



**AGENDA PACKET**

**REGULAR MEETING OF THE CITY COUNCIL  
MONDAY, APRIL 28, 2025 7:00 PM**

**EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR  
EVERETT, MA 02149**

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EVERETT CITY CLERK'S OFFICE  
REC'D 2025 APR 24 AM 11:45

**Posted in accordance with the  
provisions of Mass. General Laws  
Chapter 30A- Sections 18-25**

on 4/24/25 at 11:45 a.m.

**Attest:**

  
**Sergio Cornelio City Clerk**



## AGENDA

### REGULAR MEETING OF THE CITY COUNCIL MONDAY, APRIL 28, 2025 7:00 PM

EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR  
EVERETT, MA 02149

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### PUBLIC HEARINGS

1. **C0141-25** Order/s/ Councilor Stephanie Martins, as President

An order to amend the City of Everett's Administrative Code to create a separate and distinct position of City Auditor.

#### PUBLIC PARTICIPATION

#### COMMUNICATIONS FROM HIS HONOR THE MAYOR

2. **C0147-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting the confirmation on the re-appointment of Maeve Kernan to the Conservation Commission for a term of Three (3) years, expiring May 1, 2028

3. **C0149-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting consideration of a proposed Tax Increment Finance (TIF) agreement between the City of Everett and The Sofia 2<sup>nd</sup> Street Owner, LLC pertaining to a mixed use redevelopment to be located at 380 Second Street

4. **C0154-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting the approval to appropriate by borrowing the amount of \$200,000.00 for the Everett Police station roof improvement project.

#### PETITIONS AND LICENSES

5. **C0146-25** Petition/s/ Councilor Stephanie Martins, as President

A petition requesting the renewal of a precious metals license for Art Gold Jewelry Inc. at 159 Main Street

## COMMITTEE REPORTS

**6. C0092-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting approval to authorize the City Administration to develop a municipal aggregation plan and to take any and all necessary action to prepare the plan for submission to the Massachusetts Department of Public Utilities pursuant to M.G.L. c. 164, §134

**7. C0055-25** Ordinance/s/ Councilor Robert J. Van Campen, & the entire city council

An ordinance regulating the demolition of historical structures in the City of Everett

**8. C0135-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting approval to appropriate \$6,672 from General Fund Budgetary Fund Balance (Free Cash) to pay prior year legal bills per the attached list

**9. C0136-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting approval to appropriate \$82,000 from General Fund Budgetary Fund Balance (Free Cash) to the Human Resources Local 25 benefits account. This appropriation is necessary to cover additional costs related to the three local 25 unions

**10. C0121-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting confirmation on the appointment of Belushi Previlon to the Cultural Council for a term of three years expiring May 1, 2028

**11. C0123-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting the confirmation on the re-appointment of Carol Garrett to the Council on Aging for a term of Two (2) years expiring May 1, 2027

**12. C0138-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting the confirmation on the appointment of Beninson Pena to the position of City Assessor for a one-year term ending May 1, 2026

**13. C0144-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting that the City Council vote to rescind its designation of the position of Board of Assessors as a special municipal employee, pursuant to MGL Chapter 268A, as of June 30, 2025

## UNFINISHED BUSINESS

**14. C0005-25** Resolution/s/ Councilor Katy L. Rogers, & Councilor Stephanie Martins

A resolution to implement a multi-lingual City of Everett app to enhance accessibility and communication

