



ALISON M. BOUCHARD
CITY CLERK

City of Fall River Massachusetts
Office of the City Clerk

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2015 SEP 29 P 4: 27

CITY CLERK
FALL RIVER, MA

CITY COUNCIL MEETING DATE: SEPTEMBER 29, 2015

ITEMS FILED AFTER THE AGENDA WAS PREPARED:

INÊS LEITE
ASSISTANT CITY CLERK

PRIORITY MATTERS

*Mayor and loan order for Durfee High School Feasibility Study - \$1,000,000

PRIORITY COMMUNICATIONS

Traffic Commission recommending amendments to the traffic ordinances

COMMITTEE REPORTS

Committee on Ordinances and Legislation recommending:

First reading:

Proposed ordinance – Traffic, handicapped parking

Proposed ordinance – Traffic, miscellaneous

Proposed ordinance – Purchasing requirements

ORDERS – MISCELLANEOUS

Taxi vehicle for Town Taxi

COMMUNICATIONS – INVITATIONS – PETITIONS

*Fall River Contributory Retirement Board – 2016 Annual Budget

City resident re vacant lot near Woodbine Place



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

C. SAMUEL SUTTER
Mayor

September 28, 2015

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

RE: Bond Authorization-Durfee High School Feasibility Study

Mr. President and Members of the Honorable Council:

On behalf of the Fall River School Committee, I am requesting that the City Council approve the attached Loan Order in the amount of one million dollars (\$1,000,000.00) for the purpose of paying costs of the Feasibility Study for the Durfee High School Project, located at 360 Elsbree Street, Fall River, MA, including the payment of all costs incidental or related thereto, and for which the City of Fall River may be eligible for a grant from the Massachusetts School Building Authority (also known as the "MSBA"), said amount to be expended under the direction of the Durfee High School Project Building Committee.

Your approval of this Loan Order is respectfully requested.

C. Samuel Sutter
Mayor

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FALL RIVER, MA

2015 SEP 28 A 11:56

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City of Fall River, *In City Council*

LOAN ORDER (Durfee High School Feasibility Study)

ORDERED: That the City appropriates the amount of One Million Dollars (\$1,000,000) for the purpose of paying costs of a feasibility study for the Durfee High School Project, located at 360 Elsbree Street, Fall River, Massachusetts, including the payment of all costs incidental or related thereto, and for which the City may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the Durfee High School Project Building Committee. To meet this appropriation, the City Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the City, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the City and the MSBA, and

BE IT 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.



FALL RIVER SCHOOL COMMITTEE

Honorable C. Samuel Sutter
Chairman

Mark Costa
Vice-Chairman

Meg Mayo-Brown
Superintendent of Schools

Gabriel Andrade
Paul Hart
Joseph Martins
Robert Maynard
Melissa Panchley

Rebecca L. Caron
Administrative Assistant

September 25, 2015

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

Dear City Council President Camara:

At a meeting of the Fall River School Committee held on Monday, September 14, 2015, a discussion was held regarding the City Council appropriating the amount of one dollars million (\$1,000,000.00) for the purpose of paying the costs of the Feasibility Study for the Durfee High School Project.

Following that discussion, and on a motion made and seconded, it was unanimously approved to refer this item to the City Council.

Attached is a copy of the motion along with the discussion that took place. Please feel free to contact me with any questions or concerns.

Sincerely,

Rebecca Caron
Administrative Assistant for School Committee Services

Attachment

cc: Meg Mayo-Brown, Superintendent of Schools
Fall River Public Schools Leadership Team
City Council
Alison Bouchard, City Clerk ✓
Inês Leite, Assistant City Clerk

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Discussion Item #2

Vote to Approve: School Committee procedural request of City Council to appropriate funding for B.M.C. Durfee High School feasibility study.

MOTION: Mr. Costa – Mr. Hart: To approve the procedural request of the City Council to appropriate funding for the B.M.C. Durfee High School feasibility study.

Discussion

Mrs. Panchley thought they needed to read the motion as it was presented in their binders.

Mayor Sutter thought that was a good idea.

Mrs. Panchley asked if Mr. Costa wanted to amend his motion.

AMENDED MOTION: Mr. Costa – Mr. Hart: To approve the procedural request of the City Council to appropriate funding for the B.M.C. Durfee High School feasibility study as outlined by Mr. Coogan for the Committee.

Discussion

Mayor Sutter asked Mr. Costa to repeat what he said.

