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ACCEPTED AND FILED SUSPENSION

Chelsea, Massachusetts, June 19, 2017

A Regular meeting of the Chelsea City Council was held. The meeting was held at the Chelsea City Hall located 500 Broadway Chelsea, Massachusetts 02150. The following Councilors were present: Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent. Council President Robinson presided over the meeting. The meeting opened at 7:00 p.m.

Prior to the start of the meeting the following Firefighters were sworn in by City Clerk Jeannette Cintron White, Rafael Vaquerano and Daniel Texiera.

The following Newly Appointed Youth Commission members were also sworn in by the City Clerk: Deja Freeman, Branden R. Garcia, Justin Munoz, Daynaba Mohamed, Stephanie Hernandez Alvarado, Alejandra Medina, Madina Hassan, Marcela Castillo, Adrianna Vega, Paulela Pierre, and Jessica Ponce.

Memoriums and celebratory resolutions:

The following resolution was introduced by Councilor Cortell and Avellaneda. A motion from Councilor Cortell to adopt under suspension was adopted.

RESOLUTION

- WHEREAS,** The Chelsea Village Senior Sewing Committee is a diverse group of senior citizens residing in and working out 5 Admirals Way, and
- WHEREAS,** the group has demonstrated both skill and artistry in the design and construction of handmade quilts, and
- WHEREAS,** the committee decided to commit its time and effort toward the goal of creating 30 baby sized quilts with bindings for the purpose of donating them to local families with either limited resources or at a time of specific need, and
- WHEREAS,** the committee put in countless hours of painstaking work over nearly 3 month time to have successfully achieved their stated goal, and
- WHEREAS,** the committee further determined that the best way to assure that their work product would get into the hands of those in most need when and where it presents itself is by entrusting 10 quilts each to 3 entities who they felt were best suited to disseminate them, and
- WHEREAS,** the committee chose **CAPIC** (Community Action Program, Inter City, Inc.) whose stated mission is "to identify and address the needs, problems and concerns of those in poverty and to enable the individual poor to achieve and maintain self-sufficiency", including "emergency services" as they arise, **St. Luke's Episcopal Church**, a congregation made

up of individuals and families of all ages that truly reflect the diversity of Chelsea that has long been known as an inviting place to both members and non-members in the furtherance of their mission statement that includes “hospitality” and “service to the community” demonstrated in just one way by providing temporarily shelter to our city’s homeless during some of the coldest and most dangerous nights to be without regardless of membership or religious beliefs, and the **Chelsea Collaborative** that, through their *Chelsea Latino Immigrant Committee*, *Shanbaro Community Association* and other endeavors, often serves as Chelsea’s welcoming committee to newly arrived immigrants and refugees to this country and city who generally come to seek a safer and better life for themselves and their children and all too often arrive with little more than the clothes on their backs, NOW

BE IT HEREBY RESOLVED, that Chelsea City Council, on this, the 19th day of June, 2017, recognizes the significant time, energy, effort, dedication, commitment, and, most notably, generosity that the Chelsea Village Sowing Committee has demonstrated through their significant undertaking done solely out of the goodness of its members collective hearts that yielded quilts for 30 babies that they might otherwise not have and that may someday become a family heirloom or a memento of an unconditional welcome to a new life, but in the short-term is simply a gift that both literally and figuratively wraps the most vulnerable among us, a baby, in the hands of caring neighbors.

The following resolution was introduced by Councilor Frank and all members of the Chelsea City Council. A motion from Councilor Frank to adopt the resolution under suspension was adopted.

RESOLUTION

WHEREAS, June is Nationally Recognized as LGBT Pride Month; and

WHEREAS, LGBT stands for Lesbian, Gay, Bisexual and Transgender; and

WHEREAS, the LGBT flag is currently flying over City Hall following a ceremony in late May of 2017; and

WHEREAS, Over the past few years through court cases and legislation, rights for LGBT individuals have gained traction at all levels of government; and

WHEREAS, Chelsea is known for having a vibrant LGBT community that is involved in every corner of the city; now therefore, BE IT

RESOLVED, that the Chelsea City Council celebrates and supports the LGBT community in Chelsea and beyond and officially recognizes June as LGBT Pride Month.

Public Hearings:

The Continuation of the Public Hearing regarding the Zoning Change to Adult Entertainment Ordinance, opened at 7:35 p.m. The following came forward to speak:

Cheryl Watson Fisher City Solicitor spoke on behalf of the City and spoke in favor of the Amendment to the Ord. for Adult Entertainment.

Resident of 786 1st Parish Rd. Norwell, spoke against the proposal.

Closed at 7344.

The Continuation of the Zoning Change to use the Laundry commercial or industrial and its definition public hearing portion opened at 7:45 p.m.

No one came forward and it closed at 7:46 p.m.

The final public hearing for the Proposed Eminent Domain Taking of 440-448 Broadway opened at 7:47 p.m. No one came forward to speak and it closed at 7:47 p.m.

Public Speaking:

The public speaking portion of the meeting opened at 7:50 p.m. The following came forward to speak:

Ann Jones 5 Admirals Way thanked the City Council for the Resolution.

Justin Muñoz 227 Maple Street, thanked the Council and the Library for the arts.

K Raymond 9 Lash Street, thanked the Council.

Alejandra Medina Chelsea Res. thanked the Council.

The public hearing closed at 7:55 p.m.

Communication from City Manager:

The following communication was received from City Manager Thomas G. Ambrosino. A motion from Councilor Avellaneda to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: M.G.L. c. 40Q Development District for Broadway Corridor

Dear Councilors:

As part of the City's ongoing effort to revitalize the Downtown, I am writing to request that the City Council formally designate the Chelsea Broadway Corridor as a "development district" pursuant to M.G.L. c. 40Q, §2.

M.G.L. c. 40Q is a relatively new statute that allows municipalities to streamline urban revitalization activities, enabling cities to create and structure a "development district" accompanied by a "development program" that outlines the primary development objectives for the respective area. Complementing our Downtown Initiative, which you have continuously supported, the designation of Chelsea's central business corridor in and around Broadway as a "development district" will further advance our objectives of fostering mixed-use investment, rebuilding infrastructure and enhancing

aesthetics through the eradication of blight and other physical deficiencies. Paired with the recent momentum from the Chelsea Prospers initiative to spur downtown business vitality, as well as the Re-imagining Broadway infrastructure planning process, the creation of the Broadway Corridor Development District will aid the City in fostering urban regeneration, retail vibrancy and a safe, comfortable public domain that is accessible and inviting for all.

The “development district” designation does have some real practical benefits. First, it will assist the City in any necessary acquisition, assemblage or disposition of real property in the Downtown that is deemed essential to our revitalization efforts. At this time, there is no specific target of property acquisition in the Downtown beyond what has been previously presented to the Council. However, the “development district” designation provides the flexibility to engage in that process, with Council approval, if the need arises in the future. Furthermore, creation of the “development district” unlocks the opportunity for the City to someday, if appropriate, utilize the innovative infrastructure financing vehicle known as District Improvement Financing. Although there are no plans to actually utilize DIF financing anytime in the near future, it is a welcome tool for the City to have at its disposal. And finally, the “development district” designation also increases the City’s likelihood of obtaining state grant funding to defray the costs of infrastructure reconstruction projects in the targeted Downtown area.

Attached for your review are maps detailing the actual proposed area that will encompass the Broadway Corridor Development District, as well as an enumerated list of parcels situated within the District. As you will see, the boundaries of the District reflect those of both our Downtown Initiative and the previously completed Slum and Blight Study (2014). For the purpose of this district, the “development program” will be comprised of the Chelsea Prospers initiative and the final Re-imagining Broadway plan. I expect all the details of the development program to be worked out over the course of the Summer for submission to the City Council sometime in the Fall.

A proposed Order for adoption of the Broadway Corridor Development District is also attached.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Avellaneda to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

RE: Final FY17 Request for Miscellaneous Financial Orders

Dear Councilors:

I am writing with the final two financial requests to close the books on FY17.

Transfer of Construction Funds

The first request involves the transfer of funds to advance our MassWorks efforts in the Everett Avenue Urban Renewal District.

In FY14, the City Council approved a request for \$2.2 million in Free Cash to partially underwrite a comprehensive program of infrastructure and streetscape improvements in the Everett Avenue Urban Renewal District, with the expectation that the City would also pursue state funds through the MassWorks Program. The City has been extremely successful with its MassWorks requests. It has been awarded five separate MassWorks grants that have enabled it to pay for a large share of the already completed Everett Avenue District improvements. As a result, we still have more than \$1.8 million remaining from this original Free Cash appropriation.