15. **C0066-25** Resolution/s/ Councilor Stephanie Martins  
That the administration consider providing equitable funding to support local organizations providing emergency assistance to residents
16. **C0073-25** Resolution/s/ Councilor Peter Pietrantonio, Councilor Stephanie Martins  
That a representative from National Grid appear at the next meeting to explain the power outages we had in Everett recently.
17. **C0093-25** Order/s/ Councilor Stephanie Martins, as President  
An order requesting approval to appropriate \$500,000 from the Capital Improvement Stabilization Fund for the costs of design services and related ancillary costs associated with the potential reuse of additional space at the former Everett High School
18. **C0102-25** Resolution/s/ Councilor Holly D. Garcia  
That contractors that work in the city have a designated staging area for their equipment and construction materials when they are going to be working in a designated area for more than three days
19. **C0103-25** Resolution/s/ Councilor Stephanie Martins  
That the administration provide a copy of any proposed host agreements with Jupiter Battery Storage
20. **C0104-25** Resolution/s/ Councilor Stephanie V. Smith, Councilor Stephanie Martins  
That the Postmaster General provides the City Council with a list of the tentative consolidating of 5 routes in the Ward 2/Ward 3 area and anything other route consolidations that are happening in Everett
21. **C0108-25** Order/s/ Councilor Stephanie Martins, as President  
An order requesting approval to appropriate \$100,000 from General Fund Budgetary Fund Balance (Free Cash) to the Legal Department litigation/professional services account. This amount is requested to ensure the legal department has sufficient funds through the remainder of the fiscal year
22. **C0116-25** Resolution/s/ Councilor Stephanie V. Smith, Councilor Holly Garcia  
That the City shall reinstate the seasonal overflow trash collection service in both the Fall and Spring, as was customarily done in previous years. In order to discourage illegal dumping and ensure the efficient use of City resources, the City shall implement an online request system whereby residents may obtain a limited number of designated stickers per household to be used during this period
23. **C0117-25** Resolution/s/ Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Holly D. Garcia  
That the head of the Communications Department and the Administration appear at the next meeting to discuss the Communications Department resources being used

exclusively for the Mayor.

**24. C0127-25** Resolution/s/ Councilor Stephanie Martins, & The Entire City Council

That a representative from the Kraft group appear at the first meeting in May to provide a presentation on the renderings and site plans for the soccer stadium

**NEW BUSINESS**

**25. C0145-25** Order/s/ Councilor Stephanie Martins, as President

An order requesting approval of the report and recommendations of the City of Everett 2024 – 2025 Charter Review Committee

**26. C0151-25** Resolution/s/ Councilor Stephanie Martins

That ISD provide an update on baiting and overflow trash enforcement as the warm months begin

**27. C0152-25** Resolution/s/ Councilor Stephanie Martins

That the department of engineering provide an update on why it continues to take months for permit approvals and additional conditions are added after the fact delaying projects.

**28. C0155-25** Resolution/s/ Councilor Stephanie Martins, as President

Pursuant to Charter Section 2-7(c), the Council requires the Administration (Mayor, CFO, and Budget Director) to provide the following information and documents within seven (7) days: copies of all emails, text messages, other correspondence and draft ordinances from January 1, 2016 to the present regarding proposed or approved increases in the Mayor's salary or other compensation other than the longevity ordinances, including but not limited to C0218-16 and C0185-17

**29. C0156-25** Resolution/s/ Councilor Stephanie Martins, as President

Executive Session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to anticipated litigation and 21(a)(7) to act in accordance with the provisions of the Public Records Law (discuss litigation strategy and privileged written legal advice regarding longevity payments to the Mayor)

**ADJOURNMENT**

[www.cityofeverett.com](http://www.cityofeverett.com)

(All agendas and reports can be obtained on City of Everett Website)

Respectfully submitted:

***Michael J. Mangan***

Legislative Aide

Everett City Council Office



C0141-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 14, 2025

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**Agenda Item:**

An order to amend the City of Everett's Administrative Code to create a separate and distinct position of City Auditor.

**Background and Explanation:**

**Attachments:**

***CITY OF EVERETT***  
***Office of the Mayor***

**Carlo DeMaria**  
Mayor



**Everett City Hall**  
484 Broadway  
Everett, MA 02149-3694  
Phone: (617) 394-2270  
Fax: (617)381-1150

April 9, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

**RE: C0078-25**

Dear Honorable Members:

I am providing you with a further update on action I have taken in response to the above-referenced resolution.

I am submitting to the Council an order that proposes to amend the City of Everett's Administrative Code to create a separate and distinct position of City Auditor. The proposed language is intended to make it clear that the individual in the position of City Auditor shall not hold any other office. The proposed effective date of July 1, 2025 is to allow for the inclusion of funding for the City Auditor position as part of the Fiscal Year 2026 budget, assuming legislative action is taken to approve the establishment of a separate and distinct City Auditor position.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria  
Mayor



April 9, 2025

*City of Everett, Massachusetts*  
**CITY COUNCIL**

**Offered By:** \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:**

Be it

**Bill Type: Order**

Ordered: BY City Council OF THE CITY OF EVERETT, as follows:

Section IV of the Administrative Code is hereby amended by striking out the existing language in subsection H and inserting in place the following new language:-

II. Chief Financial Officer-Generally Appointment

a. Supervision of the office of financial services and all offices and departments under its control shall be vested in the chief financial officer (CFO) of the city of Everett. The CFO shall not exercise any control or authority over the Office of the City Auditor.

