective systems of internal control, auditing, and monitoring of compliance with laws and regulations.

Composition and Appointment: The Financial Audit Advisory Committee shall consist of five members as follows:

- Two members of the City Council, to be appointed by the Council President, who shall serve at the pleasure of the Council President;
- Two citizens of the City with financial expertise¹ appointed by the Mayor;
- One School Committee member, appointed by the Mayor upon the recommendation of the School Committee, who shall serve at the pleasure of the Mayor, as Chairperson of the School Committee.

The Mayor, shall be the Chairman of this Audit Committee ex officio and may, at his pleasure, appoint any other member of the Committee to be chairman. Initial citizen terms shall be staggered as follows: one for a term of one year and one for a term of two years. Thereafter, each citizen appointment shall be for a term of three years. No citizen member shall be eligible to serve as a member for more than two consecutive full terms, not counting any initial one or two year term appointment.

¹ Financial expertise may include the person having completed a program of learning in accounting or auditing; having experience as a principal financial officer, comptroller, public accountant or auditor; having experience overseeing or assessing the performance of companies, non-profits or municipal organizations or accountants with respect to the preparation of financial statements; or having other relevant experience. For example, the person may have an understanding of generally accepted accounting principles (GAAP) and financial statements; the ability to apply such principles in connection with the accounting for estimates, accruals, and reserves; experience preparing, auditing, analyzing or evaluating financial statements that present a breadth and level of complexity of accounting issues that can reasonably be expected to be raised by the City's financial statements, or experience actively supervising one or more persons engaged in such activities; and an understanding of internal controls and procedures for financial reporting.

Meetings The Committee is expected to meet at least four times a year, customarily on the Wednesday following the fourth Monday of the month. The Committee may invite members of the Executive Department, management, auditors, or others to attend meetings and provide pertinent information, as necessary. It may hold meetings with auditors and, when appropriate, with the City Administrator, the Chief Financial Officer, the Auditor, the Corporation Counsel, or others. City employees shall attend such meetings upon request.

Duties The Financial Audit Advisory Committee acting by and through the Mayor will advise and assist the Auditor by:

- Recommending to the Mayor appointment of registered public accounting firms employed by the City for auditing and financial review. Such firm, or firms, shall hereinafter be referred to as External Auditor.
- Assisting in oversight of registered public accounting firms employed by the City for auditing and financial review; i.e. External Auditor.
- Assisting in resolving any disagreements between the City and the Auditor regarding financial reporting.
- Pre-approving auditing and non-audit services by outside firms.
- Advising the Auditor as to when and whether it is appropriate to request funding from the Mayor to retain independent counsel, accountants, or others to advise the Financial Audit Advisory Committee.
- Requesting information from employees or external parties.
- Meeting with City officials, external auditors, or outside counsel, as necessary.

The Financial Audit Advisory Committee will report and make recommendations to the Mayor. The Mayor will receive and, if appropriate, act upon recommendations from the Financial Audit Advisory Committee.

In its advisory function, the Committee will carry out the following responsibilities:

Financial Statements Obtain from Auditor and/or External Auditors information on significant accounting and reporting issues, including complex or unusual transactions and highly judgmental areas, recent professional and regulatory pronouncements, and their impact on the financial statements.

- Review the external annual financial statements, and consider whether they are complete, consistent with information known to Committee members, and reflect appropriate accounting principles.
- Review with City officials and the External Auditors all matters required to be communicated to the Committee under generally accepted auditing standards.
- Review draft external financial reports with appropriate City officials and City management and the External Auditors before filing, and consider whether they are complete and consistent with the information known to Committee members.

Internal Control Consider the effectiveness of the City's internal control systems, including information technology security and control.

- Evaluate areas of significant risk or exposure facing the City; assess the steps

City officials have taken or propose to take to minimize such risks; and periodically review compliance with such steps.

- Understand the scope of **External Auditors'** review of internal control over financial reporting, and obtain reports on significant findings and recommendations, together with **City** management's responses.
- Review with the Executive and School Department the policies and procedures with respect to use of appropriated monies and funds within its control.

External Audit Review the **External Auditors'** proposed audit scope, approach, and fees, including coordination of audit effort with internal employees.

- Review the performance of the **External Auditors**, and make recommendations as to the appointment, replacement, reassignment, or dismissal of the **External Auditors**.
- Review and confirm the independence of the **External Auditors** by obtaining statements from both the Auditor and the **External Auditors** on relationships between each and the City, including statements from non-audit services, and discussing the relationships with both auditors.
- Establish a regular schedule for periodically discussing re-bidding the **External Audit** contract .
- Review with City officials and the **External Auditors** the results of the audit, including any difficulties encountered.
- Review City's responses to the audit.
- Review with the **External Auditor** all critical accounting policies and practices used and alternative treatments of financial information within generally accepted accounting principles.
- On a regular basis, meet with the **External Auditors** to discuss any matters that the Committee or auditors believe should be discussed.

Compliance Review the effectiveness of the system for monitoring compliance with laws and regulations and the results of **City** management's investigation and follow-up (including disciplinary action) of any instances of noncompliance.

- Review the findings of any examinations by regulatory agencies, and any **External Auditor** observations.
- Review the procedures for the receipt, retention, and treatment of complaints (including confidential or anonymous ones) received by the City regarding accounting, internal accounting controls, auditing matters, or suspected fraud that may be submitted by internal or external parties; as well as assisting any City official with review of any complaints that have been received, current status, and resolution.

Reporting Responsibilities Report regularly to the Mayor and City Council Finance Committee about Committee activities, issues, and related recommendations.

- Provide an open avenue of communication between the Auditor, the **External Auditors**, the Executive branch, the City Council, and the School Committee on financial and audit matters.

Other Responsibilities Perform other activities related to this resolution as requested by the Mayor.

- Assist in any special investigations relating to the Financial Audit Advisory Committee's scope of responsibilities, as requested by the Mayor.
- Review and assess the adequacy of these Financial Audit Advisory Committee purposes and duties annually, requesting Mayor's approval for proposed changes, and appropriate disclosure as may be required by law or regulation.
- Issue an Annual Report annually confirming that the responsibilities outlined in these purposes and duties have been carried out.