At this point, we are preparing the final portion of the Everett Avenue plan – the reconstruction of that roadway from Carter Street to the Revere Beach Parkway. We did secure a MassWorks grant for this portion of the project in the amount of \$2 million. However, the total project cost exceeds \$4 million. Accordingly, I am requesting that the City Council vote to transfer the remaining funds originally raised in FY14 for this later phase of the project. Since this is a transfer and not an appropriation, this vote requires only a single reading.

Donation

Bea Cravatta, Recreation and Cultural Affairs Division Director, reports donations in the amount of \$130.00 from attendees to the July 15, 2016 Flying Squirrel Puppet Theatre Production. Pursuant to state law, the City Council must approve acceptance of these gifts.

I have attached the two Orders necessary to accomplish each of these requests. I ask for the Council's approval.

Sincerely,
Thomas G. Ambrosino
City Manager

The following communication was read from City Manager Thomas G. Ambrosino. A motion from Councilor Recupero to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: Residency Revisions

Dear Councilors:

On April 24, 2017, the Council approved an Order requesting, in essence, that I work with the City Solicitor to strengthen our existing Chelsea preference for new hires and memorialize that in some enforceable City policy. A copy of that Order is attached.

Since approval of that Order, the City Solicitor and I have worked to develop some acceptable compromise which would both meet the desire of the City Council while maintaining fidelity to the clear separation of powers provided in the Charter. After careful consideration, I am proposing the attached revision to the Administrative Code.

Specifically, this new language would require submission of quarterly reports to the City Council regarding the hiring of Chelsea residents. It would also mandate that no waiver for residency be granted without providing City Councilors with a period of comment. However, the City Manager retains final discretion to grant a waiver.

I hope this proposed compromise sufficiently addresses the Council's current concerns.

Sincerely,
Thomas G. Ambrosino
City Manager

Communications and petitions to the Council:

A copy of a communication was received from City Clerk/Parking Clerk Jeannette Cintron White regarding the actions approved at the June 13, 2017 Traffic and Parking Commission meeting. A motion from Councilor Garcia to accept and file was adopted under suspension.

A copy of a communication was received from John DePriest, Director of Planning and Development regarding a report on Proposed Zoning Amendment: Laundry, Commercial & Industrial. A motion from Councilor Avellaneda to accept and file was adopted under suspension.

A copy of a communication was received from John DePriest Director of Planning and Development regarding a report on Proposed Zoning Amendment: Adult Entertainment Establishments. A motion from Councilor Avellaneda to accept and file was adopted under suspension.

A copy of a communication was received from Brian Hatleberg, Chairman of the Chelsea Affordable Housing Trust Fund Board regarding the Chelsea Housing Study. A motion from Councilor Cortell to accept and file was adopted under suspension.

Unfinished Business:

Councilor Avellaneda made a motion under Unfinished Business to remove from Conference the Ordinance that was introduced by Councilor Robinson with regards to Adult Entertainment, by roll call. The roll call defeated the request 4-6-1-0. Voting yes to remove were Councilors Avellaneda, Rodriguez, Cortell, and Frank. Voting no were Councilors Vidot, Tejada, Recupero, Lopez, Robinson, and Garcia. Councilor Murphy was absent.

Second Readings:

The following order was introduced by Councilor Murphy. A motion from Councilor Avellaneda to adopt by roll passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

Ordered, that the sum of \$1,340,000.00 be appropriated from Free Cash to the 440 Broadway Land Acquisition Capital Assets Fund Account #5536 series, for the purchase and other cost related to the acquisition of land from the Salvation Army of Massachusetts, Inc. of Parcel 38-1, known as 440-448 Broadway, on the City tax maps.

The following Ordinance Revising was introduced by Councilor Robinson. A motion from Councilor Recupero to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea;

WHEREAS, the City of Chelsea wishes to increase the maximum value of the Senior Citizen Property Tax Work-off Program in order to improve the tax benefit to seniors and make the program more attractive, thereby increasing participation.

NOW, therefore be it Ordained, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

AN ORDINANCE REVISING PART II CHAPTER 26 OF THE CHELSEA CODE OF ORDINANCES REGARDING SENIOR CITIZEN PROPERTY TAX WORK-OFF PROGRAM

That Chapter 26, Section 26-2 of the Code of Ordinances, City of Chelsea, Massachusetts is hereby amended by striking in Section 26-2(a)(1) the figure "\$1,000.00" and inserting instead the figure "\$1,500.00."

This change shall take effect as of January 1, 2018.

The following Ordinance was introduced by Councilor Robinson. A motion from Councilor Avellaneda to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea;

WHEREAS, in consultation with the Fire Chief, the City has determined that further protection is required for the oil terminals that exist within the City;

NOW, therefore be it Ordained, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

AN ORDINANCE REVISING PART II-SECTION 14-5 OF CHAPTER 14 OF THE CHELSEA CODE OF ORDINANCES REGARDING OIL COMPANIES

That the Code of the City of Chelsea is hereby further amended by striking current Section 14-5 and replacing it as follows:

Sec. 14-5. Oil Terminals.

All oil terminals within the boundaries of the City of Chelsea shall have two trained employees on duty at all times.

(a) At least one such trained employee shall be a Marine Terminal Operator who has knowledge and training in the following areas:

- i. Storage tank type, location and operation of all valves including pressure relief devices, operations of all piping and valves and emergency venting operations.
- ii. Operations of the loading rack(s), including emergency procedures
- iii. Offloading operations at the dock, including ship to shore connections and emergency procedures
- iv. Operations of the fire suppression system(s)
- v. Spill and product release procedures, including proper notification of the fire department.

(b) The second trained employee shall have knowledge and training in the following areas:

- i. Storage tank type and location and emergency procedures.
- ii. Operations of the loading rack(s), including emergency procedures
- iii. Operations of the fire suppression system(s); and
- iv. Spill and product release procedures, including proper notification of the fire.

- (c) Whenever there are offloading operations at the dock, there shall be at least two Marine Terminal Operators on duty.

The following Living Wage Ordinance was introduced by Councilor Robinson. A motion from Councilor Avellaneda to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank and Garcia. Councilor Murphy was absent.

WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea; and

WHEREAS, the City of Chelsea awards millions of dollars in contracts for services each year that result in the creation or maintenance of a wide variety of employment opportunities; and

WHEREAS, these contracts are paid for by taxpayer dollars and should be used to promote the sustenance and creation of jobs that will increase consumer income, decrease levels of poverty, invigorate neighborhood businesses and reduce the need for taxpayer-funded programs in other areas; and

WHEREAS, the City of Chelsea' payment of prevailing wage rates to employees working on City public works projects has been tremendously beneficial for Chelsea workers, their families, Chelsea neighborhoods and the area economy; and

WHEREAS, union members, community organizations, low and moderate-income persons and many others, including residents of municipalities that already have a "Living Wage Ordinance", believe that payment of a "living wage" to employees of contractors with the City would have the same beneficial results;

NOW, THEREFORE, BE IT ORDAINED, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

That Chapter 2, Article VI, be amended by adding a new Section 2-284B as follows:

Sec. 2-284B. The Living Wage Ordinance

(a) *Purpose.*

The purpose of this chapter is to ensure that when taxpayer-funded benefits are extended by the city to private businesses, they are used in a way that benefits the interests of the city as a whole by creating jobs that keep workers and their families out of poverty. This section therefore requires the city, its contractors and subcontractors to pay their employees a wage that will enable a full-time worker to support a family at a level that meets basic needs and avoids economic hardship.

(b) *General definitions.*

As used in this section, unless the context indicates otherwise, the following words shall have the following meanings:

1. "City" means the City of Chelsea, its departments, offices, agencies, subdivisions, or officials thereof.
2. "City administrator" means the City Manager, or the person designated by the City Manager, who shall be responsible for the overall implementation and enforcement of this chapter.
3. "City contract" means any agreement between the city and any other person to provide services to the city or its residents. City contract includes any grant, including but not limited to community

development block grant (CDBG) funds, awarded to a person in order for it to provide specific services to the city or its residents. City contract does not include agreements primarily for the purchase or lease of goods or property for the city; nor agreements for the provision of professional services such as legal services, banking services, architectural services or computer services.

