



City of Springfield

Regular Meeting

~ Draft ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Linda Fitzpatrick
413-787-6559

Monday, September 15, 2014

7:00 PM

Springfield City Hall -- Council Chambers

Call to Order

7:00 PM Meeting called to order on September 15, 2014 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Zaida Luna	Ward 1 Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Present	
Kenneth E. Shea	Ward 6 Councilor	Present	
Kateri B. Walsh	Vice President - At-Large Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Bud L. Williams	At-Large Councilor	Present	
Orlando Ramos	Ward 8 Councilor	Present	
Timothy J. Rooke	At-Large Councilor	Present	
Clodo Concepcion	Ward 5 Councilor	Present	
Justin Hurst	At Large Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Present	
Michael A. Fenton	President - Ward 2 Councilor	Present	

Moment of Silence - Pledge of Allegiance

I. Public Speakers

1. elizabeth O'Gilvie

DID NOT SPEAK

A. Rhonda Latney- MGM Casion

Ms. Latney spoke against the MGM Casino in Springfield.

II. Communications

2. Order (ID # 2761)

June Revenue Vs. Expenditure Report (Unaudited)

COMMENTS - Current Meeting:

Read and Patrick Burns, City Comptroller made presentation to the City Council relative to the period ending 6/30/2014 and the Report shows that the City ended the year with an un-audited \$5.2 million dollars surplus. Councilor Allen asked when DOR would certified the money as free cash an Mr. Burns said sometime in

November and the fund could be used as general revenue. Council received the Report by a unanimous voice vote and the Report was put on file for the Finance Committee to discussion.

ATTACHMENTS:

- June Revenue Vs. Expenditure Report (PDF)

RESULT: RECEIVE REPORT

3. Order (ID # 2762)

July Revenue Vs. Expenditure Report

COMMENTS - Current Meeting:

Read and Patrick Burns, City Comptroller made presentation to the City Council relative to the period ending 7/31/14 and the Report shows that the City had spent 12% of the yearly budget but was on track for the FY15. Council received the Report by a unanimous voice vote and the Report was put on file for the Finance Committee to discussion.

ATTACHMENTS:

- July Revenue Vs. Expenditure Report (PDF)

RESULT: RECEIVE REPORT

III. Reports**4. Informational (ID # 2767)**

Ripley Place - Order of Location for the Installation and Maintenance of Underground Utilities

Ripley Place
Ripley Place

COMMENTS - Current Meeting:

Read and the Council received the Report and Passed the Order by a unanimous voice vote.

ATTACHMENTS:

- CMA - Ripley Plan (PDF)

RESULT: RECEIVED THE REPORT-PASSED
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5. Informational (ID # 2768)

South Branch Parkway - Order of Location for the Installation and Maintenance of Underground Utilities

South Branch Parkway
South Branch Parkway

COMMENTS - Current Meeting:

Read and the Council received the Report and Passed the Order by a unanimous voice vote.

ATTACHMENTS:

- CMA South Branch Parkway - Plan (PDF)

RESULT: RECEIVED THE REPORT-PASSED**6. Informational (ID # 2769)**

Logan Street - Order of Location for the Installation and Maintenance of Underground Utilities

Logan Street
Logan Street

COMMENTS - Current Meeting:

Read and the Council received the Report and Passed the Order by a unanimous voice vote.

ATTACHMENTS:

- WMECO LOGAN PLAN (PDF)

RESULT: RECEIVED THE REPORT-PASSED**7. Informational (ID # 2770)**

St James Circle - Order of Location for the Installation and Maintenance of Underground Utilities

Saint James Circle
Saint James Circle

COMMENTS - Current Meeting:

Read and the Council received the Report and Passed the Order by a unanimous voice vote.

ATTACHMENTS:

- CMA - St James Circle Plan (PDF)

RESULT: RECEIVED THE REPORT-PASSED**8. Informational (ID # 2771)**

Hillman Street -Order of Location for the Installation and Maintenance of Underground Utilities

Hillman Street
Hillman Street

COMMENTS - Current Meeting:

Read and the Council received the Report and Passed the Order by a unanimous voice vote.

ATTACHMENTS:

- CMA - Hillman Plan (PDF)

RESULT: RECEIVED THE REPORT-PASSED**IV. Reports of Committees - NONE****V. Grants****9. Order (ID # 2772)**

Transfer of Unexpended Bond Proceeds from Chestnut Demolition Project

FINANCIAL IMPACT:

\$300,000.00

COMMENTS - Current Meeting:

Read the first time and Rule 19 suspended and an explanation was given by T J Plante, CAFO and Tina Quagliato of the Community Development Department stating that the transferring \$300,000 is from unexpended bond proceeds resulting from bid saving from the demolition of Chestnut Junior High School and the funds would be transferred to Chestnut Middle School Roof Project including the removal and repair of architectural medallions at the Middle School and read a second time and passed by the following roll call vote.

ATTACHMENTS:

- CAFO Certification Unexpended Bond Proceeds (DOCX)

RESULT:	ADOPTED [12 TO 1]
MOVER:	Timothy J. Rooke, At-Large Councilor
SECONDER:	Clodo Concepcion, Ward 5 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe
NAYS:	Michael A. Fenton

10. Order (ID # 2756)

MassCALL II- \$600,000.00

COMMENTS - Current Meeting:

Read and an explanation was given by Helen Caulton-Harris, Commissioner Health and Human Services that the grant was from Mass Department of Public Health, Bureau of Substance Abuse Services to conduct prevention service during the period July 1, 2014 through June 30, 2020 to prevent opioid related overdoses in the City and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Health MOAPC (PDF)

RESULT: PASSED BY VOICE VOTE**11. Order (ID # 2759)**

EPA Brownfield's Grant - \$400,000

COMMENTS - Current Meeting:

Read and an explanation was given by Samalid Hogan, Project Manager for the Office of Planning and Economic Development Department that the grant was from the US Environmental Protection Agency, "Brownfield's Grant" in the amount of \$400,000.00 to support the implementation of Springfield's Master Rebuild Plan in tornado affected areas. Councilors Allen, Edwards and Williams asked about whether the money could be used in other areas and Ms. Hogan said yes but the grant specifically mention the tornado affected areas and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Brownfields Grant (PDF)

RESULT: PASSED BY VOICE VOTE**12. Order (ID # 2753)**

Read / Write/ Now Grant - No Match Required \$212,525

COMMENTS - Current Meeting:

Read and an explanation was given by Molly Fogarty, Director of the Library Department that the grant was from Mass Department of Elementary and Secondary Education in the amount of \$212,525.00 to support the adult literacy education to teach adults how to read and write and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Read - Write - Now (PDF)
- Grant Set-Up Form RWN (DOC)

RESULT: PASSED BY VOICE VOTE**13. Order (ID # 2754)**

Mass in Motion - No Match Required \$165,000

COMMENTS - Current Meeting:

Read and an explanation was given by Helen Caulton-Harris, Commissioner Health and Human Services that the grant was from the Mass Department of Public Health, Bureau of Community Health and Prevention in amount of \$165,000 during the period October 1, 2014 through June 30, 2017 to improve policy, systems, and environmental conditions that impact the health of the citizens of the City and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Mass in Motion (PDF)

RESULT: PASSED BY VOICE VOTE**14. Order (ID # 2750)**

Byrne JAG Grant - \$159,149 - No Match

COMMENTS - Current Meeting:

Read and an explanation was given by Sgt. Brian Elliott, Grant Manager for the Police Department that the grant was from Department of Justice "Edward Byrne Memorial Justice Assistance Grant" in the amount of \$159,149.00 to support a broad range of activities to prevent and control crime and to fund equipment and technology upgrades and replacement equipment and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- JAG grant - PD (PDF)
- JAG grant set up form (PDF)

RESULT: PASSED BY VOICE VOTE**15. Order (ID # 2748)**

Library Trust Income \$134,413.00

COMMENTS - Current Meeting:

Read and an explanation was given by Molly Fogarty, Director of the Library Department that the grant was from Springfield Library Foundation in the amount of \$134,413.00 acting on the wishes of the Anne Curran Trust in support of the FY15 Mason Square Library operating expenses. Councilor Williams said that he would like to have a meeting to discuss the Anne Curran Trust and Ms. Fogarty said would be available at any time and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Library Trust Income (PDF)

RESULT: PASSED BY VOICE VOTE**16. Order (ID # 2755)**

Health Services for the Homeless Increase - \$24,212.00

COMMENTS - Current Meeting:

Read and the Council accepted a grant in the amount of \$24,212.00 from US Department of Health and Human Services, Health Resources and Services Administration for the Department of Health and Human Services for the period 8/8/2014 through 10/31/2014 to be used in connection with services to the homeless through advocacy, accessibility, and cultural sensitivity provides medical, mental health, dental and case management to the homeless population in Berkshire, Hampshire and Hampden counties and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Healthservices for Homeless (PDF)

RESULT: PASSED BY VOICE VOTE**17. Order (ID # 2749)**

Literacy Volunteers Project - \$10,000.00

COMMENTS - Current Meeting:

Read and the Council accepted the grant was from the Albert Steiger Memorial Fund at the Community Foundation of Western Mass on behalf of the Library Department in the amount of \$10,000.00 to offer individualized instruction in English as a second language or basic literacy and the Order passed by a unanimous voice vote.

ATTACHMENTS:

- Literacy Volunteer Grant (PDF)

RESULT: PASSED BY VOICE VOTE

18. Order (ID # 2746)

Fire Donation - \$2,304.08

COMMENTS - Current Meeting:

Read and the Council accepted the donation in the amount of \$2,304.08 from Greater Springfield Credit Union for the Fire Department to be used to provide equipment, material and other items as determined by the Fire Commissioner and the Order passed by a unanimous voice vote without debate.

ATTACHMENTS:

- Fire donation SCU (PDF)

RESULT: PASSED BY VOICE VOTE

19. Order (ID # 2758)

Local Public Health Mini-Grant - No Match - \$500.00

COMMENTS - Current Meeting:

Read and the Council accepted the grant in the amount of \$500 from Mass Department of Public Health funded by the Mass Association of Health Boards for the period September 30, 2014 through December 31, 2014 for the Health and Human Services Department to be used to assist the City in support of a wide range of projects and training that help strengthen local capacity to meet public health needs and the Order passed by a unanimous voice vote without debate.

ATTACHMENTS:

- Health Mini Grant (PDF)

RESULT: PASSED BY VOICE VOTE

20. Order (ID # 2747)

Fire Donation - \$100.00

COMMENTS - Current Meeting:

Read and the Council accepted the donation in the amount of \$100 from G & G

Living Centers, Inc. for the Fire Department to be used in the memory of Norman Fontaine and other great Fire Fighters or as needed by the Fire Commissioner and the Order passed by a unanimous voice vote without debate.

ATTACHMENTS:

- G&G Donation (PDF)

RESULT: PASSED BY VOICE VOTE

VI. General Business

(21.) (ID # 2711) Ordinance - Rental Registration

Chapter 236 Rental Registration

ORD. NO. ____236

AN ORDINANCE (A LOCAL LAW) TO AMEND the Code of the City of Springfield, to include chapter 236.

Be it ordained (enacted) by the Council of the City of Springfield, as follows:

1. Purpose and Intent.

- A. It is the purpose of this ordinance to create a single-point uniform system for the registration of single-family rental properties and multi-family rental properties; and to protect the public health, safety and general welfare of the people of the city in occupied dwellings by recognizing that the offering for rental of dwelling units is a business and by classifying and regulating such business, the effect of which shall promote the following:
1. To protect the character and stability of residential areas;
 2. To correct and prevent housing conditions that adversely affect or are likely to adversely affect the life, safety, general welfare and health, including the physical, mental and social well-being of persons occupying dwellings;
 3. To enforce minimum standards for the maintenance of existing residential buildings, and to thus prevent slums and blight;
 4. To preserve the value of land and buildings throughout the city;
 5. To protect the public from increased criminal activity which tends to occur in residential areas which are unstable due to dwellings which are blighted or are substandard.
- B. It is not the intention of the city to interfere with contractual relationships between tenant and landlord. The city does not intend to intervene as an advocate for either party, or act as arbiter, nor be receptive to unsubstantiated complaints from tenants or landlords which are not specifically and clearly related to the provisions of this chapter.

2. Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. Accessory living quarters. Living quarters within an accessory building, which may not have kitchen facilities.

B. Building. Any structure having enclosed space and a roof for the housing or enclosure of persons, animals or chattels. The word "building" includes the word "structure."

C. Code. Ordinances of the city of Springfield that relate to fitness for habitation, construction, property maintenance, nuisances, occupancy, zoning, and use of any rental residential dwelling unit.

D. Code Official. Includes the code enforcement commissioner, deputy building inspector(s), code enforcement officers, fire marshal, fire inspector, and police officers.

E. Dwelling, assisted care. A building, or portion thereof, and consisting of five or more bedrooms, used for residential occupancy by a group. The dwelling is characterized by tenants with separate bedrooms for sleeping and that there are shared common areas for reception, recreation, living, cooking, laundry and the like. The unit is further signified by the presence of an employee(s) that provide various services such as housekeeping, maintenance, cooking, security, personal care, and transportation.

F. Dwelling, multiple. A building, or portion thereof, used for occupancy by three or more families living independently of each other and used for rental residential occupancy.

G. Dwelling, one-family. A building used for residential occupancy by one family.

H. RENTAL UNIT(S). A building, or portion thereof, used primarily rented or operated for compensation, and allowing occupancy by one or more persons for 30 or more consecutive days, including one-family and multiple dwellings, but not including hotels or motels. Rental units shall not include dormitories, owner-occupied two-family units, health-care facilities, or units designated specifically for the care of the sick, aged, disabled or convalescent.

I. Dwelling, two-family. A building, or portion thereof, used for occupancy by two families living independently of each other, and at least one of which is used for rental residential occupancy.

J. Dwelling unit. A dwelling, or portion of a dwelling, used by one family for cooking, living and sleeping purposes.

K. Effective date. The effective date shall be January 1, 2008.

L. Hotel or motel. A building, or portion thereof, or group of buildings in which lodging is customarily provided and offered to the public for compensation and which is open to transient guests on a daily basis, in contradistinction to a lodging house.

M. Landlord. The owner of a rental residential dwelling unit who offers residential property and its dwelling units, not occupied by the owner, to other persons not related by blood or marriage for some form of compensation through rental payments, lease payments, or some other similar contractual arrangement.

N. Lodging house. A building with more than two but not more than ten guest rooms where lodging with or without meals is provided for compensation.

P. Nursing home. An establishment which provides full-time convalescent or chronic care, or both, for four or more individuals who are not related by blood or marriage to the operator, and who, by reason of chronic illness or infirmity, are unable to care for themselves; excepting, however, establishments that predominately provide for care for the acutely ill or surgical or obstetrical services. A convalescent home and rest home are included in this definition. A hospital or sanitarium shall not be construed to be included in this definition.

Q. Person. Includes a firm, association, organization, partnership, trust, company or corporation as well as an agent, and an individual.

R. Tenant. A tenant, includes a person(s) under a rental agreement to occupy a dwelling unit for the purpose of residential occupancy. This includes a person(s) occupying a residential property by making rent or lease payments, or other similar agreements where the tenant does not have an equitable interest in the real property.

S. Tourist home. A building in which more than one but not more than five guest rooms are used to provide or offer overnight accommodations for transient guests for compensation. A bed and breakfast establishment is included in this definition.

3. Enforcement.

The code enforcement commissioner shall be responsible for the administration and enforcement of the provisions of this section.

5. Applicability and Exceptions.

A. The provisions of this chapter shall apply to the rental or leasing of rental dwelling units, and rental dwellings which contain such units, including one- and two-family rental residential dwelling units, multiple dwelling units, accessory living quarters, and lodging houses.

B. The provision of this chapter shall not apply to hotels and motels, nursing homes, or assisted care dwelling units, residential care facilities, Hospitals and Sanitariums.

C. The provision of this chapter shall not apply to rental units owned or operated by Federal, State, or City Government.

6. Registration

All owners of private residential rental housing units ("Owners"), in the City of Springfield shall register no later than July 1st of each year with the Department of Code Enforcement ("Department") identifying the property by street address and the number of units that they own at each address. An owner of a rental unit, who does not reside within the subject dwelling, shall post and maintain or cause to be posted and maintained on such dwelling adjacent to the mailboxes for such dwelling or elsewhere in the interior of such dwelling in a location visible to the residents a notice constructed of durable material, not less than twenty (20) square inches in size, bearing her/his name, address and telephone number. If the owner is a realty trust or partnership, the name, address and telephone number of the managing trustee or partner shall be posted. If the owner is a corporation, the name, address and telephone number of the president of the corporation shall be posted. Where the owner employs a manager or agent who does not reside in such dwelling, such manager or agent's name, address and telephone number shall also be included in the notice. P.O. boxes do not satisfy the address requirement of this section. All owners must register each rental unit every 4 years with the Department, and must attest to and affirm that they are familiar with their obligations to comply with this section, the State Sanitary Code (105 CMR 410), the State Building Code (780 CMR), the City of Springfield Zoning Ordinance, Federal, State and Local fair housing regulations, and all other regulations applicable to residential dwellings, and that they intend to comply with said regulations, by signing a form provided by and approved by the Building Commissioner. An owner owning multiple units in the same building may submit one form representing all said units. Any owner residing outside of the Commonwealth of Massachusetts must designate a Springfield based resident agent authorized to accept service on the owner's behalf. All rental unit registrations shall be recorded in an electronic database of all owners for an initial fee of twenty-five dollars (\$25.00), and annual renewal fees of fifteen dollars (\$15.00) for each rental unit. The Commissioner shall work to employ technology to the extent possible in order to optimize the fairness and effectiveness of the registration process.

7. Inspections.

A. Inspections of rental dwelling units shall be conducted by code officials and shall take place as follows:

1. Upon registration under section 12.20.060

2. Upon receipt of a complaint by a tenant or owner of a neighboring property that the rental dwelling unit or rental dwelling is substandard, hazardous or unfit for

habitation if in the reasonable discretion of the code official, probable cause exists that the complaint is founded in fact and an inspection warranted.

8. Fees.

There shall be a **fee of \$10.00 per unit** for the initial inspection, or for the first follow-up inspection relating thereto. In the event of any further follow-up inspection, a fee of fifteen (\$15.00) per inspection shall be paid to the code enforcement department.\

9. Remedies in this chapter not exclusive.

The remedies provided in this chapter are not exclusive. The remedies are in addition to, and do not supersede or preempt, other remedies such as condemnation, written violation orders and warnings, criminal charges for violation of substantive provisions of any city or state sanitary code relating to housing maintenance, fire safety, building codes, zoning, health, and the like. The remedies in this chapter do not supersede or affect the legal rights and remedies of tenants provided under state law or this chapter. Where two or more provisions conflict with one another, the more stringent shall apply.

10. New construction.

The requirement of a inspection fee shall not apply to any building for which a certificate of occupancy has been issued by the city until five (5) years after the issuance of such certificate of occupancy.

11. Enforcement by injunction.

Any rental that is failed to comply with the provisions of section 6 will be assessed a fine of \$300 per month for each month that the rental unit has not been noncompliant.

12. Enforcement by injunction.

The landlord's failure, refusal or neglect to comply with any of the provisions of this section may, in addition to any other remedy provided herein or in place thereof, be restrained, prohibited or enjoined by an appropriate proceeding instituted in a court of competent jurisdiction.

13. Chronic Offender Point System.

Residential rental property owners who fail to register or who repeatedly fail to comply with notices of violations, or warnings of non-compliance, or municipal fines, shall be assessed points based on the following schedule at the time of registration or at the time the violation is found (property owners cannot be assessed points under more than one of the following sections for the same violation):

- 1) Inclusion on Problem Property list, (2 points)
- 2) Failure to comply with a notice of violation under the state sanitary code (105 CMR 400 & 401) the state building code (780 CMR), or Springfield zoning code, within the time frame provided, (1 point)
- 3) Failure to make a good faith effort to correct emergency violations after 2 inspections (2 points).
- 4) Failure to register and/or complete the inspection requirements (1 point).

Upon being assessed with points in excess of the amount allowed, as described in table #1 below, the Commissioner shall notify owners of their classification as a "chronic offender" by mail, return receipt requested. The Commissioner shall notify owners of each point assessed by mail,

return receipt requested. The owner shall have 14 days to request a hearing to contest each point assessment or their classification as a chronic offender. Chronic offenders are subject to fines of \$300, or the maximum allowed, for each subsequent point received in a 12 month rolling, and may also be subject to court prosecution under the applicable codes and regulations. Chronic offenders shall be required to request an inspection of each rental unit once every (3) three years, and it shall be mandatory that the Commissioner conduct said (3) three year inspection. Chronic offenders with less than 2 points in a rolling 12 month period shall have the chronic offenders classification removed on the last day of the 12 months following their classification.

# Rental Units owned	Point Threshold in a 12 Month period	Point Threshold in a 16 Month period
1 to 50 units	6	10
51 to 500 units	10	16
501 or more units	14	24

14. Severability.

If any section, subsection, or clause of this chapter shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

Approved as to form:

Anthony I. Wilson
Assistant City Solicitor

RESULT: REFERRED TO COMMITTEE

Next: 10/6/2014 7:00 PM

COMMENTS - Current Meeting:

Read and Councilor Shea said there will be a sub committee meeting on Wednesday, September 17, 2014 and asked that the item be tabled until after that meeting and was seconded by Councilor Edwards and said item was tabled until October 6, 2014 by a unanimous voice vote.

ATTACHMENTS:

- An_Analysis_of_Rental_Property_Registration_in_Austin (PDF)

22. **Order (ID # 2763)**

Order Approving Appointment of Mr. Yong Ju No as Director of Internal Audit

COMMENTS - Current Meeting:

Read and an explanation was given by T J Plante, CAFO and Yong Ju No the proposed Director of Internal Audit stating that Mr. No had 22 years of experience as an accountant and CPA and was born in Korea and moved to Springfield at the age of 5 and now living in Longmeadow but has put his house on the market and expects to move into the City within

6 months. Councilor Williams asked what happens if he does not move into the City within 1 year and Mr. Plante said that the Mayor has indicated that no waive will be granted. Councilor Williams also expressed some concerns about the Council not having a traditions auditor to give the Council its own look at the books on the Council's behalf. Councilor Rooke said he had some questions about the process and asked that the matter go the Committee for a short time to review the process and get additional information was seconded by Councilor Williams but said motion to Committee failed on a majority voice vote with Councilor Rooke voting yes. The Order confirming Mr. No then passed by the following roll call vote.

ATTACHMENTS:

- Exhibit A, Resume of Mr. Yong Ju No (PDF)

RESULT:	ADOPTED [12 TO 1]
MOVER:	Kateri B. Walsh, Vice President - At-Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Concepcion, Hurst, Ashe, Fenton
NAYS:	Timothy J. Rooke

Motion To: A. Motion to Committee

COMMENTS - Current Meeting:

Councilor Rooke said he had some questions about the process and asked that the matter go the Committee for a short time to review the process and get additional information and was seconded by Councilor Williams but said motion to Committee failed on a majority voice vote with Councilor Rooke voting yes.

RESULT:	DEFEATED VOICE
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(23.) (ID # 2650) Ordinance Ethics Amendment - 2Nd Step

AN ORDINANCE TO AMEND the Code of the City of Springfield, Section 2 of Chapter 38 thereof, entitled Definitions, by amending the following sections:

1. Be it ordained by the Council of the City of Springfield, that the paragraph "Municipal Agent" in Section 2 of Chapter 38 shall be deleted and replaced as follows:

A firm, company, partnership or person who for monetary compensation or its equivalent does any act to influence the decision of any covered City official where such decision concerns permitting, or the amendment, adoption, defeat, postponement or enforcement related thereto, legislation or the adoption, defeat or postponement of a standard, rate, rule, enforcement or regulation pursuant thereto, or any act to communicate directly with a covered City official to influence a decision concerning policy or procurement, or a firm, company or partnership which employs individuals for such purposes. The term "municipal agent" shall include a person who, as part of his/her regular and usual business or professional activities and not simply incidental thereto, attempts to influence any such decision, whether or not any compensation in addition to the salary for such activities is received for such services; provided, however, that for the purposes of this definition a person shall be presumed to engage in activity covered by this

definition in a manner that is simply incidental to his/her regular and usual business or professional activities if he/she engages in any activity or activities covered by this definition for not more than 25 hours during any reporting period or receives less than \$5,000 during any reporting period for any activity or activities covered by this definition, or a firm, company or partnership who employs individuals for such purposes. For purposes of this definition, "reporting period" shall mean the six-month periods from January 1 through June 30 and July 1 through December 31.

2. Be it ordained by the Council of the City of Springfield, that the paragraph "Municipal Agent" in Section 15(E) of Chapter 38 shall be deleted and replaced as follows:

The City Clerk shall assess each lobbyist entity an annual filing fee of \$250 to register the entity on the docket. The City Clerk shall assess each municipal agent an annual filing fee of \$100 upon entering the agent's name on the docket. The City Clerk may, in his/her discretion and upon written request, waive the filing fees for a not-for-profit client or a lobbyist entity which registers to exclusively represent not-for-profit clients

RESULT:	SECOND STEP	Next: 10/6/2014 7:00 PM
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COMMENTS - Current Meeting:

Read for 1st time on June 2, 2014 and explanation with given by Councilor Edwards that he offering 2 amendments to the current Ethics Ordinance (Chapter 38) by reducing total number of hours to qualify as a lobbyist from 50 to 25 hours and the amount of income from \$10,000 to \$5,000 and to reduce the annual fee for a lobbyist from \$500 to \$250 in hopes that all lobbyists and municipal agents would comply with the City Ordinance registration requirements. Councilors Williams and Walsh questioned the need to reduce the amount and hours and "if it ain't broken don't fix it." Councilor Shea asked if attorney are covered by the Ordinance and Anthony Wilson, Associate City Solicitor and City Clerk Lee said attorney are not required to registered if they are representing their client and Councilor Edwards made a motion to refer to committee and was seconded by Councilor Walsh and was referred to the General Government Committee by a unanimous voice vote.

Read for the second time on June 16, 2014 and referred back to General Government Committee because Councilor Edwards was absent on a motion by Councilor Williams and seconded by Councilor Walsh by a majority voice vote with Councilors Twiggs and Edwards absent.

Read for the second time on September 15, 2014 and explanation was given by Councilor Edwards and passed 2nd step and was referred to the Committee on Enrollment by a unanimous voice vote

24. Order (ID # 2765)

Order of Taking of South Side Union Street for Municipal and Educational Purposes

FINANCIAL IMPACT:

Damages of \$10,000 are awarded for the eminent domain taking of this property. The School Department is paying the damages using funds appropriated to the School Department in the FY 2015 budget. The property will be used for the Milton Bradley Elementary School.

COMMENTS - Current Meeting:

Read and an explanation was given by T J Plante, CAFO and Kathy Breck, Deputy City Solicitor stating that the Order of Taking id for property known as South Side Union Street formerly 253-257 Union Street for municipal purposes including educational purposes in the amount of \$10,000.00 to be used a playscape for Milton Bradley Elementary School and damages is to be paid by the School Department to Croft Investment Limited Partnership the owner and the Order passed by the following roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Zaida Luna, Ward 1 Councilor
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

25. Order (ID # 2757)

Bills of a Prior Year - Various Depts - \$28,470.48

COMMENTS - Current Meeting:

Read and an explanation was given by Steve Lonergan, Treasurer/Collector stating that the bills are for various departments and vendors that were not paid prior to the close of FY14 in the amount of \$28,470.48 and he is requesting authority to pay the bills out of FY15 funds and the Order passed by passed by the following roll call vote.

ATTACHMENTS:

- Schedule One (DOCX)
- CAFO Certification BOPY (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Rooke, At-Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

26. Order (ID # 2760)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Mill St. (08675-0079) to Maria V. Rosario and Josefa Rosario Rivera

COMMENTS - Current Meeting:

Read and an explanation was given by Tina Quagliato, Community Development, Amber Gould, Office of Housing and Melvyn Altman, Associate City Solicitor that the property was being transferred to Maria V. Rosario and Josefa Rosario Rivera as an abutter to add to their property and as open space, accessory use and/or parking and was sold for \$613.20 dollars and the Order passed by the following roll call vote.

ATTACHMENTS:

- Deed NS Mill St. (Par.79) (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Bud L. Williams, At-Large Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

27. Order (ID # 2764)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Bay St. (01085-0059) to Edward L. O'Gilvie

COMMENTS - Current Meeting:

Read and an explanation was given by Tina Quagliato, Community Development, Amber Gould, Office of Housing and Melvyn Altman, Associate City Solicitor that the property was being transferred to Edward L. O'Gilvie as an abutter to add to their property and as open space, a community garden and/or side yard and was sold for \$831.90 dollars and the Order passed by the following roll call vote.

ATTACHMENTS:

- Deed NS Bay St. (Par.59) (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	E. Henry Twiggs, Ward 4 Councilor
SECONDER:	Melvin A. Edwards, Ward 3 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

28. Order (ID # 2766)

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of WS Orleans St. (09362-0023) to Jerome O. Isaac

COMMENTS - Current Meeting:

Read and an explanation was given by Tina Quagliato, Community Development, Amber Gould, Office of Housing and Melvyn Altman, Associate City Solicitor that the property was being transferred to Jerome O. Isaac as an abutter to add to their property as open space, accessory use and/or parking and was sold for \$342.90 dollars and the Order passed by the following roll call vote.

ATTACHMENTS:

- Deed WS Orleans St. (Par.23) (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

VII. Suspension of Rules - NONE



City of Springfield

ADOPTED

2.2

Meeting: 09/15/14 07:00 PM

Initiator: Pat Burns

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2761

June Revenue Vs. Expenditure Report (Unaudited) (Mayor Sarno)

RESULT: RECEIVE REPORT

Statement of Revenues and Other Sources,
and Expenditures and Other Uses
Budget and Actual - General Fund

For the period ended
06/30/14

Revenues and Other Sources:	Revised Budget	Actual	Variance Over/(Under)	%
Real Estate & Personal Property Taxes	\$ 172,956,973	\$ 166,794,792	\$ (6,162,181)	96%
Real Estate & Personal Property Taxes - Tax Liens	-	2,870,817	2,870,817	0%
Allowance for Abatements and Exemptions	(6,311,481)	(5,556,859)	754,622	88%
Motor Vehicle Excise	8,800,000	9,687,138	887,138	110%
Penalties, interest and other taxes	5,054,500	5,152,195	97,695	102%
Charges for Services	13,549,000	13,475,770	(73,230)	99%
Intergovernmental (a.)	338,720,957	338,852,658	131,701	100%
MSBA Payments	15,987,228	15,753,302	(233,926)	99%
Licenses and Permits	4,635,740	5,165,369	529,629	111%
Fines and Forfeits	339,250	430,221	90,971	127%
Interest earned on Investments	1,185,179	1,365,815	180,636	115%
Miscellaneous	5,368,818	6,377,051	1,008,233	119%
FY 2013 Net School Spending Shortfall (b.)	27,374,666	27,374,666	-	100%
Stabilization Reserves	7,350,000	7,350,000	-	100%
Other Financing Sources	4,295,020	4,531,859	236,839	106%
Total Revenues and Other Sources	599,305,850	599,624,792	318,942	100%

Expenditures and Other Uses:

General government	20,325,838	18,952,464	1,373,374	93%
Public safety				
Police	37,276,603	36,964,313	312,290	99%
Fire	19,486,362	18,902,373	583,989	97%
Centralized Dispatch	1,738,594	1,601,417	137,177	92%
Other	3,376,166	3,271,701	104,466	97%
Health and Welfare	5,157,721	4,774,308	383,413	93%
Public works	10,604,988	10,469,177	135,811	99%
Education	385,243,389	385,133,545	109,844	100%
Culture and recreation	11,684,702	11,518,744	165,958	99%
Pension and fringe	52,211,269	51,404,980	806,289	98%
State and district assessments	3,245,637	3,219,037	26,600	99%
Debt Service	40,759,110	39,985,466	773,644	98%
Pay as you go Capital	1,534,037	1,532,188	1,849	100%
Other Financing Use - Police Capital	1,500,000	1,500,000	-	100%
Other Financing Use - Park Capital	50,000	50,000	-	100%
Other Financing Use - Pay Go Capital Projects	578,983	578,983	-	100%
Other Financing Use - Trash Enterprise Supplement	4,532,450	4,532,450	-	100%
Total Expenditures and Other Uses	599,305,850	594,391,146	4,914,704	99%

Excess (deficiency) of revenues
and other sources over
expenditures and other uses

\$	-	\$	5,233,646	\$	5,233,646
----	---	----	-----------	----	-----------

(a.) The Intergovernmental Revenue line is net of the increase in Charter Tuition. This increase must be appropriated in the School FY 15 Budget.

(b.) The FY 2013 Net School Spending Requirement shortfall must be appropriated in the School Budget pursuant to Chapter 70. Section 11 of the Education Reform Act of 1993.