2A+B



City of Fall River
Massachusetts
Office of the Mayor

C. SAMUEL SUTTER
Mayor

RECEIVED
2015 AUG 13 P 3:14
CITY CLERK
FALL RIVER, MA

August 13, 2015

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

RE: Industrial Park, DCM garage Loan Orders

Honorable Members of the Council:

Our Industrial Park is home to over 65 businesses employing 4500 employees and is currently in great need of infrastructure improvements. In partnership with the Industrial Park Association, the Administration is requesting that the City Council approve funding for primary road repairs and curbing installation at key intersections that will allow the Industrial Park Association to do plantings and complete much needed beautification efforts throughout the Park.

The mechanic shop at the Department of Community Maintenance garage on Lewiston Street has been cited by the State of Massachusetts for safety violations. At the request of DCM Director Ken Pacheco, a loan order is needed to fund the relocation of the mechanic shop to the main level of the garage where all needed safety measures can be installed.

Your approval of the associated Loan Orders is respectfully requested.

Best,

C. Samuel Sutter
Mayor

City of Fall River, *In City Council*

2A

CITY OF FALL RIVER
LOAN ORDER
(Fall River Industrial Park Improvements)

ORDERED: That the City hereby appropriates One Million Thirty-Four Thousand Dollars (\$1,034,000) to pay costs of paving, curbing installation and related improvements in the Fall River Industrial Park, and for the payment of all other costs incidental and related thereto. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to M.G.L. Chapter 44, Section 7(6) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

RECEIVED
2015 AUG 13 P 3:14
CITY CLERK
FALL RIVER, MA

City of Fall River, *In City Council*

2 B

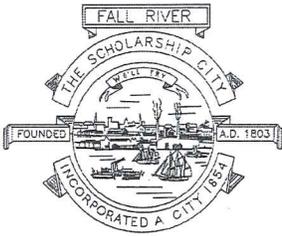
**CITY OF FALL RIVER
LOAN ORDER
(Lewiston Street Garage Improvements)**

ORDERED: That the City hereby appropriates Two Hundred Ten Thousand Dollars (\$210,000) to pay costs of constructing and equipping a new mechanic shop at the City garage on Lewiston Street, and for the payment of all other costs incidental and related thereto. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said sum under and pursuant to M.G.L. Chapter 44, Section 7(3A) or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City to be issued pursuant to this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require.

RECEIVED
2015 AUG 13 P 3:14
CITY CLERK
FALL RIVER, MA

2B



City of Fall River Massachusetts

Department of Community Maintenance
CEMETERIES • MUNICIPAL BUILDINGS • PARKS • SANITATION • ENGINEERING
STREETS & HIGHWAYS • TRAFFIC & PARKING • VEHICLES

C. SAMUEL SUTTER
Mayor

KENNETH C. PACHECO
Director

August 13, 2015

Honorable C. Samuel Sutter
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

RECEIVED
2015 AUG 13 P 3:30
CITY CLERK
FALL RIVER, MA

Dear Mayor Sutter:

This letter is a request for a loan order in the amount of \$210,000.00 for the equipment to relocate the current DCM mechanic shop from the rear of the Lewiston St. complex to the upper front garage which will become the new mechanic facility. This is the first step in creating a central garage for City vehicles and equipment. I can be reached for clarification purposes.

Sincerely,

Kenneth C. Pacheco
Director of Community Maintenance



City of Fall River
Massachusetts
Office of the Mayor

3A+B

RECEIVED

2015 AUG 13 P 3:22

CITY CLERK _____
FALL RIVER, MA

C. SAMUEL SUTTER
Mayor

August 13, 2015

Honorable Joseph Camara
President
Fall River City Council
One Government Center
Fall River, MA 02722

Dear Council President Camara:

Attached for your information, review and City Council action, please find two site specific Economic Opportunity Area (EOA) Applications. The two site-specific EOA applications before you are for a Harbor Mall EOA and a Former Police Station EOA. The two EOAs are being established to prepare the parcels for development opportunities and to ensure the proper designation is in place to allow developers to obtain any and all state and local incentives available. With the approval of the City Council, the Resolutions, EOA Applications and all other corresponding documents will be forwarded to the State of Massachusetts' Economic Assistance Coordinating Council for final approval.

The TIF Board, established by City Council ordinance on November 29, 1994, met on August 13, 2015 when it approved these two EOAs. I respectfully request that the City Council also look favorably upon these applications and approve them as presented and subject to EACC approval.

Thank you for your time and attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

C. Samuel Sutter
Mayor

Attachments

cc: City Council Members

RESOLUTION OF LOCAL GOVERNING BODY APPROVING THE FILING OF AN APPLICATION WITH THE STATE ECONOMIC ASSISTANCE COORDINATION COUNCIL REQUESTING APPROVAL ON AN ADDITIONAL ECONOMIC OPPORTUNITY AREA IN THE CITY OF FALL RIVER

WHEREAS, Chapter 23A, Section 3A through 3F of the Acts of 1993, established the Economic Development Incentive Program (EDIP); and

WHEREAS, the EDIP program is designed to promote increased business development and expansion in Economic Target Areas (ETAs) and Economic Opportunity Areas (EOAs) of the Commonwealth; and

WHEREAS, the Economic Assistance Coordinating Council (EACC) established by Section 3B of said Chapter 23A, is charged with administering the EDIP program, including the review and approval of applications from municipalities for the designations of areas as Economic Target Areas and Economic Opportunity Areas; and

WHEREAS, the City Council of Fall River has previously submitted applications to the Economic Assistance Coordinating Council seeking designation as an Economic Target Area as well as the creation of five separate Economic Opportunity Areas in the City and two site specific Economic Opportunity Areas; and

WHEREAS, the City Council of Fall River, as part of that application, voted to offer qualified projects either tax increment financing or a special tax assessment within the City's Economic Opportunity Areas; and

WHEREAS, the City's application for Economic Target Area status and Economic Opportunity Area designation was approved by the Economic Assistance Coordinating Council on December 21, 1994; and

WHEREAS, the original Economic Opportunity Areas have expired, Honorable C. Samuel Sutter intends to submit an application to the state Economic Assistance Coordinating Council requesting approval of the proposed site specific Harbor Mall Economic Opportunity Area.