The CFO is a management and policy level position as defined by MGL c. 150E and is therefore not eligible for membership in a bargaining unit.

b. The CFO of the city of Everett shall be appointed by the mayor with the approval of the city council for a term not to exceed 3 years from the date of appointment. The CFO shall not also serve as either the city auditor or the treasurer/collector.

c. In addition to supervising and directing the effective functioning of the departments of assessing, auditing, treasury/collecting and procurement, the CFO shall have the following specific powers and duties:

- i. To ensure that the Budget Director compiles and submits an annual operating budget and an annual capital budget to the Mayor. The CFO shall assist the Budget Director by ensuring that every City department furnishes requests for the expenditure of City funds in a form deemed to be best suited to show a complete financial plan for all City funds and activities for the ensuing fiscal year.
  - ii. At the direction of the Mayor, the CFO shall submit annually to the Mayor a five-year capital improvements program.
  - iii. At the direction of the Mayor, the CFO shall submit to the Mayor a five-year financial forecast of the City's revenue, expenditures and debt.
  - iv. To disburse, as City government operations may require, all funds and sign all checks pursuant to warrants signed by the Mayor and City Auditor, to ensure the efficient operation of government.
  - v. To communicate financial matters affecting City government to the Mayor and the City Council on request.
  - vi. To coordinate and act as the City's chief contact with the State Department of Revenue pertaining to all financial matters.
  - vii. To coordinate and manage all financial information received from the Board of Assessors to forecast future financial growth and anticipated revenues and advise the Mayor accordingly.
  - viii. To create and implement written policies and procedures and be responsible for the collection and deposit of all monies received by various City agencies.
- d. The CFO shall have an affirmative obligation to report to the City Auditor any identified instances in which the city's internal controls have not been followed.

Subsection H of Section IV of the Administrative Code is hereby amended in paragraph III by inserting at the end thereof the following new clause:-

- a. The City Auditor shall be independent of the CFO and may not also hold the position of CFO or Treasurer/Collector. The City Auditor is a management and policy level position as defined by MGL c. 150E and is therefore not eligible for membership in a bargaining unit.

This language shall become effective as of July 1, 2025.

**LEGAL NOTICE**

**CITY OF EVERETT**



**EVERETT CITY COUNCIL**

**PUBLIC HEARING NOTICE**

**PUBLIC HEARING FOR A PROPOSED AMENDMENT TO THE CITY'S  
ADMINISTRATIVE CODE TO ESTABLISH A SEPARATE AND DISTINCT CITY  
AUDITOR POSITION**

To all interested parties,

The Everett City Council, in accordance with Section 5-1(e) of the City Charter, shall conduct a public hearing during a regular meeting of the council on Monday, April 28, 2025 at 7:00 PM in the City Council Chambers at Everett City Hall, Third Floor, 484 Broadway, Everett, MA 02149.

At said meeting, the public shall be allowed to speak on the proposed amendment to the City of Everett's Administrative Code to establish a separate and distinct City Auditor position.

A copy of all documents associated with the proposed amendment shall be located in the City Clerk's Office for public inspection. A copy of these documents may also be found on pages (PDF page numbers) 83-87 of the agenda packet for the April 14, 2025 regular meeting of the City Council which can be found at the following link: <https://cityofeverett.com/wp-content/uploads/2025/04/04-14-2025-City-Council-Meeting-Agenda.pdf>.

Questions and comments may be directed in advance of the public hearing to the Legislative Aide for the City Council, Michael Mangan at [Michael.Mangan@ci.everett.ma.us](mailto:Michael.Mangan@ci.everett.ma.us) or 617-394-2237.

Stephanie Martins, President  
Michael Mangan, Legislative Aide

April 16, 2025



City of  
**Everett**  
Massachusetts

C0147-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 28, 2025

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**Agenda Item:**

An order requesting the confirmation on the re-appointment of Maeve Kernan to the Conservation Commission for a term of Three (3) years, expiring May 1, 2028

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

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April 16, 2025

The Honorable City Council  
Everett City Hall  
484 Broadway  
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section III, E. II of the City of Everett Administrative Code, I hereby re-appoint, subject to confirmation by the City Council, Maeve Kernan to the Conservation Commission for a term of Three (3) years, expiring May 1, 2028.