CITY OF SPRINGFIELD, MASSACHUSETTS

Budget and Actual - General Fund

Expenditures and Encumbrances

For the period ended

06/30/14

Expenditures and Other Uses:	Original Budget	Transfers In/(Out)	Revised Budget	Expenditure	Encumbrance	Variance Over/(Under)	%
General government	19,872,315	453,523	20,325,838	18,275,328	677,136	1,373,374	93%
Public safety							
Police	38,776,603	(1,500,000)	37,276,603	36,819,640	144,672	312,290	99%
Fire	19,486,362	-	19,486,362	18,802,963	99,410	583,989	97%
Centralized Dispatch	1,738,594	-	1,738,594	1,596,227	5,190	137,177	92%
Other	3,297,832	78,334	3,376,166	3,221,272	50,428	104,466	97%
Health and Welfare	5,169,721	(12,000)	5,157,721	4,769,905	4,403	383,413	93%
Public works	10,227,390	377,598	10,604,988	10,354,569	114,608	135,811	99%
Education	357,868,723	27,374,666	385,243,389	351,725,762	33,407,783	109,844	100%
Culture and recreation	11,697,811	(13,109)	11,684,702	11,300,428	218,316	165,958	99%
Pension and fringe	53,111,269	(900,000)	52,211,269	51,364,980	40,000	806,289	98%
State and district assessments	3,245,637	-	3,245,637	3,194,924	24,113	26,600	99%
Debt Service	40,759,110	-	40,759,110	39,964,123	21,343	773,644	98%
Pay as you go Capital	2,095,020	(560,983)	1,534,037	1,481,740	50,448	1,849	100%
Other Financing Use - Police Capital	-	1,500,000	1,500,000	1,500,000	-	-	100%
Other Financing Use - Park Capital	-	50,000	50,000	50,000	-	-	100%
Other Financing Use - Pay Go Capital Projects	-	578,983	578,983	578,983	-	-	100%
Other Financing Use - Trash Enterprise Supplement	4,532,450	-	4,532,450	4,532,450	-	-	100%
Total Expenditures and Other Uses	571,878,836	27,427,012	599,305,850	559,533,295	34,857,851	4,914,704	99%



City of Springfield

ADOPTED

2.3

Meeting: 09/15/14 07:00 PM

Initiator: Pat Burns

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2762

July Revenue Vs. Expenditure Report (Mayor Sarno)

RESULT: RECEIVE REPORT

Statement of Revenues and Other Sources,
and Expenditures and Other Uses
Budget and Actual - General Fund

For the period ended
07/31/14

Revenues and Other Sources:	Revised Budget	Actual	Variance Over/(Under)	%
Real Estate & Personal Property Taxes	\$ 174,280,896	\$ 34,547,376	\$ (139,733,520)	20%
Real Estate & Personal Property Taxes - Tax Liens	-	284,094	284,094	0%
Motor Vehicle Excise	8,800,000	288,845	(8,511,155)	3%
Penalties, interest and other taxes	4,984,500	145,264	(4,839,236)	3%
Charges for Services	14,774,922	1,088,502	(13,686,420)	7%
Intergovernmental	345,803,578	28,681,630	(317,121,948)	8%
MSBA Payments	14,794,410	-	(14,794,410)	0%
Licenses and Permits	6,009,143	319,381	(5,689,762)	5%
Fines and Forfeits	316,300	37,065	(279,235)	12%
Interest earned on Investments	1,196,859	33,086	(1,163,773)	3%
Miscellaneous	8,106,100	1,498,620	(6,607,480)	18%
FY 2013 Net School Spending Shortfall (a.)	10,000,000	10,000,000	-	100%
Stabilization Reserves	2,856,130	2,856,130	-	100%
Other Financing Sources	-	3,853,110	3,853,110	0%
Total Revenues and Other Sources	591,922,838	83,633,104	(508,289,734)	14%
Expenditures and Other Uses:				
General government	19,817,650	2,766,115	17,051,535	14%
Public safety				
Police	40,386,314	2,606,995	37,779,319	6%
Fire	20,293,920	1,683,395	18,610,526	8%
Centralized Dispatch	1,676,719	94,553	1,582,166	6%
Other	3,430,409	530,407	2,900,002	15%
Health and Welfare	4,933,005	349,525	4,583,480	7%
Public works	10,115,556	4,283,503	5,832,053	42%
Education	379,413,118	25,261,624	354,151,494	7%
Culture and recreation	12,376,041	1,819,128	10,556,913	15%
Pension and fringe	53,177,581	28,510,747	24,666,834	54%
State and district assessments	3,288,772	282,978	3,005,794	9%
Debt Service	38,090,246	664,309	37,425,937	2%
Pay as you go Capital	892,052	85,515	806,537	10%
Other Financing Use - Trash Enterprise Supplement	4,031,454	4,031,454	-	100%
Total Expenditures and Other Uses	591,922,838	72,970,247	518,952,591	12%
Excess (deficiency) of revenues and other sources over expenditures and other uses	<u>\$ -</u>	<u>\$ 10,662,857</u>	<u>\$ 10,662,857</u>	

(a.) The FY 2014 Net School Spending Requirement shortfall must be appropriated in the School Budget pursuant to Chapter 70. Section 11 of the Education Reform Act of 1993.

CITY OF SPRINGFIELD, MASSACHUSETTS

Budget and Actual - General Fund

Expenditures and Encumbrances

For the period ended

07/31/14

Expenditures and Other Uses:

	Original Budget	Transfers In/(Out)	Revised Budget	Expenditure	Encumbrance	Variance Over/(Under)	%
General government	19,817,650	-	19,817,650	2,129,444	636,671	17,051,535	14%
Public safety							
Police	40,386,314	-	40,386,314	2,277,699	329,296	37,779,319	6%
Fire	20,293,920	-	20,293,920	1,349,787	333,608	18,610,526	8%
Centralized Dispatch	1,676,719	-	1,676,719	94,553	-	1,582,166	6%
Other	3,430,409	-	3,430,409	181,307	349,100	2,900,002	15%
Health and Welfare	4,933,005	-	4,933,005	331,662	17,863	4,583,480	7%
Public works	10,115,556	-	10,115,556	3,888,004	395,499	5,832,053	42%
Education	369,413,118	10,000,000	379,413,118	20,580,056	4,681,568	354,151,494	7%
Culture and recreation	12,376,041	-	12,376,041	1,070,066	749,062	10,556,913	15%
Pension and fringe	53,177,581	-	53,177,581	28,840,747	(330,000)	24,666,834	54%
State and district assessments	3,288,772	-	3,288,772	282,978	-	3,005,794	9%
Debt Service	38,090,246	-	38,090,246	664,309	-	37,425,937	2%
Pay as you go Capital	892,052	-	892,052	-	85,515	806,537	10%
Other Financing Use - Trash Enterprise Supplement	4,031,454	-	4,031,454	4,031,454	-	-	100%
Total Expenditures and Other Uses	581,922,838	10,000,000	591,922,838	65,722,065	7,248,182	518,952,591	12%



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: James Czach
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2767 A

3.4

Ripley Place - Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the COLUMBIA GAS OF MASSACHUSETTS, be and it is hereby granted a location for
and permission to
Ripley Place

Ripley Place

Ripley Place

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the
above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on September 15, 2014

City Clerk

We hereby certify that on August 18, 2014, at 5:00 PM, at Corner of St. James Avenue and Ripley Place a public hearing was held on the petition of the COLUMBIA GAS OF MASSACHUSETTS for permission to complete the above mentioned request.

City Clerk

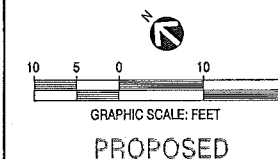
I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the September 15, 2014, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



Know what's below.
Call before you dig.



REVISIONS

REV. #	DATE	DESCRIPTION
0	06/02/2014	ISSUED FOR PERMIT

DESIGNED BY	TAO	06/15/2014	413-842-2492
DRAWN BY	TAO	06/28/2014	413-842-2492
CHECKED BY	MPK	06/02/2014	
AS-BUILT BY			
	NAME	DATE	PHONE #

SITE NAME:

JO# 14-0824152
PROJECT ID# 14-22738

RIPLEY PL.
SPRINGFIELD, HAMDEN

PROJECT TITLE:

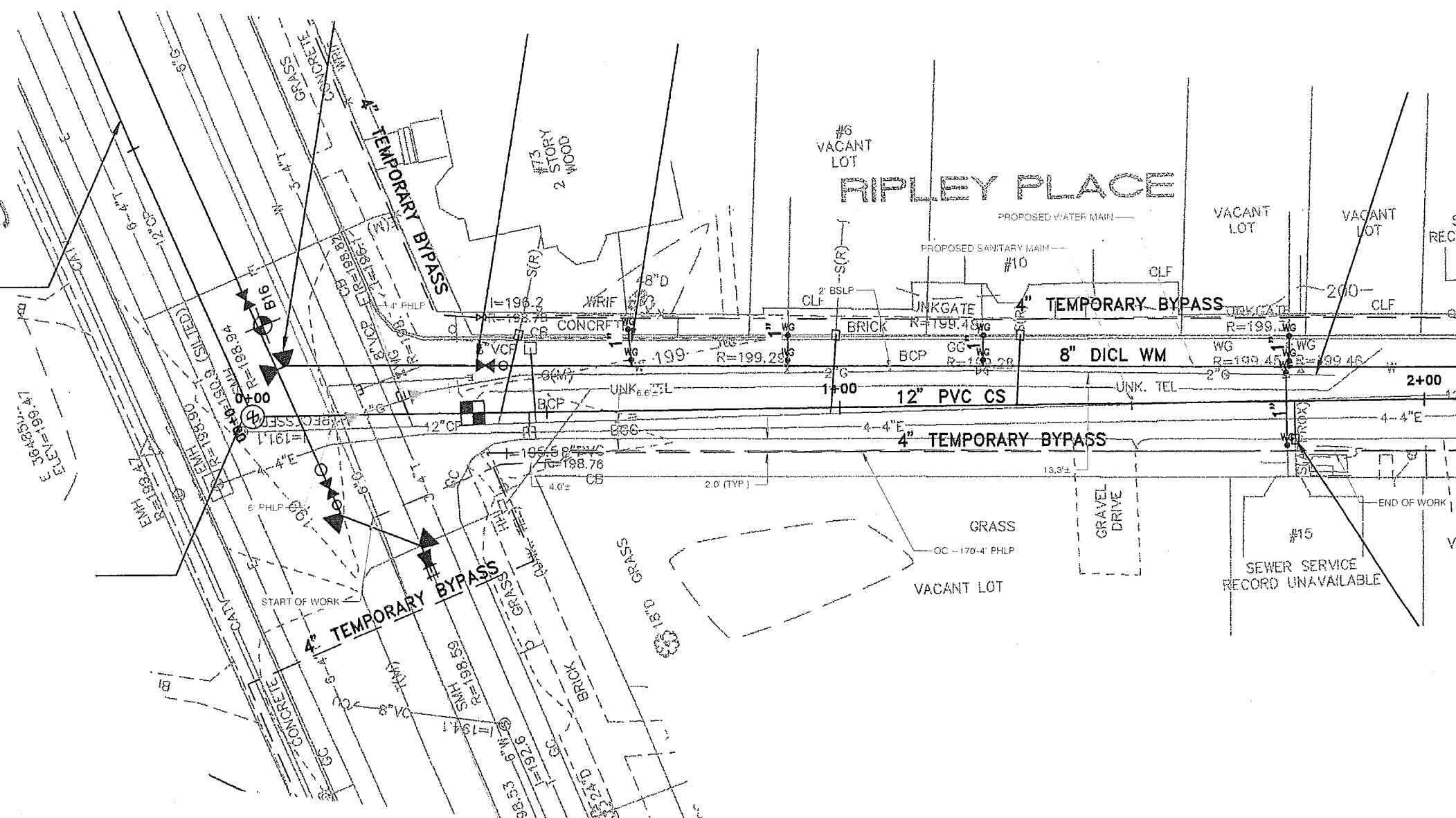
LAYOUT SHEET

DRAWING NO:

L-1

WENTWORTH JAMES

NUE
15



- NOTE:
1. SURVEY BASEMAP WAS OBTAINED FROM THE 'INFRASTRUCTURE IMPROVEMENTS - 2014' PLAN SET RELEASED BY THE SPRINGFIELD WATER & SEWER (CREATED BY FAY, SPOFFORD AND THORNDIKE, INC.) DATED 02/13/2014.
 2. PROPOSED GAS MAIN TO BE INSTALLED AT A DEPTH OF 36" (TYPICAL).



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: James Czach
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2768 A

3.5

South Branch Parkway - Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the COLUMBIA GAS OF MASSACHUSETTS, be and it is hereby granted a location for and permission to
South Branch Parkway

South Branch Parkway

South Branch Parkway

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on September 15, 2014

City Clerk

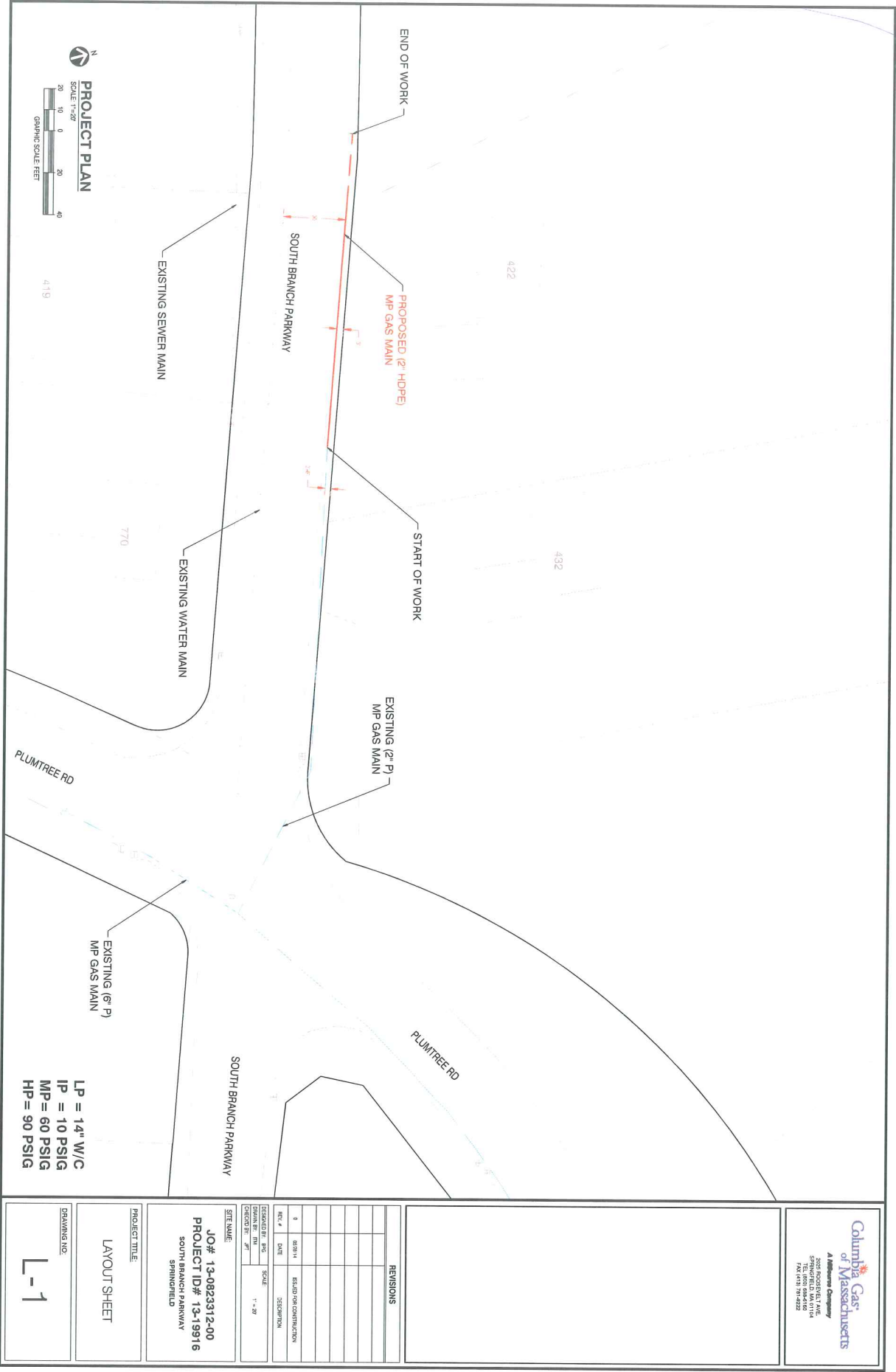
We hereby certify that on August 20, 2014, at 5:00 PM, at In Front of #422 South Branch Parkway a public hearing was held on the petition of the COLUMBIA GAS OF MASSACHUSETTS for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the September 15, 2014, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



Attachment: CMA South South Branch Parkway - Plan (2768 : South Branch Parkway)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: James Czach
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2769 A

3.6

Logan Street - Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the WESTERN MASSACHUSETTS ELECTRIC COMPANY, be and it is hereby granted a location for and permission to
Logan Street

Logan Street

Logan Street

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on September 15, 2014

City Clerk

We hereby certify that on August 27, 2014, at 5:00 PM, at Corner of Logan Street and Ladd Street a public hearing was held on the petition of the WESTERN MASSACHUSETTS ELECTRIC COMPANY for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the September 15, 2014, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk

WESTERN MASSACHUSETTS ELECTRIC COMPANY

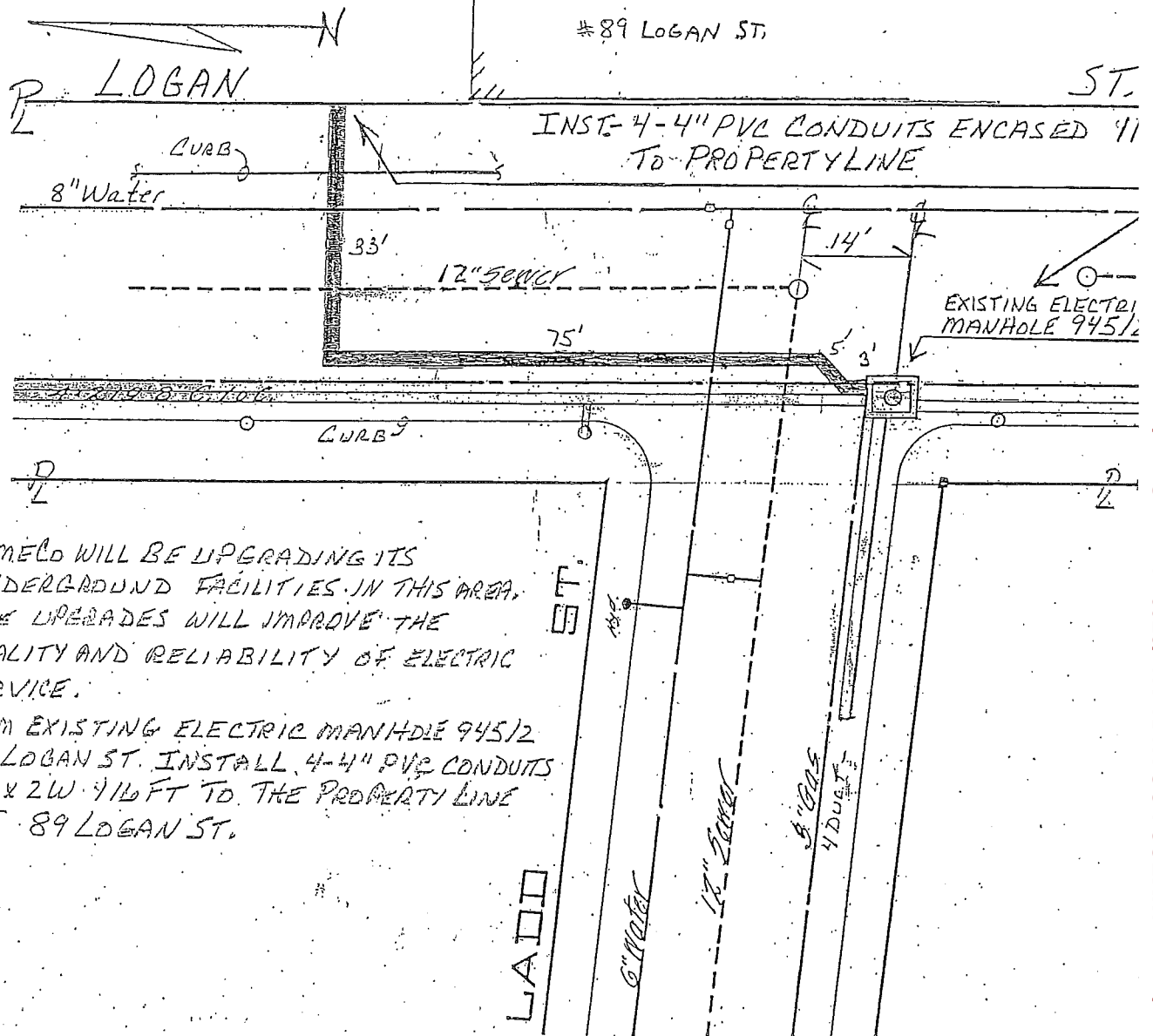
TOWN

SPRINGFIELD

STREET

LOGAN ST.

OP&I REV. 2-92



WMECO WILL BE UPGRADING ITS UNDERGROUND FACILITIES IN THIS AREA. THE UPGRADES WILL IMPROVE THE QUALITY AND RELIABILITY OF ELECTRIC SERVICE.

FROM EXISTING ELECTRIC MANHOLE 94512 ON LOGAN ST. INSTALL 4-4" PVC CONDUITS 2H & 2W 116 FT TO THE PROPERTY LINE OF 89 LOGAN ST.

LEGEND

- | | | |
|--|---------------------------|-----------|
| ⊗ PROPOSED JOINT POLE | Ⓜ HANDHOLE | □ MANHOLE |
| ⊙ PROPOSED W.M.E.CO. POLE | Ⓢ PAD MOUNT TRANSFORMER | ⬡ HEXHOLE |
| ⊗ EXISTING JOINT POLE | — UG. CONDUIT PROPOSED | |
| ⊙ EXISTING W.M.E.CO. POLE | — P — UG. PRIMARY CABLE | |
| ⊗ EXISTING W.M.E.CO. POLE TO BE MADE JOINT | — S — UG. SECONDARY CABLE | |
| ⊗ EXISTING FOREIGN POLE TO BE MADE JOINT | | |

DRAWN BY

Michael Santos

W.O.#

65421280

DISTANCES ARE APPROXIMATE

1" = 20'

PETITION NO.

6199

413 787-9354

WR # 2342727

Attachment: WMECO LOGAN PLAN (2769 : Logan Street)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: James Czach
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2770 A

3.7

St James Circle - Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the COLUMBIA GAS OF MASSACHUSETTS, be and it is hereby granted a location for
and permission to
Saint James Circle

Saint James Circle

Saint James Circle

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the
above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on September 15, 2014

City Clerk

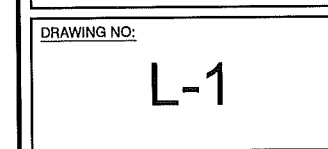
We hereby certify that on September 3, 2014, at 5:00 PM, at Corner of Saint James Circle and Corona Street a public hearing was held on the petition of the COLUMBIA GAS OF MASSACHUSETTS for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the September 15, 2014, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk





City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: James Czach
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2771 A

3.8

Hillman Street -Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the COLUMBIA GAS OF MASSACHUSETTS, be and it is hereby granted a location for
and permission to
Hillman Street

Hillman Street

Hillman Street

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the
above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on September 15, 2014

City Clerk

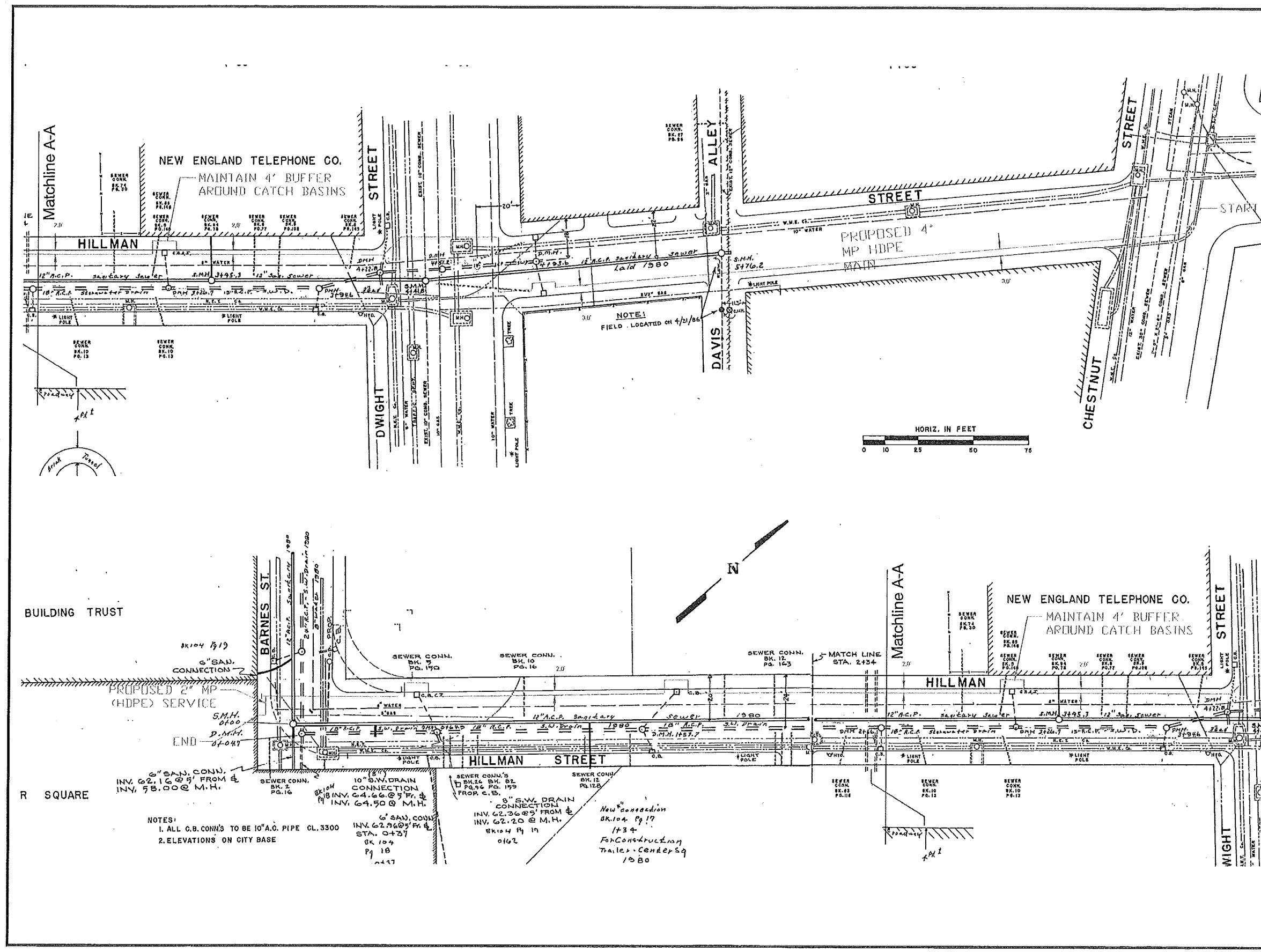
We hereby certify that on September 8, 2014, at 5:00 PM, at Corner of Hillman Street and Chestnut Street a public hearing was held on the petition of the COLUMBIA GAS OF MASSACHUSETTS for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the September 15, 2014, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



Columbia Gas
of Massachusetts
A NibSource Company

995 BELMONT ST.
BROCKTON, MA 02301
TEL (508) 580-0100
FAX (508) 588-2242

REVISIONS		
REV.#	DATE	DESCRIPTION
0		ISSUED FOR CONSTRUCTION

DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____

SCALE: 1" = 20'

SITE NAME:

JO# 14-0824098
PROJECT ID# 14-20930
1441 MAIN STREET
SPRINGFIELD

PROJECT TITLE:

LAYOUT SHEET

DRAWING NO:

L-1

Attachment: CMA - Hillman Plan (2771 : Hillman Street)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2772

5.9

Transfer of Unexpended Bond Proceeds from Chestnut Demolition Project (Mayor Sarno)

WHEREAS, the City of Springfield seeks to apply unexpended bond proceeds from Demolition of the Former Chestnut Junior High School, resulting from bid savings, to the Chestnut Middle School Roof Project; and

WHEREAS, Council approved a \$2,500,000 bond order to pay for costs associated with the Chestnut Junior High school demolition on April 7, 2014; and

WHEREAS, Bids came back at \$2,111,733.00 to include additional unforeseen repairs totaling \$2,127,303.30; and

WHEREAS, Projected unexpended bond proceeds up to \$300,000 will be used to repair damages to the Chestnut Middle School parapet which is not reimbursable under MSBA guidelines; and

BE IT ORDERED THAT: That in accordance with Chapter 44, Section 20 of the General Laws, the \$300,000.00 unexpended balance of funds initially borrowed to pay costs of chestnut Junior High School demolition, which project is complete and such amount is no longer needed for the project, is hereby appropriated by this Council to pay costs of repairing and remodeling the Chestnut Middle School, including the payment of any and all costs incidental and related thereto; and

After reviewing this order, the Chief Administrative and Financial Officer has certified to the Mayor and City Council, that in his professional opinion, after an evaluation of all pertinent financial information reasonably available, the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the transfer, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008. The foregoing order requires a majority vote of all members of the City Council, in accordance with Chapter 44, Section 20 of the General Laws.

From: Chestnut Demolition

1904-00-000-0000-0000-000000-0000000-104000 - \$300,000.00

To: Chestnut Accelerated Middle School Roof Repair

3150-00-000-0000-0000-000000-0000000-104000- - \$300,000.00

FINANCIAL IMPACT:

\$300,000.00

RESULT:	ADOPTED [12 TO 1]
MOVER:	Timothy J. Rooke, At-Large Councilor
SECONDER:	Clodo Concepcion, Ward 5 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe
NAYS:	Michael A. Fenton

City of Springfield
36 Court Street
Springfield, MA 01103



Division of Administration
and Finance

To: Springfield City Council
From: Timothy J. Plante, Acting Chief Administrative & Financial Officer
Date: September 15, 2014
Re: Order for Council Meeting – 9/15/2014
Cc: Mayor Sarno

Purpose: The purpose of this memo is to provide an explanation of the order sponsored by the Mayor for the September 15, 2014 Council meeting to transfer up to \$300,000 of unexpected bond proceeds from Chestnut Junior High demolition project for the removal of architectural medallions at Chestnut Middle School.

Background: On April 7, 2014, the Council authorized the City to borrow \$2,500,000 in order to pay for costs associated with the Chestnut Junior High school demolition, after bids were received; the lowest bid came in at \$2,111,733.00 resulting in a project cost savings. With the demolition project completed and under budget the City requests the transfer of up to \$300,000 of unexpended bond proceeds from the demolition project to pay for additional architectural repairs at the Chestnut Middle School.

During repairs to the Chestnut Middle school roof, it has been noted that the architectural medallions located within the brick masonry envelope above six building exits are in need of emergency repair. The medallions will be removed and filled in with brick that will match the existing tower.

The City has requested MSBA to include the additional architectural repairs into the construction contract for the Chestnut Middle School roof replacement project. MSBA has decided not to participate in costs resulting from those repairs, given that it is outside the Accelerated Repair Program and the scope defined in the PFA.

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Acting Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council Order, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

This certification is made in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2756

5.10

MassCALL II- \$600,000.00 (Mayor Sarno)

WHEREAS, the Department of Health and Human Services (“Department”) has been awarded an a grant (contract) of ‘not to exceed’ \$600,000.00 from the Mass Department of Public Health, Bureau of Substance Abuse Services; and

WHEREAS, the opioid related overdoses was selected among substance abuse issues of greatest concern in the Commonwealth, and MassCALL II is an initiative to reduce opioid overdoses; and

WHEREAS, the Department intends to use the funds to provide MassCALL II prevention services during the period July 1, 2014 through June 30, 2020; and

WHEREAS, the Department has accepted the grant (contract) and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grant; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

MassCALL II- \$600,000.00

RESULT: PASSED BY VOICE VOTE



REQUEST FOR GRANT SETUP

This form and the required attachments are required by the Office of the City Comptrollers before a Grant Fund and related accounts will be created in MUNIS. Please do not use this form for requesting a non-grant related account to be created – use the Request for New Account form instead. Please return this form and the required attachments to the Office of the City Comptrollers.

All fields are mandatory.

Date of Request

8/14/2014

Department Requesting Grant Setup

SHHS

Department Phone # (Please include extension)

6454

Name and Title of Person to Contact in Case of Questions

Helen Caulton-Harris

Was this Grant previously setup for a prior fiscal year? Yes

If yes, please indicate your previous project number: 18614

If this is a new Grant, have you filled out the “Approval to apply for a grant” Form?
(Y/N) If yes, please attach a copy of the Approved Form.

Grant Type:

State – Highway
Federal Pass-Through DOE– School
Federal Direct– School
Federal – City
State DOE– School
State Other – School
XX State – City
Private/Other

Grant Name: MOAPC- MassCall2

Total Grant Amount Awarded: \$ 100,000.

Is this a Reimbursable Grant?

(Y/N) Yes

A Reimbursable Grant is defined as one that requires that you pay for expenses first and then you apply to the grantor for a reimbursement of the exact amount actually expended.

If it is a Reimbursable Grant, please enter Grantor contact information or the CID # if Grantor is already in the customer file:

Entity Name	Mass Dept of Public Health
Contact Person	Fernando Perfas
Street Address	250 Washington Street, Bureau of Subs Abuse Services
City, State, Zip Code	Boston, MA 02108
Telephone	617-624-5094
Fax	
E-Mail	Fernando.perfas@state.ma.us

Actual Award Date 6/1/2013

Board Approval Date

Start Date 7/1/2014

Expiration Date 6/30/2015

Renewal Action Date (optional)

If there are any Matching Funds:

Type

Percent

Amount

Comments re: Description/Purpose of Grant
MOAPC

Comments re: Conditions/Restrictions of Grant
See Budget

If this is a Federal Grant, enter CFDA#:

If applicable enter the State ID # :

What is the required drawdown frequency?
(Ex: Monthly, Quarterly) Monthly

If payment is to be sent by Grantor as a Wire,
Please enter any wire reference/identification # that may be used (if known)
INTF2354M04301822065

Attachment: Health MOAPC (2756 : MassCALL II- \$600,000.00)

Please list all object codes needed for the grant.
(Attach additional sheets if additional orgs and roll-ups are needed):

Org Code: 28975200

Object Codes: 501000, 517010, 530105, 531020, 533100, 533500, 571100,

Budget Roll-Up Codes: Yes

I hereby attest that under the penalties of Chapter 656, I will adhere to all regulations in this grant agreement. I am responsible for timely and accurate reimbursements in the amounts listed above.

Signature

Date

Please attach the following documents:

- ☐ Signed Approval to Apply for a Grant Form
- ☐ Grant Award Letter
- ☐ City Council/Mayor Approval
- ☐ Any other relevant documentation

This Form and all relevant attachments will be scanned and attached in the Grant Maintenance module in MUNIS and can be viewed or printed at your convenience.

Leembruggen, Lorene

From: Perfas, Fernando (DPH) <fernando.perfas@state.ma.us>
Sent: Wednesday, August 13, 2014 5:28 PM
To: Graves, Marie
Cc: Leembruggen, Lorene; Morales, Jose (DPH)
Subject: RE: PFSII, MOAPC

Importance: High

Hi Marie,

We did not send out annual contract award letters for these grants. The initial award duration for your MOAPC contract is 3 years, from June 1, 2013 to June 30, 2016, which should have been outlined in the award letter that was sent to your program at the beginning of this grant. Likewise the award duration for the PFSII contract should have also been outlined in the award letter sent to your program at the beginning of that grant. We do anticipate funding the MOAPC and PFSII grantees for FY'15 barring any unforeseen circumstances.

Regards,
 Fernando

Fernando Perfas

Bureau of Substance Abuse Services - Prevention Unit
 Massachusetts Department of Public Health
 Phone: (617) 624-5094

From: Graves, Marie [<mailto:mgraves@springfieldcityhall.com>]
Sent: Wednesday, August 06, 2014 2:46 PM
To: Perfas, Fernando (DPH)
Cc: Leembruggen, Lorene
Subject: PFSII, MOAPC

Hi Fernando!