4. "Contractor" means any person that has entered into a city contract.
5. "Subcontract" means any contractual relationship under which a person assists a contractor in performing a city contract, or accepts or transfers any right or responsibility set forth in a city contract.
6. "Subcontractor" means any person that has entered into a subcontract.
7. "Covered employer" means any entity fitting the definitions set forth in subsection (d).
8. "Employee" means any person who performs work on a full-time, part-time, temporary or seasonal basis, including employees, temporary workers, contracted workers, contingent workers and persons made available to work through services of a temporary services, staffing or employment agency or similar entity.
9. "Covered employee" means any individual fitting the definitions set forth in subsection (e). The only individuals who otherwise meet the standard of "covered employee" who are automatically exempted from the living wage are individuals in a youth or senior program, those working part-time at the Chelsea Public Library or those in a child care or summer food program for the Chelsea School Department. See definitions under subsection (h) below.
10. "Designee" means a city department or agency or other party designated by the city administrator to assist with the implementation, monitoring and enforcement of this chapter.
11. "Living wage" means a wage equal to the levels established in subsection (f).
12. "Person" means any individual, partnership, corporation, limited liability company, sole proprietorship, association, joint adventure, estate, trust and any other entity, group or combination acting as a unit, and the individuals constituting such group or unit.

(c) *Applicability.*

- A. This chapter shall apply to any for-profit contractor that employs or contracts with five or more individuals firmwide; or a nonprofit contractor that employs or contracts with ten or more individuals firmwide.
- B. This chapter shall apply to any city contract initially awarded after the effective date of this chapter.

(d) *Covered employer.*

- A. The city is a "covered employer" in all of its operations and activities.
- B. A contractor is a "covered employer" if it enters into one or more city contracts where the annual value of payments under all such city contracts is (or is projected to be) more than twenty-five thousand dollars. A contractor is a covered employer from the beginning of the term of the city contract that caused the combined annual value of payments to exceed twenty-five thousand dollars and continues until the termination of all city contracts.
- C. A subcontractor is a "covered employer" beginning on the later of the following dates: (1) the beginning of the term of the subcontract; or (2) the date on which the subcontractor's associated contractor becomes a covered employer. A subcontractor ceases to be a covered employer on the earlier of the following dates: (1) the termination of the subcontract; or (2) the date on which the subcontractor's associated contractor ceases to be a covered employer.

(e) *Covered employee.*

- A. Employees of the city are covered employees for all hours they work for the city.
- B. Employees of covered employers are covered employees for all hours they perform work relating to a city contract.
- C. The only individuals who otherwise meet the standard of "covered employee" who are automatically exempted from the living wage are individuals in a youth or senior program, those working part-time at the Chelsea Public Library or those in a child care or summer food program for the Chelsea School Department. See definitions under subsection (h) below.

(f) *Living wage required.*

- A. Every covered employer must pay covered employees no less than a living wage for all hours worked as a covered employee. The living wage shall be twelve dollars and thirty cents (\$12.30) per hour upon implementation of this chapter. Each year thereafter, starting January 1, 2018, the amount of the living wage shall be upwardly adjusted to the higher of these three calculations: the increase, if any, for the period of the preceding November over the level as of November of the immediately preceding year in the "Consumer Price Index—All Urban Consumers" or its successor index as published by the U.S. Department of Labor or its successor agency; or the minimum wage required for a person working 2000 hours annually to earn enough to at least match the poverty level for a family of four as determined annually by the U.S. Dept. of Health & Human Services; or 110% of the state minimum wage.
- B. Beginning in 2018 and each year thereafter, the city shall publish a bulletin on or about February 1st announcing the adjusted living wage which shall take effect immediately upon publication. This bulletin shall be distributed to all city agencies and covered employers upon publication. Covered employers shall provide written notification of the rate adjustment to their covered employees, and to their affected contractors and subcontractors. In the event that the city fails to publish the adjusted living wage, it shall remain the obligation of each covered employer to calculate and begin paying the adjusted living wage effective no later than February 1st.

(g) *Retaliation prohibited.*

No covered employer shall discharge or take other adverse action against any person in retaliation for asserting any claim or right under this chapter, for assisting any other person in doing so or for informing any person about their rights.

(h) *Exemptions.*

Notwithstanding any other provisions in this chapter, the following exemptions shall apply:

- A. The following will be granted an automatic exemption from the requirements of this chapter:
 - 1. Any city, state or federally funded program which employs youth, as defined by city, state or federal guidelines, or as part of a school to work program or in other seasonal or related part-time program, including:
 - a. A bona fide training program,
 - b. An after school or summer or youth employment program, or
 - c. A bona fide work-study program, internship, fellowship, or other similar program, including the ROCA program;
 - 2. Any city, state or federally funded senior program which employs individuals sixty years of age or older in a community service employment program or other subsidized employment or training program;

3. The part-time employment program at the Chelsea public library which employs part-time individuals for the purpose of supporting the full-time staff and ensuring that there is adequate personnel to meet state-mandated hours of operation.
 4. The part-time program at the Chelsea Public Schools for child care assistants and for workers in the Summer Food Program.
- B. For any city contract, the city council may grant a partial or complete exemption from the requirements of this chapter for:
1. A not-for-profit organization providing human services pursuant to city contracts that demonstrates that it cannot reasonably afford to pay the living wage and provide health care to its covered employees based on payment rates under the city contract and other resources available to it;
 2. A specific exception where the City Manager represents that payment of the living wage by a covered employer will (a) substantially curtail the services provided by the covered employer, (b) have an adverse impact on the city, or (c) is not in the best interests of the city.
- C. The requirements of this chapter may be waived by the written terms of a bona fide collective bargaining agreement, provided that this chapter is expressly referenced in the agreement, and that the agreement sets forth in clear and unambiguous terms the desire of all parties to waive some or all of the requirements of this chapter. Unilateral implementation of the terms and conditions of employment by either party to a collective bargaining relationship shall not constitute a waiver of any of the requirements of this chapter.
- (i) *Monitoring of chapter.*
- A. Every covered employer shall agree to the payment of a living wage as a condition of entering into or renewing a city contract, shall agree to post a notice regarding the applicability of this chapter in every workplace in which covered employees are working and shall agree to provide payroll records or other documentation as deemed necessary within ten business days from the receipt of the city's request. All city contracts covered by this chapter shall provide that a violation of the living wage requirements of this chapter shall be a material breach of the city contract. The city or its designee shall monitor the compliance of each contractor under procedures developed and approved by the city administrator.
 - B. Each covered employer shall submit to the city information regarding the number of employees and applicable wage rates of its employees covered by this chapter in such manner as requested by the city or its designee. At the request of the city or its designee, any contractor shall provide satisfactory proof of compliance with the living wage provisions of this chapter.
 - C. Any person may submit a complaint or report of a violation of this chapter to the city. Upon receipt of such a complaint or report, the city or its designee shall investigate to determine if there has been a violation. The investigation shall be resolved within ninety days.
- (j) *Penalties and enforcement.*
- A. A violation of any provision of this chapter is a civil infraction punishable by a fine of not more than three hundred dollars plus all costs of the action. Any court of competent jurisdiction may issue and enforce any judgment, writ, or order necessary to enforce this chapter, including backpay to affected employees and other relief deemed appropriate.
 - B. Each day upon which a violation occurs shall constitute a separate violation.
 - C. In addition to enforcement under subsections A and B, the city shall have the right to modify, terminate, and/or seek specific performance of any city contract with a covered employer or to cancel, terminate or suspend the city contract in whole or in part.

D. Nothing contained in this chapter shall be construed to limit in any way the remedies, legal or equitable, which are available to the city or any other person for the correction of violations of this chapter.

(k) *Private actions for damages or injunctive relief.*

A. A covered employee who is denied payment of the applicable living wage in violation of this chapter may bring a civil action in any court of competent jurisdiction for appropriate injunctive relief or damages or both against the person(s) who acted in violation of this chapter. No employee or person shall bring a civil action alleging a violation of this chapter unless the employee or person has first provided a written allegation of the violation of this chapter to the city and the covered employer no less than ninety days prior to filing said civil action. After at least ninety days have passed after the written allegation has been provided, the employee or person shall be free to proceed with a civil action. Any civil action under this section must be brought within one year of the last date of the violation. The last date of the violation shall be determined by the last paycheck received by the employee or person that did not contain the living wage, or by the last occurrence of retaliation prohibited by subsection (g).

B. As used in subsection, "damages" means restitution of the difference between amounts actually paid and the living wage that should have been paid including interest, an additional equal amount as liquidated damages, and reasonable attorney fees and costs.

Private actions and remedies under this section shall be in addition to any actions for violations which the city may take.