Mr. Costa said he would read it for the record:

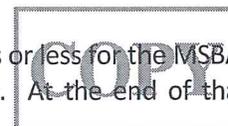
NEW AMENDED MOTION: Mr. Costa – Mr. Hart: That the city appropriate the amount of one million dollars (\$1,000,000.00) for the purpose of paying costs of the Feasibility Study for the Durfee High School Project, located at 360 Elsbree Street, Fall River, MA, including the payment of all costs incidental or related thereto, and for which the City of Fall River may be eligible for a grant from the Massachusetts School Building Authority (also known as the "MSBA"), said amount to be expended under the direction of The Durfee High School Project Building Committee. To meet this appropriation the Fall River City Council, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44, or pursuant to any other enabling authority. The City of Fall River acknowledges that the MSBA's grant program is non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the city incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the city.

Discussion

Mr. Andrade thought there was no doubt that the feasibility study was a requirement for this process but wondered exactly what the study would include.

Superintendent Mayo-Brown asked through the Chair to have Mr. Coogan come up and describe the process and what is included in the feasibility study.

Mr. Coogan explained that the feasibility study is a process that is designed to run 270 days or less for the MSBA, in conjunction with the city, to evaluate options for a new high school building project. At the end of that



process, the city would then receive a recommendation in the form of a report of what the scope, cost, and design of that building might look like as well as their recommendations to proceed. The cost of the study is estimated at a little over \$900,000 which is where the \$1,000,000 figure comes from and 80% is reimbursable by the MSBA. The city carries roughly 20% of whatever the final cost for the report is.

Mayor Sutter thought it seemed like a lot of money for a feasibility study and asked if Mr. Coogan could break that down for them. He was curious as to why it was so expensive for the study of a high school.

Mr. Coogan explained that it includes architectural fees, design fees, looking at the overall process and scope of the project, any testing that might need to be done on the site, the design of the site, traffic studies, and any impact it might have on the surrounding community. The estimate they received was in conjunction with the MSBA who is skilled in building these projects and the amount was somewhere between \$900,000 and \$1,000,000. While this is a placeholder, he believed it was designed to encompass all those potential costs the city would be looking at in order to scope the project.

Mayor Sutter wondered if Mr. Coogan had any memory of the cost of the feasibility study for the Morton Middle School.

Mr. Coogan did not and explained that project was on the board for quite a while before they entered into the construction project and he was not there for the beginning of that project which was ten years ago or more.

Mayor Sutter asked if he knew about the new high school in Somerset and Mr. Coogan did not have that number.

Mr. Coogan believed in the scope of the MSBA's literature they cited over \$2,000,000 for similar sized high schools. There was a list of 8-10 different communities and for the high schools or larger scale projects, they were between \$1,000,000 and \$2,000,000. He believed in this particular case, as they have potentially located a site and switched to a prototype design where they work off an existing/already developed set of project plans; that may have cut some of the costs down. He added that although \$1,000,000 is a lot of money and the public has a right to question that, it is certainly less than it could be based on some projects.

Mayor Sutter thanked Mr. Coogan for his explanation.

Mrs. Panchley clarified for the public that the city would need to appropriate the \$1,000,000 and whatever does not get spent would go to pay the bond if that is how it is funded and then the 80% would come down from the state to pay off the loan. In the end the city will not be paying \$1,000,000 but 20% of whatever the study costs.

Mr. Coogan further explained that essentially the city creates a pot of money and it is put into reserve. The fees are then paid and then the MSBA reimburses through that project and they are left with the net amount which would be \$200,000 or less in this case.

Mrs. Panchley agreed and said she did not want to make light of that amount of money but she did want to make it clear to the public that the state would be reimbursing a large portion of that money.

Mayor Sutter asked if for some reason the funding for the new high school did not happen, if the 20% is lost.

Mr. Coogan said they would not get that money back; it is the cost for the study to develop.

Mayor Sutter thought that was a serious issue.



Mr. Costa thought without the feasibility study they would be flying blind. If they are ever going to be able to gain voter confidence and ask the citizens of the city to step up and make a commitment to build a school they have to do a thorough feasibility study so they can come back with an accurate total amount they are going to look to spend as a community for the high school. He clearly understands if they go through this process and the study comes back and suggests the cost is going to be too great for the city to endure then the money they spent on the feasibility study is gone but he thinks it is money well spent because if not, they do not know what the total costs would be for this project and whether or not they as a community are interested in making that investment.