NOW THEREFORE, BE IT RESOLVED BY THE FALL RIVER CITY COUNCIL THAT:
the local governing body does hereby authorize the Mayor to submit an application to the Economic Assistance Coordinating Council requesting approval of the site specific Sheltering Sky Economic Opportunity Area and also authorizes the Mayor to execute an agreement with the Economic Assistance Coordinating Council to do all the things necessary to comply with the statutory and regulatory guidelines governing the Economic Development Incentive Program.

The Massachusetts Economic Development Incentive Program

APPLICATION FOR DESIGNATION OF ECONOMIC OPPORTUNITY AREA(S)

PART A: Applicant Information

1. **Please check one:**

This is an application for designation of a new EOA within a previously approved ETA.

This is a request to amend an EOA previously approved by the EACC.

2. **Community submitting this application:**

Fall River, MA

3.

4. **Name of proposed EOA(s):**

Harbor Mall Site Specific EOA

PART B: MANDATORY REQUIREMENTS FOR THE PROPOSED EOA

1. **Location of Proposed EOA(s):**

Provide a detailed map of each proposed EOA, indicating the existing streets, highways, waterways, natural boundaries, and other physical features, along with a legally binding written description of the EOA boundaries (with parcel numbers if appropriate). If the written description is longer than one paragraph, please submit on 3 1/2" computer disk.

The proposed EOA runs along Rhode Island Avenue and abuts Route 24. It includes parcels D-19-1 and D-19-92. Please see attached map for additional detail.

2. **Description of EOA(s):**

Describe why each proposed EOA was chosen for designation. Include a brief, descriptive narrative of each area which helps to explain the particular situations, issues, or reasons why EOA designation is requested.

The City of Fall River has identified the proposed Harbor Mall EOA as a Site Specific EOA to facilitate additional economic expansion and development. The Harbor Mall EOA is located within the former South End EOA, which was established in 1994. The first Certified Project in the South End EOA was certified in 1997. Establishment of the site-specific Harbor Mall EOA will facilitate the development of the area and recruitment of tenants. By establishing the Harbor Mall EOA it will afford any prospective projects the ability to apply for an Abandoned Building Tax Credit as various sites within the parcel have been more than 75% vacant for more than two years. Similarly, it will facilitate in the establishment of local Tax Increment Financing Agreement once a project is finalized.

3. **Basis for EOA Designation:** Check the applicable category or categories (see definitions in attachment at back of application) for each proposed EOA:

The area proposed for designation as an EOA is a "blighted open area."

The area proposed for designation as an EOA is a "decadent area."

The area proposed for designation as an EOA is a "substandard area."

The area proposed for designation as an EOA has experienced a plant closing or permanent layoffs resulting in a cumulative job loss of 2,000 or more full-time employees within the four years prior to the date of filing this application.

4. **Effective Time Period for EOA Designation:** How long do you propose to maintain the EOA designation? The EOA designation may remain in effect for a minimum of five (5) years and a maximum of twenty (20) years.

20 years

5. **Local Criteria for Designation of EOAs:** Describe how each proposed EOA meets your criteria for designation of EOAs, as specified in your application for designation of the ETA.

The Census tract in which the Harbor Mall EOA is located is within the previously approved South End EOA. Municipal zoning is presently in place in the EOA to foster business expansion and job creation. The proposed EOA achieves a key economic goal outlined in the City's original ETA application: that of utilizing business incentives to facilitate the retention and expansion of existing companies.

6. **Economic Development Goals:** Describe the economic development goals for each proposed EOA during the first five years of EOA designation.

The economic development goals for the proposed Harbor Mall EOA include development of a currently underutilized building to create jobs and enhance the viability of an important project area in the south end of the City.

The Harbor Mall was once a vibrant center for retail and entertainment as it also housed a movie theater. However, over the years the mall has seen a severe decline in tenants and visitors. The parcel has great potential as it is located on a main thoroughfare in the City, has superb highway access and visibility, and is located on an established public transportation route.

It is our goal to assist the owners of the facility to position the property for development to entice new users to the area. One way in which the City can work to prepare the site for future development is to establish an Economic Opportunity Area. The owner of the property currently

has multiple users interested in development opportunities, so we expect specific projects to be forthcoming in the near future.

7. **Local Services:** Describe the manner and extent to which the municipality intends to provide for an increase in the efficiency of the delivery of local services within the proposed EOA(s)
(i.e. streamlining permit application and approval procedures, increasing the level of services to meet new demand, changing management structure for service delivery).

The City of Fall River and the Fall River Office of Economic Development have worked closely with officials from the Harbor Mall on the company's development opportunities including permitting and providing technical assistance relative to the procurement of economic incentives that will allow the project to move forward. This relationship will continue and the City is prepared to assist the company in all appropriate aspects of the project.

The property itself was once a retail hub within the City, so the infrastructure, site access and services are already in place to meet the development goals for the property. This is a revitalization effort.

8. **Compliance with Community Reinvestment Act:** Include a copy of a municipal plan or policy, if any exists, which links the municipality's choice of banking institutions to the bank's compliance with the requirements of the Community Reinvestment Act.

While Fall River does not have a written policy, the City and the Fall River Office of Economic Development regularly conduct business with both major regional and community-based savings banks that comply with the Community Reinvestment Act.

9. **Project Approval:**

(a) Identify the municipal official or group/board which shall be authorized to review project proposals for and on behalf of the municipality.

Coordination responsibility for the review of projects within the proposed EOA will be delegated to Jobs for Fall River, Inc. This organization is a nonprofit development corporation which functions as the Fall River Office of Economic Development. Project certification responsibility will fall within the auspice of the Tax Increment Financing (TIF) Board. Please refer to (b)2.

(b) Indicate the standards and procedures for review of project proposals, including the application procedures, the timeframe for review and determination, and the criteria and process for approval of project proposals. **If you intend to use supplemental application**

material (i.e. municipal cover letter with instructions, job commitment signoff sheet, supplemental questions to be required by the municipality, etc.), it must be mentioned here and must be approved by the Economic Assistance Coordinating Council (EACC). Please attach (if appropriate).