The following orders were all introduced by Councilor Murphy. Councilor Avellaneda moved to adopt the orders by Roll Call. The roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

ORDERED, that the Chelsea City Council authorizes the transfer of \$2,570.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Treasurers – Salaries Account #0114551-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$451.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Personnel Department – Salaries Account #0115251-510200.

ORDERED, that the Chelsea City Council authorizes the transfer of \$900.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Management Information Systems Department – Unused Sick Leave Bonus Account #0115551-519100.

ORDERED, that the Chelsea City Council authorizes the transfer of \$80,000.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Fire Department – Overtime #0122051-510400.

ORDERED, that the Chelsea City Council authorizes the transfer of \$7,100.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Fire Department – Longevity Account #0122051-515600.

ORDERED, that the Chelsea City Council authorizes the transfer of \$9,819.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Fire Department – Other Fringe Account #0122051-515900.

ORDERED, that the Chelsea City Council authorizes the transfer of \$30,465.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Emergency Management Department – Overtime Account #0123051-510400.

ORDERED, that the Chelsea City Council authorizes the transfer of \$14,623.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Emergency Management Department – Holiday Account #0123051-515300.

ORDERED, that the Chelsea City Council authorizes the transfer of \$17,258.00 from the Salary Reserve Account #0199959-598000 to the FY 2017 Department of Public Works Snow Removal – Overtime Account #0142351-510400.

The following orders were all introduced by Councilor Murphy. Councilor Cortell moved to adopt by roll. The roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

Ordered , that the Chelsea City Council authorize the appropriation of \$16,000.00 from Free Cash to supplement the Fiscal Year 2017 Law Department – Legal Services Account 0115152-530100.

Ordered, that the Chelsea City Council authorize the appropriation of \$5,000.00 from Free Cash to supplement the Fiscal Year 2017 Personnel Department – Advertising Expense Account 0115252-522100.

ORDERED, that the Chelsea City Council authorize the appropriation of \$44,260.00 from Free Cash to the Fiscal Year 2017 Department of Public Works Streets and Sidewalks – Traffic Signals Account # 0142252-521400, to provide supplemental funds for streets and sidewalks operations.

ORDERED, that the Chelsea City Council authorize the appropriation of \$25,000.00 from Free Cash to the Fiscal Year 2017 Department of Public Works Streets and Sidewalks – Citywide Maintenance Account # 0142252-524600, to provide supplemental funds for streets and sidewalks operations.

ORDERED, that the Chelsea City Council authorize the appropriation of \$46,280.00 from Free Cash to the Fiscal Year 2017 Department of Public Works Snow Removal – Salt Account # 0142352-546300, to provide supplemental funds for snow operations.

ORDERED, that the Chelsea City Council authorize the appropriation of \$17,000.00 from Free Cash to the Fiscal Year 2017 Department of Public Works Buildings and

Grounds – Traffic Signals Account # 0147052-521200, to provide supplemental funds for buildings and grounds operations.

ORDERED, that the Chelsea City Council authorize the appropriation of \$66,200.00 from Free Cash to the Fiscal Year 2017 Department of Public Works Buildings and Grounds – Building Maintenance Account # 0147052-524100, to provide supplemental funds for buildings and grounds operations.

ORDERED, that the Chelsea City Council authorize the appropriation of \$13,155.00 from Free Cash to the Fiscal Year 2017 Judgements Account# 0194152-571200, Claims/Judgements.

ORDERED, that the Chelsea City Council authorize the appropriation of \$350,000.00 from Free Cash to the Fiscal Year 2017 Employee Benefits – City Health Insurance Account # 0191051-517100.

ORDERED, that the Chelsea City Council authorize the appropriation of \$275,000.00 from Free Cash to the Fiscal Year 2017 Employee Benefits – School Health Insurance Account # 02165274-517100.

The following Revolving Accounts were all introduced by Councilor Murphy. A motion from Councilor Garcia to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

**Authorization of a Revolving Account
For the School Department Non-Resident Student Tuition Revolving Fund**

WHEREAS, Section 71F of Chapter 71 of the General Laws authorizes cities and towns to accept and establish departmental revolving funds subject to certain budgetary restrictions; and

WHEREAS, the City of Chelsea School Committee adopted and implemented a tuition fee to be charged to other public school systems wishing to use the Chelsea Public Schools' special education programs and further voted to establish a Non-Resident Student Tuition revolving fund for the receipt and disbursement of said tuition and fees collected by Chelsea Public Schools.

THEREFORE, subject to the following conditions, the City Council hereby authorizes the establishment of a revolving fund for the School Department in accordance with the provisions of Section 71F of Chapter 71 of the General Laws, subject to the following conditions:

- 1) Only proceeds received by the City, pursuant to the provisions of M.G.L. c. 71 section 71F shall be credited to the fund;
- 2) Aggregate expenditures from the fund shall not exceed \$250,000 in a single fiscal year;
- 3) All proceeds received in a single year after the fund has reached a balance of \$250,000 shall be credited to the General Fund;

- 4) Expenditures from this fund shall be authorized by the School Committee or their designee and shall not exceed the available balance of the revolving fund;
- 5) Such funds shall be expended only for purposes directly associated provisions of M.G.L. c. 71 Section 71F;
- 6) No expenditure may be made from such revolving fund for the purposes of paying full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 7) The School Department shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E1/2 of Chapter 44 of the General Laws;
- 8) This revolving fund requires authorization for each ensuing fiscal year, and
- 9) This fund is hereby authorized until June 30, 2018.

**Authorization
Of the Chelsea Community Schools Revolving Account**

WHEREAS, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

WHEREAS, the Health and Human Services Department – Division of Culture and Recreation, Chelsea Community Schools Program of the City of Chelsea, collects and receives registration fees for classes and use of recreation and meeting facilities; and

WHEREAS, in prior fiscal years funds from this revolving account have been used to provide recreation and education for a wide range of Chelsea youth and adults; and

WHEREAS, such reimbursement funds were not used in calculating the tax levy for fiscal year 2017; and

THEREFORE, the Chelsea City Council hereby authorizes the establishment of a revolving fund (#4407) for the Chelsea Community Schools, under the provisions of Section 53E½ of Chapter 44 of the General Laws where no appropriation is needed, and subject to the following conditions:

- 1) Only money received by the Department of Health and Human Services in return for the registration fees for classes and use of recreation and meeting facilities shall be credited to the fund;
- 2) Such funds shall be expended only for part-time personnel, and operational and program expenses of the Chelsea Community Schools program;
- 3) Aggregate expenditures from the fund shall not exceed \$100,000 in a single fiscal year;
- 4) All money received after the fund has reached a balance of \$100,000 shall be credited to the General Fund;

- 5) Expenditures from this fund shall be authorized by the Director of Health and Human Services and shall not exceed the available balance of the revolving fund;
- 6) No expenditure may be made from such revolving funds for the purposes of paying any full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with or salaries so paid;
- 7) The Director of Health and Human Services shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws;
- 8) This revolving fund requires authorization for each ensuing fiscal year, and
- 9) This fund is hereby authorized until June 30, 2018.

**Authorization of a Revolving Account
For the Department of Inspectional Services for
The Enforcement of City Ordinances Section 6-1 and 18-2.**

WHEREAS, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

WHEREAS, the Department of Inspectional Services responds to vacant and unsafe buildings and administers the costs to make safe such conditions of Section 6-1 of the City of Chelsea's Ordinances and pursuant to State Building Code.

WHEREAS, the Department of Inspectional Services responds to nuisance properties and has to contract to maintain the properties pursuant to the State Sanitary Code and pursuant to State Building Code as stated in Section 18-2.