Hope your summer is going well, and by well I mean cool! I know I will probably see you tomorrow, but need to ask for award letters for both PFSII as well as MOAPC. In order for us to set our accounts up, we need them for the City Council. Please advise me, or forward them to Lorene when available. Thanks.

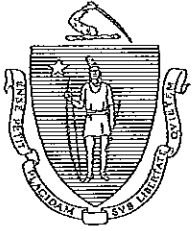
Marie Graves

Program Director

Partnership for Success II (PFSII)
 Spfld. Coalition for Opioid OD Prevention (SCOOP)
 MA Opioid Prevention Collaborative (MOAPC)
 Springfield Dept. of Health and Human Services
 95 State Street, Suite 201
 Springfield, MA 01103
 Ph. 413-787-6718
 Fax 413-787-6458
 Check out our Facebook page!

"May your neighbors respect you;

Attachment: Health MOAPC (2756 : MassCALL II- \$600,000.00)



The Commonwealth of Massachusetts
 Executive Office of Health and Human Services
 Department of Public Health
 250 Washington Street, Boston, MA 02108-4619

DEVAL L. PATRICK
 GOVERNOR

TIMOTHY P. MURRAY
 LIEUTENANT GOVERNOR

JOHN W. POLANOWICZ
 SECRETARY

LAUREN A. SMITH, MD, MPH
 INTERIM COMMISSIONER

May 1, 2013

Helen Caulton-Harris
 City of Springfield
 95 State Street, Suite 201
 Springfield MA 01103

Dear Ms. Caulton-Harris:

This is to inform you that the Massachusetts Department of Public Health, Bureau of Substance Abuse Services has awarded the City of Springfield a new contract to provide Massachusetts Opioid Abuse Prevention Collaborative services. This contract, #INTF2354M04301822065 is in the amount of \$100,000.00 and will be in effect from July 1, 2013 through June 30, 2014. This contract will renew at \$100,000.00 for each fiscal year through June 30, 2020. The total maximum obligation for all fiscal years combined is \$700,000.00.

Any funds designated in the budget that are unspent in any fiscal year will not be available for expenditure in the subsequent fiscal year without a formal contract amendment re-authorizing these funds. The maximum obligation of the contract will automatically be reduced by the amount of the unspent funds from a prior fiscal year and the Department may adjust the encumbrance in the accounting system to reflect the unspent funds for the prior fiscal year.

Please return the enclosed contract as soon as possible. If you have any questions, please contact the Bureau at (617) 624-5146 or the Purchase of Service Office at (617) 624-5800.

Charles A. Whiteman, Director of Administration and Finance
 Bureau of Substance Abuse Services

Attachment: Health MOAPC (2756 : MassCALL II- \$600,000.00)



COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM

This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under Guidance For Vendors - Forms or www.mass.gov/osd under OSD Forms.

CONTRACTOR LEGAL NAME: City Of Springfield Treasurer (and d/b/a):		COMMONWEALTH DEPARTMENT NAME: Department Of Public Health MMARS Department Code: DPH	
Legal Address: (W-9, W-4,T&C): 36 Court St, Springfield, MA 01103-1699		Business Mailing Address: 250 Washington St., Boston, MA 02108	
Contract Manager: Helen Caulton-Harris		Billing Address (if different):	
E-Mail: hcaulton@springfieldcityhall.com		Contract Manager: Sokonthea Dao	
Phone: 413-787-6456	Fax: 413-787-6458	E-Mail: sokonthea.dao@state.ma.us	
Contractor Vendor Code: VC6000192140		Phone: 617-624-6190	Fax: 617-624-5017
Vendor Code Address ID (e.g. "AD001"): AD001 (Note: The Address Id Must be set up for EFT payments.)		MMARS Doc ID(s): INTF2354M04301822065	
RF/RProcurement or Other ID Number: 301822			
X NEW CONTRACT PROCUREMENT OR EXCEPTION TYPE: (Check one option only) ☐ <u>Statewide Contract</u> (OSD or an OSD-designated Department) ☐ <u>Collective Purchase</u> (Attach OSD approval, scope, budget) ☒ <u>Department Procurement</u> (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) ☐ <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) ☐ <u>Contract Employee</u> (Attach <u>Employment Status Form</u> , scope, budget) ☐ <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification, scope and budget)		CONTRACT AMENDMENT Enter Current Contract End Date <u>Prior</u> to Amendment: ____, 20__ Enter Amendment Amount: \$ ____, (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) ☐ <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) ☐ <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) ☐ <u>Contract Employee</u> (Attach any updates to scope or budget) ☐ <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)	
The following <u>COMMONWEALTH TERMS AND CONDITIONS</u> (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. ☒ <u>Commonwealth Terms and Conditions</u> ☐ <u>Commonwealth Terms and Conditions For Human and Social Services</u>			
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. ☐ <u>Rate Contract</u> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) ☒ <u>Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or new Total if Contract is being amended). \$ <u>700,000.00</u> .			
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ____ % PPD; Payment issued within 15 days ____ % PPD; Payment issued within 20 days ____ % PPD; Payment issued within 30 days ____ % PPD. If PPD percentages are left blank, identify reason: ____ agree to standard 45 day cycle ☒ statutory/legal or Ready Payments (G.L. c. 29, § 23A); only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)			
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) <u>Serv. Purchased In Supp. Of Human and Social Serv. Massachusetts Opioid Abuse Prevention Collaborative (MOAPC)</u>			
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: ____ 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . ☒ 2. may be incurred as of <u>07/01, 2013</u> , a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . ____ 3. were incurred as of ____, 20__, a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.			
CONTRACT END DATE: Contract performance shall terminate as of <u>06/30, 2020</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.			
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the "Effective Date" of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>801 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.			
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: <u>[Signature]</u> Date: <u>5/31/13</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Domenic J. Sarno</u> Print Title: <u>Mayor</u>		AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: <u>[Signature]</u> Date: <u>6/11/2013</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Sharon Dyer</u> Print Title: <u>Director, Purchase of Service Office</u>	

Attachment: Health MOAPC (2756 : MassCALL II- \$600,000.00)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2759

5.11

EPA Brownfield's Grant - \$400,000 (Mayor Sarno)

WHEREAS, the Planning Department ("Department") has been awarded a Brownfields Grant 'not to exceed' \$400,000.00 from the U.S. Environmental Protection Agency; and

WHEREAS, the purpose of the grant is to inventory, characterize, and assess Brownfields site in Springfield; and

WHEREAS, the Department intends to use the grant funds to support the implementation of Springfield's Master Rebuild Plan; and

WHEREAS, the Department has accepted the grant and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds and the required City matching contribution described herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

EPA Brownfields Grant \$400,000

RESULT: PASSED BY VOICE VOTE

	U.S. ENVIRONMENTAL PROTECTION AGENCY Cooperative Agreement	GRANT NUMBER (FAIN): 96191801	DATE OF AWARD 08/25/2014
		MODIFICATION NUMBER: 0 PROGRAM CODE: BF	MAILING DATE 09/01/2014
		TYPE OF ACTION New	ACH# 10068
		PAYMENT METHOD: ASAP	
RECIPIENT TYPE: Municipal		Send Payment Request to: USEPA LVFC 4220 S. Maryland Pkwy Bldg C, Ste 503 Las Vegas, NV 89119 Tel (702) 798-2406 Fax (702) 798-2423 Email: LVFC-grants@epa.gov	
RECIPIENT: CITY OF SPRINGFIELD 36 COURT STREET CITY HALL SPRINGFIELD, MA 01103 EIN: 04-6001415		PAYEE: CITY OF SPRINGFIELD 36 COURT STREET CITY HALL SPRINGFIELD, MA 01103	
PROJECT MANAGER Samalid Hogan 36 COURT STREET CITY HALL SPRINGFIELD, MA 01103 E-Mail: shogan@springfieldcityhall.com Phone: 413-787-6525		EPA PROJECT OFFICER Dorrie Paar 5 Post Office Square, Suite 100 Boston, MA 02109-3912 E-Mail: Paar.Dorrie@epamail.epa.gov Phone: 617-918-1432	
		EPA GRANT SPECIALIST Jean Crocker Grants Management Office, OARM 16-2 E-Mail: Crocker.Jean@epamail.epa.gov Phone: 617-918-1498	
PROJECT TITLE AND DESCRIPTION City of Springfield Assessment Program This assistance agreement will provide funding to the City of Springfield to inventory, characterize, and assess brownfields sites in Springfield, Massachusetts. Activities funded through this grant will support the implementation of Springfield's Master Rebuild Plan which integrated sustainability, livability, and equitable development principles for guiding future City development. Brownfields are real property, the expansion, development or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.			
BUDGET PERIOD 10/01/2014 - 09/30/2017	PROJECT PERIOD 10/01/2014 - 09/30/2017	TOTAL BUDGET PERIOD COST \$400,000.00	TOTAL PROJECT PERIOD COST \$400,000.00
NOTICE OF AWARD			
Based on your Application dated 06/25/2014 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$400,000. EPA agrees to cost-share <u>100.00%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$400,000. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS EPA New England 5 Post Office Square, Suite 100 Boston, MA 02109-3912		ORGANIZATION / ADDRESS U.S. EPA, Region 1 R 5 Post Office Square, Suite 100 Boston, MA 02109-3912	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official for Michael Kenyon - Director Office of Administration & Resource Management Fred Weeks - Award Official delegate			DATE 08/25/2014

Attachment: Brownfields Grant (2759 : EPA Brownfields Grant - \$400,000)

EPA Funding Information

BF - 96191801 - 0 Page 2

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 400,000	\$ 400,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 400,000	\$ 400,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.818 - Brownfields Assessment and Cleanup Cooperative Agreements	CERCLA: Sec. 104(k)(2)	40 CFR PART 31

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	14010CG052	14	E4	0130AG7	301D79	4114	G100NY00	-	200,000
-	14010CG052	14	E4	0130AG7	301D79XBP	4114	G100OR00	-	200,000
									400,000

Attachment: Brownfields Grant (2759 : EPA Brownfields Grant - \$400,000)

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$42,000
2. Fringe Benefits	\$0
3. Travel	\$5,000
4. Equipment	\$0
5. Supplies	\$4,000
6. Contractual	\$349,000
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$400,000
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>0.00</u> % Federal <u>100.00</u> %.)	\$400,000
12. Total Approved Assistance Amount	\$400,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$400,000
15. Total EPA Amount Awarded To Date	\$400,000

Attachment: Brownfields Grant (2759 : EPA Brownfields Grant - \$400,000)

Administrative Conditions

1. GENERAL TERMS AND CONDITIONS

The recipient agrees to comply with the current EPA general terms and conditions available at: http://www.epa.gov/ogd/tc_jan_2014.pdf. These terms and conditions are in addition to the assurances and certifications made as part of the award and the terms, conditions or restrictions cited below.

The EPA repository for the general terms and conditions by year can be found at: <http://www.epa.gov/ogd/tc.htm>.

2. ANNUAL FEDERAL FINANCIAL REPORTING (PART 30 OR PART 31)

Pursuant to **40 CFR 30.52(a)(1) and 30.71(a)**, EPA recipients shall submit an annual Federal Financial Report (SF-425) to EPA no longer than 30 calendar days following the end of the reporting year.

Pursuant to **40 CFR 31.41(b) and 31.50 (b)**, EPA recipients shall submit an annual Federal Financial Report (SF-425) to EPA no longer than 90 calendar days following the end of the reporting year.

The form is available on the internet at <http://www.epa.gov/ocfo/finservices/forms.htm>. All FFR's must be submitted to the Las Vegas Finance Center: US EPA, LVFC, P.O. Box 98515, Las Vegas, NV, 89193, or by fax to: (702) 798-2423.

EPA may take enforcement action in accordance with 40 CFR 30.62 and 40 CFR 31.43, if recipient does not comply with these terms and conditions.

3. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES

GENERAL COMPLIANCE, 40 CFR, Part 33

The recipient agrees to comply with the requirements of EPA's Disadvantaged Business Enterprise (DBE) Program for procurement activities under assistance agreements, contained in 40 CFR, Part 33.

FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements. In accordance with 40 CFR, Section 33.411 some recipients may be exempt from the fair share objectives requirements as described in 40 CFR, Part 33, Subpart D. Recipients should work with their DBE coordinator, if they think their organization may qualify for an exemption.

Accepting the Fair Share Objectives/Goals of Another Recipient

The dollar amount of this assistance agreement, or the total dollar amount of all of the recipient's financial assistance agreements in the current federal fiscal year from EPA is \$250,000, or more.

The recipient accepts the applicable MBE/WBE fair share objectives/goals negotiated with EPA by the **MA DEP** as follows:

MBE: 3.4% and WBE: 3.8%

By signing this financial assistance agreement, the recipient is accepting the fair share objectives/goals stated above and attests to the fact that it is purchasing the same or similar construction, supplies, services and equipment, in the same or similar relevant geographic buying market as **MA DEP WHOSE GOAL IS BEING ADOPTED**.

Negotiating Fair Share Objectives/Goals, 40 CFR, Section 33.404

The recipient has the option to negotiate its own MBE/WBE fair share objectives/goals. If the recipient wishes to negotiate its own MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The submission of proposed fair share goals with the supporting analysis or disparity study means that the recipient is **not** accepting the fair share objectives/goals of another recipient. The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study, to the Regional MBE/WBE Coordinator within 120 days of its acceptance of the financial assistance award. EPA will respond to the proposed fair share objective/goals within 30 days of receiving the submission. If proposed fair share objective/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objective/goals are submitted.

SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to require that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes, whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.
- (c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or

quantities to permit maximum participation by DBEs in the competitive process.

(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

MBE/WBE REPORTING, 40 CFR, Part 33, Subpart E

MBE/WBE reporting is limited to annual reports and only required for assistance agreements where one or more the following conditions are met:

- (a) there are any funds budgeted in the contractual, equipment or construction lines of the award;
- (b) \$3,000 or more is included for supplies; or
- (c) there are funds budgeted for subawards or loans in which the expected budget(s) meet the conditions as described in items (a) and (b).

Based on EPA's review of the proposed budget, this award likely meets one or more of the conditions as described above, therefore, the recipient agrees to complete and submit a "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" report (EPA Form 5700-52A) on an annual basis.

However, if this award does not meet the conditions as described above, the recipient should provide *[insert Regional or Headquarters point of contact]* with a justification and budget details indicating that based on the planned budget, this award is **not** subject to the DBE reporting requirements.

When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the last report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. Annual reports are due by October 30th of each year. Last reports are due 90 days after the end of the project period.

The reporting requirement is based on planned procurements. Recipients with funds budgeted for non-supply procurement and/or \$3,000 or more in supplies are required to report annually whether the planned procurements take place during the reporting period or not. If no procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.

MBE/WBE reports should be sent to **Larry Wells, DBE Coordinator, 5 Post Office Square, Suite 100, Mail Code: OARM 16-2, Boston, Massachusetts, 02109 and the EPA Grant Specialist.** The current EPA Form 5700-52A can be found at the EPA Office of Small Business Program's Home Page at http://www.epa.gov/osbp/dbe_reporting.htm

This provision represents an approved deviation from the MBE/WBE reporting requirements as described in 40 CFR, Part 33, Section 33.502; however, the other requirements outlined in 40 CFR Part 33 remain in effect, including the Fair Share Objectives negotiation as described in 40 CFR Part 33 Subpart D.

CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions

Programmatic Conditions

Assessment Terms and Conditions

Please note that these Terms and Conditions (T&Cs) apply to Brownfields Assessment Grants awarded under CERCLA § 104(k).

I. GENERAL FEDERAL REQUIREMENTS

NOTE: For the purposes of these Terms and Conditions the term “assessment” includes, eligible activities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 104(k)(2)(A)(i) such as activities involving the inventory, characterization, assessment, and planning relating to brownfield sites as described in the EPA approved work plan.

A. Federal Policy and Guidance

1. a. Cooperative Agreement Recipients: By awarding this cooperative agreement, EPA has approved the proposal for the Cooperative Agreement Recipient (CAR) submitted in the Fiscal Year 2014 competition for Brownfields assessment cooperative agreements.

b. In implementing this agreement, the CAR shall ensure that work done with cooperative agreement funds complies with the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) § 104(k). The CAR shall also ensure that assessment activities supported with cooperative agreement funding comply with all applicable Federal and State laws and regulations.

c. The recipient must comply with Federal cross-cutting requirements. These requirements include but are not limited to, MBE/WBE requirements found at 40 CFR Part 33; OSHA Worker Health & Safety Standard 29 CFR 1910.120; the Uniform Relocation Act; National Historic Preservation Act; Endangered Species Act; and Permits required by Section 404 of the Clean Water Act; Executive Order 11246, Equal Employment Opportunity, and implementing regulations at 41 CFR 60-4; Contract Work Hours and Safety Standards Act, as amended (40 USC § 327-333) the Anti Kickback Act (40 USC § 276c) and Section 504 of the Rehabilitation Act of 1973 as implemented by Executive Orders 11914 and 11250.

d. The CAR must comply with Davis-Bacon Act prevailing wage requirements and associated U.S. Department of Labor (DOL) regulations for all construction, alteration and repair contracts and subcontracts awarded with funds provided under this agreement. Activities conducted under assessment grants generally do not involve construction, alteration and repair within the meaning of the Davis-Bacon Act. The recipient must contact EPA's Project Officer if there are unique circumstances (e.g. removal of an underground storage tank or another structure and restoration of the site) which indicate that the Davis-Bacon Act applies to an activity the CAR intends to carry out with funds provided under this agreement. The Agency will provide guidance on Davis-Bacon Act compliance if necessary.

B. Eligible Brownfields Site Determinations

1. a. The CAR must provide information to EPA about site-specific work prior to incurring any costs under this cooperative agreement for sites that have not already been pre-approved in the CAR's work plan by the EPA. The information that must be provided includes whether or not the site meets the definition of a brownfield site as defined in § 101(39) of CERCLA, whether the CAR is the potentially responsible party under CERCLA 107 and/or has defenses to liability.

b. If the site is excluded from the general definition of a brownfield, but is eligible for a property-specific funding determination, then the CAR may request a property-specific funding determination. In their request, the CAR must provide information sufficient for EPA to make a property-specific funding determination on how financial assistance will protect human health and the environment, and either promote economic development or enable the creation of, preservation of, or addition to parks, greenways, undeveloped property, other recreational property, or other property used for nonprofit purposes. The CAR must not incur costs for assessing sites requiring a property-specific funding determination by EPA until the EPA Project Officer has advised the CAR that the Agency has determined that the property is eligible.

2. a. For any petroleum contaminated brownfield site that is not included in the CAR's EPA approved work plan, the CAR shall provide sufficient documentation to the EPA prior to incurring costs under this cooperative agreement which includes (see the latest

version of EPA's *Proposal Guidelines for Brownfields Assessment Grants* dated September 2011 for discussion of this element) documenting that:

- (1) a State has determined that the petroleum site is of relatively low risk, as compared to other petroleum-only sites in the State,
- (2) the State determines there is "no viable responsible party" for the site;
- (3) the State determines that the person assessing or investigating the site is a person who is not potentially liable for cleaning up the site; and
- (4) the site is not subject to any order issued under section 9003(h) of the Solid Waste Disposal Act.

This documentation must be prepared by the CAR or the State following contact and discussion with the appropriate petroleum program official.

b. Documentation must include (1) the identity of the State program official contacted, (2) the State official's telephone number, (3) the date of the contact, and (4) a summary of the discussion relating to the state's determination that the site is of relatively low risk, that there is no viable responsible party and that the person assessing or investigating the site is not potentially liable for cleaning up the site. Other documentation provided by a State to the recipient relevant to any of the determinations by the State must also be provided to the EPA Project Officer.

c. If the State chooses not to make the determinations described in 2.a. above, the CAR must contact the EPA Project Officer and provide the information necessary for EPA to make the requisite determinations.

d. EPA will make all determinations on the eligibility of petroleum-contaminated brownfields sites located on tribal lands (i.e., reservation lands or lands otherwise in Indian country, as defined at 18 U.S.C. 1151). Before incurring costs for these sites, the CAR must contact the EPA Project Officer and provide the information necessary for EPA to make the determinations described in 2.a. above.

II. GENERAL COOPERATIVE AGREEMENT ADMINISTRATIVE REQUIREMENTS

A. Term of the Agreement

1. The term of this agreement is three years from the date of award, unless otherwise extended by EPA at the CAR's request.
2. If after 18 months from the date of award, EPA determines that the CAR has not made sufficient progress in implementing its cooperative agreement, the recipient must implement a corrective action plan approved by the EPA PO or EPA may terminate this agreement for material non-compliance with its terms. For purposes of assessment grants, the recipient demonstrates "sufficient progress" when 35% of funds have been drawn

down and obligated to eligible activities; for assessment coalition grants “sufficient progress” is demonstrated when a solicitation for services has been released, sites are prioritized or an inventory has been initiated if necessary, community involvement activities have been initiated and a Memorandum of Agreement (for Assessment Coalitions) is in place.

3. Assessment funding for an eligible brownfield site may not exceed \$200,000 unless a waiver has been granted by EPA. Following the granting of a waiver, funding is not to exceed \$350,000 at the site.

B. Substantial Involvement

1. The EPA may be substantially involved in overseeing and monitoring this cooperative agreement.

a. Substantial involvement by EPA generally includes administrative activities such as monitoring, reviewing project phases, and approving substantive terms included in professional services contracts.

b. Substantial EPA involvement also includes brownfields property-specific funding determinations described in I.B. under *Eligible Brownfields Site Determinations* above. If the CAR awards a subgrant for site assessment, the CAR must obtain technical assistance from EPA on which sites qualify as a brownfield site and determine whether the statutory prohibition found in section 104(k)(4)(B)(i)(IV) of CERCLA applies. This prohibition precludes the subgrantee from using EPA funds to assess a site for which the subgrantee is potentially liable under § 107 of CERCLA. (See Section II.C.3 for more information on subgrants.)

c. Substantial EPA involvement may include reviewing financial and environmental status reports; and monitoring all reporting, record-keeping, and other program requirements.

d. EPA may waive any of the provisions in term and condition II.B.1., with the exception of property-specific funding determinations. EPA will provide waivers in writing.

2. Effect of EPA’s substantial involvement includes:

a. EPA’s review of any project phase, document, or cost incurred under this cooperative agreement, will not have any effect upon CERCLA § 128 *Eligible Response Site* determinations or rights, authorities, and actions under CERCLA or any Federal statute.

b. The CAR remains responsible for ensuring that all assessments are protective of human health and the environment and comply with all applicable Federal and State laws.

- c. The CAR and its subgrantees remain responsible for incurring costs that are allowable under 2 CFR Part 225 (for state, local and tribal governments) as applicable.

C. Cooperative Agreement Recipient Roles and Responsibilities

1. The CAR must acquire the services of a qualified environmental professional(s) to coordinate, direct, and oversee the brownfields assessment activities at a particular site, if they do not have such a professional on staff.
2. The CAR is responsible for ensuring that contractors and subgrant recipients comply with the terms of their agreements with the CAR, and that agreements between the CAR and subgrant recipients and contractors comply with the terms and conditions of this agreement.
3. Subgrants are defined at 40 CFR 31.36. The CAR may not subgrant to for-profit organizations. The CAR must obtain commercial services and products necessary to carry out this agreement under competitive procurement procedures as described in 40 CFR 31.36. In addition, EPA policy encourages awarding subgrants competitively and the CAR must consider awarding subgrants through competition.
4. The CAR is responsible for assuring that EPA's Brownfields Assessment Grant funding received under this grant, or in combination with any other previously awarded Brownfields Assessment grant does not exceed the \$200,000 assessment grant funding limitation for an individual brownfield site. Waiver of this funding limit for a brownfields site must be approved by EPA prior to the expenditure of funding exceeding \$200,000. In no case may EPA funding exceed \$350,000 on a site receiving a waiver.
5. CARs expending funding from a community-wide assessment grant on a particular site must include such funding amount in any total funding expended on the site.
6. **Competency of Organizations Generating Environmental Measurement Data:** In accordance with Agency Policy Directive Number FEM-2012-02, Policy to Assure the Competency of Organizations Generating Environmental Measurement Data under Agency-Funded Assistance Agreements, the CAR agrees, by entering into this agreement, that it has demonstrated competency prior to award, or alternatively, where a pre-award demonstration of competency is not practicable, the CAR agrees to demonstrate competency prior to carrying out any activities under the award involving the generation or use of environmental data. The CAR shall maintain competency for the duration of the project period of this agreement and this will be documented during the annual reporting process. A copy of the Policy is available online at http://www.epa.gov/fem/lab_comp.htm or a copy may also be requested by contacting the EPA project officer for this award.

D. Quarterly Progress Reports

1. The CAR must submit progress reports on a quarterly basis to the EPA Project Officer. The CAR shall refer to and utilize the assessment model quarterly report found at www.epa.gov/region1.brownfields.
2. The CAR must maintain records that will enable it to report to EPA on the amount of funds expended on specific properties under this cooperative agreement.
3. In accordance with 40 CFR 31.40(d), the CAR agrees to inform EPA as soon as problems, delays, or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the approved work plan.

E. Property Profile Submission

1. The CAR must report on interim progress (i.e., assessment started) and any final accomplishments (i.e., assessment completed, cleanup required, contaminants, Institution Controls, Engineering Controls) by completing and submitting relevant portions of the Property Profile Form using the Brownfields Program on-line reporting system, known as Assessment, Cleanup and Redevelopment Exchange System (ACRES). The CAR must enter the data in ACRES as soon as the interim action or final accomplishment has occurred, or within 30 days after the end of each reporting quarter. EPA will provide the CAR with training prior to obtaining access to ACRES. The training is required to obtain access to ACRES. The CAR must utilize the ACRES system.

F. Final Report

1. The CAR must submit a final report at the end of the period of performance in order to finalize the closeout of the grant. This final report must capture the site names, what work was done at each site and how much was spent at each site. It should also provide information that documents the outreach efforts done by the CAR and other activities that help explain where the funding was utilized.

III. FINANCIAL ADMINISTRATION REQUIREMENTS

A. Eligible Uses of the Funds for the Cooperative Agreement Recipient

1. To the extent allowable under the work plan, cooperative agreement funds may be used for eligible programmatic expenses to inventory, characterize, assess, and conduct planning and outreach. Eligible programmatic expenses include activities described in Section IV of these Terms and Conditions. In addition, such eligible programmatic expenses may include:
 - a. Determining whether assessment activities at a particular site are authorized by CERCLA § 104(k);
 - b. Ensuring that an assessment complies with applicable requirements under

Federal and State laws, as required by CERCLA § 104(k);

c. Using a portion of the grant to purchase environmental insurance for the characterization or assessment of the site. Funds may not be used to purchase insurance intended to provide coverage for any of the Ineligible Uses under Section III.B.

d. Any other eligible programmatic costs including direct costs incurred by the recipient in reporting to EPA; procuring and managing contracts; awarding and managing subgrants to the extent allowable under III. B. 2.; and carrying out community involvement pertaining to the assessment activities.

2. Local Governments only. No more than 10% of the funds awarded by this agreement may be used for brownfield program development and implementation (including monitoring of health and institutional controls) as described in the EPA approved work plan. The CAR must maintain records on funds that will be used to carry out its EPA approved work plan to ensure compliance with this requirement.

B. Ineligible Uses of the Funds for the Cooperative Agreement Recipient

1. Cooperative agreement funds shall not be used by the CAR for any of the following activities:

- a. Cleanup activities;
- b. Development activities that are not brownfields assessment activities (e.g., construction of a new facility);
- c. Job training unrelated to performing a specific assessment at a site covered by the grant;
- d. To pay for a penalty or fine;
- e. To pay a federal cost share requirement (for example, a cost-share required by another Federal grant) unless there is specific statutory authority;
- f. To pay for a response cost at a brownfields site for which the recipient of the grant or subgrant is potentially liable under CERCLA § 107;
- g. To pay a cost of compliance with any federal law, excluding the cost of compliance with laws applicable to the assessment; and
- h. Unallowable costs (e.g., lobbying and fund raising) under 2 CFR Part 225 for state,

local and tribal governments, as applicable. .

2. Under CERCLA § 104(k)(4)(B), administrative costs are prohibited costs under this agreement. Prohibited administrative costs include all indirect costs under 2 CFR Part 225 for state, local and tribal governments, as applicable.

a. Ineligible administrative costs include costs incurred in the form of salaries, benefits, contractual costs, supplies, and data processing charges, incurred to comply with most provisions of the *Uniform Administrative Requirements for Grants* contained in 40 CFR Part 31. Direct costs for grant administration, with the exception of costs specifically identified as eligible programmatic costs, are ineligible even if the grant recipient is required to carry out the activity under the grant agreement.

b. Ineligible grant administration costs include direct costs for:

(1) Preparation of applications for brownfields grants;

(2) Record retention required under 40 CFR 31.42;

(3) Record-keeping associated with supplies and equipment purchases required under 40 CFR 31.32 and 31.33;

(4) Preparing revisions and changes in the budgets, scopes of work, program plans and other activities required under 40 CFR 31.30;

(5) Maintaining and operating financial management systems required under 40 CFR 31;

(6) Preparing payment requests and handling payments under 40 CFR 31.21;

(7) Non-federal audits required under 40 CFR 31.26 and OMB Circular A-133; and

(8) Close out under 40 CFR 31.50.

3. Cooperative agreement funds may not be used for any of the following properties:

a. Facilities listed, or proposed for listing, on the National Priorities List (NPL);

b. Facilities subject to unilateral administrative orders, court orders, administrative orders on consent or judicial consent decree issued to or entered by parties under CERCLA;

c. Facilities that are subject to the jurisdiction, custody or control of the United States government except for land held in trust by the United States government

for an Indian tribe; or

d. A site excluded from the definition of a brownfields site for which EPA has not made a property-specific funding determination.

C. Interest -Bearing Accounts and Program Income

1. In accordance with 40 CFR 31.25(g)(2), the CAR is authorized to add program income to the funds awarded by the EPA and use the program income under the same terms and conditions of this agreement. Program income for the assessment CAR shall be defined as the gross income received by the recipient, directly generated by the cooperative agreement award or earned during the period of the award. Program income includes, but is not limited to, fees charged for conducting assessment, site characterizations, clean up planning or other activities when the costs for the activity is charged to this agreement.

2. The CAR must deposit advances of grant funds and program income (i.e. fees) in an interest bearing account.

a. For interest earned on advances, CARs are subject to the provisions of 40 CFR §31.21(i) to remitting interest on advances to EPA on a quarterly basis.

b. Interest earned on program income is considered additional program income.

c. The CAR must disburse program income (including interest earned on program income) before requesting additional payments from EPA as required by 40 CFR 31.21(f).

IV. ASSESSMENT ENVIRONMENTAL REQUIREMENTS

A. Authorized Assessment Activities

1. Prior to conducting or engaging in any on-site activity with the potential to impact historic properties (such as invasive sampling), the CAR shall consult with EPA regarding potential applicability of the National Historic Preservation Act and, if applicable, shall assist EPA in complying with any requirements of the Act and implementing regulations.

B. Quality Assurance (QA) Requirements

1. When environmental data are collected as part of the brownfields assessment, the CAR shall comply with 40 CFR Part 31.45 requirements to develop and implement quality assurance practices sufficient to produce data adequate to meet project objectives and to minimize data loss. State law may impose additional QA requirements.

2. The recipient shall develop Quality Assurance Project Plans (QAPP) to support all environmental data operations in accordance with “The EPA New England Planning and

Documenting Brownfields Projects - Generic Quality Assurance Project Plans and Site Specific QAPP Addenda,” March 2009. The term “environmental data operations” refers to any measurement or information that describe environmental processes, conditions, or location; ecological or health effects; produced from models or surveys; compiled from other sources such as data bases and literature; or the performance of environmental technology. The Quality Assurance Project Plan must be approved by EPA before data collection and/or data generation activities begin. The recipient will submit the QAPP to the following:

EPA Project Officer (see page 1 of the assistance agreement for name and address), and

Regional Quality Assurance Manager (EQA)
US Environmental Protection Agency
11 Technology Drive
North Chelmsford, MA 01863

C. Green and Sustainable Site Assessment Measures

2. In order to maximize efficiencies and minimize the negative impacts of site assessments, the CAR shall consider and make efforts to implement green and sustainable techniques when conducting site assessments. Such green and sustainable site assessment techniques may include, but are not limited to, minimizing mobilizations, using heavy equipment with advanced emissions controls and/or operated using ultra-low sulfur diesel or fuel-grade biodiesel, and implementing a heavy equipment idle reduction policy on-site. Green and sustainable site assessment measures shall be reported during quarterly reporting.

When cleanup planning in the form of an analysis of brownfields cleanup alternatives (ABCA) or equivalent state Brownfields program document is prepared as part of the brownfields assessment, the document will include information about the applicable site and contamination issues (i.e., exposure pathways, identification of contaminant sources, etc.); cleanup standards; applicable laws; alternatives considered; and the proposed cleanup. If it is anticipated that EPA cleanup or RLF funding may be needed for remediation costs, the evaluation of alternatives must also consider the resilience of the remedial options in light of reasonably foreseeable changing climate conditions (e.g., sea level rise, increased frequency and intensity of flooding and/or extreme weather events, etc.). The evaluation will include an analysis of reasonable alternatives including no action. The cleanup method chosen must be based on this analysis. After the proposed cleanup plan is presented, an additional statement shall be included that will provide ways to make the proposed cleanup “greener” or “more sustainable,” such as reducing energy use or employing alternative energy sources, reducing volume of wastewater generated/disposed, reducing volume of materials taken to landfills, and recycling and re-using materials generated during the cleanup process to the maximum extent practicable.

D. Completion of Assessment Activities

1. The CAR shall properly document the completion of all activities described in the EPA approved work plan. This must be done through a final report or letter from a qualified

environmental professional, or other documentation provided by a State or Tribe that shows assessments are complete.

E. All Appropriate Inquiry

3. As required by CERCLA § 104(k)(2)(B)(ii) and CERCLA § 101(35)(B), the CAR shall ensure that a Phase I site characterization and assessment carried out under this agreement will be performed in accordance with EPA's standard for all appropriate inquiries. The CAR shall utilize the practices in ASTM standard E1527-13 "Standard Practices for Environmental Site Assessment: Phase I Environmental Site Assessment Process," or EPA's All Appropriate Inquiries Final Rule "All Appropriate Inquiries Rule: Reporting Requirements Checklist for Assessment Grant Recipients", (Publication Number: EPA 560-R-11-030). This does not preclude the use of grant funds for additional site characterization and assessment activities that may be necessary to characterize the environmental impacts at the site or to comply with applicable State standards.