The standards and procedures for review and approval of certified projects will be as follows:

1. Business seeking project certification will be required to complete a project certification form. The City will utilize the project certification form contained within the state EDIP application. A completed project certification form will be submitted to Jobs for Fall River, Inc. Applications will be accepted on an on-going basis.

Jobs for Fall River, Inc. will provide technical assistance to those companies in need of technical assistance to prepare a completed application.

2. Completed applications will be forwarded to a TIF Board which is comprised of the following:

Mayor

President of the City Council

Two members of the City Council

Chairman of the Board of Tax Assessors

City Administrator

President of Jobs for Fall River, Inc.

3. Once the project is approved by the TIF Board it is submitted to the Fall River City Council for approval. Following approval by the Fall River City Council, an application is submitted to the Economic Assistance Coordinating Council for final approval.

10. Intent of Businesses to Locate in EOA:

Identify the names and the nature of businesses, if any, that have indicated an intention to locate or expand in the proposed EOA(s). If possible, include letters of intent from the businesses, outlining the number of jobs that would likely be created and providing a timetable for development of the projects.

The current owners of the Harbor Mall have indicated that they have multiple parties interested in locating at the property and expect to have a deal finalized within the coming weeks. However, because the deal is not finalized there is still a strict confidentiality agreement in place

whereas the names of the proposed projects cannot be disclosed at this time.

PART C: SPECIAL REQUIREMENTS FOR LARGE MUNICIPALITIES

This section must be completed by any municipality or member of a regional ETA with a population that exceeds fifty thousand (50,000) people. The population threshold should be calculated based on the most recent statistics available from the U.S. Bureau of the Census.

1. Permit

Streamlining:

(a) List each officer, board, commission or other decision-making authority in the municipality that issues permits, approvals, and licenses and indicate the type of permit, approval or license issued by each authority.

Listed herein are the boards, commissions and other decision making authorities in Fall River that issue permits, approvals and licenses. Also listed are the types of permits issued by each organization.

Board/Commission	Type of Permit
Conservation Commission	Wetland Determination
Building Department	Building/Occupancy
Board of Health	Site Assignment/Title V
Sewer Commission	Sewer Tie-in
Zoning Board	Sub-Division
Planning Board of Appeal	Variance
Fire Department	Safety Permit/Storage
Water Department	Water Permit
Licensing Board	Liquor License
Police Department	Safety Permit

(b) Provide a proposal and plan to streamline the municipality's permit, approval and license procedures. The plan should reduce the number of steps required to obtain approvals for new development. For example, the municipality could combine two separate application forms into one form, provide for joint review by two or more decision making authorities, and set firm deadlines for final decisions on permits, approvals, or licenses.

If the municipality has already implemented a plan to streamline the permit and approval process, describe that plan, indicating the strengths and weaknesses of the plan and provide a revised plan to improve upon the weaknesses.

In an effort to streamline permitting, the City of Fall River has adopted an integrated application and approval process. The streamlined permit process is as follows:

- Applicant files for municipal permit. Copies of the permit application are distributed to all appropriate licensing boards and commissions.
- Each department head is provided an opportunity to review and comment on the application
- All comments are submitted to the Director of Municipal Service.

2. Municipal Services in Proposed EOAs:

(a) Provide an analysis of the existing infrastructure support and municipal services, including transportation access, water and sewer hook-ups, lighting, and fire and police protection to and for certified projects within the proposed EOA(s). Indicate if the existing level of services and infrastructure is adequate to support the anticipated development in the proposed EOA(s).

Infrastructure in the proposed Harbor Mall EOA is more than adequate to accommodate the project plan. The site currently has transportation access as it is located directly off Route 24 and along Rhode Island Avenue, which is a main thoroughfare in the City. The site also part of an established public transportation route. In addition, water and sewer hook-up are already in place. The site also has sufficient lighting as well as fire and police protection.

(b) Provide a proposal for meeting additional demand for municipal services and infrastructure improvement, including costs and funding sources available for these improvements.

It is not anticipated that additional municipal services will be required for development within the Harbor Mall EOA.

3. Job Training Programs:

Describe the municipality's plans to secure access to publicly or privately sponsored training programs for employees of certified projects and for residents of the municipality/ETA.

Coordination between economic development and job training programs has a long standing tradition in Fall River. During the late 1970's, Jobs for Fall River, Inc. served as the local Private Industry Council under the Comprehensive Employment and Training Act (CETA). Since its inception, the Board of Directors of Jobs for Fall River, Inc. has included a diverse group of business people as well as the Chairman for the Workforce Investment Board.

Further, loans issued by Jobs for Fall River, Inc. require the commitment to hire individuals from the City of Fall River. Similarly, a portion of the jobs created must

be made available to low and moderate income families. Jobs for Fall River, Inc. works closely with the Fall River Career Center to access training funds such as those offered through the On-the-Job-Training Program and the new Workforce Training Fund.

EOA certified projects will be required to integrate available job training programs into the development strategy. Reporting requirements established within the EOA plan will obligate each certified project to document progress on making jobs available to individuals from low and moderate income households.

4. **Local Community Involvement:**

Describe the municipality's plans to increase the level of private sector involvement and the level of involvement by community development organizations in the economic revitalization of the area proposed for designation. For example, local involvement could include commitments from private persons to provide jobs and job training to residents or to employees who for certified projects in the proposed EOA(s).

The City of Fall River, through the Fall River Office of Economic Development, has placed a strong emphasis on business retention as part of its comprehensive economic development strategy. As a result, the City works closely with existing businesses to assist with their expansion, job creation and job retention plans. These expansion projects, in almost all cases, involve private investment.

For the proposed Harbor Mall EOA, since the area is site-specific to facilitate a major expansion, the municipality has already received a commitment for significant private sector investment and involvement. While the specific investment levels and job creation goals cannot be announced with certainty at this time, both facets are expected to make significant contributions to the City of Fall River.

PART D: COMMITMENT TO PROVIDE LOCAL PROPERTY TAX RELIEF

The municipality completing this application must provide a **binding written offer** to provide either tax increment financing or a special tax assessment to each certified project located within the proposed EOA(s).