Thank you for your favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria  
Mayor



April 16, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

I hereby submit for your approval the appointment of Maeve  
Kernan to the Conservation Commission for a term of Three (3)  
years, expiring May 1, 2028.



C0149-25

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**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** April 28, 2025

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**Agenda Item:**

An order requesting consideration of a proposed Tax Increment Finance (TIF) agreement between the City of Everett and The Sofia 2<sup>nd</sup> Street Owner, LLC pertaining to a mixed use redevelopment to be located at 380 Second Street

**Background and Explanation:**

**Attachments:**

***CITY OF EVERETT***  
***Office of the Mayor***

**Carlo DeMaria**  
Mayor



**Everett City Hall**  
484 Broadway  
Everett, MA 02149-3694  
Phone: (617) 394-2270  
Fax: (617)381-1150

April 17, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

Dear Honorable Members:

Please find attached an order to consider a proposed Tax Increment Finance (TIF) agreement between the City of Everett and The Sofia 2<sup>nd</sup> Street Owner LLC pertaining to the mix-use redevelopment located at 380 Second Street, Everett, MA.

Multiple documents related to this proposed TIF will be included in the order.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria  
Mayor



April 17, 2025  
*City of Everett, Massachusetts*  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:** Be it  
**Bill Type: Order** Ordered: BY City Council OF THE CITY OF EVERETT, as follows:

to consider a proposed Tax Increment Finance (TIF) agreement between the City of Everett and The Sofia 2<sup>nd</sup> Street Owner LLC pertaining to the mix-use redevelopment located at 380 Second Street, Everett, MA.

### 380 Second Street TIF

I write to you today in support of a proposed Tax Increment Finance (TIF) regarding the mixed-use development located at 380 Second Street, herein referred to as “The Sofia”.

For a bit of context, TIFs have been utilized by over 200 cities and towns in Massachusetts to spur economic development and are currently offered by over 25% of Massachusetts municipalities as a way to incentivize development and job creation. The Sofia perfectly embodies these three purposes.

*Job Creation:* Unlike the typical wood-frame, 5-over-2 structures prevalent in Everett’s Commercial Triangle, construction of The Sofia will utilize 100% Union Labor. The Proponents estimate that 1,342 Union Jobs will be generated through the construction of the project. For comparison, estimates for a by-right project on the site – a wood-framed structure containing ~210 housing units – would create approximately 214 non-union construction jobs. Additionally, operation of the project, once occupied, will result in the creation of 52 full-time positions between the commercial space and the residential units.

*Economic Development:* The Sofia offers a first-of-its-kind development here in Everett, seeking to construct a 21-story mixed-use tower with engaging ground-floor retail. The project Proponents are exploring the market to land an anchor tenant for their retail space, currently contemplating a restaurant or food retail operation. Furthermore, this project represents the largest financial investment for a single residential structure in the City’s history, with the goal of attracting similar levels of investment in the area for high-end commercial ventures such as office spaces and R&D facilities.

*Incentivize Development:* The Proponents of The Sofia have provided the City with extensive financial data on their projected construction and operation costs throughout our discussions regarding a proposed TIF. The City retained the services of CRE Asset Advisory, LLC to review and validate the financial models provided by the project Proponents. After review, CRE confirmed that The Sofia would *not* be financeable without a TIF; however, the TIF, as proposed, would yield an Untrended Return on Cost (UROC) that could secure adequate investment from institutional lenders to enable the project’s construction. CRE’s analysis and memo are provided as part of the package submitted to this Council.