4. All Appropriate Inquiries (AAI) final reports produced with funding from this agreement must comply with 40 C.F.R. Part 312 and must, at a minimum, include the information below. All AAI reports submitted to EPA Project Officers as deliverables under this agreement must be accompanied by a completed "Reporting Requirements Checklist" that EPA's Project Officer will provide to the recipient. The checklist also is available to grantees on the EPA website at www.epa.gov/brownfields.

a. An ***opinion*** as to whether the inquiry has identified conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property.

b. An identification of ***"significant" data gaps*** (as defined in 40 C.F.R. 312.10), if any, in the information collected for the inquiry. Significant data gaps include missing or unattainable information that affects the ability of the environmental professional to identify conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property. The documentation of significant data gaps must include information regarding the significance of these data gaps.

c. ***Qualifications and signature*** of the environmental professional(s). The environmental professional must place the following statements in the document and sign the document:

"[I, We] declare that, to the best of [my, our] professional knowledge and belief, [I, we] meet the definition of Environmental Professional as defined in §312.10 of this part."

"[I, We] have the specific qualifications based on education, training, and experience to assess a

property of the nature, history, and setting of the subject property. [I, We] have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.”

Note: Please use either “I” or “We.”

d. In compliance with §312.31(b), the environmental professional must include in the final report an ***opinion regarding additional appropriate investigation*** , if the environmental professional has such an opinion.

5. EPA may review checklists and AAI final reports for compliance with the AAI regulation documentation requirements at 40 CFR part 312 (or comparable requirements for those using ASTM Standard 1527-13). Any deficiencies identified during an EPA review of these documents must be corrected by the recipient within 30 days of notification. Failure to correct any identified deficiencies may result in EPA disallowing the costs for the entire AAI report as authorized by 40 CFR 31.43(a)(2). If a recipient willfully fails to correct the deficiencies the Agency may consider other available remedies under 40 CFR 31.43 and 2 CFR Part 180.

V. CONFLICT OF INTEREST: APPEARANCE OF LACK OF IMPARTIALITY

A. Conflict of Interest

1. The CAR shall establish and enforce conflict of interest provisions that prevent the award of subgrants that create real or apparent personal conflicts of interest, or the CAR’s appearance of lack of impartiality. Such situations include, but are not limited to, situations in which an employee, official, consultant, contractor, or other individual associated with the CAR (affected party) approves or administers a grant or subgrant to a subgrant recipient in which the affected party has a financial or other interest. Such a conflict of interest or appearance of lack of impartiality may arise when:

- (i) The affected party,
- (ii) Any member of his immediate family,
- (iii) His or her partner, or

(iv) An organization which employs, or is about to employ, any of the above, has a financial or other interest in the subgrant recipient.

Affected employees will neither solicit nor accept gratuities, favors, or anything of monetary value from subgrant recipients. Recipients may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by State or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary actions for violations

of such standards by affected parties.

VI. PAYMENT AND CLOSEOUT

A. Payment Schedule

1. The CAR may request payment from EPA pursuant to 40 CFR §31.21(c).

B. Schedule for Closeout

1. Closeout will be conducted in accordance with 40 CFR 31.50. EPA will close out the award when it determines that all applicable administrative actions and all required work of the grant have been completed.
2. The CAR, within 90 days after the expiration or termination of the grant, must submit all financial, performance, and other reports required as a condition of the grant.
 - a. The CAR must submit the following documentation:
 1. The Final Report as described in II.F.
 2. A Final Federal Financial Report (FFR - SF425). Submitted to:

US EPA, Las Vegas Finance Center
4220 S. Maryland Pkwy, Bld C, Rm 503
Las Vegas, NV 89119
Fax: (702) 798-2423_
<http://www.epa.gov/ocfo/finservices/payinfo.html>
 3. A Final MBE/WBE Report (EPA Form 5700-52A). Submitted to the regional office.
 - b. The CAR must ensure that all appropriate data has been entered into ACRES.
 - c. The grantee must immediately refund to the Federal agency any balance of unobligated (unencumbered) cash advanced that is not authorized to be retained for use on other grants.



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2753

5.12

Read / Write/ Now Grant - No Match Required \$212,525 (Mayor Sarno)

WHEREAS, the Library Department ("Department") has been awarded an "Adult and Community Learning Services Grant" of \$212,525 from the Massachusetts Department of Elementary and Secondary Education; and

WHEREAS, the grant is for adult and community learning services; and

WHEREAS, the Department intends to use the grant funds for its Read / Write / Now Program; and

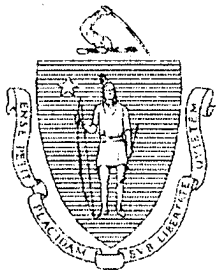
WHEREAS, the Department has accepted the grant and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation.

Read / Write / Now - \$212,525

RESULT: PASSED BY VOICE VOTE



Massachusetts Department of Elementary and Secondary Education

75 Pleasant Street, Malden, Massachusetts 02148-4906

Telephone: (781) 338-3000
TTY: N.E.T. Relay 1-800-439-2370

Adult and Community Learning Services

August 21, 2014

Ms. Janet Kelly
Springfield City Library
220 State Street
Springfield, MA 01103

Dear Ms. Kelly,

Enclosed please find a copy of the approved budget for your FY 2015 grant application that was recently funded through Adult and Community Learning Services at the Massachusetts Department of Elementary and Secondary Education for Springfield City Library. Please note the grant project number 340-009-5-2691-P which is included on all correspondence regarding this award. Also, note any budget changes that might have been made by the Department.

Fiscal notifications regarding this grant will be sent to the "Application Agency Contact Person" you have listed on the "Project Expenditures – Detail Information" page of your application. If other members of your staff require notification, it is the responsibility of this contact person to forward award notices and amendment information as needed.

If you have any questions of a financial nature about your grant at any time during the funding cycle, please call your Program Specialist.

Sincerely,

Lorraine Domigan
Office Manager

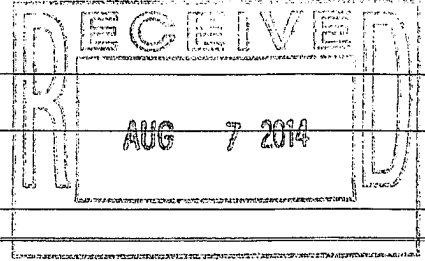
Attachment: Read - Write - Now (2753 : Read / Write/ Now Grant - No Match Required \$212,525)

MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
STANDARD CONTRACT FORM AND APPLICATION FOR PROGRAM GRANTS

5.12.a

PART I - GENERAL

A. APPLICANT: Springfield City Library		District Code:		2	6	9	1
ADDRESS: 220 State Street, Springfield, MA 01103							
TELEPHONE: (413) 263-6839							



B. APPLICATION FOR PROGRAM FUNDING				
FUND CODE	PROGRAM NAME	PROJECT DURATION		AMOUNT REQUESTED
		FROM	TO	
340		9/1/2014	8/31/2015	\$212,52
TOTAL AMOUNT REQUESTED:				\$212,52

C. I CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS CORRECT AND COMPLETE; THAT THE APPLICANT AGENCY HAS AUTHORIZED ME, AS ITS REPRESENTATIVE, TO FILE THIS APPLICATION; AND THAT I UNDERSTAND THAT FOR ANY FUNDS RECEIVED THROUGH THIS APPLICATION THE AGENCY AGREES TO COMPLY WITH ALL APPLICABLE STATE AND FEDERAL GRANT REQUIREMENTS COVERING BOTH THE PROGRAMMATIC AND FISCAL ADMINISTRATION OF GRANT FUNDS.

AUTHORIZED SIGNATORY: <i>Molly Fogarty</i>	TITLE: Library Director
TYPED NAME: Molly Fogarty	DATE: 7/29/14

DO NOT WRITE BELOW THIS LINE

MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION USE ONLY	
GRANTS MANAGEMENT	
For the Department Authorized Signatory:	Date:

Attachment: Read - Write - Now (2753 : Read / Write/ Now Grant - No Match Required \$212,525)



REQUEST FOR GRANT SETUP

This form and the required attachments are required by the Office of the City Comptrollers before a Grant Fund and related accounts will be created in MUNIS. Please do not use this form for requesting a non-grant related account to be created – use the Request for New Account form instead. Please return this form and the required attachments to the Office of the City Comptrollers.

All fields are mandatory.

Date of Request	9/2/2014
Department Requesting Grant Setup	Library
Department Phone # (Please include extension) x290	263-6828
Name and Title of Person to Contact in Case of Questions	C Leaders, Bus Mgr
Was this Grant previously setup for a prior fiscal year? Yes	
If yes, please indicate your previous project number: 68714	
If this is a new Grant, have you filled out the “Approval to apply for a grant” Form? (Y/N) If yes, please attach a copy of the Approved Form.	

Grant Type:

	State – Highway
	Federal Pass-Through DOE– School
	Federal Direct– School
X	Federal – City
	State DOE– School
	State Other – School
	State – City
	Private/Other

Grant Name: Adult and Community Learning Services

Total Grant Amount Awarded: \$212,525

Is this a Reimbursable Grant? (Y/N) N

A Reimbursable Grant is defined as one that requires that you pay for expenses first and then you apply to the grantor for a reimbursement of the exact amount actually expended.

If it is a Reimbursable Grant, please enter Grantor contact information or the CID # if Grantor is already in the customer file:

Entity Name
Contact Person
Street Address
City, State, Zip Code
Telephone
Fax
E-Mail

Actual Award Date 8/21/2014

Board Approval Date

Start Date 9/1/2014

Expiration Date 8/31/2015

Renewal Action Date (optional)

If there are any Matching Funds:

Type
Percent
Amount

Comments re: Description/Purpose of Grant

Comments re: Conditions/Restrictions of Grant

If this is a Federal Grant, enter CFDA#: 84.002

If applicable enter the State ID # :

What is the required drawdown frequency?

(Ex: Monthly, Quarterly)

If payment is to be sent by Grantor as a Wire,

Please enter any wire reference/identification # that may be used (if known)

Please list all object codes needed for the grant.
(Attach additional sheets if additional orgs and roll-ups are needed):

Org Code: 26876105

Object Codes: 501000; 506000; 530105; 551700; 571100; 551300; 524020; 531040;
531200; 517010; 517020

Budget Roll-Up Codes: YES

I hereby attest that under the penalties of Chapter 656, I will adhere to all regulations in this grant agreement. I am responsible for timely and accurate reimbursements in the amounts listed above.

____Molly Fogarty____
Signature

____9/2/2014_____
Date

Please attach the following documents:

- Signed Approval to Apply for a Grant Form
- Grant Award Letter
- City Council/Mayor Approval
- Any other relevant documentation

This Form and all relevant attachments will be scanned and attached in the Grant Maintenance module in MUNIS and can be viewed or printed at your convenience.



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2754

5.13

Mass in Motion - No Match Required \$165,000 (Mayor Sarno)

WHEREAS, the Department of Health and Human Services ("Department") has been awarded a "Mass in Motion Municipal Wellness and Leadership Grant" 'not to exceed' of \$165,000 from The Department of Public Health, Bureau of Community Health and Prevention; and

WHEREAS, the funding is provided to improve policy, systems, and environmental conditions that impact the health of the community; and

WHEREAS, the Department intends to use the funds during the period October 1, 2014 through June 30, 2017, to continue to support healthier eating and active living; and

WHEREAS, the Department has accepted the grant and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

Mass in Motion - \$165,000

RESULT: PASSED BY VOICE VOTE



REQUEST FOR GRANT SETUP

This form and the required attachments are required by the Office of the City Comptrollers before a Grant Fund and related accounts will be created in MUNIS. Please do not use this form for requesting a non-grant related account to be created – use the Request for New Account form instead. Please return this form and the required attachments to the Office of the City Comptrollers.

All fields are mandatory.

Date of Request	8/27/2014
Department Requesting Grant Setup	SHHS
Department Phone # (Please include extension)	6710
Name and Title of Person to Contact in Case of Questions	Helen Caulton-Harris
Was this Grant previously setup for a prior fiscal year?	Yes
If yes, please indicate your previous project number:	89714
If this is a new Grant, have you filled out the "Approval to apply for a grant" Form? (Y/N) If yes, please attach a copy of the Approved Form.	

Grant Type:

State – Highway
 Federal Pass-Through DOE– School
 Federal Direct-- School
 Federal – City
 State DOE-- School
 State Other – School
 State – City
 Private/Other

Xxx

Grant Name: MASS in MOTION

Attachment: Mass in Motion (2754 : Mass in Motion - No Match Required \$165,000)

Total Grant Amount Awarded: \$ Total Award for three Years \$ 165,000

2015-	\$	45,000
2016	\$	60,000
2017	\$	60,000

Is this a Reimbursable Grant?

(Y/N) Yes

A Reimbursable Grant is defined as one that requires that you pay for expenses first and then you apply to the grantor for a reimbursement of the exact amount actually expended.

If it is a Reimbursable Grant, please enter Grantor contact information or the CID # if Grantor is already in the customer file:

Entity Name	MA Dept of Public Health
Contact Person	Melissa Lucien
Street Address	250 Washington Street, 4 TH fl
City, State, Zip Code	Boston, MA 02108
Telephone	617-624-5593
Fax	617
E-Mail	

Actual Award Date 8/27/2014

Board Approval Date

Start Date 10/1/2014

Expiration Date 6/30/2015

Renewal Action Date (optional)

If there are any Matching Funds:

Type
Percent
Amount

Comments re: Description/Purpose of Grant
Mass In Motion

Comments re: Conditions/Restrictions of Grant
See Budget

If this is a Federal Grant, enter CFDA#:

If applicable enter the State ID # :

What is the required drawdown frequency?

(Ex: Monthly, Quarterly) Quarterly

If payment is to be sent by Grantor as a Wire,

Please enter any wire reference/identification # that may be used (if known)

INTF4200P01502925067

Attachment: Mass in Motion (2754 : Mass in Motion - No Match Required \$165,000)

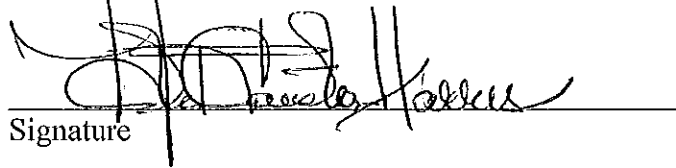
Please list all object codes needed for the grant.
(Attach additional sheets if additional orgs and roll-ups are needed):

Org Code: 28975200 (89715)

Object Codes: 530105

Budget Roll-Up Codes: Yes

I hereby attest that under the penalties of Chapter 656, I will adhere to all regulations in this grant agreement. I am responsible for timely and accurate reimbursements in the amounts listed above.


Signature

9/4/2014
Date

Please attach the following documents:

- ☐ Signed Approval to Apply for a Grant Form
- ☐ Grant Award Letter
- ☐ City Council/Mayor Approval
- ☐ Any other relevant documentation

This Form and all relevant attachments will be scanned and attached in the Grant Maintenance module in MUNIS and can be viewed or printed at your convenience.

Attachment: Mass in Motion (2754 : Mass in Motion - No Match Required \$165,000)



The Commonwealth of Massachusetts
 Executive Office of Health and Human Services
 Department of Public Health
 250 Washington Street, Boston, MA 02108-4619

DEVAL L. PATRICK
GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

CHERYL BARTLETT, RN
COMMISSIONER

Tel: 617-624-5070
 Fax: 617-624-5075
www.mass.gov/dph

August 27, 2014

Helen Caulton-Harris
 City of Springfield
 95 State Street, Suite 201
 Springfield, MA 01103

Re: **Mass in Motion**
 Contract#: INTF4200P01502925067

Dear Ms. Caulton-Harris:

The Massachusetts Department of Public Health is pleased to inform you that your agency is being awarded funding through a new grant (502925).

The award amounts are indicated below:

FY15: October 1, 2014 – June 30, 2015:	\$ 45,000.00
FY16: July 1, 2015 – June 30, 2016:	\$ 60,000.00
FY17: July 1, 2016 – June 30, 2017:	\$ 60,000.00
Total Maximum Obligation for All Years (FY15-FY17):	\$165,000.00

Options to Renew:	No
Change of Scope Required:	Yes
Conditions Attached:	Yes
Federal Funds:	Yes

Please read any attached conditions and respond within the timeframe specified. Complete and return the enclosed contract to the MDPH Purchase of Service (POS) Office by the date indicated on the face page of the contract package. If you have any questions regarding this award, please contact the people indicated below:

Attachment: Mass in Motion (2754 : Mass in Motion - No Match Required \$165,000)

Program Contact: Melissa Lucien, 617-624-5539, melissa.lucien@state.ma.us
Purchase of Service Contact: Luz Bonano, 617-624-5812, luz.bonano@state.ma.us

This award is subject to funding by the legislature and/or federal grantor. Because this is a multi-year award, the funding specifications as defined within each fiscal year's award amount on the face page of the contract are specifically restricted to use during that fiscal year. Future year awards will be obligated separately prior to the beginning of each new fiscal year.

Any funds designated in the budget that are unspent in any fiscal year will not be available for expenditure in the subsequent fiscal year without a formal contract amendment re-authorizing these funds. The maximum obligation of the contract will automatically be reduced by the amount of the unspent funds from a prior fiscal year and the Department may adjust the encumbrance in the accounting system to reflect the unspent funds for the prior fiscal year.

An annual contract performance review process will be conducted for this contract. The contract performance review will include the examination of the results and measures component of the contract as well as overall performance related to the Scope of Service and DPH Contracting Principles.

On behalf of the Department, I want to thank you for your continued commitment to improve the health of the people of the Commonwealth.

Sincerely,



Elizabeth Barry
Director of Administration and Finance
Bureau of Community Health and Prevention

Issued May

2004



COMMONWEALTH OF MASSACHUSETTS

CONTRACTOR AUTHORIZED SIGNATORY LISTING

CONTRACTOR LEGAL NAME : CITY OF SPRINGFIELD

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CONTRACTOR VENDOR/CUSTOMER CODE: 04-6001415

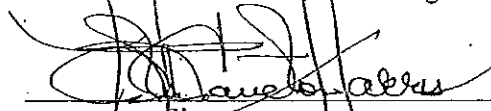
INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
HELEN CAULTON-HARRIS	Commissioner

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.



 Signature

Date: May 26th 2014

Title: Commissioner

Telephone: 413-787-6456

Fax: 413-787-6458

Email: hcaulton@springfieldcityhall.com

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

Issued May

2004



COMMONWEALTH OF MASSACHUSETTS

CONTRACTOR AUTHORIZED SIGNATORY LISTING

CONTRACTOR LEGAL NAME : CITY OF SPRINGFIELD
 DEPARTMENT OF HEALTH AND HUMAN SERVICES
 CONTRACTOR VENDOR/CUSTOMER CODE: 04-6001415

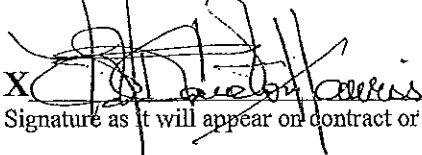
PROOF OF AUTHENTICATION OF SIGNATURE

It is required that Departments obtain authentication of signature for the signatory who submits the Contractor Authorized Listing.

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type): HELEN CAULTON-HARRIS

Title: Commissioner

X 

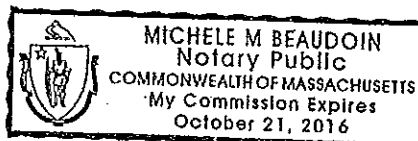
Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

I, Michele M. Beaudoin (NOTARY) as a notary public certify that I witnessed the signature of the aforementioned signatory above and I verified the individual's identity on this date:

May 26, 20 14

My commission expires on:



AFFIX NOTARY SEAL

I, _____ (CORPORATE CLERK) certify that I witnessed the signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's authority as an authorized signatory for the Contractor on this date:

_____, 20 ____

AFFIX CORPORATE SEAL

Scope of Services

This Attachment Form must be used. Please check the appropriate box when processing a new contract or a contract amendment.

Contract ID #: CITY OF SPRINGFIELD - INTF4200P01502925067

Any funds designated in the budget that are unspent in any fiscal year will not be available for expenditure in the subsequent fiscal year without a formal contract amendment re-authorizing these funds. The maximum obligation of the contract will automatically be reduced by the amount of the unspent funds from a prior fiscal year.

X New Contract This form will only be included with packages where a procurement exception (waiver) supports the contract. Identify in detail the scope of services in terms of performance for a new contract. Services provided must be in accordance with the budget and the terms and conditions of the federal grant (if applicable).

See award letter attached

Contract Amendment

If choosing amendment you must check off one of the three types below and provide explanation

Increase

Include a clear explanation of what the funding change will support in terms of additional services.

Decrease

Include a clear explanation of what services are being reduced as a result of the funding decrease.

Other

Identify the changes to the scope of services supported by the amendment (No change in Max Obligation).

Attachment: Mass in Motion (2754 : Mass in Motion - No Match Required \$165,000)

Mass in Motion Scope of Work and Contract Conditions FY15-FY17

SCOPE OF WORK

The purpose of the Mass in Motion Municipal Wellness and Leadership Initiative is to implement local policy, systems and environmental change strategies to prevent and reduce overweight/obesity, chronic disease and associated risk factors and to create healthier communities. Interventions will focus on healthy eating, active living, and promotion of healthy and safe physical environments. The initiative is municipal led with the creation of a multi-sector partnership to develop and implement the community-level strategies. Grantees will use the funds to transform where their residents live, work, play and go to school so that they can lead healthier, more productive lives. Grantees should focus on reducing disparities and health inequities. Strategies must be consistent with best practices from the Centers for Disease Control and Prevention (CDC) and evidenced-based practice such as recommendations from the Institute of Medicine and Robert Wood Johnson Foundation. Mass in Motion is a multi-faceted initiative and all local strategies as part of the Municipal Wellness and Leadership program must be consistent with state-wide, MDPH lead Mass in Motion efforts.

Examples of comprehensive approaches to healthy eating and active living for community-level strategies include:

Increasing accessibility, availability, affordability and identification of healthful foods in communities by:

- Creating incentives to attract supermarkets or grocery stores to underserved neighborhoods or enabling current small stores in underserved areas to carry healthier, affordable and culturally appropriate food items
- Enhancing accessibility to grocery stores through public safety efforts such as better outdoor lighting and community policing or realigning bus routes or providing other transportation to ensure residents can access supermarkets and grocery stores easily and affordably through public transportation
- Requiring menu labeling in restaurants not covered by federal law
- Offering incentives for restaurants and convenience stores that promote healthier options and/or make healthier options more readily available
- Encouraging use of SNAP and WIC benefits at farmers' markets by obtaining equipment to allow for use of EBT cards and/or leveraging additional funds to match EBT purchases.
- Introducing or modifying land use policies/zoning regulations to promote, expand, and protect potential sites for community gardens and farmers' markets, such as vacant municipal-owned land or unused parking lots, particularly in underrepresented communities/neighborhoods

- Requiring that plain water be available in municipally operated and administered outdoor areas and facilities and/or adopt building codes to require access to and maintenance of fresh water drinking water foundations
- Establish nutritional standards and guidelines for use at food pantries and meal sites

Reducing access to and consumption of calorie-dense, nutrient poor foods by:

- Implementing zoning designed to limit the density of fast food establishments in residential communities and/or adopt land use and zoning policies that restrict fast food establishments near school grounds and public playgrounds
- Reducing advertising and marketing of calorie-dense, nutrient-poor foods and beverages near school grounds and public places frequently visited by youth
- Creating incentive or recognition programs to encourage grocery stores and convenience stores to reduce point-of-sale marketing of calorie-dense, nutrient-poor foods

Increasing opportunities for physical activity in communities by:

- Adopting joint use agreements to make facilities available for recreational use by children, adults and families
- Establishing a community-wide safe routes to school initiative to increase walking and bicycling to school on a daily basis
- Building and/or maintaining parks and playgrounds that are safe and attractive for playing and in close proximity to residential areas and/or adopt community policing strategies that improve safety and security for park and playground use

Improving the built environment to advance opportunities for healthy living by encouraging walking/bicycling (for transportation and recreation), increasing access to public transportation and improving access to healthy food for people of all and ages and abilities by:

- Incorporating health (with measurable goals and objectives) into municipal plans such as comprehensive/master plans, open space plans, etc.
- Conducting Health-Based zoning/ordinance/regulation reviews that assess barriers to active transportation, public transit access, access to healthy food and access to green/open space
- Adopting pedestrian, bicycle and public transit master plans to develop a long-term vision for walking, bicycling and access to public transit that include measurable goals and objectives
- Establishing active design standards/guidelines for use with all new development projects
- Establishing and implementing local "complete streets" policies that include measurable goals and objectives
- Establishing community protocols (including use of Health Impact Assessments) to assess impact of built environment related changes on community health and well being

- Developing healthy community design checklists and establishing cross-disciplinary teams (planning, health, public works, transportation, council on aging) to review and assess all proposed developments

CONTRACT CONDITIONS

Required program components include:

- Collaborate with other DPH funded programs and partners such as Massachusetts Tobacco Cessation and Prevention Program (MTCP), Bureau of Substance Abuse Services (BSAS), Violence and Injury Prevention, Prevention and Wellness Trust Fund (PWTF) and other initiatives to strengthen local policy promotion and creation of healthier communities.
- Apply a health equity lens to local efforts. Target populations and/ or areas at highest risk for overweight, obesity, chronic disease and related negative health outcomes when selecting strategies and engaging partners.
- Support youth development and engagement activities aimed at community improvements/change.
- Each program should have one individual Program Coordinator (at least .5 FTE) who is able to coordinate policy, systems and environmental strategies, multi-sector partnership and grant requirements. Depending on the size of the grant, additional staff or consultants can be funded to work on grant activities.
- Establish and coordinate of a multi-sector partnership to support community-level strategies. The partnership should:
 - Include municipal and community-based partners
 - Be reflective of stakeholders that can impact the selected strategies
 - Ensure inclusion of community members
- Implement a minimum of three community-level strategies that address healthy eating and active living. Grantees must implement strategies that are broad based policy, systems and environmental change strategies aimed at creating conditions to support and reinforce healthy behaviors for people of all ages and abilities and for populations experiencing disparities. Grantees are required to take a comprehensive approach and include both healthy eating and active living strategies in their annual work plan.

Cost categories

- Staff time
- Fringe
- Payroll taxes
- Program supplies

- Travel should primarily be in-state. Out-of-state travel will only be permissible when pre-approved by DPH.
- Contractual costs
- Administrative/overhead/indirect costs of up to 15% for the lead municipality and/or regional agency
- Utilities

Allowable Expenses

To be considered an allowable expense, costs must meet the following general criteria:

- Be necessary and reasonable for proper and efficient operation of the program.
- Be permissible under applicable state and/or federal laws and regulations.
- Be the net amount after applying all applicable credits, such as purchase discounts, project-generated income, and adjustments of overpayments.
- Must not be included as a cost in any other project or grant.

Non-Allowable Expenses

- Supervisor and administrative time should be limited to .1 FTE unless DPH provides prior approval.
- Food expenses outside of food for meetings and trainings or food demos that support work plan strategies (ex. EBT matching dollars, purchase of produce, gift cards, vouchers, coupons etc.)
- Equipment (ex. computers, laptops, cell phones, furniture, construction equipment, playground equipment, gym equipment, etc.) unless DPH provides prior approval.
- Gift cards/coupons/vouchers
- Recipients may not use funds for litigation and/or for directly or indirectly participating in, or intervening in, any political campaign on behalf of (or in opposition to) any candidate for elective public office.

Fiscal Performance Requirements

- First quarter funds will be released to lead municipality upon 1) DPH receipt of a signed contract and initial FY15 budget and 2) signatures by authorized signatory and project manager accepting the terms of these contract conditions. Future payments will be issued to the lead municipality on a quarterly basis upon receipt of quarterly expenditure reports and approved workplan.
- Programs will be required to submit quarterly expenditure reports. Reports will be due at the end of each quarter on or before the 31st of the following month (ex. Jan 31st, Apr 30th, Jul 31st etc.). Failure to submit reports by required deadline may result in subsequent payments being withheld.

- Any unspent funds must be returned to DPH at the end of each fiscal year.
- Backup documentation on all expenses such as invoices, receipts and timesheets are required to be kept until end of grant and archived for seven years after contract ends.

Programmatic Performance Requirements

- Programs must complete a comprehensive annual work plan with target (objectives) and milestones using guidelines provided by MDPH. Programs must submit and receive DPH approval of their FY15 work plan with aligned budget before the end of the first quarter (December 31, 2014) in order to receive payment for the second quarter. Revised budgets with a change in key personnel, deviance of more than 15% or significant change of scope will require a budget change request.
- Programs will submit quarterly progress reports on work plan milestones and participate in Mass in Motion evaluation and data collection activities as requested. Reports are due at the end of each quarter on or before the 15th of the following month (ex. Jan 15th, Apr 15th, Jul 15th etc.). Failure to submit reports by required deadline may result in subsequent payments being withheld.
- Programs need to attend required meetings, trainings and webinars. An annual calendar of required meetings, trainings and webinars will be provided.
- Programs will be required to participate in site visits and fiscal audits as deemed necessary by DPH.
- Programs will be required to receive technical assistance deemed necessary by MDPH in order to successfully implement strategies.
- In order to ensure consistent Mass in Motion messaging, programs will be required to work with communications technical assistance providers when seeking earned media opportunities.
- Attribution for DPH funded activities on press releases, flyers etc. should include the Mass in Motion logo and the following language *"This program is funded by Mass in Motion, an initiative of the Massachusetts Department of Public Health."*
- Programs should adopt the MDPH Healthy Meetings and Events Guide for all grant funded meetings and activities. <http://www.mass.gov/eohhs/docs/dph/com-health/nutrition-phys-activity/healthy-meeting-event-guide.pdf>
- Programs will use the Massachusetts Healthy Community Design Toolkit to inform strategies aimed at improving the built environment to advance opportunities for healthy living by encouraging walking/bicycling (for transportation and recreation), increasing access to public transportation and improving access to healthy food for people of all ages and abilities. http://www.pvpc.org/sites/default/files/files/HCDT_2ndEdition_140624_01.pdf

SIGNATURES REQUIRED FOR CONTRACT EXECUTION

We have read and understand the scope of service and contract conditions for the Mass in Motion grant. We are aware that this grant will be reauthorized for a term of 2 years 9 months pending appropriation.

Municipality:

1. Authorized Signatory:

Print Name _____

Title _____

Sign: _____

Date _____

2. Mass in Motion Coordinator/Grant Manager:

Print Name _____

Title _____

Sign: _____

Date _____



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Lindsay B. Hackett
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2750

5.14

Byrne JAG Grant - \$159,149 - No Match (Mayor Sarno)

WHEREAS, the Police Department has been awarded an Edward Byrne Memorial Justice Assistance Grant (JAG) for \$159,149.00 from the Department of Justice; and

WHEREAS, the grant is intended for support of a broad range of activities to prevent and control crime; and

WHEREAS, the Department intends to use the grant funds for equipment and technology upgrades and replacement for priority areas in the delivery of modern police services; and

WHEREAS, the Department has accepted the grant and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws Ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

FY15 Edward Byrne Memorial Justice Assistance Grant \$159,149.00

RESULT: PASSED BY VOICE VOTE

August 26, 2014

Mr. Lee:

Per my recent email to you, please accept the attached document in support of our request for inclusion on the agenda for the next City Council meeting on September 15, 2014. Kindly advise me if any additional documents are required.

Thank you in advance.



Officer Carla Daniele

Springfield Police Department

Office of Grants and Planning

(413)787-6147



Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

August 6, 2014

The Honorable Domenic J. Sarno
City of Springfield
36 Court Street
City Hall
Springfield, MA 01103-1698

Dear Mayor Sarno:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the **FY 14 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local** in the amount of **\$159,149** for City of Springfield.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Michael Bottner, Program Manager at (202) 514-0686; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Denise O'Donnell", is located below the "Sincerely," text.

Denise O'Donnell
Director

Enclosures



REQUEST FOR GRANT SETUP

This form and the required attachments are required by the Office of the City Comptrollers before a Grant Fund and related accounts will be created in MUNIS. Please do not use this form for requesting a non-grant related account to be created – use the Request for New Account form instead. Please return this form and the required attachments to the Office of the City Comptrollers.

All fields are mandatory.

Date of Request 9/3/2014

Department Requesting Grant Setup Police

Department Phone # (Please include extension) 787-6385

Name and Title of Person to Contact in Case of Questions Lisa Willis

Was this Grant previously setup for a prior fiscal year? 62414

If yes, please indicate your previous project number: 26242100 62414

If this is a new Grant, have you filled out the "Approval to apply for a grant" Form?
(Y/N) If yes, please attach a copy of the Approved Form.

Grant Type:

State – Highway

Federal Pass-Through DOE– School

Federal Direct– School

X Federal – City

State DOE– School

State Other – School

State – City

Private/Other

Grant Name: FY 2014 Justice Assistance Grant Program

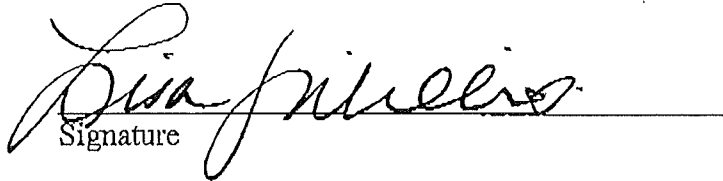
Total Grant Amount Awarded: \$ 159,149

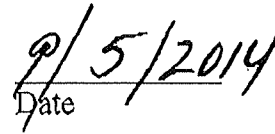
Attachment: JAG grant set up form (2750 : Byrne JAG Grant - \$159,149 - No Match)

Object Codes: 580600 -\$159,149

Budget Roll-Up Codes:

I hereby attest that under the penalties of Chapter 656, I will adhere to all regulations in this grant agreement. I am responsible for timely and accurate reimbursements in the amounts listed above.


Signature


Date

Please attach the following documents:

- ☐ Signed Approval to Apply for a Grant Form
- ☐ Grant Award Letter
- ☐ City Council/Mayor Approval
- ☐ Any other relevant documentation

This Form and all relevant attachments will be scanned and attached in the Grant Maintenance module in MUNIS and can be viewed or printed at your convenience.

Attachment: JAG grant set up form (2750 : Byrne JAG Grant - \$159,149 - No Match)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2748

5.15

Library Trust Income \$134,413.00 (Mayor Sarno)

WHEREAS, the Library Department has been awarded Library Trust Income of 'not to exceed' \$134,413.00 from the Springfield Library Foundation, Inc.; and

WHEREAS, the income represents the first quarter payment to the Library of trust income for FY2015;

WHEREAS, the Department intends to use the grant funds to purchase library materials; and

WHEREAS, the Department has accepted the grant and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

Library Trust Income \$134,413.00

RESULT: PASSED BY VOICE VOTE

SPRINGFIELD LIBRARY FOUNDATION, INC.
220 STATE STREET
SPRINGFIELD, MA 01103

July 25, 2014

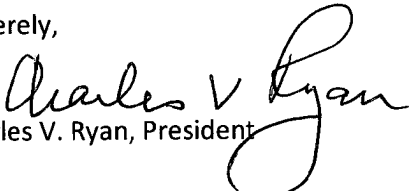
T. J. Plante, CAFO
City of Springfield
36 Court Street
Springfield, MA 01103

Dear Mr. Plante:

The members of the Foundation are pleased to be acting in conformance to the wishes of Annie Curran whose generosity has resulted in the abundance of financial support which she donated so many years ago for the purpose.