Please attach a copy of the municipality's binding written offer.

- In cities, this shall be in the form of a City Council Order or Resolution, along with a Certified Vote by the City Clerk.
- In towns with Town Meeting form of government, this shall be in the form of a Town Meeting Motion, along with a Certified Vote by the Town Clerk.

- In towns with Town Council form of government, this shall be in the form of a Town Council Order or Resolution, along with a Certified Vote by the Town Clerk.

The City is establishing the EOA to attract future business that will grow jobs at the EOA location.

DEFINITIONS, as specified in 402 CMR 2.03:

Blighted Open Area - a predominantly open area which is detrimental to the safety, health, welfare or sound growth of a community and which is predominantly open because it is unduly costly to develop it soundly through the ordinary operations of private enterprise. Factors which might make an area unduly expensive to develop include, but are not limited to, existence of hazardous materials or other contaminants; existence of ledge, rock, unsuitable soil, or other physical conditions; need for unduly expensive excavation, fill or grading; need for unduly expensive foundations or retaining walls, need for unduly expensive waterproofing, drainage or flood prevention measures; need for unduly expensive measures to protect adjacent areas and the water tables therein; need for unduly expensive measures incident to building around or over rights-of-way through the area; existence of obsolete, inappropriate or otherwise faulty platting or subdividing; deterioration of site improvements or facilities; division of the area rights-of-way; diversity of ownership; inadequate transportation facilities; inadequate utility systems; tax and special assessment delinquencies; a substantial change in business or economic conditions or practices; an abandonment or cessation of work begun on improvements; any combination of the above; or any other condition or conditions which are detrimental to the safety, health, or sound growth of a community.

Decadent Area - an area which is detrimental to safety, health, welfare or sound growth of a community because of the existence of buildings which are out of repair, physically deteriorated, unfit for human habitation, obsolete, or in need of major maintenance or repair; or because much of the real estate in recent years has been sold or taken for non-payment of taxes or upon foreclosure of mortgages; or because buildings have been torn down and not replaced and in which under existing conditions it is improbable that the buildings will be replaced; or because of a substantial change in business or economic conditions; or because of inadequate light, air, or open space; or because of excessive land coverage; or because diversity of ownership, irregular lot sizes, or obsolete street patterns make it improbable that the area will be redeveloped by the ordinary operations of private enterprise; or by reason of any combination of the foregoing conditions.

Substandard Area - an area wherein dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light, or sanitation facilities, or any combination of these factors, are detrimental to safety, health, welfare or sound growth of a community.



RHODE ISLAND AVENUE

NEWTON

ANTHONY

CARL

LAWTON

LAMPHOR

ANTHONY

NEPTUNE

ROUTE 24 EASTERLY CONNECTOR

ROUTE 24 EASTERLY CONNECTOR

PROGRESS

STAFFORD ROAD

LAWTON

D-19-1

D-19-92



RESOLUTION OF LOCAL GOVERNING BODY APPROVING THE FILING OF AN APPLICATION WITH THE STATE ECONOMIC ASSISTANCE COORDINATION COUNCIL REQUESTING APPROVAL ON AN ADDITIONAL ECONOMIC OPPORTUNITY AREA IN THE CITY OF FALL RIVER

WHEREAS, Chapter 23A, Section 3A through 3F of the Acts of 1993, established the Economic Development Incentive Program (EDIP); and

WHEREAS, the EDIP program is designed to promote increased business development and expansion in Economic Target Areas (ETAs) and Economic Opportunity Areas (EOAs) of the Commonwealth; and

WHEREAS, the Economic Assistance Coordinating Council (EACC) established by Section 3B of said Chapter 23A, is charged with administering the EDIP program, including the review and approval of applications from municipalities for the designations of areas as Economic Target Areas and Economic Opportunity Areas; and

WHEREAS, the City Council of Fall River has previously submitted applications to the Economic Assistance Coordinating Council seeking designation as an Economic Target Area as well as the creation of five separate Economic Opportunity Areas in the City and two site specific Economic Opportunity Areas; and

WHEREAS, the City Council of Fall River, as part of that application, voted to offer qualified projects either tax increment financing or a special tax assessment within the City's Economic Opportunity Areas; and

WHEREAS, the City's application for Economic Target Area status and Economic Opportunity Area designation was approved by the Economic Assistance Coordinating Council on December 21, 1994; and

WHEREAS, the original Economic Opportunity Areas have expired, Honorable C. Samuel Sutter intends to submit an application to the state Economic Assistance Coordinating Council requesting approval of the proposed site specific Former Police Station Economic Opportunity Area.

NOW THEREFORE, BE IT RESOLVED BY THE FALL RIVER CITY COUNCIL THAT:
the local governing body does hereby authorize the Mayor to submit an application to the Economic Assistance Coordinating Council requesting approval of the site specific Sheltering Sky Economic Opportunity Area and also authorizes the Mayor to execute an agreement with the Economic Assistance Coordinating Council to do all the things necessary to comply with the statutory and regulatory guidelines governing the Economic Development Incentive Program.

The Massachusetts Economic Development Incentive Program

APPLICATION FOR DESIGNATION OF ECONOMIC OPPORTUNITY AREA(S)

PART A: Applicant Information

1. Please check one:

This is an application for designation of a new EOA within a previously approved ETA.

This is a request to amend an EOA previously approved by the EACC.

2. Community submitting this application:

Fall River, MA

3.

4. Name of proposed EOA(s):

Former Police Station Site Specific EOA

PART B: MANDATORY REQUIREMENTS FOR THE PROPOSED EOA

1. Location of Proposed EOA(s):

Provide a detailed map of each proposed EOA, indicating the existing streets, highways, waterways, natural boundaries, and other physical features, along with a legally binding written description of the EOA boundaries (with parcel numbers if appropriate). If the written description is longer than one paragraph, please submit on 3 1/2" computer disk.

The proposed EOA is a parcel located on the corner of Bedford Street and High Street. It includes the parcels N-4-42. Please see attached map for additional detail.