Mr. Coogan said again that part of that feasibility study is the assessment of the current conditions at the school as well as the site and a future building possibility of the school. They are going to get the entire project evaluated and they will have some concrete information about what the options are for proceeding with the project. It proceeds in phases and the feasibility study is one portion of the project.

Mr. Maynard asked if Mr. Coogan knew if the state ever refused to build a school after the feasibility study.

Mr. Coogan said it is his understanding that there are a number of communities either through their own desire or after the feasibility study revealed that the project was going to need to be larger in scope or there were site problems; then communities pull out of the process but it is a joint process and not just the state refusing to do it. Usually when they have gotten to this process there have been assessments along the way that indicate eligibility and they are in the eligibility phase right now.

Mr. Maynard asked if he knew if the state ever refused to put up the money to build a new school.

Mr. Coogan said they have had some placeholders and preliminary discussions around what the costs might look like but thought if the feasibility study revealed that those costs were considerably higher or not practical for either the city or the state, there is always a possibility that that could happen but the study would give more concrete information to be able to make that kind of a decision whether it be on the city's part or on the part of the state.

Mr. Martins said it is a matter of if they want a new school or not. He thought a feasibility study was a matter of course and they have to go through environmental issues, etc. He does not know of any school building that after committing to a feasibility study, the school was not built and that money was lost. He knows it is a lot of money but at 80% paid by the state, he felt it was a good deal.

Mr. Costa said for a point of information the money that is used to build the new schools actually comes from the tax that is put on individuals that smoke cigarettes. He asked Mr. Coogan if that was correct.

Mr. Coogan said a portion may be. When the MSBA was retooled several years back and the sales tax went from 5% to 6.25% that additional bump in the sales tax was designed to create a fund which funds the MSBA.

Mr. Costa agreed and yielded.

Mr. Martins said if it gets approved there is a signature page for the Mayor, Superintendent and a dually authorized representative of the School Committee. Mr. Martins asked who would sign the School Committee line.

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Superintendent Mayo-Brown said for clarification, Mr. Martins was referring to the Design Enrollment Certification that was agenda item one.

Mr. Martins said that was correct noting there are three signatures required and questioned who would sign the third line.

Mayor Sutter proposed the Vice-Chair because he would be signing as Mayor. He felt the dually authorized representative should be next in line assuming Mr. Costa would like to do that.

Mr. Costa agreed to sign the document noting he was present at the meeting in Boston that was had just a few weeks ago. He is familiar with what went into coming up with the design enrollment and does not have any hesitation in signing.

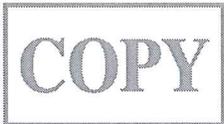
Mayor Sutter thanked Vice-Chair Costa.

There was no further discussion.

A roll call showed:

Mr. Andrade: Yes	Mr. Maynard: Yes
Mr. Costa: Yes	Mrs. Panchley: Yes
Mr. Hart: Yes	Mayor Sutter: Yes
Mr. Martins: Yes	

All were in favor **None were opposed** **Motion passed**





COMMONWEALTH OF MASSACHUSETTS
Fall River Contributory Retirement Board

30 Third Street • Suite 301 • Fall River, MA 02720

Tel. (508) 646-9120 • Fax (508) 646-9123

www.fallriverretirement.com

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2015 SEP 29 P 2:20

CITY CLERK _____
FALL RIVER, MA

September 29, 2015

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

Dear Members of the City Council:

In accordance with Massachusetts General Laws Chapter 32, section 22(5), as amended by CH306 of the Acts of 1996, the Retirement Board hereby files its calendar year 2016 budget.

Please be advised that the City of Fall River may opt to appropriate any portion of the budgeted amount for use by the Retirement Board to carry out its duties. If no appropriation is made these expenses shall be funded solely from the investment income account of this retirement system.

Very truly yours,

Christine A. Tetreault
Executive Director

**FALL RIVER RETIREMENT BOARD
CALENDAR YEAR 2016 BUDGET**

2016

Salaries/Benefits	\$ 334,383.36
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Legal Fees	\$ 100,000.00
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Administrative Expenses	\$ 126,634.00
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Service Contracts	\$ 39,850.00
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Furniture & Equipment	\$ 5,750.00
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Investment Management Fees	\$ 1,610,000.00
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TOTAL	\$ 2,216,617.36
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