The Foundation shall render to the City of Springfield quarterly payments on the 30th of July, October, January and April of FY'15. The first Quarter payment shall be in the amount of \$33,603. The Foundation agrees to pay \$134,413 in support of the FY '15 Mason Square Library operating expenses.

Sincerely,


Charles V. Ryan, President

Attachment: Library Trust Income (2748 : Library Trust Income \$134,413.00)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2755

5.16

Health Services for the Homeless Increase - \$24,212.00 (Mayor Sarno)

WHEREAS, the Department of Health and Human Services, Health Services for the Homeless (HSH) has been awarded an increase of \$24,212.00 for the "Health Center Cluster" grant from U.S. Department of Health & Human Services, Health Resources and Services Administration for the budget period 8/08/2014 through 10/31/2014; and

WHEREAS, the City of Springfield, Health & Humans Services Division, Health Services for the Homeless through advocacy, accessibility, and cultural sensitivity provides medical, mental health, dental and case management services to homeless population in the tri-county area of Berkshire, Hampshire and Hampden; and

WHEREAS, the Department intends to use the grant funds to provide these services; and

WHEREAS, the Department has accepted the grant funds and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

Health Services For the Homeless Increase - \$24,212.00

RESULT: PASSED BY VOICE VOTE



REQUEST FOR GRANT SETUP

This form and the required attachments are required by the Office of the City Comptrollers before a Grant Fund and related accounts will be created in MUNIS. Please do not use this form for requesting a non-grant related account to be created – use the Request for New Account form instead. Please return this form and the required attachments to the Office of the City Comptrollers.

All fields are mandatory.

Date of Request 8/13/14

Department Requesting Grant Setup SHHS

Department Phone # (Please include extension) 6454

Name and Title of Person to Contact in Case of Questions Helen Caulton-Harris

Was this Grant previously setup for a prior fiscal year? Yes
If yes, please indicate your previous project number: 67710

If this is a new Grant, have you filled out the "Approval to apply for a grant" Form?
(Y/N) If yes, please attach a copy of the Approved Form.

Grant Type:

State – Highway

Federal Pass-Through DOE– School

Federal Direct– School

XXX Federal – City

State DOE– School

State Other – School

State – City

Private/Other

Grant Name: Health Services for the Homeless

Total Grant Amount Awarded: \$ 24,212.00 (Increase)

Is this a Reimbursable Grant?

(Y/N) Yes

A Reimbursable Grant is defined as one that requires that you pay for expenses first and then you apply to the grantor for a reimbursement of the exact amount actually expended.

If it is a Reimbursable Grant, please enter Grantor contact information or the CID # if Grantor is already in the customer file:

Entity Name	HRSA/OFAM/DGMO/HCB
Contact Person	A. Wade
Street Address	5600 Fishers Lane
City, State, Zip Code	Rockville, MD 20857-0001
Telephone	301-594-5296
Fax	
E-Mail	awade@hrsa.gov

Actual Award Date	8/8/2014
Board Approval Date	
Start Date	8/8/2014
Expiration Date	10/31/2014
Renewal Action Date (optional)	
If there are any Matching Funds:	

Type	
Percent	
Amount	

Comments re: Description/Purpose of Grant
Health Services for the Homeless

Comments re: Conditions/Restrictions of Grant
See Budget

If this is a Federal Grant, enter CFDA#: 93.224

If applicable enter the State ID # :

What is the required drawdown frequency?
(Ex: Monthly, Quarterly)

If payment is to be sent by Grantor as a Wire,
Please enter any wire reference/identification # that may be used (if known)
H80CS00001CO

Please list all object codes needed for the grant.
(Attach additional sheets if additional orgs and roll-ups are needed):

Org Code: 26775205

Object Codes: 530105

Budget Roll-Up Codes: yes

I hereby attest that under the penalties of Chapter 656, I will adhere to all regulations in this grant agreement. I am responsible for timely and accurate reimbursements in the amounts listed above.

Signature

Date

Please attach the following documents:

- ☐ Signed Approval to Apply for a Grant Form
- ☐ Grant Award Letter
- ☐ City Council/Mayor Approval
- ☐ Any other relevant documentation

This Form and all relevant attachments will be scanned and attached in the Grant Maintenance module in MUNIS and can be viewed or printed at your convenience.

1. DATE ISSUED: 08/08/2014		2. PROGRAM CFDA: 93.224		 U.S. Department of Health and Human Services HRSA Health Resources and Services Administration NOTICE OF AWARD AUTHORIZATION (Legislation/Regulation) Public Health Service Act, Title III, Section 330 Public Health Service Act, Section 330, 42 U.S.C. 254b Affordable Care Act, Section 10503							
3. SUPERSEDES AWARD NOTICE dated: 04/21/2014 except that any additions or restrictions previously imposed remain in effect unless specifically rescinded.											
4a. AWARD NO.: 6 H80CS00001-13-03		4b. GRANT NO.: H80CS00001						5. FORMER GRANT NO.: H66CS00329			
6. PROJECT PERIOD: FROM: 11/01/2001 THROUGH: 10/31/2015											
7. BUDGET PERIOD: FROM: 11/01/2013 THROUGH: 10/31/2014											
8. TITLE OF PROJECT (OR PROGRAM): HEALTH CENTER CLUSTER											
9. GRANTEE NAME AND ADDRESS: CITY OF SPRINGFIELD, MASSACHUSETTS 95 STATE STREET SPRINGFIELD, MA 01103-2073 DUNS NUMBER: 198910523 BHCMS # 010120				10. DIRECTOR: (PROGRAM DIRECTOR/PRINCIPAL INVESTIGATOR) HELEN R CAULTON-HARRIS CITY OF SPRINGFIELD, MASSACHUSETTS 95 State St Springfield, MA 01103-2073							
11. APPROVED BUDGET: (Excludes Direct Assistance) ☐ Grant Funds Only ☒ Total project costs including grant funds and all other financial participation				12. AWARD COMPUTATION FOR FINANCIAL ASSISTANCE: a. Authorized Financial Assistance This Period \$1,266,211.00 b. Less Unobligated Balance from Prior Budget Periods i. Additional Authority \$0.00 ii. Offset \$0.00 c. Unawarded Balance of Current Year's Funds \$0.00 d. Less Cumulative Prior Awards(s) This Budget Period \$1,241,999.00 e. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION \$24,212.00							
a. Salaries and Wages : \$0.00 b. Fringe Benefits : \$0.00 c. Total Personnel Costs : \$0.00 d. Consultant Costs : \$0.00 e. Equipment : \$0.00 f. Supplies : \$0.00 g. Travel : \$0.00 h. Construction/Alteration and Renovation : \$0.00 i. Other : \$1,266,211.00 j. Consortium/Contractual Costs : \$0.00 k. Trainee Related Expenses : \$0.00 l. Trainee Stipends : \$0.00 m. Trainee Tuition and Fees : \$0.00 n. Trainee Travel : \$0.00 o. TOTAL DIRECT COSTS : \$1,266,211.00 p. INDIRECT COSTS (Rate: % of S&W/TADC) : \$0.00 q. TOTAL APPROVED BUDGET : \$1,266,211.00 i. Less Non-Federal Share: \$0.00 ii. Federal Share: \$1,266,211.00				13. RECOMMENDED FUTURE SUPPORT: (Subject to the availability of funds and satisfactory progress of project) <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">YEAR</th> <th style="width: 70%;">TOTAL COSTS</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">14</td> <td style="text-align: right;">\$1,276,273.00</td> </tr> </tbody> </table>				YEAR	TOTAL COSTS	14	\$1,276,273.00
								YEAR	TOTAL COSTS		
14	\$1,276,273.00										
14. APPROVED DIRECT ASSISTANCE BUDGET: (In lieu of cash) a. Amount of Direct Assistance \$0.00 b. Less Unawarded Balance of Current Year's Funds \$0.00 c. Less Cumulative Prior Awards(s) This Budget Period \$0.00 d. AMOUNT OF DIRECT ASSISTANCE THIS ACTION \$0.00				15. PROGRAM INCOME SUBJECT TO 45 CFR Part 74.24 OR 45 CFR 92.25 SHALL BE USED IN ACCORD WITH ONE OF THE FOLLOWING ALTERNATIVES: A=Addition B=Deduction C=Cost Sharing or Matching D=Other Estimated Program Income: \$0.00							
16. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY HRSA, IS ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING: a. The grant program legislation cited above. b. The grant program regulation cited above. c. This award notice including terms and conditions, if any, noted below under REMARKS. d. 45 CFR Part 74 or 45 CFR Part 92 as applicable. In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of the grant terms and conditions is acknowledged by the grantee when funds are drawn or otherwise obtained from the grant payment system.											
REMARKS: (Other Terms and Conditions Attached ☒ Yes ☐ No)											
Electronically signed by Helen Harpold, Grants Management Officer on: 08/08/2014											
17. OBJ. CLASS: 41.51		18. CRS-EIN: 1046001415A2		19. FUTURE RECOMMENDED FUNDING: \$0.00							
FY-CAN	CFDA	DOCUMENT NO.	AMT. FIN. ASST.	AMT. DIR. ASST.	SUB PROGRAM CODE	SUB ACCOUNT CODE					
14 - 398879D	93.527	H80CS00001C0	\$24,212.00	\$0.00	HCH	H80CS00001C0					

Attachment: Healthservices for Homeless (2755 : Health Services for the Homeless Increase - \$24,212.00)

HRSA Electronic Handbooks (EHBs) Registration Requirements

The Project Director of the grant (listed on this NoA) and the Authorizing Official of the grantee organization are required to register (if not already registered) within HRSA's Electronic Handbooks (EHBs). Registration within HRSA EHBs is required only once for each user for each organization they represent. To complete the registration quickly and efficiently we recommend that you note the 10-digit grant number from box 4b of this NoA. After you have completed the initial registration steps (i.e., created an individual account and associated it with the correct grantee organization record), be sure to add this grant to your portfolio. This registration in HRSA EHBs is required for submission of noncompeting continuation applications. In addition, you can also use HRSA EHBs to perform other activities such as updating addresses, updating email addresses and submitting certain deliverables electronically. Visit <https://grants.hrsa.gov/webexternal/login.asp> to use the system. Additional help is available online and/or from the HRSA Call Center at 877-Go4-HRSA/877-464-4772.

Terms and Conditions

Failure to comply with the special remarks and condition(s) may result in a draw down restriction being placed on your Payment Management System account or denial of future funding.

Grant Specific Term(s)

1. This Notice of Award (NoA) provides funds for an increase to the grantee's annual ongoing base funding in accordance with statutory requirements and, as appropriate, continued recognition as a patient center medical home for its site(s). The increase in annual base funding has been added to the OTHER Category within the Federal Object Class Budget Category breakdown as reflected on the NoA. Health centers may reallocate these federal funds as appropriate for their budgetary needs. Prior approval is required from HRSA ONLY when proposing to shift federal funds among object class budget categories in amounts that exceed the specified threshold prescribed in 45 CFR 74.25. In addition, health centers are reminded of the requirement to track expenditures of federal funds and should consult Policy Information Notice (PIN) 2013-01: Health Center Budgeting and Accounting Requirements for further guidance.

All prior terms and conditions remain in effect unless specifically removed.

Contacts

NoA Email Address(es):

Name	Role	Email
Helen R Caulton-Harris	Program Director, Authorizing Official	hcaulton@springfieldcityhall.com

Note: NoA emailed to these address(es)

Program Contact:

For assistance on programmatic issues, please contact Sheryl Alexander at:
MailStop Code: 15-93
BPHC/NED
5600 Fishers Ln
Rockville, MD, 20852-1750
Email: salexander1@hrsa.gov
Phone: (301) 443-5630

Division of Grants Management Operations:

For assistance on grant administration issues, please contact Angela Wade at:
MailStop Code: 10SWH03
HRSA/OFAM/DGMO/HCB
5600 Fishers Ln
Rockville, MD, 20857-0001
Email: awade@hrsa.gov
Phone: (301) 594-5296

Attachment: Healthservices for Homeless (2755 : Health Services for the Homeless Increase - \$24,212.00)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2749

5.17

Literacy Volunteers Project - \$10,000.00 (Mayor Sarno)

WHEREAS, the Library Department ("Department") has been awarded a Springfield Literacy Volunteers Project Grant of \$10,000.00 from the Albert Steiger Memorial Fund at the Community Foundation of Western Massachusetts; and

WHEREAS, the grant offers individualized instruction in English as a second language or basic literacy; and

WHEREAS, the Department intends to use the grant funds for its Literacy Volunteers Project; and

WHEREAS, the Department has accepted the grant and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation.

Literacy Volunteers Project - \$10,000.00

RESULT: PASSED BY VOICE VOTE



**COMMUNITY
FOUNDATION**
OF WESTERN MASSACHUSETTS

July 3, 2014

Mr. Charles V. Ryan
President
Springfield Library Foundation, Inc.
36 Court Street
Springfield, MA 01103

RE: Springfield Literacy Volunteers

Dear Mr. Ryan:

The Distribution Committee of the Community Foundation of Western Massachusetts recently completed its review of the grant applications submitted for consideration for the 2014. The Foundation received 143 grant applications requesting over \$2 million from which the Distribution Committee was able to make 99 awards totaling \$1,227,100.

It is a pleasure to inform you that, upon the Committee's recommendation, your organization has been awarded a grant of **\$10,000** for the **Springfield Literacy Volunteers Project** from the **Albert Steiger Memorial Fund** at the Community Foundation of Western Massachusetts. See the Award Conditions and Payment Schedule for any geographic restrictions or designations.

To receive these funds you must submit a signed Award Conditions & Payment Schedule and a payment request letter. Two copies of the Award Conditions & Payment Schedule are enclosed for your review. Please review this document carefully. Should you concur with the terms and agreements set forth, sign and return one copy to my attention. Please note that your signature is required on the Award Conditions & Payment Schedule since your signature was on the original grant application. You may submit this signed form at the present time or submit it along with your payment request letter. A sample payment request letter is enclosed.

As mentioned in the Award Conditions, a narrative summary and expenditure report are due 60 days following completion of the project. A sample report form is enclosed and will also be provided to you along with the payment. Please note that in 2013 we revised our grant guidelines with regard to grant report size and submission requirements. Organizations are now required to have completed all previously funded projects and have submitted any outstanding grant reports 30 days prior to seeking additional funding from the Foundation. This change has been made to enhance our due diligence and recommendation processes by enabling a better understanding of project results before future funding is considered. In addition, grant reports will be limited to two pages. Please visit www.communityfoundation.org for additional information on our Competitive Grants program.

Please call me at (413) 732-2858, if you have any questions.

We wish you success in your project and look forward to working with you.

Sincerely,


Sheila C. Toto
Program Officer

1500 Main Street
P.O. Box 15769
Springfield, MA 01115
(413) 732-2858
Fax (413) 733-8565

www.communityfoundation.org

Attachment: Literacy Volunteer Grant (2749 : Literacy Volunteers Project - \$10,000.00)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2746

5.18

Fire Donation - \$2,304.08 (Mayor Sarno)

WHEREAS, the Springfield Fire Department ("Department") has been given a donation in the amount of \$2,304.080 from the Greater Springfield Credit Union Springfield, MA; and

WHEREAS, the funds provided are intended to be used to provide equipment, material and other items determined by the Commissioner; and

WHEREAS, the Department intends to use the donation funds for the purposes as requested by the donor; and

WHEREAS, the Department has accepted the donation and requests authorization from the City Council and the Mayor to expend the donation funds listed below for the purposes of such donation; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the donation funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws Ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

Fire Department Donation \$2,304.08

RESULT: PASSED BY VOICE VOTE



5.18.a

034796

07/01/2014

OFFICIAL CHECK

Pay

Two Thousand Three Hundred Four and 08/100 Dollars

\$2,304.08

TO
THE
ORDER
OF:

CITY OF SPRINGFIELD FIRE DEPARTMENT DONATION FUND
RE: Fire Stop Program Of Springfield

VOID AFTER 90 DAYS

VOID AFTER
Julia A. Lavoie

AUTHORIZED SIGNATURE

034796 1211885920

8013211

THIS DOCUMENT IS PRINTED ON CHEMICAL REACTIVE PAPER WITH A COLORED BACKGROUND AND MICRO PRINT SIGNATURE LINE

GREATER SPRINGFIELD CREDIT UNION

Teller: 65

Branch: 1

Receipt:

09:48 AM

03479

MEMBER COPY

* Receipt Only - Not a Check *

Date: 07/01/2014
Posted: 07/01/2014
Effective: 07/01/2014

---- Teller Check ----

Amount	\$2,304.08
Number	034796

---- Details ----

Share Close	238694-S1	\$26.09
Share Close	238694-S95	\$2,277.99
Teller check	80129	\$2,304.08

CITY OF SPRINGFIELD FIRE DEPARTMENT DONATION FUND
RE: FIRE STOP PROGRAM OF SPRINGFIELD

RCVD 07/01/14 10:07:00

F1030 Wilbraham Road
Springfield MA 01109

Posted: Jul 1, 2014
Effective: Jul 1, 2014

Share Close	
Suffix *****694 - S1	
Amount	\$26.09
Balance	\$0.00
Share Close	
Suffix *****694 - S95	
Amount	\$2,277.99
Balance	\$0.00
eller Check	\$2,304.08

CITY OF SPRINGFIELD FIRE DEPARTMENT

Signature _____
Teller 65 Branch 1
09:48 Jul 1, 2014

GREATER SPRINGFIELD
CREDIT UNION

Attachment: Fire donation SCU (2746 : Fire Donation - \$2,304.08)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2758

5.19

Local Public Health Mini-Grant - No Match - \$500.00 (Mayor Sarno)

WHEREAS, the Department of Health and Human Services has been awarded a mini-grant of \$500.00 from the from the Massachusetts, State Department of Public Health, funded by the Massachusetts Association of Health Boards for the program period September 30, 2014 through December 31, 2013 and;

WHEREAS, the Department intends to use the grant funds to assist the Department to support a wide range of projects and training that help to strengthen local capacity to meet public health needs and;

WHEREAS, the Department has accepted the grant funds and requests authorization from the City Council and the Mayor to expend the grant funds listed below for the purposes of such grants; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the grant funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

Public Health Mini-Grant - \$500.00

RESULT: PASSED BY VOICE VOTE



REQUEST FOR GRANT SETUP

This form and the required attachments are required by the Office of the City Comptrollers before a Grant Fund and related accounts will be created in MUNIS. Please do not use this form for requesting a non-grant related account to be created – use the Request for New Account form instead. Please return this form and the required attachments to the Office of the City Comptrollers.

All fields are mandatory.

Date of Request 9/9/2014

Department Requesting Grant Setup SHHS

Department Phone # (Please include extension) 6710

Name and Title of Person to Contact in Case of Questions Helen Caulton Harris

Was this Grant previously setup for a prior fiscal year? YES

If yes, please indicate your previous project number: 89733

If this is a new Grant, have you filled out the “Approval to apply for a grant” Form?
(Y/N) If yes, please attach a copy of the Approved Form.

Grant Type:

State – Highway
Federal Pass-Through DOE– School
Federal Direct– School
Federal – City
State DOE– School
State Other – School
State – City

xxx Private/Other

Grant Name: Local Public Health Mini Grant

Total Grant Amount Awarded: \$ 500

Is this a Reimbursable Grant?

(Y/N) No

A Reimbursable Grant is defined as one that requires that you pay for expenses first and then you apply to the grantor for a reimbursement of the exact amount actually expended.

If it is a Reimbursable Grant, please enter Grantor contact information or the CID # if Grantor is already in the customer file:

Entity Name	Office of Local & Regional Health (MDPH)
Contact Person	Soloe Dennis
Street Address	250 Washington Street,
City, State, Zip Code	Boston, MA 02108
Telephone	413-586-7525
Fax	
E-Mail	Soloe.Dennis@state.ma.us

Actual Award Date 8/26/14

Board Approval Date

Start Date 9/1/2014

Expiration Date 12/31/2014

Renewal Action Date (optional)

If there are any Matching Funds:

Type

Percent

Amount

Comments re: Description/Purpose of Grant

Interactive emergency Preparedness

Comments re: Conditions/Restrictions of Grant

Emergency Preparedness

If this is a Federal Grant, enter CFDA#:

If applicable enter the State ID # :

What is the required drawdown frequency?

(Ex: Monthly, Quarterly) Check in Hand

If payment is to be sent by Grantor as a Wire,

Please enter any wire reference/identification # that may be used (if known) N/A

Attachment: Health Mini Grant (2758 : Local Public Health Mini-Grant - No Match - \$500.00)

Please list all object codes needed for the grant.
(Attach additional sheets if additional orgs and roll-ups are needed):

Org Code: 28975200

Object Codes: 530105

Budget Roll-Up Codes: No

I hereby attest that under the penalties of Chapter 656, I will adhere to all regulations in this grant agreement. I am responsible for timely and accurate reimbursements in the amounts listed above.

Signature

Date

Please attach the following documents:

- ☐ Signed Approval to Apply for a Grant Form
- ☐ Grant Award Letter
- ☐ City Council/Mayor Approval
- ☐ Any other relevant documentation

This Form and all relevant attachments will be scanned and attached in the Grant Maintenance module in MUNIS and can be viewed or printed at your convenience.



DEVAL L. PATRICK
GOVERNOR

JOHN W. POLANOWICZ
SECRETARY

CHERYL BARTLETT, RN
COMMISSIONER

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Office of Local and Regional Health
250 Washington Street, Boston, MA 02108-4619
Phone: 617-624-5757 Fax: 617-624-5777
TTY: 617-624-5286
www.mass.gov/dph

5.19.a

August 26, 2014

Helen Caulton Harris
95 State Street, Ste 201
Springfield, MA 01103

Dear Helen Caulton Harris:

The Office of Local and Regional Health (OLRH) is pleased to inform you that your 2014 Local Public Mini-grant proposal for Interactive Emergency Preparedness Training has been approved for funding. Congratulations! We hope that the grant will enable you to meet your goals and objectives and we look forward to news about your experience.

Now in its third year, the Local Public Health Mini-Grant Program has demonstrated its value in providing our local health partners with funds to support a wide range of special projects and training that help to strengthen local capacity to meet public health needs.

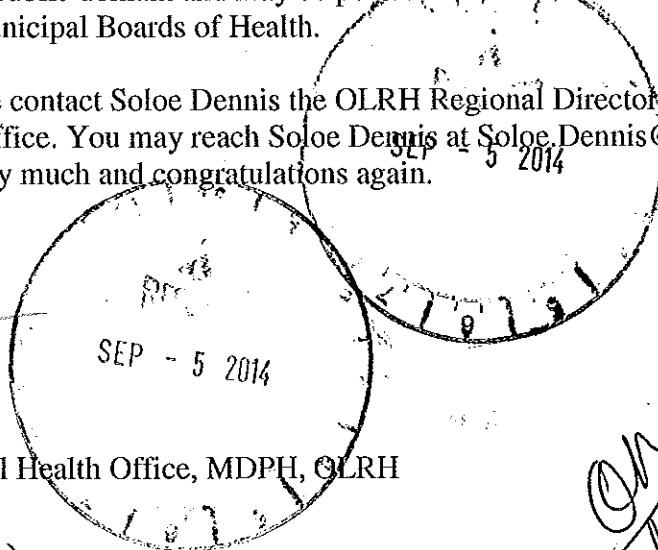
Please keep in mind that these funds may support activities that run through December 31, 2014. Grant funds must be obligated no later than September 30, 2014. A financial report, copies of any developed materials, and a brief written program report on grant expenditures, activities, outcomes, benefits, and challenges encountered will be due by January 15, 2015. Templates for reports will be distributed to all successful applicants upon receipt of the grant. A list of grant awardees and project titles will be posted on the MDPH/OLRH website. Materials developed with mini-grant funds are in the public domain and may be posted on the MDPH/OLRH website as a shared resource for other municipal Boards of Health.

If you have any questions, please contact Soloe Dennis the OLRH Regional Director for the West MDPH Regional Health Office. You may reach Soloe Dennis at Soloe.Dennis@state.ma.us or 413-586-7525. Thank you very much and congratulations again.

Sincerely,


Jana Ferguson, Director

Cc: Soloe Dennis, West Regional Health Office, MDPH, OLRH





Attachment: Health Mini Grant (2758 : Local Public Health Mini-Grant - No Match - \$500.00)

MASSACHUSETTS ASSOCIATION
OF HEALTH BOARDS, INC.
56 TAUNTON STREET
PLAINVILLE, MA 02762

Bank of America.

5-13-110

9/2/2014

PAY TO THE
ORDER OF Springfield Department of Health

\$**500.00

Five Hundred and 00/100*****

Springfield Department of Health

MEMO Local Public Health Mini Grant

000028317506

65

DOLI

TREASURER

AUTHORIZED SIGNATURE

Attachment: Health Mini Grant (2758 : Local Public Health Mini-Grant - No Match - \$500.00)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Ronald Molina-Brantley
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2747

5.20

Fire Donation - \$100.00 (Mayor Sarno)

WHEREAS, the Springfield Fire Department ("Department") has been given a donation in the amount of \$100.00 from the G & G Living Centers, Inc.; and

WHEREAS, the funds provided are intended to be used as needed in the general Administration fund as requested by the donor therefore \$100.00 will be applied to the Fire Administration fund; and

WHEREAS, the Department intends to use the donation funds for the purposes as requested by the donor; and

WHEREAS, the Department has accepted the donation and requests authorization from the City Council and the Mayor to expend the donation funds listed below for the purposes of such donation; and

WHEREAS, the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, has certified that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the City Council Order authorizing the expenditure of the donation funds listed herein, subject to the approval of the Mayor, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws Ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of the grant funds listed below for the purposes of such grant, subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for the purposes of the grant without further appropriation:

Fire Department Donation \$100.00

G & G Living Centers, Inc.
602 Kosciusko Street
P.O. Box 967
Guttenberg, IA 52052

RESULT: PASSED BY VOICE VOTE



G & G
Living Centers, Inc.

. 602 Kosciusko Street . P.O. Box 967 . Guttenberg, IA 52052 . OFFICE 563.252.3811 . FAX: 563.252.3812

August 19, 2014

City of Springfield Fire Department
605 Worthington Street
Springfield, MA 01105

Re: Memorial Contribution – Norman Fontaine

Dear Commissioner Conant;

Included with this letter is a check for \$100 as a memorial donation to honor the service of Norman Fontaine. Rob Fontaine, (Norman's son) has been an integral part of our agency.

The memorial donation can be deposited into the general donation fund and be used as needed to honor the great service of all Fire Fighters.

Sincerely,

Lorrie Meier
CEO
G & G Living Centers, Inc .

Community Matters

. web address: gandgliving.org . email: celebratelife@gandgliving.org .

WE EMPOWER PEOPLE TO MAXIMIZE THEIR INDEPENDENCE

Attachment: G&G Donation (2747 : Fire Donation - \$100.00)



City of Springfield

36 Court Street
Springfield, MA 01103

Meeting: 09/15/14 07:00 PM

Department: Law

Category: General

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Ward 8 Councilor Orlando Ramos

DOC ID: 2711 A

TABLED

ORDINANCE (ID # 2711)

Ordinance - Rental Registration

Chapter 236 Rental Registration

ORD. NO. __236

AN ORDINANCE (A LOCAL LAW) TO AMEND the Code of the City of Springfield, to include chapter 236.

Be it ordained (enacted) by the Council of the City of Springfield, as follows:

1. Purpose and Intent.

- A. It is the purpose of this ordinance to create a single-point uniform system for the registration of single-family rental properties and multi-family rental properties; and to protect the public health, safety and general welfare of the people of the city in occupied dwellings by recognizing that the offering for rental of dwelling units is a business and by classifying and regulating such business, the effect of which shall promote the following:
1. To protect the character and stability of residential areas;
 2. To correct and prevent housing conditions that adversely affect or are likely to adversely affect the life, safety, general welfare and health, including the physical, mental and social well-being of persons occupying dwellings;
 3. To enforce minimum standards for the maintenance of existing residential buildings, and to thus prevent slums and blight;
 4. To preserve the value of land and buildings throughout the city;
 5. To protect the public from increased criminal activity which tends to occur in residential areas which are unstable due to dwellings which are blighted or are substandard.
- B. It is not the intention of the city to interfere with contractual relationships between tenant and landlord. The city does not intend to intervene as an advocate for either party, or act as arbiter, nor be receptive to unsubstantiated complaints from tenants or landlords which are not specifically and clearly related to the provisions of this chapter.

2. Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A. Accessory living quarters. Living quarters within an accessory building, which may not have kitchen facilities.

B. Building. Any structure having enclosed space and a roof for the housing or enclosure of persons, animals or chattels. The word "building" includes the word "structure."

C. Code. Ordinances of the city of Springfield that relate to fitness for habitation, construction, property maintenance, nuisances, occupancy, zoning, and use of any rental residential dwelling unit.

D. Code Official. Includes the code enforcement commissioner, deputy building inspector(s), code enforcement officers, fire marshall, fire inspector, and police officers.

E. Dwelling, assisted care. A building, or portion thereof, and consisting of five or more bedrooms, used for residential occupancy by a group. The dwelling is characterized by tenants with separate bedrooms for sleeping and that there are shared common areas for reception, recreation, living, cooking, laundry and the like. The unit is further signified by the presence of an employee(s) that provide various services such as housekeeping, maintenance, cooking, security, personal care, and transportation.

F. Dwelling, multiple. A building, or portion thereof, used for occupancy by three or more families living independently of each other and used for rental residential occupancy.

G. Dwelling, one-family. A building used for residential occupancy by one family.

H. RENTAL UNIT(S). A building, or portion thereof, used primarily rented or operated for compensation, and allowing occupancy by one or more persons for 30 or more consecutive days, including one-family and multiple dwellings, but not including hotels or motels. Rental units shall not include dormitories, owner-occupied two-family units, health-care facilities, or units designated specifically for the care of the sick, aged, disabled or convalescent.

I. Dwelling, two-family. A building, or portion thereof, used for occupancy by two families living independently of each other, and at least one of which is used for rental residential occupancy.

J. Dwelling unit. A dwelling, or portion of a dwelling, used by one family for cooking, living and sleeping purposes.

K. Effective date. The effective date shall be January 1, 2008.

L. Hotel or motel. A building, or portion thereof, or group of buildings in which lodging is customarily provided and offered to the public for compensation and which is open to transient guests on a daily basis, in contradistinction to a lodging house.

M. Landlord. The owner of a rental residential dwelling unit who offers residential property and its dwelling units, not occupied by the owner, to other persons not related by blood or marriage for some form of compensation through rental payments, lease payments, or some other similar contractual arrangement.

N. Lodging house. A building with more than two but not more than ten guest rooms where lodging with or without meals is provided for compensation.

P. Nursing home. An establishment which provides full-time convalescent or chronic care, or both, for four or more individuals who are not related by blood or marriage to the operator, and who, by reason of chronic illness or infirmity, are unable to care for themselves; excepting, however, establishments that predominately provide for care for the acutely ill or surgical or obstetrical services. A convalescent home and rest home are included in this definition. A hospital or sanitarium shall not be construed to be included in this definition.

Q. Person. Includes a firm, association, organization, partnership, trust, company or corporation as well as an agent, and an individual.

R. Tenant. A tenant, includes a person(s) under a rental agreement to occupy a dwelling unit for the purpose of residential occupancy. This includes a person(s) occupying a residential property by making rent or lease payments, or other similar agreements where the tenant does not have an equitable interest in the real property.

S. Tourist home. A building in which more than one but not more than five guest rooms are used to provide or offer overnight accommodations for transient guests for compensation. A bed and breakfast establishment is included in this definition.

3. Enforcement.

The code enforcement commissioner shall be responsible for the administration and enforcement of the provisions of this section.

5. Applicability and Exceptions.

A. The provisions of this chapter shall apply to the rental or leasing of rental dwelling units, and rental dwellings which contain such units, including one- and two-family rental residential dwelling units, multiple dwelling units, accessory living quarters, and lodging houses.

B. The provision of this chapter shall not apply to hotels and motels, nursing homes, or assisted care dwelling units, residential care facilities, Hospitals and Sanitariums.

C. The provision of this chapter shall not apply to rental units owned or operated by Federal, State, or City Government.

6. Registration

All owners of private residential rental housing units ("Owners"), in the City of Springfield shall register no later than July 1st of each year with the Department of Code Enforcement ("Department") identifying the property by street address and the number of units that they own at each address. An owner of a rental unit, who does not reside within the subject dwelling, shall post and maintain or cause to be posted and maintained on such dwelling adjacent to the mailboxes for such dwelling or elsewhere in the interior of such dwelling in a location visible to the residents a notice constructed of durable material, not less than twenty (20) square inches in size, bearing her/his name, address and telephone number. If the owner is a realty trust or partnership, the name, address and telephone number of the managing trustee or partner shall be posted. If the owner is a corporation, the name, address and telephone number of the president of the corporation shall be posted. Where the owner employs a manager or agent who does not reside in such dwelling, such manager or agent's name, address and telephone number shall also be included in the notice. P.O. boxes do not satisfy the address requirement of this section. All owners must register each rental unit every 4 years with the Department, and must attest to and affirm that they are familiar with their obligations to comply with this section, the State Sanitary Code (105 CMR 410), the State Building Code (780 CMR), the City of Springfield Zoning Ordinance, Federal, State and Local fair housing regulations, and all other regulations applicable to residential dwellings, and that they intend to comply with said regulations, by signing a form provided by and approved by the Building Commissioner. An owner owning multiple units in the same building may submit one form representing all said units. Any owner residing outside of the Commonwealth of Massachusetts must designate a Springfield based resident agent authorized to accept service on the owner's behalf. All rental unit registrations shall be recorded in an electronic database of all owners for an initial fee of twenty-five dollars (\$25.00), and annual renewal fees of fifteen dollars (\$15.00) for each rental unit. The Commissioner shall work

to employ technology to the extent possible in order to optimize the fairness and effectiveness of the registration process.

7. Inspections.

A. Inspections of rental dwelling units shall be conducted by code officials and shall take place as follows:

1. Upon registration under section 12.20.060
2. Upon receipt of a complaint by a tenant or owner of a neighboring property that the rental dwelling unit or rental dwelling is substandard, hazardous or unfit for habitation if in the reasonable discretion of the code official, probable cause exists that the complaint is founded in fact and an inspection warranted.