2. Description of EOA(s):

Describe why each proposed EOA was chosen for designation. Include a brief, descriptive narrative of each area which helps to explain the particular situations, issues, or reasons why EOA designation is requested.

The City of Fall River has identified the proposed Former Police Station EOA as a Site Specific EOA to facilitate rehabilitation and development. Establishment of the site-specific Former Police Station EOA will facilitate the development of the area and recruitment of tenants. By establishing the Former Police Station EOA it will afford any prospective projects the ability to apply for an Abandoned Building Tax Credit as various sites within the parcel have been more than 75% vacant for more than two years. Similarly, it will facilitate in the establishment of local Tax Increment Financing Agreement once a project is finalized.

3. **Basis for EOA Designation:** Check the applicable category or categories (see definitions in attachment at back of application) for each proposed EOA:

_____The area proposed for designation as an EOA is a "blighted open area."

X_____The area proposed for designation as an EOA is a "decadent area."

_____The area proposed for designation as an EOA is a "substandard area."

_____The area proposed for designation as an EOA has experienced a plant closing or permanent layoffs resulting in a cumulative job loss of 2,000 or more full-time employees within the four years prior to the date of filing this application.

4. **Effective Time Period for EOA Designation:** How long do you propose to maintain the EOA designation? The EOA designation may remain in effect for a minimum of five (5) years and a maximum of twenty (20) years.

20 years

5. **Local Criteria for Designation of EOAs:** Describe how each proposed EOA meets your criteria for designation of EOAs, as specified in your application for designation of the ETA.

Municipal zoning is presently in place in the EOA to foster business expansion and job creation. The proposed EOA achieves a key economic goal outlined in the City's original ETA application: that of utilizing business incentives to facilitate the retention and expansion of existing companies.

6. **Economic Development Goals:** Describe the economic development goals for each proposed EOA during the first five years of EOA designation.

The economic development goals for the proposed Former Police Station EOA include rehabilitation and development of a currently blighted building to create jobs and enhance the viability of an important project area in the center of the City.

The parcel has great potential as it is located on a main thoroughfare in the City, has easy highway access, and is located on an established public transportation route.

The property was taken by Tax Title and will be put out for public bids in the coming months. It is our goal to position the property for development to entice new users to the area. One way in which the City can work to prepare the site for future development is to establish an Economic Opportunity Area. With the property becoming available for public bids in the coming months, we expect specific projects to be forthcoming in the near future.

7. **Local Services:** Describe the manner and extent to which the municipality intends to provide for an increase in the efficiency of the delivery of local services within the proposed EOA(s)
(i.e. streamlining permit application and approval procedures, increasing the level of services to meet new demand, changing management structure for service delivery).

The City of Fall River and the Fall River Office of Economic Development plan to work closely with the purchasers of the property throughout the development process including permitting and providing technical assistance relative to the procurement of economic incentives as needed. The City is prepared to assist the company in all appropriate aspects of the project.

The property itself was once the location of a police station and is located on a main thoroughfare in the City, so the infrastructure, site access and services are already in place to meet the development needs of the property. This is a revitalization effort.

8. **Compliance with Community Reinvestment Act:** Include a copy of a municipal plan or policy, if any exists, which links the municipality's choice of banking institutions to the bank's compliance with the requirements of the Community Reinvestment Act.

While Fall River does not have a written policy, the City and the Fall River Office of Economic Development regularly conduct business with both major regional and community-based savings banks that comply with the Community Reinvestment Act.

9. **Project Approval:**

(a) Identify the municipal official or group/board which shall be authorized to review project proposals for and on behalf of the municipality.

Coordination responsibility for the review of projects within the proposed EOA will be delegated to Jobs for Fall River, Inc. This organization is a nonprofit development corporation which functions as the Fall River Office of Economic Development. Project certification responsibility will fall within the auspice of the Tax Increment Financing (TIF) Board. Please refer to (b)2.

(b) Indicate the standards and procedures for review of project proposals, including the application procedures, the timeframe for review and determination, and the criteria and process for approval of project proposals. **If you intend to use supplemental application material (i.e. municipal cover letter with instructions, job commitment signoff sheet, supplemental questions to be required by the municipality, etc.), it must be mentioned here and must be approved by the Economic Assistance Coordinating Council (EACC). Please attach (if appropriate).**

The standards and procedures for review and approval of certified projects will be as follows:

1. Business seeking project certification will be required to complete a project certification form. The City will utilize the project certification form contained within the state EDIP application. A completed project certification form will be submitted to Jobs for Fall River, Inc. Applications will be accepted on an on-going basis.

Jobs for Fall River, Inc. will provide technical assistance to those companies in need of technical assistance to prepare a completed application.

2. Completed applications will be forwarded to a TIF Board which is comprised of the following:

Mayor
President of the City Council
Two members of the City Council
Chairman of the Board of Tax Assessors
City Administrator
President of Jobs for Fall River, Inc.

3. Once the project is approved by the TIF Board it is submitted to the Fall River City Council for approval. Following approval by the Fall River City Council, an application is submitted to the Economic Assistance Coordinating Council for final approval.

10. Intent of Businesses to Locate in EOA:

Identify the names and the nature of businesses, if any, that have indicated an intention to locate or expand in the proposed EOA(s). If possible, include letters of intent from the businesses, outlining the number of jobs that would likely be created and providing a timetable for development of the projects.

The property is currently in possession of the City as it was taken by Tax Title. The City plans to issue an RFP for the property in the coming months. We would like to establish the EOA in anticipation of the development opportunities at the site.

PART C: SPECIAL REQUIREMENTS FOR LARGE MUNICIPALITIES

This section must be completed by any municipality or member of a regional ETA with a

population that exceeds fifty thousand (50,000) people. The population threshold should be calculated based on the most recent statistics available from the U.S. Bureau of the Census.

1. Permit Streamlining:

(a) List each officer, board, commission or other decision-making authority in the municipality that issues permits, approvals, and licenses and indicate the type of permit, approval or license issued by each authority.

Listed herein are the boards, commissions and other decision making authorities in Fall River that issue permits, approvals and licenses. Also listed are the types of permits issued by each organization.