WHEREAS, the funds received under the provision of Section 6-1 and 18-2 are in fact reimbursements for costs for personnel expenditures and the costs to board up and clean and maintain the vacant and occupied unsafe properties; and

WHEREAS, such reimbursement funds were not used in calculating the tax levy;

THEREFORE, subject to the following conditions, the City Council hereby authorizes the establishment of a revolving fund (#4627) for the Department of Inspectional Services in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws where no appropriation is needed, and subject to the following conditions:

- 10) Only proceeds received by the City, pursuant to the provisions of Section 6-1 and 18-2 of the City of Chelsea's Ordinances shall be credited to the fund;
- 11) Aggregate expenditures from the fund shall not exceed \$30,000 in a single fiscal year;
- 12) All proceeds received in a single year after the fund has reached a balance of \$30,000 shall be credited to the General Fund;

- 13) Expenditures from this fund shall be authorized by the Director of Inspectional Services and shall not exceed the available balance of the revolving fund;
- 14) Such funds shall be expended only for purposes directly associated with the clean-up, board-up and operation of enforcing Section 6-1 and 18-2 of the City of Chelsea's Ordinances, and full or part-time personnel and vendors, and, with the written approval of the City Manager or his designee for related other purposes;
- 15) No expenditure may be made from such revolving fund for the purposes of paying full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 16) The Director of Inspectional Services shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws;
- 17) This revolving fund requires authorization for each ensuing fiscal year, and
- 18) This fund is hereby authorized until June 30, 2018

**Authorization
Of an Emergency Management Revolving Account**

Whereas, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

Whereas, the Emergency Management Department responds to hazardous material incidents and administers cost recovery for such incidents under Section 5 of Chapter 21E of the General Laws; and

Whereas, the funds received under the provision of Chapter 21E are in fact reimbursements for equipment and supplies consumed and personnel utilized at an incident site; and

Whereas, the establishment of an Emergency Management Department Revolving Fund for the purposes of receiving funds, reimbursing the appropriate departments and funding incident expenditures is fundamental to a financially self-supporting incident response system; and

Whereas, the technology for hazardous materials mitigation changes daily, and it is therefore increasing difficult to make long range predictions of what tools and equipment will be needed for future incidents; and

Whereas, in past years, this revolving account has been used to benefit the community including through the purchase of necessary fire fighting equipment; and

Whereas, such reimbursement funds were not used in calculating the tax levy;

Therefore, subject to the following conditions, the City Council hereby authorizes the establishment of a revolving fund (#4615) for the Emergency Management Department in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws, subject to the following conditions;

- 1) Only proceeds received by the City, pursuant to the provisions of Section 5 of Chapter 21E of the General Laws shall be credited to the fund;

- 2) Aggregate expenditures from the fund shall not exceed \$30,000 in a single fiscal year;
- 3) All proceeds received in a single year after the fund has reached a balance of \$30,000 shall be credited to the General Fund;
- 4) Expenditures from this fund shall be authorized by the Director of Emergency Management and shall not exceed the available balance of the revolving fund;
- 5) Such funds shall be expended only for purposes directly associated with the clean-up and operation of hazardous waste spills, including equipment, supplies, consultants, and full or part-time personnel, and with the written approval of the City Manager for related other purposes;
- 6) No expenditure may be made from such revolving fund for the purpose of paying any full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 7) The Emergency Management Director shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws;
- 8) This revolving fund requires authorization for each ensuing fiscal year, and
- 9) This fund is hereby authorized until June 30, 2018.

**Authorization
Of the Public Library Revolving Account**

WHEREAS, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

WHEREAS, the Public Library of the City of Chelsea collects and receives fees for the use of library meeting rooms, collects fines for overdue library materials, and collects fees for the use of the copying machine; and

WHEREAS, in prior fiscal years funds from this revolving account have been used to provide employment for a wide range of Chelsea youth; and

WHEREAS, such reimbursement funds were not used in calculating the tax levy; and

THEREFORE, the Chelsea City Council hereby authorizes the establishment of a revolving fund (#4201) for the Chelsea Public Library, under the provisions of Section 53E½ of Chapter 44 of the General Laws where no appropriation is needed, and subject to the following conditions:

- 10) Only money received by the Library Director in return for the use of the library meeting rooms, collected as fines for overdue library materials, or collected for the use of the copy machine shall be credited to the fund;
- 11) Such funds shall be expended only for part-time personnel, equipment, books, materials and other expenses of the Chelsea Public Library;

- 12) Aggregate expenditures from the fund shall not exceed \$20,000 in a single fiscal year;
- 13) All money received after the fund has reached a balance of \$20,000 shall be credited to the General Fund;
- 14) Expenditures from this fund shall be authorized by the Library Director, and shall not exceed the available balance of the revolving fund;
- 15) No expenditure may be made from such revolving funds for the purposes of paying any full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 16) The Library Director shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws;
- 17) This revolving fund requires authorization for each ensuing fiscal year, and
- 18) This fund is hereby authorized until June 30, 2018.

**Authorization of a Revolving Account
For Tax Title Foreclosure Properties for the
Department of Planning and Development**

WHEREAS, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental revolving funds subject to certain budgetary restrictions; and

WHEREAS, the Department of Planning and Development is the city department designated to manage and maintain properties obtained through the tax title foreclosure action; and

WHEREAS, rents and other revenues collected by the city during its ownership of the tax title foreclosed properties are reimbursements for legal, administrative, management, maintenance and capital expenditures and costs associated with the properties; and

WHEREAS, such funds were not used in calculating the tax levy; and

THEREFORE, subject to the following conditions, the City Council hereby authorizes the establishment of a revolving fund (#4631) for the Department of Planning and Development in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws where no appropriation is needed, subject to the following conditions:

- 19) Only rental and other receipts received by the City from tax title foreclosed properties shall be credited to the fund;
- 20) Aggregate expenditures from the fund shall not exceed \$100,000 in a single fiscal year;

- 21) All proceeds received in a single year after the fund has reached a balance of \$100,000 shall be credited to the General Fund;
- 22) Expenditures from this fund shall be authorized by the Director of Planning and Development and shall not exceed the available balance of the revolving fund;
- 23) Such funds shall be expended only for purposes directly associated with the tax title foreclosure process and the legal, management, maintenance, operation, capital improvements and demolition of these properties, and full or part-time personnel, and, with the written approval of the City Manager for related other purposes;
- 24) No expenditure may be made from such revolving fund for the purposes of paying full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;
- 25) The Director of Planning and Development shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Laws;
- 26) This revolving fund requires authorization for each ensuing fiscal year, and
- 27) This fund is hereby authorized until June 30, 2018.

**Authorization
Of Elder Affairs Revolving Fund**

WHEREAS, Section 53E½ of Chapter 44 of the General Laws authorizes cities and towns to establish departmental restrictions; and

THEREFORE, The Chelsea City Council hereby authorizes the establishment of a revolving fund (#3802) for the Elder Affairs Division, under the provisions of Section 53E½ of Chapter 44 of the General Laws where no appropriation is needed, subject to the following conditions:

- 1) All dues, fees, and payments received from participants in the various programs of the Senior Center since the conception of this revolving fund shall be deposited into the Elder Affairs Revolving Fund, and may be expended therefrom without further appropriation;
- 2) Expenditures for the Elder Affairs Revolving Fund may include the payment of salaries of full or part-time personnel related expenses for Senior Center instructional and recreational activities, including salaries of program instructors, caterers, rentals of facilities for parties and special events, and supplies related to instructional and recreational activities of the Senior Center, provided, however, that no funds from the Elder Affairs Revolving Fund may be expended for the regular operation expenses of the Senior Center, except upon approval of the City Manager;
- 3) No expenditure may be made from such revolving funds for the purposes of paying any full or part-time employee's wages or salaries unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid;

- 4) Expenditures from the Elder Affairs Revolving Fund shall be authorized by the Chelsea Council on Elder Affairs Executive Director, or delegate, and shall not exceed the available balance in the fund;
- 5) Total expenditures from the Elder Affairs Revolving Fund shall not exceed \$1,000 in a single fiscal year;
- 6) The Chelsea Council on Elder Affairs Executive Director shall provide a report including all receipts and expenditures of this fund to the City Manager on a quarterly basis and to the City Council on an annual basis in accordance with the provisions of Section 53E½ of Chapter 44 of the General Law;
- 7) This revolving fund requires authorization for each ensuing fiscal year, and
- 8) This fund is hereby authorized until June 30, 2018.

The following orders were introduced by Councilor Murphy. A motion from Councilor Garcia to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

ORDERED, that in accordance with M.G.L Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY'16 were not paid and are owed to the vendors, and to meet this obligation funds are required from the current year FY'17 budget, that Council authorizes the expenditure of \$270.00 from the City Clerk Department expenditure lines to satisfy the unpaid balance from the prior year.

ORDERED, that in accordance with M.G.L Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY'16 were not paid and are owed to the vendors, and to meet this obligation funds are required from the current year FY'17 budget, that Council authorizes the expenditure of \$7,784.00 from the Department of Public Works – Building and Grounds expenditure lines to satisfy the unpaid balance from the prior year.

ORDERED, that in accordance with M.G.L Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY'16 were not paid and are owed to the vendors, and to meet this obligation funds are required from the current year FY'17 budget, that Council authorizes the expenditure of \$3,035.00 from the Department of Public Works – Streets and Sidewalks expenditure lines to satisfy the unpaid balance from the prior year.