Beyond these three important purposes, the proposed TIF offers other major benefits to the City. The Proponents would contribute \$1,000,000 into the City’s Linkage Fee account for investment into affordable housing throughout the City. On-site, The Sofia seeks to implement housing units with deeper affordability than surrounding projects, including 24 Veterans Affairs Supportive Housing (VASH) units restricted at 30% AMI and 3 units restricted at 60%. The Proponents have also committed to the reconstruction of Garden Street Extension, valued at approximately \$3,000,000. Additionally, the Proponents will mill and overlay 2<sup>nd</sup> Street along their project frontage, construct new full-depth pavement, sidewalks, and bike lanes before subsequently

granting to the City a 15' easement along Second Street to widen the right-of-way for the future Silver Line Extension. Lastly, and perhaps more pertinent to allay concerns regarding revenue generated by the project with a TIF in place, the City will receive a higher amount of tax revenue throughout the duration of the TIF in comparison to a by-right, wood-frame structure without a TIF (\$8,424,770 vs. \$8,092,870). Upon expiration of the TIF in 2041, the annual tax payment for The Sofia would jump to \$3,012,990, compared to \$913,040 for a by-right project.

It is for these reasons that I support the proposed Tax Increment Finance for The Sofia. I hope this Council sees the extraordinary benefits that accompany this project and will enable its construction through passage of a TIF. I will provide all relevant documents alongside this memo, including CRE's financial analysis, the full-language of the proposed TIF, and renderings of The Sofia. My team, CRE Asset Advisors, and the project Proponents will be made available to answer any questions you may have.

Thank you for your consideration.

Sincerely,

Carlo DeMaria  
Mayor, City of Everett

**CRE ASSET  
ADVISORS, LLC**

167 Worcester St, Suite 201  
Wellesley, MA 02481  
(781) 772-1825  
Office@CRE-AssetAdvisors.com

April 8, 2025

Ms. Erin Deveney  
Chief of Staff  
Office of Mayor Carlo DeMaria  
City of Everett  
484 Broadway  
Everett, MA 02149

RE: The Sofia, 380 2<sup>nd</sup> Street, Everett, MA

Dear Ms. Deveney,

As per our proposal dated March 7, 2024, below is a summary of our review of the financial model prepared by Fulcrum Global Investors ("FGI") for its proposed 620-unit project, The Sofia, located at 380 2<sup>nd</sup> Street in Everett ("The Sofia" or the "Project"). This project has been completed in order to assist the City of Everett (the "City") in its consideration of FGI's request for a Tax Incentive Financing Agreement ("TIF").

To complete this assignment, we have carefully reviewed the provided documents which include:

- 1) The proposed Draft TIF Agreement;
- 2) The Draft Exhibits to the TIF Agreement presented to the City on January 27, 2025, which include:
  - a. a schedule detailing the projected real estate taxes payments with and without the TIF;
  - b. a schedule detailing various benefits to the City with the currently proposed Project in comparison to a low rise 210-unit project;
  - c. the calculation of the Untrended Return on Cost ("UROC") with and without the TIF;
  - d. a schedule showing the tax payments to the City to be generated by the Project in comparison to other neighboring developments;
- 3) An Excel file provided by FGI including a 10-year discounted cash flow projection as well as considerably greater detail on the underlying assumptions for projected revenue, operating expenses, and development costs. (This file was confidentially provided in order for CREAA to assess the validity of the calculations.)

After thoroughly reviewing the provided documents and calculations, we prepared a list of questions and had several discussions with the FGI team to address them. The discussions

included assumptions and calculations used in the model, centered around the calculation of the Untrended Return on Cost ("UROC"), one of the primary metrics that investors will consider in evaluating the feasibility of a project. The UROC calculation divides the stabilized net operating income, if the project were fully built and stabilized today, by the total cost of developing the project.

As a result of these discussions, some updates were made to the income and expense figures used in the UROC calculations previously presented to the City. As well, based on the various ways in which an investor might evaluate the benefit of the TIF, FGI has now included UROC calculations with three different methodologies for determining the real estate tax expense, in addition to the UROC calculation without the benefit of the TIF agreement. The updated figures are included as part of the attached Exhibits.

A summary of the three methodologies is as follows:

- 1) The UROC calculation includes the projected real estate taxes in the first year of the Project's stabilization, which is Fiscal Year 2032, or Year 5 of the TIF agreement. With the benefit of a 95% tax abatement, the projected taxes are \$136,381. This yields a UROC of 5.61%.
- 2) The UROC calculation is based on the average real estate taxes over the 10-year period of the TIF following stabilization. With the benefit of an average tax abatement over this period of 72.5%, the projected taxes are \$769,477. This yields a UROC of 5.44%.
- 3) The UROC calculation includes the real estate taxes in the first year of the Project's stabilization without the TIF agreement, which are estimated at \$2,727,620. In lieu of including the reduced taxes, the tax savings under the TIF over the 14 years of the agreement are calculated, and the net present value of this benefit is then deducted from the construction costs, effectively reducing the total construction costs. This yields a UROC of 5.22%

Aside from the different calculations of real estate taxes, the remaining income, expenses, and project cost are essentially the same for these three calculations. However, the income, expenses, and project costs are slightly different without the benefit of the TIF agreement, primarily due to lower revenue from the affordable housing component and higher costs including the developer's cost of obtaining a building permit and higher interest expense.