Board/Commission	Type of Permit
Conservation Commission	Wetland Determination
Building Department	Building/Occupancy
Board of Health	Site Assignment/Title V
Sewer Commission	Sewer Tie-in
Zoning Board	Sub-Division
Planning Board of Appeal	Variance
Fire Department	Safety Permit/Storage
Water Department	Water Permit
Licensing Board	Liquor License
Police Department	Safety Permit

(b) Provide a proposal and plan to streamline the municipality's permit, approval and license procedures. The plan should reduce the number of steps required to obtain approvals for new development. For example, the municipality could combine two separate application forms into one form, provide for joint review by two or more decision making authorities, and set firm deadlines for final decisions on permits, approvals, or licenses.

If the municipality has already implemented a plan to streamline the permit and approval process, describe that plan, indicating the strengths and weaknesses of the plan and provide a revised plan to improve upon the weaknesses.

In an effort to streamline permitting, the City of Fall River has adopted an integrated application and approval process. The streamlined permit process is as follows:

- Applicant files for municipal permit. Copies of the permit application are distributed to all appropriate licensing boards and commissions.
- Each department head is provided an opportunity to review and comment on the application
- All comments are submitted to the Director of Municipal Service.

2. Municipal Services in Proposed EOAs:

(a) Provide an analysis of the existing infrastructure support and municipal services, including transportation access, water and sewer hook-ups, lighting, and fire and police protection to and for certified projects within the proposed EOA(s). Indicate if the existing level of services and infrastructure is adequate to support the anticipated development in the proposed EOA(s).

Infrastructure in the proposed Former Police Station EOA is more than adequate to accommodate the project plan. The site currently has transportation access as it is located along Bedford Street, which is a main thoroughfare in the City. The site also part of an established public transportation route. In addition, water and sewer hook-up are already in place. The site also has sufficient lighting as well as fire and police protection.

(b) Provide a proposal for meeting additional demand for municipal services and infrastructure improvement, including costs and funding sources available for these improvements.

It is not anticipated that additional municipal services will be required for development within the Former Police Station EOA.

3. Job Training Programs:

Describe the municipality's plans to secure access to publicly or privately sponsored training programs for employees of certified projects and for residents of the municipality/ETA.

Coordination between economic development and job training programs has a long standing tradition in Fall River. During the late 1970's, Jobs for Fall River, Inc. served as the local Private Industry Council under the Comprehensive Employment and Training Act (CETA). Since its inception, the Board of Directors of Jobs for Fall River, Inc. has included a diverse group of business people as well as the Chairman for the Workforce Investment Board.

Further, loans issued by Jobs for Fall River, Inc. require the commitment to hire individuals from the City of Fall River. Similarly, a portion of the jobs created must be made available to low and moderate income families. Jobs for Fall River, Inc. works closely with the Fall River Career Center to access training funds such as those offered through the On-the-Job-Training Program and the new Workforce Training Fund.

EOA certified projects will be required to integrate available job training programs into the development strategy. Reporting requirements established within the EOA

plan will obligate any certified project to document progress on making jobs available to individuals from low and moderate income households.

4. Local Community Involvement:

Describe the municipality's plans to increase the level of private sector involvement and the level of involvement by community development organizations in the economic revitalization of the area proposed for designation. For example, local involvement could include commitments from private persons to provide jobs and job training to residents or to employees who for certified projects in the proposed EOA(s).

The City of Fall River, through the Fall River Office of Economic Development, has placed a strong emphasis on business retention as part of its comprehensive economic development strategy. As a result, the City works closely with existing businesses to assist with their expansion, job creation and job retention plans. These expansion projects, in almost all cases, involve private investment.

For the proposed Former Police Station EOA, since the area is site-specific to facilitate rehabilitation and development, the municipality expects significant private investment to achieve those objectives. While the specific investment levels and job creation goals cannot be determined at this time, both facets are expected to make significant contributions to the City of Fall River.

PART D: COMMITMENT TO PROVIDE LOCAL PROPERTY TAX RELIEF

The municipality completing this application must provide a **binding written offer** to provide either tax increment financing or a special tax assessment to each certified project located within the proposed EOA(s).

Please attach a copy of the municipality's binding written offer.

- In cities, this shall be in the form of a City Council Order or Resolution, along with a Certified Vote by the City Clerk.
- In towns with Town Meeting form of government, this shall be in the form of a Town Meeting Motion, along with a Certified Vote by the Town Clerk.
- In towns with Town Council form of government, this shall be in the form of a Town Council Order or Resolution, along with a Certified Vote by the Town Clerk.

The City is establishing the EOA to attract future business that will grow jobs at the EOA location.

DEFINITIONS, as specified in 402 CMR 2.03:

Blighted Open Area - a predominantly open area which is detrimental to the safety, health, welfare or sound growth of a community and which is predominantly open because it is unduly costly to develop it soundly through the ordinary operations of private enterprise. Factors which might make an area unduly expensive to develop include, but are not limited to, existence of hazardous materials or other contaminants; existence of ledge, rock, unsuitable soil, or other physical conditions; need for unduly expensive excavation, fill or grading; need for unduly expensive foundations or retaining walls, need for unduly expensive waterproofing, drainage or flood prevention measures; need for unduly expensive measures to protect adjacent areas and the water tables therein; need for unduly expensive measures incident to building around or over rights-of-way through the area; existence of obsolete, inappropriate or otherwise faulty platting or subdividing; deterioration of site improvements or facilities; division of the area rights-of-way; diversity of ownership; inadequate transportation facilities; inadequate utility systems; tax and special assessment delinquencies; a substantial change in business or economic conditions or practices; an abandonment or cessation of work begun on improvements; any combination of the above; or any other condition or conditions which are detrimental to the safety, health, or sound growth of a community.

Decadent Area - an area which is detrimental to safety, health, welfare or sound growth of a community because of the existence of buildings which are out of repair, physically deteriorated, unfit for human habitation, obsolete, or in need of major maintenance or repair; or because much of the real estate in recent years has been sold or taken for non-payment of taxes or upon foreclosure of mortgages; or because buildings have been torn down and not replaced and in which under existing conditions it is improbable that the buildings will be replaced; or because of a substantial change in business or economic conditions; or because of inadequate light, air, or open space; or because of excessive land coverage; or because diversity of ownership, irregular lot sizes, or obsolete street patterns make it improbable that the area will be redeveloped by the ordinary operations of private enterprise; or by reason of any combination of the foregoing conditions.