ORDERED, that in accordance with M.G.L Ch. 44, Section 64, budget management procedures, whereby costs incurred in FY'16 were not paid and are owed to the vendors, and to meet this obligation funds are required from the current year FY'17 budget, that Council authorizes the expenditure of \$888.00 from the School Department expenditure lines to satisfy the unpaid balance from the prior year.

The following Resolution was introduced by Councilor Robinson. A motion from Councilor Avellaneda to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

WHEREAS, The City owns parkland located at or about the corner of Beacon Street and High Street, known as the O'Neil Playground; and

WHEREAS, The renovation and refurbishment of the City's recreational facilities corresponds with the goals of Chelsea's 2010 *Open Space and Recreation Plan* and advances the public health, well-being, and quality of life of Chelsea residents; and

WHEREAS, O'Neil Playground is the sole playground situated in this neighborhood area and is vital recreational asset for City residents, yet has not been substantially renovated and remains in a condition that warrants refurbishment; and

WHEREAS, The Executive Office of Energy and Environmental Affairs (EOEAA) is offering reimbursable grants to City to support the preservation and restoration of urban parks thorough the Parkland Acquisitions and Renovations for Communities (PARC) Program (301 CME 5.00); and

WHEREAS, The City requests to apply for a PARC grant in the amount of \$400,000.00 for the renovation of the playground, including new play equipment, rubber safety surfacing, water feature, landscape elements, site furniture, and other playground amenities; and

WHEREAS, The renovation of this facility is projected to cost approximately \$570,000, and should the City receive the PARC grant, the grant will reimburse the City seventy percent, up to \$400,000, of the total project cost; and

WHEREAS, If awarded, the PARC grant reimburses the City for design and construction up to the amount of the grant, and the City is required by PARC grant guidelines to set aside the full amount of the project and certify that full funding, including the State share, is available for the project prior to reimbursement. Additionally the PARC grant requires the site be permanently dedicated to open space use, which it presently is;

NOW, THEREFORE BE IT

RESOLVED, by this vote, the Chelsea City Council affirms O'Neil Playground as protected open space in perpetuity under Article 97 of the Massachusetts Constitution, endorses and approves the grant application for the Massachusetts Parkland Acquisition and Renovations for Communities funds to be prepared by the Department of Planning and Development. If the City is awarded a PARC grant for the renovation of O'Neil Playground, the City Council endorses the project for the PARC funds prepared by the Department of Planning and Development, certifies the City Manager's authority to enter into an agreement for receipt of these funds, and directs the City Manager to take any and all action necessary to accomplish the project.

The following order was introduced by Councilor Murphy. A motion from Councilor Avellaneda to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

WHEREAS, the Commonwealth of Massachusetts makes available funds to reimburse 70% of total project cost up to a maximum of \$400,000 for the acquisition and/or development of local parkland under the Massachusetts Parkland Acquisition and Renovations for Communities (PARC) Grant (301 CMR 5.00); and

WHEREAS, the City's 2010 *Open Space and Recreation Plan Update*, the Administration and the Department of Planning and Development have identified open space goals and projects of interest and concern to the community, and recommend that the City apply for PARC funding to realize these specific goals; and

WHEREAS, the City has been awarded PARC Grant funds in the amount of \$400,000 to renovate Highland Park's basketball courts, playground, and seating areas, for which a design submission and public process was recently completed, and the

City has appropriated \$170,000 in matching funds (in the FY'17 CIP) for the PARC project; and

WHEREAS, Highland Park's parking lot warrants replacement, the introduction of new lighting fixtures and associated infrastructure, and the replacement of the perimeter irrigation system; and

WHEREAS, Highland Park's entryway and approach along Willow St. lack street lighting for pedestrians traveling to and from the park; and

WHEREAS, supplementary funds, in the amount of \$230,000 are necessary to absorb these additional, non-eligible grant costs,

ORDERED By this vote, the City Council endorses the project for the PARC funds prepared by the Department of Planning and Development, appropriates the amount of \$230,000 to be utilized for the project at the discretion and direction of the City Manager, and reaffirms that the City Manager shall take any and all action necessary to accomplish the project.

The following order was introduced by all members of the Chelsea City Council. A motion from Councilor Vidot to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

WHEREAS;

By Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 70 of the General Laws, all as amended, it is provided that the Chelsea City Council may take in fee an easement in the name of the City for any municipal purpose and land within the limits of the City not already appropriated for public use; and

WHEREAS;

The City's Administration has identified and recommended a parcel in Chelsea which is necessary to be acquired in order to promote and effectuate the City's long term economic development and affordable housing goals; and

WHEREAS;

The taking by eminent domain of the lands hereinafter described has been recommended by the City's Administration; and

WHEREAS;

There is funding available for the anticipated expense of acquisition as required by the aforesaid Sections of Chapters 40 and 43;

NOW THEREFORE, by virtue of and in the pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Chelsea by its Council does hereby take in fee and under land hereinafter described and all privileges and appurtenances

thereto belonging for the purposes and uses accessory thereto. Intending to take and hereby taking in fee an included within such description by whatsoever the same may be owned, vis:

The land in Chelsea, Suffolk County, Commonwealth of Massachusetts, known as 440-448 Broadway, City GIS Parcel 38-1, bounded and described as follows:

SOUTHEASTERLY	by Broadway, sixty and 90/100 (60.90) feet;
SOUTHWESTERLY	by land now or formerly of Sylvia A. Morrill, the line running in part through the middle of a party wall, seventy (70) feet;
NORTHEASTERLY	by a passageway, ten and 60/100 (10.60) feet;
SOUTHWESTERLY	by the end of said passageway and by land now or formerly of Frank A. Noyes, the line running in part through the middle of a party wall fifty and 81/100 (50.81) feet;
NORTHWESTERLY	by Cherry Street, seventy-five and 46/100 (75.46) feet;
NORTHEASTERLY	by land now or formerly of Charles W. Freeman, the line running through the middle of a party wall, fifth and 81/100 (50.81) feet;
SOUTHEASTERLY	by said Freeman Land, twenty-five and 16/100 (25.16) feet; and
NORTHEASTERLY	still by said Freeman Land, the line running in part through the middle of a party wall, seventy (70) feet.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by J. Lewis Carr, Civil Engineer, dated March 1915, as modified and approved by the Court, filed in the Land Registration Office as plan No. 5452-A, a copy of a portion of which with certificate of title No. 8049.

The above described land is subject to, and has the benefit of, the easements and party wall rights set forth in the following agreements; one between Sylvia A. Morrill and Marcus M. Merritt, dated August 15, 1912 and duly recorded in Book 3663 Page 112, affecting the wall adjoining said Morrill land; one between Frank A. Noyes and Benjamin L. Cohen dated January 21, 1915, and duly recorded in Book 3897 Page 313 affecting the wall adjoining said Noyes land; and one between Charles W. Freeman and the Chelsea Odd Fellows Hall Association dated December 28, 1908, and duly recorded in Book 3333 Page 530, affecting the wall adjoining said Freeman land, and receipt affecting said last mentioned wall filed and registered as Document No. 117875.

Being the same premises referred to in transfer certificate of Title No. 93074 recorded in Book 461 Page 74 of the Registered Land Division for Suffolk County.

Being the same premises referred to in transfer certificate Title No. 355785 and deed recorded in Book 00464 Page 112 of the Suffolk County Registry Land Court Division.

This parcel contains 8,097 sq. ft. The fair market value of said parcel has been appraised at One Million Three Hundred Forty Dollars (\$1,340,000).

NOW THEREFORE BE IT ORDERED:

The taking of fee of land along with all buildings and trees thereon herein described is duly authorized in accordance with General Laws, Chapter 40, Section 14, Chapter 43, Section 30 and Chapter 79, all as amended for This taking is made in fee simple, and, except as provided below, is made together with any and all easements and rights appurtenant thereto, including trees, buildings, and other structures standing upon or affixed thereto and including the interests of the supposed owners, if any, in all public streets, highways, and public ways within or adjacent to the Property.

Excepting from the rights taken are all easements for wires, pipes, conduits, poles and other appurtenances for the conveyance of water, sewerage, gas, oil, steam, electricity and telephone communication and other utilities now lawfully in or upon the Property.

AND BE IT FURTHER ORDERED that in accordance with the provisions of Massachusetts General Laws, Chapter 79, Section 6, as amended, an award is made by the City of Chelsea in an amount determined by appraisal in accordance with Chapter 79, Section 7A, plus taxes and interest legally owed for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in the Property and entitled to any damages by reason of the taking. The City of Chelsea reserves the right to amend the award at any time prior to payment for good cause shown.