8. Fees.

There shall be a **fee of \$10.00 per unit** for the initial inspection, or for the first follow-up inspection relating thereto. In the event of any further follow-up inspection, a fee of fifteen (\$15.00) per inspection shall be paid to the code enforcement department.\

9. Remedies in this chapter not exclusive.

The remedies provided in this chapter are not exclusive. The remedies are in addition to, and do not supersede or preempt, other remedies such as condemnation, written violation orders and warnings, criminal charges for violation of substantive provisions of any city or state sanitary code relating to housing maintenance, fire safety, building codes, zoning, health, and the like. The remedies in this chapter do not supersede or affect the legal rights and remedies of tenants provided under state law or this chapter. Where two or more provisions conflict with one another, the more stringent shall apply.

10. New construction.

The requirement of a inspection fee shall not apply to any building for which a certificate of occupancy has been issued by the city until five (5) years after the issuance of such certificate of occupancy.

11. Enforcement by injunction.

Any rental that is failed to comply with the provisions of section 6 will be assessed a fine of \$300 per month for each month that the rental unit has not been noncompliant.

12. Enforcement by injunction.

The landlord's failure, refusal or neglect to comply with any of the provisions of this section may, in addition to any other remedy provided herein or in place thereof, be restrained, prohibited or enjoined by an appropriate proceeding instituted in a court of competent jurisdiction.

13. Chronic Offender Point System.

Residential rental property owners who fail to register or who repeatedly fail to comply with notices of violations, or warnings of non-compliance, or municipal fines, shall be assessed points based on the following schedule at the time of registration or at the time the violation is found (property owners cannot be assessed points under more than one of the following sections for the same violation):

- 1) Inclusion on Problem Property list, (2 points)
- 2) Failure to comply with a notice of violation under the state sanitary code (105 CMR 400 & 401) the state building code (780 CMR), or Springfield zoning code, within the time frame provided, (1 point)
- 3) Failure to make a good faith effort to correct emergency violations after 2 inspections (2 points).
- 4) Failure to register and/or complete the inspection requirements (1 point).

Upon being assessed with points in excess of the amount allowed, as described in table #1 below, the Commissioner shall notify owners of their classification as a “chronic offender” by mail, return receipt requested. The Commissioner shall notify owners of each point assessed by mail, return receipt requested. The owner shall have 14 days to request a hearing to contest each point assessment or their classification as a chronic offender. Chronic offenders are subject to fines of \$300, or the maximum allowed, for each subsequent point received in a 12 month rolling, and may also be subject to court prosecution under the applicable codes and regulations. Chronic offenders shall be required to request an inspection of each rental unit once every (3) three years, and it shall be mandatory that the Commissioner conduct said (3) three year inspection. Chronic offenders with less than 2 points in a rolling 12 month period shall have the chronic offenders classification removed on the last day of the 12 months following their classification.

# Rental Units owned	Point Threshold in a 12 Month period	Point Threshold in a 16 Month period
1 to 50 units	6	10
51 to 500 units	10	16
501 or more units	14	24

14. Severability.

If any section, subsection, or clause of this chapter shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

Approved as to form:

Anthony I. Wilson
Assistant City Solicitor

Ordinance (ID # 2711)

Meeting of September 15, 2014

HISTORY:**07/21/14** City Council
Next: 09/15/14**REFERRED TO COMMITTEE****RESULT: REFERRED TO COMMITTEE****Next: 10/6/2014 7:00 PM**

AN ANALYSIS OF RENTAL PROPERTY REGISTRATION IN AUSTIN JULY 2013

BY THE ENTREPRENEURSHIP AND COMMUNITY DEVELOPMENT CLINIC
UNIVERSITY OF TEXAS SCHOOL OF LAW

HEATHER K. WAY, CLINIC DIRECTOR
STEPHANIE TRINH, LAW STUDENT
MELISSA WYATT, LAW STUDENT

*Excerpted from an upcoming report prepared for Green Doors: ADDRESSING PROBLEM
PROPERTIES: LEGAL AND POLICY TOOLS FOR A SAFER RUNDBERG AND SAFER AUSTIN.*

Rental Property Registration is an essential tool for creating a code enforcement system that effectively identifies problem properties and, through random inspections, deters landlords from engaging in deferred maintenance and lax property management. A strongly-enforced rental registration program “lets the owner understand that he is known to the municipality and accountable for his actions with respect to the property.”¹

Joining cities across the country, at least 20 Texas cities have adopted rental registration ordinances including Houston, Dallas, Fort Worth, and Arlington. Large U.S. cities outside of Texas with rental registration programs include Seattle, Sacramento, Philadelphia, Boston, Los Angeles, and Minneapolis.

This section discusses the benefits of rental registration programs, provides some historical background on Austin and rental property registration, and discusses a range of policy options for a rental registration ordinance in Austin.

A. The Benefits of Rental Registration Programs

Rental registration programs give city code inspectors the authority to inspect the exterior and interior spaces of rental units on a rotating basis, while creating a working database of rental properties in the city. The database gives cities the much-needed ability to identify, track, and then prioritize the most dangerous problem properties and the most problematic landlords for appropriate action. Rental registration programs also provide cities with information on how to contact owners or property managers when there is an emergency, code issues, or other problems with a rental property.

Without a mechanism in place to proactively conduct inspections and identify the most dangerous properties, code enforcement officers must rely on a complaint-driven inspection process—a strategy that, as discussed below, has proven to be ineffective in Austin and other cities. This is especially the case in communities with

large low-income, immigrant populations, since these tenants are more likely to avoid reporting code violations for fear of retaliation.² Tenants in Texas face a heightened burden in proving retaliation since landlords do not have to have good cause when they chose to not renew a lease. The Austin Tenants Council reports it is extremely difficult to establish retaliation in lease non-renewal cases. With rental occupancy rates hovering at 98 percent in Austin, landlord retaliation can quickly drive a low-income tenant into homelessness. Austin's anonymous reporting system does not help a tenant who needs to report violations in the interior of the unit.

Rental registration programs give cities a tool to identify code problems and intervene earlier on in the process, before a property deteriorates to the point that it becomes cost prohibitive to repair.³ A study of North Carolina cities with mandatory, proactive rental registration ordinances also found that the ordinances resulted in landlords bringing their properties into code compliance more rapidly, a decrease in residential fires, and a reduction in code complaints.⁴ For example, Greensboro's housing code complaints fell 61 percent from a high of 1,427 at the implementation of the city's rental registration program in 2005 to 871 complaints in 2007.⁵

When tenants do end up filing a code complaint in Austin about a building condition, it may then be too late—the property has already fallen into such a state of disrepair that the property is too dangerous for the tenants to remain. Rental registration programs allow cities to identify code problems early on when the problems first arise. Cities can then work with property owners to correct unsafe living conditions before they grow to the level that they become cost prohibitive for the landlord to repair and before they put the tenants' lives in jeopardy.

Another benefit of rental registration programs is that they identify the full scope of a city's substandard rental housing problems. Having this inventory allows city officials to develop appropriate citywide policy responses. These responses include carrot and stick approaches to bring properties into compliance with code requirements coupled with tools aimed at also preserving affordable housing opportunities. Rental registration, coupled with a licensing requirement, also gives city officials an additional tool to incentivize landlords to keep their units safe and code compliant. In especially egregious cases involving repeat and severe violations, a city can bar a landlord from operating a property until the landlord addresses the dangerous conditions.

Finally, through a minor fee assessed against each rental unit at the property (typical annual fees adopted by cities range from \$10 to \$25 a unit), rental registration programs are typically self-funding. This means a city does not have to draw from limited general revenue funds to cover the costs of registering and inspecting the rental units. At the same time, with fees of less than \$.83 to \$2.08 a month per unit, the financial impact of rental registration fees on owners and tenants is typically very minimal.

B. Austin's Rental Registration Background

Austin is one of the fastest growing cities in the country and the 11th largest city in the United States. The city has approximately 3,400 multifamily properties (3 or more units) based on information obtained from the Travis County Appraisal District, American Community Survey, and Austin Energy. The city's rental occupancy rates are currently around 98 percent, in a city where 57 percent of all residential units are rentals.⁶ In FY 2011-12, city code officials logged 1,148 notices of code violations at multifamily residential properties.

As discussed above, Austin has historically relied on a complaint-driven, passive approach to code enforcement at rental properties. In 2002, the Austin American-Statesman criticized this approach as "Austin's way of duct taping a persistent problem."⁷ Poor renters have shouldered the risks of this policy, "often endur[ing] unsafe and unsanitary conditions rather than report a slumlord and risk retaliatory eviction."⁸

Unsafe living conditions at Austin rental properties have received considerable attention in the press over the past two years, with a number of high profile cases involving tenant deaths or displacement. In addition to the Wood Ridge Apartments case, discussed above:

- In 2001, two men died at a rental property as a result of a faulty heater at a duplex that had been illegally converted into 15 rental units. A code inspection after the deaths found that the rental units did not have any smoke alarms and that the unit conditions were dangerous.⁹
- In October 2012, a balcony at Las Palmas apartments started to collapse, resulting in the dislocation of 60 tenants. A tenant first noticed cracks in the floors and windows outside his unit and reported the problem to management. Management refused to take action, resulting in the tenant and manager arguing and a call to the police. The police officers observed the cracks and called the code compliance and fire departments.

Austin has never had a rental property registration program for long-term rentals, although the City Council initiated efforts to adopt one a few years ago. In 2009, Council members Bill Spelman, Laura Morrison, and Sheryl Cole proposed a resolution asking the city manager to work with stakeholders to develop a rental registration ordinance requiring the registration of multifamily rental properties, as well as triggers to identify conditions when registration for single-family and duplex rental properties would be required. The resolution stated that:

"[T]he program should feature initial and periodic inspections to confirm a property's compliance with applicable standards including critical health, safety, maintenance, zoning, building and fire codes.

The program should establish provisions for addressing noncompliant residential rental properties in ways intended to promote compliance and protect public health and safety.”¹⁰

The apartment industry opposed the efforts to adopt a rental registration ordinance, and, due to lack of consensus, an ordinance was never presented to the City Council for a vote.

In June 2013, the City Council approved two resolutions to set up rental registration programs. The first one (the “Tovo resolution” sponsored by Councilmember Kathie Tovo with co-sponsor Councilmember Mike Martinez) directed the City Manager to develop a one-year pilot registration program for all residential rental properties in a group of Central Austin neighborhoods, the Rundberg area, and the East Riverside/Oltorf area.¹¹ The second resolution (the “Spelman resolution” sponsored by Councilmember Bill Spelman, with co-sponsor Mayor Pro Tem Sheryl Cole) directed the City Manager to:

... initiate a code amendment to create a repeat offenders program so that after the second health and safety code citation within one year at a given rental property, the property will be required to register with the city, and will be subject to appropriate fees for registration that shall cover the cost of the program, as well as any inspections that the Director of Code Compliance deems necessary to ensure compliance with health and safety codes.¹²

The main on-going barrier to implementing a comprehensive rental property registration ordinance is opposition from the real estate community. The Austin Board of Realtors®, for example, is mobilizing en masse to oppose the City’s current efforts at adopting registration ordinances. Their official position opposing rental registration is on their website, recommending “that the City of Austin, through its stakeholder process, develop a program that will empower the Code Enforcement Department and not require it to be self-sustaining. Code Enforcement is a basic essential service that can receive funding through the property tax and collection fees from code violators. The City of Austin should reward conscientious and responsible property owners and punish code violators.”¹³

Even though Austin has never had a registration and inspection program for long-term rentals, in 2012 the Austin City Council adopted an ordinance requiring the registration of short-term rentals for one- and two-family dwelling units, targeting the increasingly popular vacation rental market in Austin.¹⁴ Austin’s Short-Term Rental Licensing Program requires a \$235 annual licensing fee. The program does not require an inspection if the unit has already received a certificate of occupancy.

C. Key Elements of Rental Registration Programs

The following are some of the key elements that need to be considered when creating a new rental registration program. To identify these elements, we examined a wide variety of rental registration programs, with a focus on those adopted in the 10 largest Texas cities (Houston, Dallas, Fort Worth, Arlington, and Plano) and several major U.S. cities. Appendix 2 contains a chart comparing the programs we examined in 12 total cities; several of the smaller Texas cities we examined are not included in the chart.

1. Triggers for Requiring Registration and Inspection

There are four general categories of rental registration programs that cities have utilized, with varying triggers for when registration and an inspection are required:

- Registration and inspection of all properties, regardless of whether the property has a history of code citations: Inspections are on all properties but not necessarily all units (for example, in a large multifamily property, only a few units may be inspected), and in some cities just the exterior of the property is inspected. In these cities, the interior is not inspected unless code violations are identified on the exterior.
- Registration of all properties, with inspections of a percentage of properties, regardless of whether the property has a history of code citations.
- Registration of all properties, with inspections of only properties with a history of code citations.
- Registration and inspection of properties only with a history of code citations.

Most of the registration programs in the U.S. that we identified require mandatory registration and inspections of all rental properties or a subset of the properties, regardless of whether the properties have a history of code violations. Some cities, such as **Fort Worth** and **Dallas**, have adopted a bifurcated approach, treating multifamily and single-family/duplex/triplex properties differently. In Fort Worth, all multifamily properties must register, but single-family and duplex properties must register only if there are prior code violations at the property. In Dallas, all rental properties must register, but only multifamily properties are subject to regular inspections. Single-family and duplex properties are inspected only if they code complaints.

The Austin City Council is pursuing both a proactive and reactive approach in its two June 2013 resolutions. The Tovo resolution sets up a geographically-targeted pilot registration and inspection program for all rental properties. The Spelman

resolution requires the registration and inspection of only properties that have received two or more code citations in the past year. (Under the Spelman resolution, the Woodridge property discussed earlier in the report would not have triggered an inspection prior to the walkway collapse, since the property had not had any code citations issued against it in the past two years).

Several studies have shown that this latter approach of focusing only on properties with a history of code citations—which is similar to the way Austin’s current code enforcement system operates—is ineffective.¹⁵ A reactive approach fails to identify many properties with serious code violations, especially those in communities with more vulnerable tenants such as low-income, first-generation immigrants who are often afraid of reporting violations. In a survey conducted by the Montgomery County (Maryland) Tenants Work Group, for example, 20 percent of tenants reported they feared retaliation for reporting code violations or other problems with their rental units.¹⁶

In Austin, one out of five apartment units are occupied by foreign-born households. The most recent immigrant arrivals have the highest risk out of all tenants of living in substandard rental buildings.¹⁷ A focus group by Travis County confirmed that many recent immigrants here locally have landlords who do not address safety hazards or public health concerns. Reports of abusive landlord practices were common, including landlords ignoring tenants’ request for repairs or threatening them deportation.¹⁸

Tenants’ fears of retaliatory evictions are based in reality, despite the legal protections tenants have from being retaliated against for reporting code violations. Legal aid and tenant advocates locally report that retaliatory evictions are not uncommon in Austin, even with the current rights tenants have under City of Austin policy to make complaints anonymously. News articles from around the country over the past few years also “demonstrate that retaliatory eviction is an issue that courts continue to encounter across the country.”¹⁹

Tenants often lack the information to identify many types of code issues, such as structural issues, and when it is appropriate to make a complaint. (See Appendix 3, which includes pictures of several types of structural issues at Austin multifamily complexes that tenants are unlikely to ever report.) As a result, for those tenants who do report code issues, the code reports have a greater emphasis on environmental and vehicle violations rather than structural issues, such as deteriorating structural support for porches or stairwells, which can go easily undetected without a professional inspection.²⁰ A tragic example of this occurred in Houston in 2008 when two children died from suffocation from a brick stairwell that collapsed on them. The city’s code officials had not inspected the property for structural problems since 1996.²¹ Multifamily units are also much less likely compared to single-family properties to come to the attention of code enforcement,²² probably due in the part to the fact that multifamily premises are not as visible from the street and thus surrounding neighbors.

2. Types of Properties that Must be Registered

City rental registration programs vary widely in the types of rental properties that are covered by the registration and inspection requirements. Factors to consider include:

- the number of units in a property (e.g., single-family, duplex, multifamily);
- whether to include alternative types of rental housing (e.g., RV parks, extended-stay hotels and boarding rooms);
- whether to exempt affordable units already subject to separate government oversight and inspections, such as Section 8 properties;
- whether to exempt owner-occupied properties (e.g., a duplex with the owner living in one of the units); and
- whether to exempt newer properties.

Some cities initially targeted a smaller subset of properties but then expanded their programs over the years to cover a broader range of properties. For example, **Dallas's** rental registration program initially targeted just multifamily apartments of three or more units when it was adopted in 2004, but in 2010 the city adopted a separate registration program to cover non-owner occupied rental properties of less than three units. Most programs appear to exempt owner-occupied properties, at least for single-family homes and duplexes, and many exempt government-subsidized housing that is already subject to inspections. For example, **Plano** exempts units that receive Section 8 subsidies from the registration requirement, since these units are already inspected by the local housing authority.

Some cities limit registration requirements to buildings over a certain age, allowing newer buildings to remain exempt for a certain number of years. For example, **Fort Worth** and **Plano** exempt buildings less than five years old from their registration and inspection requirements (Plano originally covered buildings older than 10 years but extended the program in 2008 to cover buildings 5 to 10 years old).

One challenge that cities face when they include single-family properties in their registration system is identifying these properties and getting them into the system. Unlike multifamily rental properties, which are fairly easy to identify using appraisal district records, it is hard to identify when a single-family property is being used as rental housing. The **City of Dallas** reports that it has struggled with this issue and has talked to other cities facing similar struggles. As a lesson learned, Dallas staff recommended that Austin develop upfront a system for identifying single-family rental properties, such as coordinating with the water utility department to collect this data. The **City of Seattle** is working through these issues now as it sets up its comprehensive rental registration program, and has budgeted significant funds for conducting landlord outreach.

3. Registration and Inspection Implementation

Because of the daunting task that larger cities face upfront in bringing thousands of rental properties into a new registration and inspection program, many cities have implemented their registration ordinances in phases. **Seattle** is rolling out its brand new rental property registration in three phases: properties with 10 or more units must register by July 2014; properties with 5 to 9 units must register by the end of 2014; and properties with 1 to 4 units must register by the end of 2016. The City is also rolling out its inspections in phases. In Texas, **Hurst** and **Richardson** divided their cities into different zones and have placed each zone on a different timetable, requiring initial registration and renewal to be staggered among the zones. The **City of Irving** ordinance staggers license renewal dates based upon the type of residence (e.g., multifamily, single-family, RV, manufactured home.)

4. Renewals

Another consideration for cities adopting rental registration ordinances is to determine when a property registration must be renewed. Registration renewal follows one of several models, including: (1) annual or other calendar-based schedule; (2) at a change in tenancy; or (3) at a change in ownership. The vast majority of the cities we examined with rental registration programs require annual registration. The most notable example of a city without annual registration is **Seattle**, which is adopting a five-year registration cycle. **Brooklyn Center, Minnesota** provides for longer registration terms (three years) for properties that have minimal code violations and police service calls, and shorter registration terms (six months to a year) for properties with high levels of code violations and police service calls.²³

5. Type of Information Gathered in Registration

Cities' rental registration applications vary in the type of information they require. The applications always require, at a minimum, the number of units and the property owner's name, phone number, and address. The applications may also require the number of bedrooms, number of allowed occupants, and number of actual occupants. Registration applications also typically require the name and contact information for the property manager and, for properties owned by a business entity, the name and contact information for the entity's registered agent for purposes of serving lawsuits. It is important to also require contact information for both the owner and property manager, especially an emergency contact who is available 24 hours a day. This provides code, police, and neighbors with someone to contact if there are emergencies or other issues on the property. **Dallas** requires the name of the insurance provider and all lien holders, as well as an alternate contact for the property. **Richardson, Texas** requires rental property owners to provide a working email address and regularly uses email alerts to communicate with owners. **Irving** requires the owner to provide information on the person responsible for paying the utility bills.

In most cities we examined, the owner is typically responsible for acting promptly to update contact information or changes to the registration records. If the property owner resides outside the city or outside the state, a city may also require the property owner to list contact information of a local contact person or property manager who has the authority to represent the owner at any legal proceedings arising under the ordinance.

The information collected should facilitate the ability of cities to identify landlords who own multiple problem properties, keeping in mind that owners often set up a unique holding company to own each property. Thus, tracking information about the holding company's owners, founders, and addresses can be very useful. Another best practice is for the registration application materials to list key city legal requirements for landlords and require the landlord to acknowledge awareness of the requirements.²⁴

6. Crime Prevention

Several cities include a crime prevention component in their registration programs, either as a requirement or incentive. Many of these programs are modeled on the Crime Free Rental Housing Program,²⁵ a national program that is utilized by police departments across the country to give landlords the tools they need to help prevent illegal activity on rental property. There are three core elements of the program:

- A training for property owners and managers that includes education on warning signs of drug activity, preparing the property, applicant screening, and community building. The Department of Justice has put together an extensive guidebook on how to set up a training program, which has a community-oriented focus.²⁶
- An inspection (Crime Prevention Through Environmental Design/CPTED) by police of criminal safety features on the property including exterior lighting; door, window, and lock standards; and landscaping.
- A crime-free commitment by landlords, including a commitment to regularly inspect the property units, maintain security measures on the property, have tenants sign a crime-free lease addendum, and work with police and other agencies.

Examples:

- **Houston and Dallas** have both adopted variations of this program through their respective Blue Star and Gold Star programs, which are voluntary. To achieve the star status, the property must pass a security inspection by police and host a crime watch meeting with residents, amongst other requirements. Property owners can list the star status in their promotional materials, and the City's website has a listing of all properties with star status. Dallas and Houston also have mandatory programs requiring inspections and remedial action plans at high-crime properties; Houston's mandatory program, which

is discussed in the Nuisance Abatement section, has resulted in significant decreases in crime at multifamily rental properties.

- **Fort Worth** has a similar program, but it is mandatory for all multifamily properties of eight or more units. Each on-site manager and leasing agent must attend an eight-hour training course on crime-free housing. All properties are also inspected by the police department via a Crime Prevention through Environmental Design assessment. Fort Worth also requires landlord to comply with several crime prevention measures on their properties, including requirements for specific exterior lighting, securing of vacant units, and graffiti abatement.
- **Portland, Oregon** conducted its first landlord-training program in November 1989 with 94 landlords participating. Between 1989 and 1995, more than 7,000 landlords and property managers (representing over 100,000 rental units) attended the training program.²⁷ The program has developed into a national model refined through extensive research with landlords, police, tenants, and other stakeholders, with support from the U.S. Department of Justice.
- **Milwaukee, Wisconsin** has worked with local lenders to require landlords to attend its rental housing training program as a condition of receiving a loan to purchase rental property.
- As part of its multi-tenant registration program, **Dallas** requires multifamily rental property owners or managers to attend an annual “Safe Complex Symposium” as well as three crime watch meetings in the neighborhood each a year. The symposium is run by the police department and educates property owners on ways to improve tenant safety. Attendance at the symposium is mandatory. If a property owner fails to attend, he or she is assessed a \$600 fine. The only property owners who are exempt from the symposium are those who have achieved “Gold Star” property status.
- Both **Dallas** and **Fort Worth** require landlords to utilize a crime-free lease addendum unless one has been already incorporated into the lease using the Texas Apartment Association form.

7. Code Enforcement Education

Education about code enforcement should be provided to both landlords and tenants. Most property owners hold rental property as investments. Managing and maintaining rental properties may not be an owner’s primary concern, and, therefore, the owner may not actually know what is required to keep their properties up to code and what the consequences are for violating the code. On the other hand, tenants often are un-empowered because they do not know what

standard of living they are entitled to and what their rights are to enforce city building codes. Educating both parties will help maintain a system of code compliance.

One way to disseminate education materials is for the registration process to include a packet of information for landlords detailing what is needed to pass an inspection, the maintenance process, and penalties associated with failing to comply with code. Similarly, landlords could be required to give tenants a packet of information at move-in or upon the signing of a lease, which explains the tenants' rights as renters and the process for reporting violations. **Fort Worth**, for example, requires landlords to provide tenants with the Fort Worth Rental Handbook. The handbook provides information on grounds for eviction, a tenant's rights to challenge eviction notices, information on how to make a code complaint, and contact information for agencies who can assist with defending evictions.

A standard requirement in rental registration ordinances is to require the property owner to display the registration documents within the residence or apartment common area. In **Fort Worth**, landlords must post the registration certification on the property. Fort Worth also requires landlords to post and maintain clearly visible signs on the property containing emergency contact information for the property management and information on how to report code violations.²⁸

8. Inspection Requirements

There are several key policy issues relating to inspections in a rental registration program: (1) how often inspections will be conducted; (2) what part of the property will be inspected (exterior versus interior of units; what % of units); (3) what inspection standards the rental units must meet; (4) how inspections are scheduled; and (5) what kind of personnel will be conducting the inspections.

- **Inspection Schedules:** There are several patterns cities follow in their inspection schedules. One pattern is to require an initial inspection upon registration, then require subsequent inspections either at changes in tenancy, if the property failed the initial inspection, or in response to tenant complaints. A second pattern is to require inspections only in response to tenant complaints (the limits of this approach are discussed above under "Triggers for Requiring Rental Registration"). A third pattern is to require regular, periodic inspections, on an annual, bi-annual, or less frequent basis, regardless of change in tenancy and complaints. Most cities we examined follow this latter model. **Fort Worth**, for example, requires an inspection of every multifamily property every two years, **Dallas** every three years, and **Houston** every five years. The frequency of inspections depends in large part on the number of properties subject to inspection, the scope of the inspection, and the capacity of the city staff dedicated to conducting the inspections.

Yet another model of inspections is to require more frequent inspections of properties that failed the initial inspection. **Brooklyn Center, Minnesota**, places each rental property in one of four different tiers depending on the number of code violations. Type 1 properties are inspected only once every three years, while Type 4 properties are inspected as often as every six months.²⁹

- **Scope of Inspections:** Cities vary on whether they inspect the interior of the units, although most of the cities we studied inspect the interiors of at least a portion of the units. **Houston** inspects only the exterior. One option is to conduct an initial exterior inspection and then conduct an interior inspection only if the inspector suspects issues, the tenant requests an inspection, or the exterior fails inspection. **Dallas** inspects the exterior and only approximately 10 percent of the interior units per complex. By no means should inspections be invasive to the tenants; the inspectors should be allowed only to inspect for structural, electrical, and other major building code violations, using a standardized checklist.
- **Inspection Standards:** The standards that rental units must meet to pass inspection vary in different cities. The inspection standards may relate to just structural integrity or cover a range of issues including fire safety, general maintenance, and plumbing.
- **Scheduling Inspections:** Cities also differ in terms of how inspections are scheduled. Frisco, Texas, gives written advance notice of when an inspection will occur. In contrast, some cities, such as Irving, do not give written notice of inspections. Cities typically have a “reasonableness” requirement concerning times when inspections may occur. Cities vary on whether someone, such as the tenant, must be present at the unit in order for the inspection to occur.
- **Personnel:** Cities differ in terms of what types of inspectors visit the property. Most cities we reviewed use city staff, but one option is to allow property owners to hire outside inspectors, or for the city to retain outside inspectors. As a result of state constitutional mandates, **Seattle** is giving property owners in its new rental registration program the choice to use city inspectors or hire outside inspectors. Allowing property owners to hire outside inspectors could create more opportunities for abuse as a result of there being less accountability. **Sacramento** allows for a self-inspection by the property owner for properties that first pass an initial inspection; ten percent of these properties are then randomly inspected by the City to ensure compliance. Cities also differ in the number of inspectors who visit the unit and their qualifications. Most cities appear to utilize just one inspector. **Houston** uses two inspectors: one who is qualified to inspect for

structural issues, and a second inspector who is qualified to inspect for electrical issues.

9. Fees and Costs of Running a Registration Program

In adopting a fee structure for a rental registration program, there are a number of factors for a city to consider. First, a city needs to decide whether it wants the registration and inspection of properties to be self-sustaining through the fee structure, or whether the city is willing to supplement the program with general revenue or other funding sources. Under Texas law, the fees charged must be reasonably related to the cost of running the registration and inspection program. This means that, before setting a fee, Austin first needs to do an analysis of the anticipated scope of the program and what it will cost to run.

The costs of running a rental registration and inspection program will depend largely on how many properties are subject to inspections, how often inspections are required, the scope of the inspections, the number of units subject to inspection at each property, and the extent of re-inspections for properties that fail the initial inspection. Ideally, enforcement costs will be covered separately from the registration and inspection costs, out of fines assessed against property owners who violate the program requirements. Most cities charge an additional fee for re-inspections when a property fails the initial inspection.

Typically, inspection costs for multifamily properties, when broken down on a per unit basis, are cheaper than inspection costs for single-family properties, since only a portion of the units at multifamily properties are inspected. For example, if a property inspection costs \$200, the cost is \$200 per unit in a single-family property, and \$25 per unit in an eight-plex. As a result, in cities that inspect both multifamily and single-family properties, the registration and inspection fees for multifamily rental properties generally end up subsidizing part of the costs of registering and inspecting the single-family properties.

In Austin City Council discussions on the viability of implementing a successful registration program, some council members expressed concerns that the program would be cost prohibitive and lead to a bloated bureaucracy. Councilmember Bill Spelman presented a chart at the June 6, 2013, City Council meeting showing that the City of Austin would need to hire 153 inspectors at a cost of \$13 million a year to inspect Austin's approximate 3,400 multifamily properties (3+ units).

In our evaluation of other successful programs, we found these estimates to be extremely inaccurate. The basis for Councilmember Spelman's estimate is that every unit in a multifamily property would be inspected every year, thus yielding an estimate of nearly 200,000 inspections per year. As we have noted, it is a common practice in rental registration programs to inspect only a small portion of the units at multifamily properties and to conduct inspections less frequently than once a year. Thus, the actual number of annual inspections would be far fewer than

200,000. Using very conservative estimates, we conclude that eight inspectors would be sufficient to run a comprehensive multifamily inspection program in Austin—one modeled on other successful programs around the country. The inspectors would cost less than \$600,000 a year, including equipment costs.³⁰ There would be additional costs to operate the registration and enforcement components. An annual registration fee of \$10 per multifamily rental unit in Austin would generate close to \$1.3 million a year.

In approximating what it would cost to run a citywide rental registration with inspections for all rental properties in Austin, including single-family and duplex properties, the City of Seattle is a good guide. Seattle is the midst of setting up its new comprehensive rental registration and inspection program, which will cover all rental properties in the City. City staff, working with a financial consulting firm, has prepared an extensive budget analysis for the program. In contrast to the Houston multifamily model, discussed below, the Seattle model highlights how much more expensive it is to include single-family properties and duplexes in a registration and inspection program. These higher costs are due to the high volume of single-family and duplex properties along with the costs of tracking down these properties, getting them into the registration system, and then inspecting them.

The City of Seattle estimates it has 147,000 renter-occupied units and 61,580 rental properties. While 44 percent of Seattle's rental units are in properties of fewer than five units, 93 percent of all rental properties in Seattle (57,485 properties) have less than five units, with 4,095 multifamily properties (5+ units). In comparison, Austin has approximately 180,000 renter-occupied units (18 percent more than Seattle), 41,500 single-family and duplex rental properties, and 3,400 multifamily rental properties (3+ units).³¹ We suspect that Seattle has more total rental properties than Austin due to a larger reliance on single-family rentals in Seattle (which is likely driven in part by Seattle's higher median home sales prices of \$468,000), in addition to Austin's high volume (581) of large apartment complexes with 100 or more units.

Comparison of Seattle's and Austin's Multifamily and Non-Multifamily Rental Stock³²

	Number of occupied rental units	Number of multifamily rental properties	Number of multifamily rental units	Number of non-multifamily properties	Number of non-multifamily rental units	Total # of all rental properties
Seattle ³³	147,000	4,095 properties (5+ units)	86,367 units (5+ units)	57,485 properties (1-4 units)	67,070 units (1-4 units)	61,580 properties
Austin	180,000 ³⁴	3,400 properties (3+ units) ³⁵	134,000 units (3+ units)	41,500 properties (1-2 units)	50,000 units (1-2 units)	44,700 properties

The City of **Seattle** has budgeted \$1.6 million a year for the registration aspects of its program, which includes an extensive audit program, \$1 million for landlord outreach, and an IT project manager position. To cover all of its costs, the City anticipates needing to set the 5-year registration fee at \$150 (average of \$30/year) as a base fee for each property, with an additional \$4 per unit (\$.80/year).³⁶ This does not cover the cost of inspection. Seattle's program operation costs are higher than several peer cities because of the inclusion of single-family properties.

If Austin were to target just multifamily properties (3,400 properties), the costs of a rental registration program would be reduced significantly. As a comparison, the **City of Houston** has 4 code inspectors who are inspecting all of Houston's 5,000 multifamily properties over the course of five years. Two inspectors (electrical and structural) conduct a comprehensive inspection of the exterior premises. Overall, Houston is conducting an average of 6 inspections a day, 4 days a week, at a rate of 100 a month and 1,200 a year. The 4 inspectors are also conducting regularly scheduled follow-up visits and inspections of properties that failed the initial inspection. The City has an additional 4 inspectors who respond to 311 calls for code complaints at multifamily complexes. The City budgets \$1.2 million annually to run the entire multifamily program, which includes the costs of the 10 inspectors, 4 support staff, and the program director).

The City of Dallas's multi-tenant code inspection section has a budget outlay of \$2.3 million in expenses and brings in \$2.8 million in revenue.³⁷ The section includes the multi-tenant registration program but is also responsible for responding to all code-related calls concerning multifamily properties and enforcement actions pertaining to multifamily properties.

A 2008 study of North Carolina cities found that the total cost for each rental property inspection ranges from \$51 to \$75 per property per inspector (based on an annual inspector salary of \$32,500 to \$43,000).³⁸ Houston is paying its inspectors approximately \$45,000 in 2013. From interviews with housing inspection supervisors, the North Carolina study found that one full-time housing inspector can complete 6 inspections a day, and approximately 1,400 inspections a year. Assuming a very conservative rate of inspections for Austin where one inspector completes just one property inspection a day (working 4 days a week for 48 weeks), 6 inspectors could complete around 1,200 inspections a year. Under this model, inspecting all 3,400 of Austin's multifamily properties (3+ units) would take approximately 3 years at an annual per inspector cost of roughly \$100,000 with benefits and cost of equipment, or a total of \$600,000 for the inspectors.³⁹

Comparison of Austin's and Houston's Inspection Costs for Operating a Multifamily Registration and Inspection Program

City	Number of mf properties inspected	Number of code inspectors	Time needed to complete inspections	Approximate cost of inspectors
Austin	3,400 multifamily properties (3+ units)	6	3 years (~1,200 property inspections a year) ⁴⁰	\$600,000 (includes benefits and inspectors' work equipment; does not include support staff)
Houston's Multifamily Registration Program	5,000 (3+ units)	6 (4 inspectors working in teams of 2 and 2 senior inspectors)	4-5 years (~1,200 a year)	\$1.1 m (includes salaries and benefits for 6 inspectors, 4 support staff, and program director)

The cities we examined range broadly in the way they assess fees for registration and inspections. Appendix 2 lists their fees. The following are other factors to consider when developing a fee structure:

- **Whether to charge a registration fee and in what amount.** All but one of the cities we studied (Houston) charge a registration fee. **Houston** charges a per unit fee only when the inspection is conducted and reports that the inspection fees it collects (\$140,000/year) are insufficient to run the program, which relies largely on fees from the City's Building Permit Fund. Houston also requires a \$400 fee for high-crime properties to participate in the City's Apartment Crime Enforcement Program, which includes a separate inspection component by police.