Substandard Area - an area wherein dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light, or sanitation facilities, or any combination of these factors, are detrimental to safety, health, welfare or sound growth of a community.

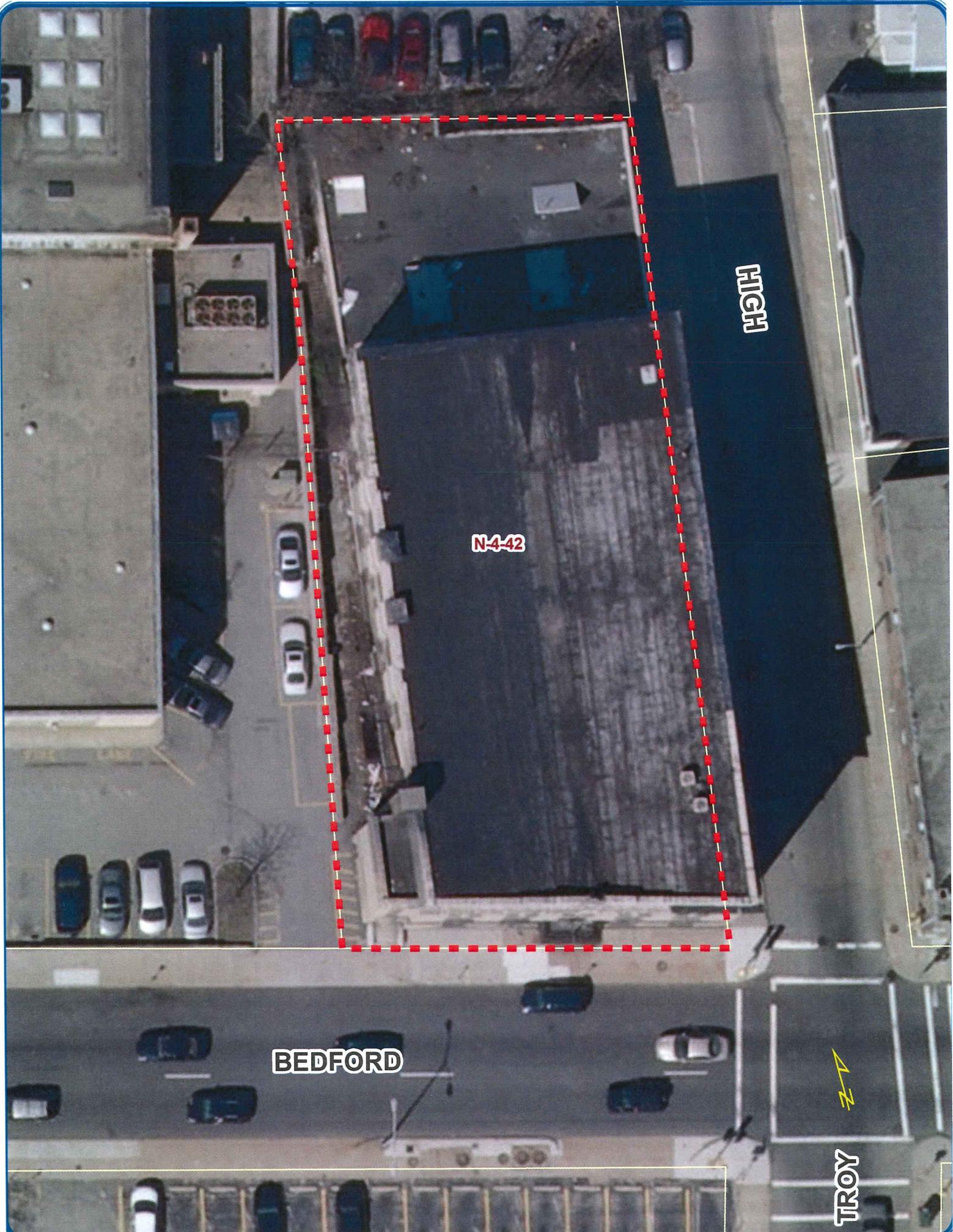
BEDFORD

N-4-42

HIGH

Z-V

TROY



FRANKLIN

BANK

ROCK

BANK

GRANITE

HIGH

N-4-42

BEDFORD

THIRD

TROY

SIXTH

ROUTE 195





City of Fall River
Massachusetts
Office of the Mayor

4

C. SAMUEL SUTTER
Mayor

August 13, 2015

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Honorable Council Members:

Enclosed please find proposed Ordinance changes to implement Purchasing requirements consistent with Massachusetts General Laws. The City's independent auditor, CliftenLarsenAllen, LLP, has recommended that the City align its procurement policy with the Massachusetts Procurement Law.

Your favorable action is respectfully requested.

Best,

C. Samuel Sutter
Mayor

CITY CLERK
FALL RIVER, MA

2015 AUG 13 P 3:14

RECEIVED

To: City Administrator
Fr: Tim McCoy
Re: Procurement Ordinances

Based upon our conversation, I would recommend the following revisions to the Competitive Bid Ordinances;

- 1) Delete in its entirety Sec. 2-901, replacing said section with reference to the Massachusetts Competitive Statutory Requirements, specifically:

M.G.L. c.149 BUILDING CONSTRUCTION CONTRACTS
M.G.L. c. 30, § 39M--PUBLIC WORKS CONSTRUCTION CONTRACTS
M.G.L. c. 30, 39M—CONSTRUCTION PROCUREMENT NO LABOR
M.G.L. c. 7C, § 44-57 PUBLIC BUILDING DESIGN SERVICES
M.G.L. c. 30B PROCUREMENT OF SUPPLIES AND SERVICES

- 2) Within Sec. 2-921, toward end of the first line, **delete** “or for the purchase of supplies or materials,” and **insert** “performed with labor under M.G.L. c. 30, § 39M,”

RECEIVED
2015 AUG 13 P 3:14
CITY CLERK
FALL RIVER, MA