AND BE IT FURTHER ORDERED that a representative(s) of the City of Chelsea shall cause this Order of Taking to be recorded in the Suffolk Deeds, in Boston, Massachusetts and filed with the Suffolk County Registry District of the Land Court, shall forward such notices of this taking to such persons entitled to receive notice by law, shall make payment of the damages sustained on account of this taking at such time and to such persons entitled thereto as is required by law, and shall notify the Treasurer and Collector of Taxes in the City of Chelsea of this taking in accordance with M.G.L. c. 79, s. 7F.

AND BE IT FURTHER ORDERED, that the City Manager and/or his designee, are further authorized: (i) to execute and deliver any notices, and other correspondence found to be necessary or convenient in connection with such acquisition; (ii) to take such actions as are necessary to affect such taking and/or are called for in the Order of Taking or other conveyance instrument to be executed in accordance with this vote, including, without limitation, recording and filing such instruments in the Suffolk County Registry of Deeds and the Suffolk County Registry District of the Land Court; (iii) to take such other actions related to the processing and notice of the taking as are required by law; and (iv) to make payments of the award to the owners and all other parties having any interest in the Property in accordance with state law.

The following order was introduced by Councilors Cortell and Avellaneda. Councilor Avellaneda moved to adopt under suspension and it was adopted.

ORDERED, That the City Manager contact representatives from Logan International Airport/Massport concerning a significant increase in flights and flight related noise over Chelsea and airport runway work that is reported to be the cause of both, with said inquiry followed by a communication to City Council that includes timetables for completion of any work related diversions, or other cause(s), and when and if residents can expect flight patterns to return to "normal".

The following order was introduced by Councilors Robinson and Lopez. A motion from Councilor Lopez to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

Be it ORDERED by the city Council of the City of Chelsea, as follows:

Pursuant to Section 6-153 of the City of Chelsea Ordinances, that the City Manager direct the Chelsea Police Department and*/or the Chelsea Inspectional Services Department to enforce the provisions relating to Motorized Scooters and other motorized vehicles parked on public ways and City sidewalks.

The following order was introduced by Councilor Robinson and Councilor Lopez. A motion from Councilor Lopez to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

ORDERED, That the City Manager is authorized to purchase a parcel of land identified as Parcel 67-127 on the City assessor maps and known as 241 Spencer Avenue consisting of a reported 5,200 square feet, and that the City Manager is authorized to execute any and all documents to acquire said parcel, for a municipal purpose.

The following order was introduced by Councilors Robinson and Lopez. A motion from Councilor Lopez to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHELSEA, AS FOLLOWS:

That Section 16-79 be revised as follows:

Insert the following sentence after paragraph two and before the violations as follows:

No person shall park or place a motorized skateboard, scooter or any other motorized recreational vehicle on sidewalk, in a park or playground or other property owned by the city except vehicles owned or operated on behalf of federal, state or municipal entities or vehicle used by handicapped persons or medical emergency vehicles.

The following appropriations were introduced by Councilor Murphy. A motion from Councilor Recupero to adopt by roll call passed 9-0-2-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Lopez, Robinson, Frank, and Garcia. Councilors Cortell and Murphy.

Ordered , that the Chelsea City Council authorize the appropriation of \$150,000.00 from Free Cash to supplement the FY'17 CIP City Hall Office Renovation Project - Building Improvements Account 55401705-583500.

Ordered , that the Chelsea City Council authorize the appropriation of \$ \$4,910.00 from Free Cash to supplement the Fiscal Year 2017 Health and Human Services Department – Elder Affairs Division – Elder Programs Account 0154152-535800.

Ordered, that the Chelsea City Council authorize the appropriation of \$50,000.00 from Free Cash to fund a NEW FY'17 CIP Bobcat Acquisition - Account #554017 expenditure series.

Ordered, that the Chelsea City Council authorize the appropriation of \$28,000.00 from Free Cash to supplement the Fiscal Year 2014 CIP Voke Park Project, Account #55161498-584550.

Ordered, that the Chelsea City Council authorize the appropriation of \$ \$4,000.00 from Free Cash to supplement the Fiscal Year 2017 Health and Human Services Department – Veterans Services Division - Capital – Equipment - Account 0154358-580000 series.

Ordered , that the Chelsea City Council authorize the appropriation of \$376,000.00 from the Sewer Enterprise Fund, Retained Earnings, Account #6000 to supplement the CIP FY'17 Webster Avenue Project - Account #55451721.

Ordered , that the Chelsea City Council authorize the appropriation of \$ 410,000.00 from the Water Enterprise Fund, Retained Earnings, Account #6010 to supplement the CIP FY'17 Revere Beach Parkway Project - Account #55451719.

ORDERED, that the Chelsea City Council authorize the appropriation of \$5,000,000.00 from Free Cash to the General Stabilization Fund #7020 - Transfers from General Fund - Account #70204-497100.

Ordered , that the Chelsea City Council authorize the appropriation of \$154,000.00 from the Sewer Enterprise Fund, Retained Earnings, Account #6000, and \$276,000 from the Water Enterprise Fund, Retained Earnings, Account #6010 to supplement the CIP FY'17 Everett Ave, Walnut Street, Third Street and Chestnut Street Project - Account #55451717-584000 series.

The following order was introduced by Councilor Murphy. A motion from Councilor Vidot to adopt by roll call passed 10-0-1-0. Voting yes were Councillors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank and Garcia. Councilor Murphy was absent.

Ordered , that the Chelsea City Council authorize the appropriation of \$2,000,000.00 from Stabilization Fund Account #7020 to the Clark Avenue Middle School Fund #5533 series.

Councilor Garcia moved to affirm the appointment of Mr. Juan P. Gallego to the Human Rights Commission by roll call. The roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

Councilor Garcia moved to affirm the appointments to the Boards and Commissions by roll call. The roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank and Garcia. Councilor Murphy was absent.

Mary-Loy Ireland Chairperson to the Board of Assessors.
Susana Carella Humans Rights Commission
Amy E. Fenton Humans Rights Commission
Mark C. Rossi, Humans Rights Commission
Marie Belen Power Humans Rights Commission
Rev. Sandra G. Whitley Humans Rights Commission
Dr. Utibe R. Essien Humans Rights Commission.

Mr. Brian K. Wagner Traffic & Parking

Ms. Beth Novak Library Board of Trustees

The following orders were introduced by Councilor Murphy. A motion from Councilor Tejada to adopt all of the orders by one roll call passed 9-0-2-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Lopez, Robinson, Frank, and Garcia. Councilors Cortell and Murphy were absent.

Ordered , that the Chelsea City Council authorize the appropriation of \$154,000.00 from the Sewer Enterprise Fund, Retained Earnings, Account #6000, and \$276,000 from the Water Enterprise Fund, Retained Earnings, Account #6010 to supplement the CIP FY'17 Everett Ave, Walnut Street, Third Street and Chestnut Street Project - Account #55451717-584000 series.

ORDERED, that the Chelsea City Council authorize the appropriation of \$5,000,000.00 from Free Cash to the General Stabilization Fund #7020 - Transfers from General Fund - Account #70204-497100.

Ordered , that the Chelsea City Council authorize the appropriation of \$ 410,000.00 from the Water Enterprise Fund, Retained Earnings, Account #6010 to supplement the CIP FY'17 Revere Beach Parkway Project - Account #55451719.

Ordered , that the Chelsea City Council authorize the appropriation of \$376,000.00 from the Sewer Enterprise Fund, Retained Earnings, Account #6000 to supplement the CIP FY'17 Webster Avenue Project - Account #55451721.

The following order was introduced by Councilor Robinson. A motion from Councilor Avellaneda to adopt by roll passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

WHEREAS, It is the express purpose of municipal zoning to promote the health, safety, and general welfare of the inhabitants of the City of Chelsea; and,

WHEREAS, A specific objective of the City of Chelsea's Zoning Ordinance states the need to encourage the most appropriate use of land throughout the City of Chelsea; and,

WHEREAS, The City Administration and the City Council wish to ensure that commercial and retail businesses are afforded opportunities to operate in the City;

WHEREAS, The City Administration and the City of Chelsea Planning Board has recommended after a public hearing, the adoption of the amendments to revision of the City of Chelsea Zoning Ordinance - Chapter 34 Article X – Definitions and Article XIII – Table of Principal Uses Regulations,

WHEREAS, the Chelsea City Council, after due notice, public hearing, and deliberation finds:

- 1) That the amendments to Article X – Definitions, Section 34-241 – Laundry Industrial and Article XIII – Table of Principal Uses Regulations advances legitimate aspects of public interest;
- 2) That it further promotes the health, safety, and general welfare of the inhabitants of the City of Chelsea; and

- 3) That it encourages the most appropriate use of land throughout the City of Chelsea;

NOW, THEREFORE, BE IT ORDAINED, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

That Chapter 34, Article X – Definitions Section 34-241 be amended by inserting the following new definition in the appropriate alphabetical order:

Laundry, industrial means a centralized contract facility that washes or dry cleans garments and articles or goods of fabric, including but not limited to, restaurant, hotel or institutional bed linens or uniforms, in bulk for other businesses.