Dallas charges an annual registration fee for its multi-tenant program. For the City's non-owner occupied rental program (single-family and duplexes), Dallas waives the fee after the first year unless the property fails the inspection. The registration fees for cities charging by the unit range from a low of \$10 per unit in Dallas for its multi-tenant program (with **Arlington**, Texas, in second place at \$13.50 per unit) to \$43.32 a unit in **Los Angeles**. Some cities charge higher registration fees for properties with a history of violations. **Fort Worth** charges a registration fee of \$200 a unit in its single-family and duplex program, but only for units with a history of code complaints (the registration program is mandatory only for units with a history of code violations).

- **Whether to charge a separate fee for inspections.** Most of the cities we studied do not charge an extra fee for the initial inspection. **Boston** charges an annual registration fee of \$15 per unit (\$25 for the first unit), and then a separate inspection fee of \$50 to \$75 per unit. While **Houston** does not

charge a registration fee, it does charge a fee of \$10 a unit for multifamily property inspections (while the fee is for all the units, Houston only inspects a portion of the units at each property). Most of the cities we studied charge an additional re-inspection fee for units that fail the initial inspection. Arlington, for example, charges a \$150 re-inspection fee. Plano's fee increases with each re-inspection.

- **Whether to differentiate the fees assessed based on the number of units at the property.** Most cities we studied charge a per unit fee for registration and inspections. Raleigh charges a fee of \$15 to \$50 per property. Some cities charge a higher fee for single-family or duplex units, while other cities charge a lower per unit fee for smaller properties. **Boston**, for example, charges an inspection fee of \$50 per unit for 1- to 3-unit properties, and \$75 per unit for properties with 4 or more units—but the fee is applied only to the units actually inspected.
- **Whether to charge a higher fee for the first unit and then a lower fee for any additional units on the property.** **Minneapolis** charges a \$69 fee for the first unit and then \$19 for each additional unit.
- **Whether to set a cap on the total fee for larger multifamily complexes.** **Boston** sets a cap of \$2,500 per building and \$5,000 per property for its inspection fee. Philadelphia sets a cap of \$20,000 per property for its registration fee.

10. Incentives for Proper Property Maintenance

Several cities offer incentive programs for property owners to maintain their property. As discussed earlier, the **Dallas** Police Department has adopted its Gold Star Certification Program, and Houston has a similar Blue Star Certification Program. Property owners who complete a special class and pass an annual environmental design inspection can receive a special certification from the city, which can then be used in advertising to prospective tenants.

Some cities allow properties that pass the initial inspection to go through future inspections less frequently. **Lewisville**, Texas, allows units that have no complaints reported and pass inspection for two consecutive years to schedule inspections once every five years. In **Dallas**, the renewal registration fee is waived for properties in the Non-Owner Occupied Rental Program that have no code violations. In Dallas's Multi-Tenant Registration Program, the inspection is free unless the property fails an inspection, then the inspection fee is \$30 a unit and \$50 a unit for a re-inspection.

Other potential landlord incentives include: (1) free advertising on city websites or local newspapers; (2) free or subsidized access to safety equipment such as smoke detectors, carbon monoxide-detectors, security locks, and closed-circuit cameras;

(3) reduced fees for building permits to make repairs; (4) free training courses; (5) technical assistance for addressing property management issues; (6) free security inspections; and (7) loans or grants for property improvements.

11. Sanctions

Cities must also consider what type of fees and penalties to impose on properties that register late, fail to register, and fail an inspection. Ideally, a program would impose a fee for registering late and then a larger fine for failure to register, to incentivize landlord participation. A fee avoids the court process. Some cities tie their program requirements to a license or certificate of occupancy: If a property is not in compliance with the registration requirements or fails to come in compliance with code, the certificate of occupancy can be revoked and the property cannot be leased. **Minneapolis, Minnesota** has an “unlicensed property finder” on staff who seeks out unlicensed rental properties; the fine for failing to register is \$250.⁴¹

Many cities apply very high penalties for failure to register, for letting registration lapse, and for providing false information. **Richardson, Texas** charges \$2,000 for each of these offenses. **Fort Worth** charges a fee of up to \$2,000 a day. **Dallas** charges a fine of \$200 to \$2000 for single-family and duplex properties that fail to register, while multifamily properties must pay \$20 a unit. In some other cities, failure to register increases the cost of registration according to how late the registration is submitted. **Mesquite, Texas**, charges a \$100 registration fee for each unit that is occupied prior to passing an inspection. In Mesquite, the fine and all city liens must be paid before the city will issue proper registration documents, which are in the form of an occupancy permit.

For properties with high levels of code violations that fail inspection, a best practice is to require the properties to submit a mitigation plan to the city, outlining how the owner plans to fix the violations. **Brooklyn Center, Minnesota** follows this approach.⁴²

In **Fort Worth**, if a property fails an inspection, new tenants cannot move into the property until all violations are rectified. Also in Fort Worth, a complex that is sold will not receive a new certificate of occupancy and tenants will not be allowed to move in unless the complex passes inspection. In **Irving**, city officials may order evacuation of a building with serious violations. **Dallas** revokes a certificate of registration if the property registrant failed to comply with the rental registration ordinance, other city ordinances, or any other state or federal law applying to the operation of a multifamily property. The registrant first receives a warning and then has 10 days to comply before the certificate is revoked.⁴³

A standard practice of Texas cities is to count each day a property is in violation of code as a separate offense for purposes of determining the fine. The cost of code fines ranges from \$10 to \$2000 per offense. Cities typically base the fine on the type of violation and charge more for violations relating to fire safety and health risks.

Dallas requires a minimum mandatory fine for violations—the fine cannot be reduced—and also provides for the escalation of penalties for repeat code violations.

As part of ensuring that a property is registered, some cities tie municipal utility services to the presentation of valid rental registration documents. If a property is not registered, it cannot receive utility services. For example, in **Mesquite**, for units that pass inspections, the city leaves a green inspection tag, which must be presented to the utility department in order to have water service connected. **Lewisville** and **Sugar Land** also link utility services to meeting registration requirements.

D. Policy Recommendations

In light of national best practices, consultations with national experts and city officials from around the country, and empirical research that has measured the effectiveness of different approaches, we recommend Austin adopt a rental registration ordinance with the following features:

1. **Require mandatory registration and periodic inspections of all multifamily properties (3+ units)**, along with the following elements:
 - The inspections should cover the exterior and a percentage of the interior units.
 - The ordinance should exempt properties that are less than five years old or are subject to other government inspection programs.
 - The registration and inspection costs should be self-funded through the assessment of fees.
 - Properties should be placed in tiers in accordance with how they perform on the initial inspection and their history of code violations and criminal nuisances. Properties that fail the initial inspection or have a history of repeated code violations and/or habitual criminal activity should be inspected more frequently and subject to higher registration and re-inspection fees. The most egregious violators should also be required to submit a mitigation plan to the City outlining how the owner will address the code violations. In contrast, properties that pass the inspection and have no history of code violations should be inspected less frequently and subject to lower registration fees. Or, as alternative, consider adopting Raleigh's probationary rental occupancy permit model, where properties that fail to bring property into timely compliance must pay a fee for a two-year probationary permit.
2. Consider adopting a program that requires **non-owner occupied single-family and duplex rental property owners** upon each change in tenancy or at least once a year to complete a self-inspection and certification form stating that the unit is free of certain major code violations listed on a city form. The form should be submitted to the City and the tenants. If the units have had multiple code

violations within the past three years, they should be subject to the City of Austin registration and inspection program.

3. **Incorporate an apartment crime enforcement program into the registration program, modeled on the programs in Dallas and Houston** (but include smaller multifamily properties). Properties that meet a crime threshold index should undergo and pay a fee for a special “Crime Prevention through Environmental Design” inspection, and the owners should be required to enter into remedial agreements to reduce crime on the property and attend regular meetings with the police and neighborhood. *(This program is discussed more fully in a separate section of the upcoming report).*
4. Modeled on Fort Worth’s ordinance, **require all landlords in the registration program to comply with basic crime prevention measures on their properties**, including requirements for specific lighting and securing of vacant units.
5. **Adopt an educational program for landlords and tenants.** Offer an annual training program for rental property owners on property management and crime prevention, modeled on the national Crime Free Rental Housing Program. During the registration process, provide landlords with a packet of information detailing what is needed to pass an inspection, the maintenance process, and code penalties. Make the educational program mandatory for owners of rental properties that fail inspection, with prior code citations, or with high crime rates.
6. Require all landlords to provide tenants with a **tenant rights handbook** created by the City and to post information prominently on the property on how to report code violations.
7. **A rental registration ordinance should be coupled with stronger code enforcement policies** for non-owner occupied properties that enforce health and safety codes when they are violated, and then remediate code violations when owners fail to do so. In this regards, the City needs to more aggressively prosecute its laws against egregious; rely more on the issuance of civil fines rather than the sporadic issuance of criminal citations; and assess higher penalties against repeat violators. The City should publish a monthly report on its website listing multifamily properties with the highest number of notices of violations and code citations. **We also recommend that the City Attorney’s Office dedicate more resources to code enforcement and addressing problem properties.** We recommend the Office create a special unit of attorneys, modeled on the Dallas City Attorney’s program, that is dedicated solely to enforcing code violations and other problem property laws.
8. **The City also needs to create a property information system to inform planning, intervention, and research around problem properties**, integrating data from the Code Compliance Department, the Police Department,

and other city departments. The property information system should be searchable by a range of criteria and allow the City to publish regular reports on problem properties with the worst code and crime issues. The system should also be GIS compatible to allow for mapping of the data. The public should have free access to be track the status of code complaints as well as statistics and other information on problem properties in their neighborhoods.

Appendix 1: Studies on Proactive versus Complaint-Driven Code Enforcement Systems

As discussed above, studies have found that complaint-driven code enforcement systems result in under-identification of problem properties, including many of those with serious and life threatening code violations. The following is a summary of some of these studies:

Seattle: In a study examining Seattle’s complaint-drive code enforcement system, 350 randomly-selected apartment buildings were selected for inspections. The study found that the inspections in more than half of the properties identified code violations that tenants and neighbors had never reported.⁴⁴ Out of the buildings where inspections identified code violations, 78 percent of the violations had not been reported to the City, including many of the most serious violations. The study concluded that a reactive, reporting-based code enforcement system is “hampered by multiple factors including: general lack of knowledge of housing code standards, language barriers, and fear of landlord retribution,” even in spite of strong legal protections.⁴⁵ The City is now in the middle of implementing a mandatory registration and inspection program.

San Francisco: In another study,⁴⁶ volunteers from the Chinese Progressive Association surveyed 197 tenants in 157 different apartment buildings and single-room occupancy (SRO) hotels in San Francisco’s Chinatown to assess the extent of code violations. In the survey, 62 percent of tenants said they had multiple code issues in their apartments but only 28 percent of the tenants had complained to their landlord about their code issues, and only 11 percent of tenants had reported the violation to a government agency or a community organization.⁴⁷

Memphis: A study in the City of Memphis likewise found large under-reporting of code violations.⁴⁸ The study found that complaint-based code enforcement identified only about 20 percent of code violations in Memphis neighborhoods. In one particular low-income neighborhood, the Binghampton community, the study found that 19 properties in the community were in poor enough condition that they needed to be condemned. Yet, these properties were not in the City’s system and had not come to the attention of code officials. A visual survey also found that at least half of the 35 occupied multifamily properties (1,200 total units) in the Binghampton community of Memphis had serious code violations, including the following issues:

- 20% properties without intact and secure doors or doorframes;
- 25% properties with unsecured windows, most of which were broken out; and
- 12% with holes in the walls.

Yet the city had recorded code violations for only 8 of the units.⁴⁹

The author of the Memphis study concluded that a complaint-based system is a barrier in deteriorating, poorer neighborhoods and a barrier to the early identification of problem properties, before they rise to the level of a public safety hazard. As further summarized in the study: "Given that citizen-driven complaints tend to be about environmental or vehicle nuisances, it appears that for many neighborhoods deterioration of the housing stock is simply taken for granted and not a cause of action. These neighborhoods tend to be low-income, a situation which for many reasons can be associated with lowered expectations."⁵⁰

Asheville: In Asheville, North Carolina, which inspects both rental and owner-occupied units, the number of residential fires decreased by 50 percent during the period when the city required proactive inspections of all units. After the city switched back to a complaint-based code program, residential fires rose by 122 percent.⁵¹ The city also saw a decrease in housing code complaints from 227 to 60 during the time the city operated a mandatory inspection program for all properties; the complaints rose to 189 in 2007 after Asheville switched to the complaint-based program.

Appendix 2: Comparison of Rental Registration and Inspection Ordinances

City	Properties Covered	Inspections	Fees	Other
Arlington, TX ⁵²	One program for all mf props of 3+ units; a separate program for all non-owner occupied duplexes.	Annual inspections. Duplex units that pass exterior inspection are not inspected internally.	Annual registration. Registration fee of \$13.80/unit; one free re-inspection then \$150 fee for re-inspections on the same violation. Extended stay hotels must pay \$86.04/room.	Separate program for duplexes. Inspection scores posted on Internet.
Boston	All rental units	Inspections conducted on 5-year cycle except for problem properties, which have annual inspections.	Annual registration. Initial registration fee: \$25/unit with \$15 annual renewal fee. Fee capped at \$2,500/building and \$5,000/complex. Inspection fee: Fee based on units actually inspected; \$50/unit for props with 1-3 units, \$75/unit for 4+ units.	New program adopted in 2013. Boston offers an alternative 5-year inspection program for properties that apply and meet certain requirements.
Dallas Non-Owner Occupied Rental Program	All non-owner-occupied single-family and duplex properties.	Inspections required only if complaints received (vs. registration required regardless of complaints).	Annual registration. \$25/unit initial registration fee; free renewal fee if no code violations. Inspection fee of \$50/unit for structural code issues (but inspection only if complaints).	Lessons learned: Having a hard time identifying and getting these smaller properties in the registration system. Need to have a process in place up front to identify these units, such as working with water utility department.

City	Properties Covered	Inspections	Fees	Other
Dallas Multi-Tenant Registration	Multifamily of 3 or more units and at least 5 yrs old.	Once every 3 years.	Annual registration. \$10/unit registration fee. Inspection is free unless fail then \$20/unit x total units (non-structural), \$30/unit x total units (structural) and \$50 re-inspection for each unit/building inspected.	Must use crime prevention lease agreement and attend 3 neighborhood crime watch meetings in the year and an annual SAFE complex symposium. City collects \$2.3m annually in multi-tenant registration fees and \$211,000 in re-inspection fees. There are approximately 220,000 units in the program and 2,596 properties. Lessons learned: Need a process at the back end to collect unpaid inspection fees. Dallas does not have a process, which has been an issue in collecting re-inspection fees.
Fort Worth ⁵³	Multifamily properties with 3 or more rental units. One- and two-family properties must register only if code violations.	Inspections at least once every two years. At change of ownership, mf properties must be inspected before receiving a new certificate of occupancy. Police department also inspects all mf complexes of 8+ units for free via Crime Prevention through Environmental Design inspection.	<u>Multifamily program</u> : Annual registration fee of \$25 for first unit; \$10 for each additional unit. <u>Single-family/duplex program</u> : \$200 registration fee for each unit with record of code violations. If property fails inspection, \$25/unit for re-inspection.	Landlords required to conduct annual inspection with tenants and to give tenants the "Fort Worth Rental Handbook" outlining their rights.

City	Properties Covered	Inspections	Fees	Other
Houston Blue Star Multi-Housing Program	Any multifamily property is eligible—voluntary program.	Annual inspections for apartments that elect to be in program; police conduct a crime prevention environmental design analysis and look at crime reports.	Free.	100 properties in the program; City lists on website. Dallas has a very similar “Gold Star” program for multifamily complexes with 10 or more units.
Houston Apartment Crime Enforcement Program	Multifamily of 10 or more units.	After running computer formula every 2 years, police inspect properties that are classified as “remedial properties” after triggering a “crime risk threshold”	Properties register via multifamily registration program in code (see above). \$400 inspection fee.	Police conduct a “crime prevention through environment design” (CPTED) inspection and enter into remedial agreement with owner. Owner must attend PIP (positive interaction meetings) each month with police and the local community, and also conduct crime prevention meetings with tenants that police attend. Dallas police department runs a very similar program. ⁵⁴
Houston Multifamily Registration	Multifamily of 3 or more units.	Inspected once every 5 years—only exterior. Inspects 100-120 properties/month with 5,000 total mf properties in pipeline.	Annual Registration. No registration fee. Inspection fee of \$10/unit.	Compiled list of properties from appraisal district and city permits. 2 inspectors visit each property: electrical and structural inspector.
Los Angeles (Systematic Code Enforcement Program) ⁵⁵	All rental properties with 2 or more occupied units.	Once every three years, but worst buildings inspected more frequently.	Annual registration. Registration fee: \$43.32/unit. Additional fees may be charged if fail re-inspection.	Won the Fannie Mae Innovations in Government Award in Affordable Housing in 2005.

City	Properties Covered	Inspections	Fees	Other
Minneapolis	All non-owner occupied rental units; new construction exempted.	No regular inspections. Inspections required if complaints, property changes ownership or converted to rental, or no license for 12 months.	Annual registration. Registration fee: \$69 for first rental unit; \$19 for each additional unit in the property. No inspection fee.	Owners required to hang a 311 poster in common areas with information for tenants on reporting code violations.
Philadelphia Rental Inspection License Program ⁵⁶	All rental properties except owner-occupied duplexes.	Inspections not done unless tenant requests them.	Annual registration. Registration fee: \$50/unit (max fee: \$20,000)	Also has a vacant property registration requirement with a \$150 fee/property.
Plano ⁵⁷	Multifamily properties with 5 or more units older than 5 years (originally properties 5-10 years old also exempted).	Annual inspections.	Annual registration. Registration fee: \$10/unit No initial inspection fee and first re-inspection is fee. \$150 for the second re-inspection; \$300 for third re-inspection.	
Raleigh, NC ⁵⁸	All rental properties.	Inspections only if problems reported.	Annual registration. Registration fee: \$15/property for 3 or less units \$25/property for 4-19 units \$50/property for 20+ units Additional fee of \$30/unit at initial registration. No inspection fee.	Must obtain a probationary rental occupancy permit if fail to bring property into timely compliance. Must pay \$500 for a 2-year permit and attend City-approved property management course and remain in compliance with city codes.

City	Properties Covered	Inspections	Fees	Other
Sacramento, CA	All non-owner occupied rental units; rental units less than 5 years old may be exempt.	Initial mandatory inspection. If pass, then placed in Self-Inspection Certification Program where property owner inspects the property once a year and at change in tenancy, using city checklist. Random inspections by City of at least 10% of self-certification units.	Annual registration. Registration fee: \$28/unit. Initial inspection and first 30-day re-inspection are free. \$127 fee for follow-up inspections.	Landlord must provide tenants with a Residents Rights form created by local landlord-tenant nonprofit agency.
Seattle ⁵⁹	All rental properties; program being rolled out in phases based on # of units.	Each property inspected at least once every 10 years. 10% of all rental properties selected randomly for inspection each year. Units with two or more code violations inspected in first year of program.	Registration must be renewed every 5 years. Fee structure under development.	New program passed unanimously by the Seattle City Council in 2012.

Appendix 3: Examples of Extremely Dangerous and/or Substandard Code Conditions in Austin



Stairway being held up only by nails and pulling away from walkway.



Handrail no longer anchored adequately and pulling away from structure.



Sagging horizontal member beam and bowing support post not strong enough to carry imposed load.



Rotting stairway missing treads, handrails, and guards.



Post supporting roof is inadequate with risk of roof collapsing.



Second floor walkway becoming detached from support posts and at risk of collapsing.



Mold on interior walls and floors.



Missing tiles, rotting wall, mildew, and mold.

End Notes

¹ ALAN MALLACH, MEETING THE CHALLENGE OF DISTRESSED PROPERTY INVESTMENTS IN AMERICA'S NEIGHBORHOODS (Local Initiatives Support Corporation), at 46, *available at* <http://www.stablecommunities.org/sites/all/files/library/1228/distressed-property-investors-mallach.pdf>.

² See, e.g., Guadalupe Luna, *Immigrants, Cops and Slumlords in the Midwest*, 29 SOUTHERN ILLINOIS UNIV. L.J. 61, 89 (2004) ("Tenants' fears of retaliation from landlords, coupled with the lack of alternative housing effectively stifles complaints of tenants who are weary of possible eviction.").

³ SILVANA HACKETT, ET AL, RENTAL LICENSING TO ACHIEVE COMPLIANCE (Center for Urban and Regional Affairs, Univ. of Minn., 2012), *available at* <http://www.ci.roseville.mn.us/DocumentCenter/View/11028>.

⁴ CAROL HICKEY, ENSURING HOUSING QUALITY: PROACTIVE MINIMUM HOUSING CODE INSPECTIONS OF RENTAL PROPERTIES IN NORTH CAROLINA CITIES, Paper submitted for Masters of Public Admin. at UNC Chapel Hill (Apr. 8, 2008), *available at* <http://ghc.illkd.com/wp-content/uploads/2008/04/enhancinghousingquality.pdf>.

⁵ *Id.*

⁶ U.S. CENSUS BUREAU, 2011 AMERICAN COMMUNITY SURVEY 1-YEAR ESTIMATES, SELECTED HOUSING CHARACTERISTICS.

⁷ Andy Alford, *City's affordable housing squeeze means code violations are often ignored*, AUSTIN AMERICAN-STATESMAN, at A1 (Dec. 16, 2002).

⁸ *Id.*

⁹ Isadora Vail, *Apartment fixes ordered after 2 die from gas poisoning*, AUSTIN AMERICAN-STATESMAN (Feb. 9, 2011), *available at* <http://www.statesman.com/news/news/local/apartment-fixes-ordered-after-2-die-from-gas-poiso/nRXXRj/>

¹⁰ Austin City Council, Agenda Item No. 100, Resolution Relating to the Development of a Residential Rental Registration Program (July 23, 2009).

¹¹ Austin City Council Res. No. 20130606-050 (June 6, 2013).

¹² Austin City Council Res. No. 20130606-049 (June 6, 2013).

¹³ AUSTIN BOARD OF REALTORS, PUBLIC POLICY POSITIONS, *available at* http://www.abor.com/gov_affairs/ABoRGovPolicy.cfm.

¹⁴ City of Austin Ord. No. 20120802-122; CITY OF AUSTIN SHORT-TERM RENTAL LICENSING WEBSITE, <http://www.austintexas.gov/str>.

¹⁵ See Appendix 1 for an overview of these studies' findings.

¹⁶ MONTGOMERY COUNTY TENANTS WORK GROUP REPORT (March 2010), at 12, *available at* http://www6.montgomerycountymd.gov/Content/EXEC/TWG/pdf/twg_report_3-2010.pdf. A report on Roseville, Minnesota, also identified a concern that many tenants are afraid of retaliation from landlords and so do not make complaints about their housing conditions. According to the report: "When interviewed, [code] inspectors felt that this is a particularly salient issue in Roseville because of the relatively large population of refugees

residing in properties that are known to have the worst property maintenance issues.” SILVANA HACKETT, ET AL, RENTAL LICENSING TO ACHIEVE COMPLIANCE, Center for Urban and Regional Affairs, Univ. of Minn. (2012), *available at* <http://www.ci.roseville.mn.us/DocumentCenter/View/11028>.

¹⁷ RESEARCH AND PLANNING DIVISION, TRAVIS COUNTY HEALTH AND HUMAN SERVICES & VETERAN SERVICE, HOUSING: SECTION VI OF THE 2006-2007 TRAVIS COUNTY IMMIGRANT ASSESSMENT, at 69-70, *available at* http://www.co.travis.tx.us/health_human_services/research_planning/pdfs/immigrant_assessment_report_2007/06_Housing.pdf.

¹⁸ *Id.*

¹⁹ Comment, *Protecting the Good-Faith Tenant: Enforcing Retaliatory Eviction Laws by Broadening the Residential Tenant's Options in Summary Eviction Courts*, 63 Oklahoma L. R. 101, 106 (2010).

²⁰ PHYLLIS BETTS, BEST PRACTICE NUMBER TEN: BROKEN WINDOWS—STRATEGIES TO STRENGTHEN HOUSING CODE ENFORCEMENT AND APPROACHES TO COMMUNITY-BASED CRIME PREVENTION IN MEMPHIS (Memphis Shelby Crime Commission, Apr. 2001).

²¹ Matt Stiles, *Houston hires firm to investigate fatal stairway collapse*, HOUSTON CHRON. (July 24, 2008), <http://www.chron.com/news/houston-texas/article/Houston-hires-firm-to-investigate-fatal-stairway-1596785.php>.

²² PHYLLIS BETTS, BEST PRACTICE NUMBER TEN: BROKEN WINDOWS—STRATEGIES TO STRENGTHEN HOUSING CODE ENFORCEMENT AND APPROACHES TO COMMUNITY-BASED CRIME PREVENTION IN MEMPHIS (Memphis Shelby Crime Commission, Apr. 2001).

²³ CITY OF BROOKLYN CENTER, MINNESOTA, WEBSITE FOR RENTAL LICENSES, <http://www.cityofbrooklyncenter.org/DocumentCenter/Home/View/277>.

²⁴ ALAN MALLACH, MEETING THE CHALLENGE OF DISTRESSED PROPERTY INVESTMENTS IN AMERICA'S NEIGHBORHOODS (Local Initiatives Support Corporation), at 50, *available at* <http://www.stablecommunities.org/sites/all/files/library/1228/distressed-property-investors-mallach.pdf>.

²⁵ See International Crime Free Association webpage on Crime Free Rental Housing, at http://www.crime-free-association.org/rental_housing.htm.

²⁶ See U.S. Dept. of Justice, Bureau of Justice Asst., KEEPING ILLEGAL ACTIVITY OUT OF RENTAL PROPERTY: A POLICE GUIDE FOR ESTABLISHING LANDLORD TRAINING PROGRAMS, *available at* <https://www.ncjrs.gov/pdffiles1/bja/148656.pdf>.

²⁷ *Id.* at 4. Portland's landlord training program manual is available at <http://www.portlandonline.com/bds/index.cfm?a=96790&c=38169>.

²⁸ City of Fort Worth, Ord. No. 19998-12-2011, *available at* http://fortworthtexas.gov/uploadedFiles/City_Secretary/City_Council/Official_Documents/2011_Ordinances/19998-12-2011.pdf.

²⁹ CITY OF BROOKLYN CENTER, MINNESOTA, WEBSITE FOR RENTAL LICENSES, <http://www.cityofbrooklyncenter.org/DocumentCenter/Home/View/277>.

³⁰ This estimate is from the Austin Code Compliance Department and includes salary and benefits as well as work equipment.

³¹ CITY OF AUSTIN, DEMOGRAPHIC PROFILE, *available at* http://www.austintexas.gov/sites/default/files/files/Planning/Demographics/city_of_austin_profile_2010.pdf.

³² We developed the estimates for total number of multifamily (mf) and non-multifamily rental units for Austin using information from the American Community Survey and City of Austin Code Compliance Department, which utilized data from the Travis County Appraisal District and Austin Energy data. TCAD breaks down the number of mf properties by range of units (3 units, 4 units, 5-25 units, 26-49 units, 50-100 units, 100+ units). We multiplied the total number of properties in each category from TCAD by the range of units in that category and came up with a total mf unit range of 83,104 to 173,032. We picked a number close to the middle of this range, 130,000, which is closest to the estimate of 132,514 occupied multifamily rental units from the U.S. Census Bureau's 2009-11 American Community Survey (ACS). To develop our estimate of the non-mf rental units (1-2 units), we subtracted 130,000 (mf units estimate) from the U.S. Census's estimate of 180,000 total rental units in Austin, for a total of 50,000 non-mf rental units (1-2 units). This is similar to the estimate in the ACS survey, which estimates 47,749 single family and duplex rental units. In terms of the estimating the number of non-mf rental properties (1-2 units): We took the ACS estimate of duplex units and divided that by 2 and then added this number to the 35,210 single family properties, for a total of 41,500 non-mf rental properties. Since we wrote the initial draft of this report, the Austin Code Compliance Department has developed a lower estimate of multifamily rental properties in Austin: 3,044.

³³ CITY OF SEATTLE, POWERPOINT PRESENTATION OF NOTES FROM RENTAL REGISTRATION AND INSPECTION ORDINANCE: FEE OPTIONS STAKEHOLDER MEETING (Mar. 4, 2013), *available at* <http://ghc.illkd.com/wp-content/uploads/2008/04/enhancinghousingquality.pdf>.

³⁴ U.S. CENSUS BUREAU, 2009-2011 AMERICAN COMMUNITY SURVEY, OCCUPIED HOUSING UNITS IN AUSTIN.

³⁵ Data obtained from the City of Austin Code Compliance Department, based on data from the Travis County Appraisal District.

³⁶ Phone call with Geoff Tallent, Program Manager, Rental Registration Program, City of Seattle (June 13, 2013).

³⁷ CITY OF DALLAS CODE COMPLIANCE DEPARTMENT, FY 09/10 BUDGET OVERVIEW, PRESENTED TO THE DALLAS CITY COUNCIL FINANCE AND AUDIT COMMITTEE (Apr. 26, 2010), *available at* http://dallascityhall.com/committee_briefings/briefings0410/BFA_CodeFY09-10_%20BudgetOverview_042610.pdf.

³⁸ CITY OF SEATTLE, POWERPOINT PRESENTATION OF NOTES FROM RENTAL REGISTRATION AND INSPECTION ORDINANCE: FEE OPTIONS STAKEHOLDER MEETING (Mar. 4, 2013), *available at* <http://ghc.illkd.com/wp-content/uploads/2008/04/enhancinghousingquality.pdf>.

³⁹ Information from the Austin Code Enforcement Department, based on approximations from the Travis County Appraisal District.

⁴⁰ We assumed very conservatively that each inspector would complete one property inspection a day for an average of 4 days a week and 48 weeks each year.

⁴¹ ALAN MALLACH, MEETING THE CHALLENGE OF DISTRESSED PROPERTY INVESTMENTS IN AMERICA'S NEIGHBORHOODS (Local Initiatives Support Corporation), at 51, *available at*

<http://www.stablecommunities.org/sites/all/files/library/1228/distressed-property-investors-mallach.pdf>.

⁴² CITY OF BROOKLYN CENTER, MINNESOTA, WEBSITE FOR RENTAL LICENSES, <http://www.cityofbrooklyncenter.org/DocumentCenter/Home/View/277>.

⁴³ Dallas City Code § 27-34 (2013).

⁴⁴ JANE E. PROTHMAN, HOUSING: HEALTH AND CODE ENFORCEMENT, degree project for Masters of Public Administration at Univ. of Wash. (2010) (citing McLERREN AND POWERS, REPORT ON THE HOUSING CODE ENFORCEMENT DEMONSTRATION PROGRAM (Housing Zoning Enforcement Division, Seattle, Wash, 1989)).

⁴⁵ *Id.*

⁴⁶ CHINESE PROGRESSIVE ASSOCIATION, SUBSTANDARD HOUSING CONDITIONS IN SAN FRANCISCO CHINATOWN: HEALTH IMPACTS ON LOW-INCOME IMMIGRANT TENANTS (Aug. 2005), *available at* <http://www.cpasf.org/sites/default/files/HousingHealthRptFINAL.pdf>

⁴⁷ *Id.*

⁴⁸ PHYLLIS BETTS, BEST PRACTICE NUMBER TEN: BROKEN WINDOWS—STRATEGIES TO STRENGTHEN HOUSING CODE ENFORCEMENT AND APPROACHES TO COMMUNITY-BASED CRIME PREVENTION IN MEMPHIS (Memphis Shelby Crime Commission, Apr. 2001) (finding that while multifamily units account for one third of all housing units in the Binghamton community, only 10% of the code violations in the city system were from multifamily units, despite visual survey showing that at least half of the multifamily units had substantial code violations).

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ CAROL HICKEY, ENSURING HOUSING QUALITY: PROACTIVE MINIMUM HOUSING CODE INSPECTIONS OF RENTAL PROPERTIES IN NORTH CAROLINA CITIES, Paper submitted for Masters of Public Admin. at UNC Chapel Hill (Apr. 8, 2008).

⁵² CITY OF ARLINGTON, CODE COMPLIANCE WEBSITE, at <http://arlingtontx.gov/codecompliance/apartments.html>.

⁵³ CITY OF FORT WORTH, RENTAL PROPERTY WEBSITE, at <http://fortworthtexas.gov/rentalproperty/>

⁵⁴ *See* Dallas City Code, §§ 27-45, et al.

⁵⁵ Information on Los Angeles's ordinance is available at <http://lahd.lacity.org/lahdinternet/CEUSCEP/tabid/395/language/en-US/Default.aspx>.

⁵⁶ CITY OF PHILADELPHIA, HOUSING INSPECTION LICENSE WEBSITE AND LICENSE APPLICATION, at <https://business.phila.gov/Pages/HousingRentalLicense.aspx>; https://business.phila.gov/Documents/Licenses/housing_rental.pdf.

⁵⁷ CITY OF PLANO, RENTAL REGISTRATION & INSPECTION PROGRAM WEBSITE, at <http://www.plano.gov/index.aspx?NID=342>

⁵⁸ CITY OF RALEIGH, RENTAL DWELLING REGISTRATION WEBSITE, at <http://www.raleighnc.gov/home/content/Inspections/Articles/RentalDwellingRegistra.html>

⁵⁹ CITY OF SEATTLE, RENTAL REGISTRATION & INSPECTION WEBSITE, at <http://www.seattle.gov/dpd/codesrules/changestocode/rentalregistrationprogram/whatwhy/>.