And further amend that Article XIII, Table of Principal Use Regulations be amended by inserting the following at the end of Section D.

Industrial uses:

Principal Use	Districts													
	R1	R2	R3	BR	BR2	BH	B	SC	W	I	LI	LI2	NHR	NHC
Commercial or industrial laundry	N	N	N	N	N	N	N	N	N	SP	N	N	N	N

New Business:

The following order was introduced by Councilor Garcia. A motion from Councilor Garcia to adopt under suspension was adopted.

Ordered, that four signs in English and Spanish that say, “No Littering Please Remember: Respect Your Neighborhood” be placed at the Bellingham Hill park and Highland Street intersection.

The following order was introduced by Councilor Rodriguez. A motion from Councilor Rodriguez to adopt under suspension was adopted.

Ordered, that the City Manager instruct DPW to clean and maintain the John Ruiz Park on Washington Street more frequently from the months between spring and summer.

The following order was introduced by Councilor Robinson. A motion from Councilor Garcia to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Vidot, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilors Avellaneda and Murphy were absent.

AN ORDER TRANSFERRING PROCEEDS OF A BORROWING THAT ARE NO LONGER NEEDED TO COMPLETE THE PROJECT FOR WHICH THEY WERE ORIGINALLY BORROWED, TO PAY COSTS OF AN ALTERNATIVE CAPITAL PROJECT.

Ordered: That the sum of \$1,828,701.00, representing the unexpended portion of the \$2,242,270.00 raised under the Fiscal Year 2014 Capital Improvement Plan for the Everett Avenue District Improvement - Spruce-Beech-Carter Street Project 55401499-584500 but which is no longer needed to complete that project, is hereby

transferred in the amount of \$1,828,701.00 to the FY17 Everett Avenue District Improvement – Everett Avenue Carter to Revere Beach Parkway Project – Account 55401713-58000 series.

The following order was introduced by Councilor Murphy. A motion from Councilor Garcia moved to adopt the order by roll call. The roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

Be it ORDERED by the City Council of the City of Chelsea, as follows:

Pursuant to Section 3-5 of the City of Chelsea Ordinances, and pursuant to Chapter 44 sec 53A of the Massachusetts General Laws, the City Council hereby accepts the gift to the HHS – Division of Recreation and Cultural Affairs in the amount of \$130.00 from attendees of the Flying Squirrel Puppet Theatre, summer 2016.

The following order was introduced by Councilors Avellaneda, and Cortell. A motion from Councilor Cortell to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

Ordered, that the City Manager prepare for the City Council an authorization of funds to have a third party perform a comprehensive sound study as it relates to the noise from the airplanes passing over Chelsea from Boston Logan International Airport Said noise study shall place monitors under and around the flight paths over an appropriate time period to read the decibel levels and frequency of flights. The results should be compared to FAA guidelines for noise abatement requirements.

The following order was introduced by Councilor Frank. A motion from Councilor Frank to adopt by roll call passed 10-0-1-0. Voting yes were Councilors Vidot, Avellaneda, Tejada, Rodriguez, Recupero, Cortell, Lopez, Robinson, Frank, and Garcia. Councilor Murphy was absent.

WHEREAS, by Section 21 of chapter 82 of the Massachusetts General Laws, as amended, it is provided that the Chelsea City Council may alter, layout or discontinue a public way; and

WHEREAS, on May 7, 1894, the City accepted the portion of Spencer Avenue between Stockton Street and Eastern Avenue as a public way; and

WHEREAS, on April 9, 2015, the City Council, with recommendation by the Chelsea Parking and Traffic Commission determined and recommended that said parcel be discontinued as a roadway; and

WHEREAS, the Administration, and the Chelsea Parking and Traffic Commission after a Public Hearing recommend that said parcel should return as a public way;

NOW, THEREFORE, by virtue of and in pursuance of the authority by said Chapter of the Massachusetts General Laws and by every other power and authority to thereto enabling the City of Chelsea, by its City Council does hereby accept and layout as a public way, a parcel of land located between Eastern Avenue

and Stockton Street in Chelsea, Massachusetts, County of Suffolk, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the Northwesterly side line of Spencer Avenue, said point being the intersection with the Northwesterly side line of Stockton Street;
Thence running N40° 38' 46E along said Northwesterly side line of Spencer Avenue, a distance of 200.00 feet to a point;
Thence turning and running S33° 56' 47"E, a distance of 51.86 feet to a point on the Southeasterly side line of Spencer Avenue;
Thence turning and running along said Spencer Avenue S40° 38' 46"W, a distance of 186.26 feet to a point;
Thence turning and running N49° 18' 32"W, a distance of 50.00 feet to the point of beginning.
Containing an area of 9,656 square feet.

BE IT FURTHER ORDERED; the above described portion of Spencer Avenue, Chelsea, Massachusetts, is hereby accepted and laid out as a public as described herein is hereby authorized in accordance with General Laws, Chapter 82, Section 21, as amended.

The following order was introduced by Councilor All members of the City Council. A motion from Councilor Vidot to move the order to the Sub-Committee on Conference was adopted under suspension.

- WHEREAS,** M.G.L. Ch. 40Q Sec. 2 enables the creation of a "development district," for the public purpose of encouraging residential, commercial, and retail activity, that shall be comprised of one or more parcels, whether or not contiguous, provided that the total land area of the "development district" is not in excess of 25 percent of the City's total land area; and
- WHEREAS,** A "development program" shall be adopted for implementation in the "development district," either at the same or different time as adoption of the "development district;" and
- WHEREAS,** Within the "development district," the City may acquire, construct, reconstruct, improve, preserve, alter, extend, operate, maintain, or promote infrastructure and development that meets the City's downtown development objectives; and
- WHEREAS,** The City shall designate an existing Department of the City, under the auspices of the City Manager, to enter into contractual agreements with entities to administer the activities within the "development district" that advance the City's development objectives; and
- WHEREAS,** The City shall be permitted to receive from the federal government or Commonwealth grant funding to offset project costs within the "development district;" and
- WHEREAS,** The City can elect to purchase or acquire by eminent domain, pursuant to M.G.L. Ch. 79 or Ch. 80A, and pursuant to all preliminary requirements prescribed by law, property within the "development district" that the City deems necessary in order to carry out the "development program," providing that eminent domain

shall be authorized by an affirmative, two-thirds vote by the Chelsea City Council, as defined in M.G.L. Ch. 44 Sec. 1; and

- WHEREAS,** The City shall be permitted to improve acquired property, construct public facilities and ways, or contract for the construction, development, redevelopment, rehabilitation, alteration, or repair of such property and ways; and
- WHEREAS,** Public infrastructure improvements, including, but not limited to, the construction or rehabilitation of parks, playgrounds, sidewalks, streets, and utilities can be implemented within the "development district"; and
- WHEREAS,** The City's Broadway Corridor Action Plan (2013) and Slum and Blight Study (2014) have identified deficient infrastructure, substandard land and property, and comprehensive recommendations underpinned by the improvement of economic, physical, and social conditions downtown; and
- WHEREAS,** The City's 2017 Downtown Initiative requires flexible, innovative, and proactive tools and techniques to induce investment, enhance infrastructure and physical conditions, and implement actions and initiatives that further the City's objective of achieving a vibrant downtown;
- ORDERED** That the Chelsea City Council, acting pursuant to M.G.L. Ch. 40Q, hereby designates the downtown Broadway business corridor, as described and bounded on the affixed map and textual description ("Exhibit A"), as the Broadway Corridor Development District; designates the Department of Planning and Development as the administrator of the district, under the auspices of the City Manager; and authorizes the City Manager to carry out the implementation of the Broadway Corridor Development District through any actions stipulated by M.G.L. Ch. 40Q Sec. 2 that advance the City's development objectives for the district.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,



Paul G. Casino
Clerk of the Chelsea City Council