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2763

6.22

Order Approving Appointment of Mr. Yong Ju No as Director of Internal Audit (Mayor Sarno)

WHEREAS, Section 3(a) of Chapter 468 of the Acts of 2008, and City Ordinance Chapter 67, Article III, Section 67-11(B), authorize the Mayor to appoint a Director of Internal Audit for the City of Springfield, subject to approval by the City Council; and

WHEREAS, Mayor Domenic J. Sarno has appointed Mr. Yong Ju No as the Director of Internal Audit, subject to approval by the City Council, to be effective on September 29, 2014, for a term of three (3) years; and

WHEREAS, the Mayor has determined that Mr. No is especially fitted by education, training and experience, to perform the duties of the office, and a copy of his resume is attached hereto as Exhibit A; and

WHEREAS, Mr. No's employment is contingent upon residency in the City of Springfield and he will be allowed time to facilitate the sale of his current home before relocating to Springfield; and

WHEREAS, the Mayor hereby requests the City Council to approve the appointment of Mr. Yong Ju No as the Director of Internal Audit for the City of Springfield;

NOW THEREFORE, the City Council, acting pursuant to Section 3(a) of Chapter 468 of the Acts of 2008, and City Ordinance Chapter 67, Article III, Section 67-11(B), hereby approves the appointment of Mr. Yong Ju No as the Director of Internal Audit for the City of Springfield, effective as of September 29, 2014, for a term of three (3) years.

RESULT:	ADOPTED [12 TO 1]
MOVER:	Kateri B. Walsh, Vice President - At-Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Concepcion, Hurst, Ashe, Fenton
NAYS:	Timothy J. Rooke

EXHIBIT A

00417 - Director of Internal Audit

Contact Information -- Person ID: 19965535

Name: Yong Ju No Address: REDACTED
Longmeadow, Massachusetts 01106 US
Home Phone: REDACTED Alternate Phone:
Email: REDACTED Notification Preference: Email
Former Last Name: Month and Day of Birth: 02/13

Personal Information

Driver's License: Yes, Massachusetts
Can you, after employment, submit proof of your legal right to work in the United States? Yes
What is your highest level of education? Bachelor's Degree

Preferences

Preferred Salary:
Are you willing to relocate? Yes

Types of positions you will accept: Regular
Types of work you will accept: Full Time
Types of shifts you will accept: Day

Objective

Education

College

Oberlin College
[Unspecified Start] - 1992
Oberlin, Ohio

Did you graduate: Yes
College Major/Minor: Classics
Degree Received: Bachelor's

Work Experience

Audit Manager

9/2011 - Present

Montovani, Murray, Nemphos & Tierini, LLC, Manchester, CT
REDACTED
Manchester, Connecticut 06042

Hours worked per week: 40
Monthly Salary: \$0.00
of Employees Supervised: 2
May we contact this employer? No

Duties

Audit Manager (managed audit engagements of 2 professionals. Extensive experience in not-for-profit, yellow book and A-133 compliance).

Audit Manager

6/2007 - 5/2011

Moriarty & Primack, P.C
Springfield, Massachusetts

Hours worked per week: 40
Monthly Salary: \$0.00
of Employees Supervised: 4
Name of Supervisor: Beth DeSousa
- Audit Director
May we contact this employer? Yes

Duties

Audit Manager (managed audit engagements of 2 to 4 professionals. Extensive experience in not-for-profit, yellow book and A-133 compliance).

Senior Audit Manager

6/2006 - 7/2007

Wolf and Company, P.C
Springfield, Massachusetts

Hours worked per week: 40
Monthly Salary: \$0.00
of Employees Supervised: 6
May we contact this employer? Yes

Duties

Senior Audit Manager (managed audit engagements of 2 to 6 professionals. Extensive experience in not-for-profit, yellow book and A-133 compliance).

Senior Audit Manager

6/2004 - 7/2006

Meyers Brothers Kalicka, P.C
Holyoke, Massachusetts

Hours worked per week: 40
Monthly Salary: \$0.00
of Employees Supervised: 4
May we contact this employer? Yes

Duties

Senior Audit Manager (managed audit engagements of 2 to 4 professionals. Extensive experience in not-for-profit, yellow book and A-133 compliance).

Accounting Manager

10/2002 - 3/2004

Otis Elevator Company
Farmington, Connecticut

Hours worked per week: 40
Monthly Salary: \$0.00
of Employees Supervised: 4
May we contact this employer? Yes

Duties

Assisted with the monthly consolidation of the company's worldwide results. Reviewed monthly, quarterly and annual financial reports, analysis and presentations. Researched complex accounting issues, established and implemented corporate accounting policies and procedures.

Corporate Finance Manager

7/2001 - 9/2002

MKS Instruments, Inc
Andover, Massachusetts

Hours worked per week: 40
Monthly Salary: \$0.00
May we contact this employer? Yes

Duties

Researched accounting issues and educated divisional controllers on recent accounting pronouncements. Established and implemented corporate policies and procedures on improving internal controls. Performed due diligence and valuation analysis on acquisitions and presented work to senior management. Reviewed contracts for significant accounting issues and made recommendations based upon findings. Worked with outside auditors in coordinating quarterly and annual audits. Managed the preparation of all SEC filings, including Forms 10Q, 10K, 8-K, S-8, and S-4.

Manager

9/2000 - 6/2001

Sycamore Networks, Inc
Chelmsford, Massachusetts

Hours worked per week: 40
Monthly Salary: \$0.00
May we contact this employer?

Duties

Manager of Financial Reporting.
 Managed the preparation of all SEC filings, including Forms 10Q, 10K, S-8, and 8-K.
 Researched accounting issues and communicated its impact on the company to senior management.
 Implemented policies and procedures for the company, including revenue recognition and hedging policies. Helped manage month end close, including review of month end journal entries and account reconciliations

Manager - Merger & Acquisition Services
 10/1998 - 4/2000

Hours worked per week: 40
 Monthly Salary: \$0.00
 May we contact this employer? Yes

Deloitte & Touche LLP
 New York, New York

Duties

Coordinated acquisitions, including acquisition integration and consolidation
 Reviewed balance sheet and income statement, legal agreements of target companies; interviewed target companies' CEOs, CFOs and Controllers; and proposed adjustments to purchase price based upon findings to client's management.

Manager - Audit and Advisory Service
 9/1995 - 9/1998

Hours worked per week: 40
 Monthly Salary: \$0.00
 # of Employees Supervised: 6
 May we contact this employer? Yes

PricewaterhouseCoopers LLP
 San Diego, California

Duties

Developed and executed engagement plan, including the timely and continuous communication among all engagement members. Identify, research and resolve business, control and operational issues.

In-Charge Accountant
 6/1992 - 4/1995

Hours worked per week: 40
 Monthly Salary: \$0.00
 # of Employees Supervised: 4
 May we contact this employer? Yes

Deloitte & Touche
 New York, New York

Duties

Supervised audit teams of 2 to 4 associates
 Prepared financial statements with related footnote disclosures and reports on the evaluation of internal controls.

Certificates and Licenses

Type: Certified Public Accountant
 Number: 15185
 Issued by: Connecticut
 Date Issued: 5 /1997 Date Expires: 12 /2014

Skills

Office Skills
 Typing:
 Data Entry:

Languages

Korean - Speak, Read, Write

Additional Information

Professional Associations

Connecticut Society of Certified Public Accountants, American Institute of Certified Accountants, former Board member and Treasurer for the International Language Institute of Massachusetts, former Big Brother in the Big Brother/Sister program

References

Professional

Senecal, Donald

Chief Financial Officer at the Naismith Memorial Basketball Hall of Fame

1000 Hall of Fame Ave

Springfield, Massachusetts 01105

REDACTED

Resume

Text Resume

Attachments

Agency-Wide Questions

1. Q: How did you hear about this position? Please select one.

A: www.springfieldcityhall.com

2. Q: Do you live outside of the United States?

A: No

3. Q: If yes, what country?

A:

4. Q: Are you a current employee?

A: No

5. Q: Are you a previous employee?

A: No

6. Q: Are you currently on a layoff?

A: No

7. Q: Have you ever been employed?

A: Yes

8. Q: What computer skills do you possess? Please check all that apply.

A: Windows

Outlook

MS Word

MS Excel

MS Access
Internet

9. Q: Do you have a valid CDL?

A:

10. Q: If yes, please provide the license number and State of issue.

A: CPA - License 15185, CT

11. Q: Are you an active member or a veteran of the United States military force?

A: No

12. Q: If yes, what branch?

A:

13. Q: What is the date you entered service? Dates must be entered in the xx/xx/xxxx format.

A:

14. Q: What is the date you were discharged from military service? Dates must be entered in the xx/xx/xxxx format.

A:

15. Q: Was the discharge honorable?

A:

Supplemental Questions

1. Q: Do you have a Bachelor's degree with a major concentration in such areas as accounting, auditing, or a similar field of study?

A: Yes

2. Q: Do you have a Master's degree?

A: No

3. Q: Are you a CPA?

A: Yes

4. Q: Do you have 10 years of progressively responsible accounting and auditing experience?

A: Yes

5. Q: Do you have experience using data analysis/IT specialized tools, databases and software to detect fraud and find data errors?

A: Yes



City of Springfield

36 Court Street
Springfield, MA 01103

Meeting: 09/15/14 07:00 PM

Department: Law

Category: Local Law

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Ward 3 Councilor Melvin A. Edwards

DOC ID: 2650 C

TABLED

ORDINANCE (ID # 2650)

Ordinance Ethics Amendment - 2Nd Step

AN ORDINANCE TO AMEND the Code of the City of Springfield, Section 2 of Chapter 38 thereof, entitled Definitions, by amending the following sections:

1. Be it ordained by the Council of the City of Springfield, that the paragraph "Municipal Agent" in Section 2 of Chapter 38 shall be deleted and replaced as follows:

A firm, company, partnership or person who for monetary compensation or its equivalent does any act to influence the decision of any covered City official where such decision concerns permitting, or the amendment, adoption, defeat, postponement or enforcement related thereto, legislation or the adoption, defeat or postponement of a standard, rate, rule, enforcement or regulation pursuant thereto, or any act to communicate directly with a covered City official to influence a decision concerning policy or procurement, or a firm, company or partnership which employs individuals for such purposes. The term "municipal agent" shall include a person who, as part of his/her regular and usual business or professional activities and not simply incidental thereto, attempts to influence any such decision, whether or not any compensation in addition to the salary for such activities is received for such services; provided, however, that for the purposes of this definition a person shall be presumed to engage in activity covered by this definition in a manner that is simply incidental to his/her regular and usual business or professional activities if he/she engages in any activity or activities covered by this definition for not more than 25 hours during any reporting period or receives less than \$5,000 during any reporting period for any activity or activities covered by this definition, or a firm, company or partnership who employs individuals for such purposes. For purposes of this definition, "reporting period" shall mean the six-month periods from January 1 through June 30 and July 1 through December 31.

2. Be it ordained by the Council of the City of Springfield, that the paragraph "Municipal Agent" in Section 15(E) of Chapter 38 shall be deleted and replaced as follows:

The City Clerk shall assess each lobbyist entity an annual filing fee of \$250 to register the entity on the docket. The City Clerk shall assess each municipal agent an annual filing fee of \$100 upon entering the agent's name on the docket. The City Clerk may, in his/her discretion and upon written request, waive the filing fees for a not-for-profit client or a lobbyist entity which registers to exclusively represent not-for-profit clients

Ordinance (ID # 2650)

Meeting of September 15, 2014

HISTORY:**06/02/14** City Council
Next: **06/16/14****REFERRED TO COMMITTEE****06/16/14** City Council**COMMITTEE****07/21/14** City Council
Next: **09/15/14****REFERRED TO COMMITTEE****RESULT: SECOND STEP****Next: 10/6/2014 7:00 PM**



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Kathy Breck
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2765

6.24

Order of Taking of South Side Union Street for Municipal and Educational Purposes (Mayor Sarno)

IT IS ORDERED THAT the City Council, acting pursuant to Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, upon the request of the Springfield Public Schools, does hereby take by eminent domain in the name and on behalf of the said City of Springfield, the property located at **South Side Union Street in Springfield, MA. (Parcel No. 11750-299) (formerly known as 253-257 Union Street)**, in fee simple, for municipal purposes including educational purposes, in connection with the Milton Bradley Elementary School (the "Property").

An appropriation of money has been duly made for this purpose in the Fiscal Year 2015 Budget for the Springfield Public Schools, which was approved by the City Council on June 17, 2014 (to be paid from Account # 03043986-580100-CON11).

The Property is taken together with all rights therein, both legal and equitable, including all privileges, appurtenances, restrictions, conditions, and all estates and rights of reverter, together with all trees upon said land and improvements affixed to said land, and excepting easements of record, rights, and interests specifically reserved herein.

TAKING IN FEE SIMPLE

It is ORDERED, that the Property described below is taken in fee simple, pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws, for municipal purposes, including educational purposes, including any improvements, trees and shrubs located thereon;

South Side Union Street, Springfield, MA:

The property located at South Side Union Street (City Parcel #11750299), in Springfield, MA. (formerly with building thereon and formerly known as 253-257 Union Street), supposed to be owned by **Croft Investments Limited Partnership**, by a foreclosure deed recorded in the Hampden County Registry of Deeds at Book 20194, Page 596, containing an area of approximately 9167 square feet, bounded and described as follows:

NORTHWESTERLY by Union Street, seventy-seven and 45/100 (77.45) feet;

NORTHEASTERLY by land now or formerly of one Hirsch, one hundred seventeen and 12/100 (117.12) feet;

SOUTHEASTERLY by land now or formerly of one Brewer, seventy-nine and 15/100 (79.15) feet;

SOUTHWESTERLY by land now or formerly of one Smith, one hundred sixteen and 25/100 (116.25) feet; the Northeasterly corner of said lot being marked by a stone bound and the other corners by iron pins.

AWARD OF DAMAGES

It is ORDERED that the City of Springfield makes the following award for damages sustained by the owner of the parcels, and to other persons as are required by law, by reason of the takings in fee, including any improvements, trees or shrubs:

<u>Parcel/Address</u>	<u>Owner of Record/Mortgagee</u>	<u>Damage Award</u>
SS Union Street	Croft Investments Limited Partnership	\$10,000.00

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

Such taking in fee simple is subject to outstanding mortgages and liens of record as are required by law, and are made subject to the prior payment of any unpaid taxes, water and sewer use charges, betterments, and municipal charges, if any, to the City of Springfield, MA.

It is further ORDERED: that the City Treasurer be and is hereby authorized to pay said sums to the owners of the land specified above, or to their heirs, successors, or assigns when the same shall become payable as above provided;

that no damages be awarded, other than those above mentioned, inasmuch as no other damages will be sustained by any person, firm, or corporation in their land;

that no assessments be levied;

that the City Clerk, in the name and on behalf of the City, is hereby directed to give notice in compliance with Chapter 79 of the Massachusetts General Laws;

that within 30 days after the adoption of this order, the City Clerk is hereby ordered to certify and record a copy hereof, in the Hampden County Registry of Deeds.

Approved by the City Council on _____, 2014:

Wayman Lee, Esq
City Clerk

Approved pursuant to Mass. Gen. Laws ch. 43, sec. 30:

Domenic J. Sarno, Mayor
Date signed: _____

FINANCIAL IMPACT:

Damages of \$10,000 are awarded for the eminent domain taking of this property. The School Department is paying the damages using funds appropriated to the School Department in the FY 2015 budget. The property will be used for the Milton Bradley Elementary School.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Zaida Luna, Ward 1 Councilor
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Lindsay B. Hackett
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2757

6.25

Bills of a Prior Year - Various Depts - \$28,470.48 (Mayor Sarno)

WHEREAS, to meet expenses incurred by the City of Springfield, pursuant to Mass. Gen. Laws ch. 44 Section 64 and Chapter 468 of the Acts of 2008, the Chief Administrative and Financial Officer and his Honor the Mayor have requested authorization from the City Council that the Departments listed on the attached Schedule One may pay bills from a previous fiscal year totaling \$28,470.48; and

WHEREAS, the departments listed on Schedule One will make payment for unpaid bills of a previous fiscal year from their FY15 General Fund Operating Budgets; and;

WHEREAS, the Chief Administrative and Financial Officer has provided a written certification to the Mayor and City Council, that in his professional opinion, after an evaluation of all pertinent financial information reasonably available, the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the payments, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008;

NOW THEREFORE BE IT ORDERED, that the City Council approves the payment of the bills listed on the attached Schedule One from the FY15 General Fund Departmental Operating Budgets for the expenses incurred in a previous fiscal year.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Timothy J. Rooke, At-Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

Schedule One
Bills of Prior Year
September 15, 2013

Department	Invoice #	Vendor	Date	Amount
DPW	74561477	Xerox Corporation	7/1/2014	\$ 189.72
Collector	14006269	Pitney Bowes	7/2/2014	\$ 6,982.35
Law	7468694	US DOL - OSHA	6/18/2014	\$ 192.45
Law	1262	OIG - MCPPO Program	5/5/2014	\$ 450.00
Law	40514	SirSpeedy	6/24/2014	\$ 79.97
Law	4565	SirSpeedy	6/25/2014	\$ 63.31
Law	90764 80S	Hampden County Registry of Deeds	7/7/2014	\$ 308.00
Law	6182014	Law Office of Gerard B. Matthews	6/18/2014	\$ 275.00
Law-Code	90888 4P9	Hampden County Registry of Deeds	6/30/2014	\$ 3,650.00
Treasurer	8291	Vickers, Inc	6/27/2014	\$ 1,059.00
Treasurer	multiple	Garda CL New England, Inc	12/12-4/13	\$ 15,220.68
Total				\$ 28,470.48

Attachment: Schedule One [Revision 1] (2757 : Bills of a Prior Year - Various Depts - \$28,470.48)

City of Springfield
36 Court Street
Springfield, MA 01103

Division of Administration
and Finance



To: Springfield City Council
From: TJ Plante, Chief Administrative & Financial Officer
Date: September 8, 2014
Re: Order for Council Meeting – September 15, 2014
Cc: Mayor Sarno

Purpose: The purpose of this memo is to provide an explanation of the order sponsored by the Mayor for the September 15, 2014 Council meeting, which will pay prior years' invoices totaling \$28,471.48.

Background: This is a request to allow various City departments to pay previous years bills from the current year (FY15) budget. Listed below are the department invoices, due dates, reason and amounts.

Department	Invoice #	Vendor	Date	Reason	Amount
DPW	74561477	Xerox Corporation	7/1/2014	Monthly copier charges	\$ 189.72
Collector	14006269	Pitney Bowes	7/2/2014	Postage costs	\$ 6,982.35
Law	7468694	US DOL - OSHA	6/18/2014	FOIA request costs	\$ 192.45
Law	1262	OIG - MCPPO Program	5/5/2014	Seminar registration fee	\$ 450.00
Law	40514	SirSpeedy	6/24/2014	Document Printing	\$ 79.97
Law	4565	SirSpeedy	6/25/2014	Document Printing	\$ 63.31
Law	90764 80S	Hampden County Registry of Deeds	7/7/2014	Deed and Title Research	\$ 308.00
Law	6182014	Law Office of Gerard B. Matthews	6/18/2014	Title Certification	\$ 275.00
Law-Code	90888 4P9	Hampden County Registry of Deeds	6/30/2014	Deed and Title Research	\$ 3,650.00
Treasurer	8291	Vickers, Inc	6/27/2014	Heating Oil for Tax Title properties	\$ 1,059.00
Treasurer	multiple	Garda CL New England, Inc	12/12-4/13	Armored car services	\$ 15,220.68
Total					\$ 28,470.48

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council Order, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

This certification is made in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

Attachment: CAFO Certification BOPY [Revision 1] (2757 : Bills of a Prior Year - Various Depts - \$28,470.48)



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2760

6.26

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Mill St. (08675-0079) to Maria V. Rosario and Josefa Rosario Rivera (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land in Springfield, Massachusetts known as North Side Mill Street (Parcel-ID # 08675-0079), formerly with building thereon and formerly known as 236-240 Mill Street, through tax title foreclosure proceedings in Land Court and through the recording of a reverter deed; and

WHEREAS, the Tax Title Custodian determined that said property is not needed for general municipal purposes; and

WHEREAS, the Office of Housing solicited requests to abutters to submit applications for the purchase and redevelopment of said property pursuant to the Abutter Lots Sales Program of the City of Springfield; and

WHEREAS, the application submitted by Maria V. Rosario and Josefa Rosario Rivera, owners of 234 Mill Street, was accepted by the Abutter Lots Sales Program Committee.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to Maria V. Rosario and Josefa Rosario Rivera for the transfer of title to North Side Mill Street (Parcel-ID # 08675-0079) for consideration of Six Hundred Thirteen and 20/100 Dollars (\$613.20) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Bud L. Williams, At-Large Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

MASSACHUSETTS QUITCLAIM DEED BY CORPORATION (short form)

KNOW ALL PERSONS BY THESE PRESENTS that **CITY OF SPRINGFIELD** (“Grantor”), a municipal corporation duly established under the laws of the Commonwealth of Massachusetts and having its usual place of business at 36 Court Street, Springfield, Hampden County, Massachusetts, for consideration paid and in full consideration of **SIX HUNDRED THIRTEEN AND 20/100 DOLLARS (\$613.20)**, grants to **MARIA V. ROSARIO** and **JOSEFA ROSARIO RIVERA** (“Grantees”), of 234 Mill Street, Springfield, Massachusetts 01108, as Joint Tenants, with **QUITCLAIM COVENANTS**, the land in said Springfield, described as follows:

Land now known as North Side Mill Street (Parcel-ID # 08675-0079), formerly with building thereon and formerly known as 236-240 Mill Street, and supposed to contain about 6132 square feet.

Being the same parcel described in an Instrument of Taking dated June 27, 1995, and recorded in Hampden County Registry of Deeds, Book 9221, Page 254; being the same parcel foreclosed by Judgment of the Land Court entered July 16, 2008, in Case No.: 99 TL 118790, and recorded in Hampden County Registry of Deeds, Book 17420, Page 315; being the same parcel described in a Quitclaim Deed from the City of Springfield to Lourdes Castillo recorded February 10, 2011, in Hampden County Registry of Deeds, Book 18669, Page 171, and also being the same parcel described in a Reverter Deed from Lourdes Castillo to the City of Springfield recorded July 26, 2013 in Hampden County Registry of Deeds, Book 19940, Page 358; and being more particularly bounded and described in Exhibit A attached hereto and made a part hereof (hereinafter referred to as the “Property”).

This conveyance is made pursuant to the Abutter Lots Sales Program of the City of Springfield and is sold “as is” and is conveyed subject to the following restrictions which shall run with the Property and which shall be enforceable by the City of Springfield:

(1) The Property must be combined with the abutting parcel located at 234 Mill Street, Springfield, Massachusetts owned by the Grantees within three months from the date of transfer of title; (2) The Property may be used solely for open space, accessory uses and/or for parking needs to an immediate adjacent parcel; (3) All excess trash, brush, rubbish and debris shall be cleared from the Property within one month from the date of transfer of title; (4) The proposed fencing cannot be forward of the foundation line of the house; and (5) Any paving must be approved by the City of Springfield Department of Public Works.

This deed shall also be subject to all easements and restrictions of record, if any, lawfully existing in, upon or over said Property or appurtenant thereto.

There has been full compliance with the provisions of Chapter 44, Section 63A of the Massachusetts General Laws.

The Mayor has received the appropriate affidavit as prescribed in Chapter 60, Section 77B of the Massachusetts General Laws.

IN WITNESS WHEREOF, the said **CITY OF SPRINGFIELD** has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged, and delivered in its name and behalf by Domenic J. Sarno, its Mayor, hereto duly authorized, this _____ day of _____, 2014, executing this instrument by authority granted by Chapter 40, Section 3 of the Massachusetts General Laws and by Order passed by its City Council on _____, 2014, and attached hereto as Exhibit B.

CITY OF SPRINGFIELD

By _____
Domenic J. Sarno, Mayor

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

Springfield, Massachusetts

On this _____ day of _____, 2014, before me, the undersigned Notary Public, personally appeared the above-named Domenic J. Sarno, Mayor, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, and acknowledged to me that he executed the same as his free act and deed, and as the free act and deed of the City of Springfield.

Melvyn W. Altman
Notary Public
My Commission Expires: 12/16/2016

EXHIBIT A

The land situated in Springfield, Hampden County, Massachusetts, bounded and described as follows:

Beginning on the northerly side of Mill Street at a point distance one hundred sixty-two and twenty-seven one-hundredths (162.27) feet easterly of a stone bound at the intersection of the easterly line of Maple Street with the Northerly line of Mill Street and running thence

EASTERLY: on Mill Street, fifty-five and sixty-four one hundredths (55.64) feet to an iron pin; thence

NORTHERLY: making an interior angle of 83 14' 30" with the last course, one hundred thirty-three (133) feet; thence

WESTERLY: making an interior angle of 84 7' with the last course, forty and ninety-five one-hundredths (40.95) feet; and thence

SOUTHERLY: in a straight line, one hundred twenty-three and seven one-hundredths (123.07) feet to the place of beginning.

Attachment: Deed NS Mill St. (Par.79) (2760 : Sale NS Mill St. (Par.79))



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2764

6.27

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Bay St. (01085-0059) to Edward L. O'Gilvie (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land located in Springfield, Massachusetts known as North Side Bay Street (Parcel-ID # 01085-0059), formerly with building thereon and formerly known as 280 Bay Street, through tax title foreclosure proceedings in Land Court; and

WHEREAS, the Tax Title Custodian determined that said property is not needed for general municipal purposes; and

WHEREAS, the Office of Housing solicited requests to abutters to submit applications for the purchase and redevelopment of said property pursuant to the Abutter Lots Sales Program of the City of Springfield; and

WHEREAS, the application submitted by Edward L. O'Gilvie, owner of 11 Dartmouth Street, was accepted by the Abutter Lots Sales Program Committee.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to Edward L. O'Gilvie for the transfer of title to North Side Bay Street (Parcel-ID # 01085-0059) for consideration of Eight Hundred Thirty-One and 90/100 Dollars (\$831.90) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	E. Henry Twiggs, Ward 4 Councilor
SECONDER:	Melvin A. Edwards, Ward 3 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

MASSACHUSETTS QUITCLAIM DEED BY CORPORATION (short form)

KNOW ALL PERSONS BY THESE PRESENTS that **CITY OF SPRINGFIELD** (“Grantor”), a municipal corporation duly established under the laws of the Commonwealth of Massachusetts and having its usual place of business at 36 Court Street, Springfield, Hampden County, Massachusetts, for consideration paid and in full consideration of **EIGHT HUNDRED THIRTY-ONE AND 90/100 DOLLARS (\$831.90)**, grants to **EDWARD L. O’GILVIE** (“Grantee”), individually, of 11 Dartmouth Street, Springfield, Massachusetts 01109, with **QUITCLAIM COVENANTS**, the land in said Springfield, described as follows:

Land now known as North Side Bay Street (Parcel-ID # 01085-0059), formerly with building thereon and formerly known as 280 Bay Street, and being the parcel described in a deed recorded August 16, 1926, in Hampden County Registry of Deeds, Book 1320, Page 356, and supposed to contain about 8319 square feet; and being the same parcel described in an Instrument of Taking dated September 27, 1963, and recorded in Hampden County Registry of Deeds, Book 2982, Page 210; and also being the same parcel foreclosed by Judgment of the Land Court entered November 9, 2007, in Case No.: 06 TL 133109, and recorded in Hampden County Registry of Deeds, Book 17111, Page 201 (hereinafter referred to as the “Property”).

This conveyance is made pursuant to the Abutter Lots Sales Program of the City of Springfield and is sold “as is” and is conveyed subject to the following restrictions which shall run with the Property and which shall be enforceable by the City of Springfield:

(1) The Property must be combined with the abutting parcel located at 11 Dartmouth Street, Springfield, Massachusetts owned by the Grantee within three months from the date of transfer of title; (2) The Property may be used solely for open space, as a garden, or as a side yard to an immediate adjacent parcel; and (3) All excess trash, brush, rubbish and debris shall be cleared from the Property within one month from the date of transfer of title.

This deed shall also be subject to all easements and restrictions of record, if any, lawfully existing in, upon or over said Property or appurtenant thereto.

There has been full compliance with the provisions of Chapter 44, Section 63A of the Massachusetts General Laws.

The Mayor has received the appropriate affidavit as prescribed in Chapter 60, Section 77B of the Massachusetts General Laws.

Attachment: Deed NS Bay St. (Par.59) (2764 : Sale NS Bay St. (Par.59))

IN WITNESS WHEREOF, the said **CITY OF SPRINGFIELD** has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged, and delivered in its name and behalf by Domenic J. Sarno, its Mayor, hereto duly authorized, this _____ day of _____, 2014, executing this instrument by authority granted by Chapter 40, Section 3 of the Massachusetts General Laws and by Order passed by its City Council on _____, 2014, and attached hereto as Exhibit A.

CITY OF SPRINGFIELD

By _____
Domenic J. Sarno, Mayor

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

Springfield, Massachusetts

On this _____ day of _____, 2014, before me, the undersigned Notary Public, personally appeared the above-named Domenic J. Sarno, Mayor, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, and acknowledged to me that he executed the same as his free act and deed, and as the free act and deed of the City of Springfield.

Melvyn W. Altman
Notary Public
My Commission Expires: 12/16/2016

Attachment: Deed NS Bay St. (Par.59) (2764 : Sale NS Bay St. (Par.59))



City of Springfield

ADOPTED

Meeting: 09/15/14 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2766

6.28

Order Authorizing Mayor to Execute Quitclaim Deed for Sale of WS Orleans St. (09362-0023) to Jerome O. Isaac (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land located in Springfield, Massachusetts known as West Side Orleans Street (Parcel-ID # 09362-0023), formerly with building thereon and formerly known as 118-120 Orleans Street, through tax title foreclosure proceedings in Land Court; and

WHEREAS, the Tax Title Custodian determined that said property is not needed for general municipal purposes; and

WHEREAS, the Office of Housing solicited requests to abutters to submit applications for the purchase and redevelopment of said property pursuant to the Abutter Lots Sales Program of the City of Springfield; and

WHEREAS, the application submitted by Jerome O. Isaac, owner of 124 Orleans Street, was accepted by the Abutter Lots Sales Program Committee.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed for the transfer of title to West Side Orleans Street (Parcel-ID # 09362-0023) for consideration of Three Hundred Forty-Two and 90/100 (\$342.90) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Luna, Allen, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Concepcion, Hurst, Ashe, Fenton

MASSACHUSETTS QUITCLAIM DEED BY CORPORATION (short form)

KNOW ALL PERSONS BY THESE PRESENTS that **CITY OF SPRINGFIELD** (“Grantor”), a municipal corporation duly established under the laws of the Commonwealth of Massachusetts and having its usual place of business at 36 Court Street, Springfield, Hampden County, Massachusetts, for consideration paid and in full consideration of **SIX HUNDRED THIRTEEN AND 20/100 DOLLARS (\$613.20)**, grants to **MARIA V. ROSARIO** and **JOSEFA ROSARIO RIVERA** (“Grantees”), of 234 Mill Street, Springfield, Massachusetts 01108, as Joint Tenants, with **QUITCLAIM COVENANTS**, the land in said Springfield, described as follows:

Land now known as North Side Mill Street (Parcel-ID # 08675-0079), formerly with building thereon and formerly known as 236-240 Mill Street, and supposed to contain about 6132 square feet.

Being the same parcel described in an Instrument of Taking dated June 27, 1995, and recorded in Hampden County Registry of Deeds, Book 9221, Page 254; being the same parcel foreclosed by Judgment of the Land Court entered July 16, 2008, in Case No.: 99 TL 118790, and recorded in Hampden County Registry of Deeds, Book 17420, Page 315; being the same parcel described in a Quitclaim Deed from the City of Springfield to Lourdes Castillo recorded February 10, 2011, in Hampden County Registry of Deeds, Book 18669, Page 171, and also being the same parcel described in a Reverter Deed from Lourdes Castillo to the City of Springfield recorded July 26, 2013 in Hampden County Registry of Deeds, Book 19940, Page 358; and being more particularly bounded and described in Exhibit A attached hereto and made a part hereof (hereinafter referred to as the “Property”).

This conveyance is made pursuant to the Abutter Lots Sales Program of the City of Springfield and is sold “as is” and is conveyed subject to the following restrictions which shall run with the Property and which shall be enforceable by the City of Springfield:

(1) The Property must be combined with the abutting parcel located at 234 Mill Street, Springfield, Massachusetts owned by the Grantees within three months from the date of transfer of title; (2) The Property may be used solely for open space, accessory uses and/or for parking needs to an immediate adjacent parcel; (3) All excess trash, brush, rubbish and debris shall be cleared from the Property within one month from the date of transfer of title; (4) The proposed fencing cannot be forward of the foundation line of the house; and (5) Any paving must be approved by the City of Springfield Department of Public Works.

This deed shall also be subject to all easements and restrictions of record, if any, lawfully existing in, upon or over said Property or appurtenant thereto.

There has been full compliance with the provisions of Chapter 44, Section 63A of the Massachusetts General Laws.

The Mayor has received the appropriate affidavit as prescribed in Chapter 60, Section 77B of the Massachusetts General Laws.

IN WITNESS WHEREOF, the said **CITY OF SPRINGFIELD** has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged, and delivered in its name and behalf by Domenic J. Sarno, its Mayor, hereto duly authorized, this _____ day of _____, 2014, executing this instrument by authority granted by Chapter 40, Section 3 of the Massachusetts General Laws and by Order passed by its City Council on _____, 2014, and attached hereto as Exhibit B.

CITY OF SPRINGFIELD

By _____
Domenic J. Sarno, Mayor

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

Springfield, Massachusetts

On this _____ day of _____, 2014, before me, the undersigned Notary Public, personally appeared the above-named Domenic J. Sarno, Mayor, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, and acknowledged to me that he executed the same as his free act and deed, and as the free act and deed of the City of Springfield.

Melvyn W. Altman
Notary Public
My Commission Expires: 12/16/2016

EXHIBIT A

The land situated in Springfield, Hampden County, Massachusetts, bounded and described as follows:

Beginning on the northerly side of Mill Street at a point distance one hundred sixty-two and twenty-seven one-hundredths (162.27) feet easterly of a stone bound at the intersection of the easterly line of Maple Street with the Northerly line of Mill Street and running thence

EASTERLY: on Mill Street, fifty-five and sixty-four one hundredths (55.64) feet to an iron pin; thence

NORTHERLY: making an interior angle of 83 14' 30" with the last course, one hundred thirty-three (133) feet; thence

WESTERLY: making an interior angle of 84 7' with the last course, forty and ninety-five one-hundredths (40.95) feet; and thence

SOUTHERLY: in a straight line, one hundred twenty-three and seven one-hundredths (123.07) feet to the place of beginning.

Attachment: Deed WS Orleans St. (Par.23) (2766 : Sale WS Orleans St. (Par.23))