***Without the benefit of the TIF agreement, the UROC is calculated at 4.71%.*** Based on our own experience as well as discussions we conducted with multiple parties, including other multifamily developers, lenders who might provide debt financing, and investors who might provide equity investments, ***the project will not be feasible with a UROC that is this low.*** Given current interest rates, which would be above this rate, the project would not be able to attract the necessary equity investors and therefore could not move forward.

We appreciate this opportunity to be of service to you on this assignment. If you have additional questions, please contact us.

Sincerely,



Christian Reenstierna, Managing Partner  
**CRE Asset Advisors, LLC**



Judith R. Pelletier  
**CRE Asset Advisors, LLC**

Cc:

Mayor Carlo DeMaria  
Eric Demas  
Scott Brown  
Kurt Hunziger  
John Brainerd

## EXHIBITS

DRAFT

## REAL ESTATE TAX CALCULATION – WITH & WITHOUT TIF AGREEMENT

DRAFT									
The Sofia Const. Timing	Calendar Year	TIF Year #	Estimated Incremental Assessed Value	Estimated New Incremental Annual Property Tax w/o TIF	% Exempt	Estimated Incremental Tax Payment w/TIF to City	Estimated Total Increased Annual Tax Base w/ Sofia	Estimated Total RE Taxes to City w/o Sofia ( Industrial)	Low Rise 210 Unit Bldg.
Before TIF	2025	0	\$2,902,900	\$66,767	NA	\$66,767	\$0	\$66,767	\$66,767
Start Const.	2026	0	\$2,902,900	\$66,767	NA	\$66,767	\$0	\$67,434	\$67,434
C/O  Stabilized	2027	1	\$71,842,500	\$818,286	100%	\$100,000	\$31,891	\$68,109	\$0
	2028	2	\$167,632,500	\$1,909,334	100%	\$110,000	\$41,210	\$68,790	\$0
	2029	3	\$215,527,500	\$2,454,858	100%	\$120,000	\$50,522	\$69,478	\$202,303
	2030	4	\$227,501,250	\$2,591,239	100%	\$130,000	\$59,828	\$70,172	\$67,434
	2031	5	\$239,475,000	\$2,727,620	95%	\$136,381	\$65,507	\$70,874	\$281,059
	2032	6	\$241,869,750	\$2,754,896	90%	\$275,490	\$203,907	\$71,583	\$421,588
	2033	7	\$244,288,448	\$2,782,445	85%	\$417,367	\$345,068	\$72,299	\$843,177
	2034	8	\$246,731,332	\$2,810,270	80%	\$562,054	\$489,032	\$73,022	\$851,609
	2035	9	\$249,198,645	\$2,838,373	75%	\$709,593	\$635,841	\$73,752	\$860,125
	2036	10	\$251,690,632	\$2,866,756	70%	\$860,027	\$785,537	\$74,489	\$868,726
	2037	11	\$254,207,538	\$2,895,424	65%	\$1,013,398	\$938,164	\$75,234	\$877,413
	2038	12	\$256,749,613	\$2,924,378	60%	\$1,169,751	\$1,093,765	\$75,987	\$886,187
	2039	13	\$259,317,110	\$2,953,622	55%	\$1,329,130	\$1,252,383	\$76,747	\$895,049
	2040	14	\$261,910,281	\$2,983,158	50%	\$1,491,579	\$1,414,065	\$77,514	\$904,000
	<b>Est. Real Property Tax TIF Yr. Sums</b>			<b>\$36,310,660</b>	<b>72.5%</b>	<b>\$8,424,770</b>	<b>\$7,406,720</b>	<b>\$1,152,251</b>	<b>\$8,092,870</b>
After TIF	2041	0	\$264,529,383	\$3,012,990	NA	NA	\$2,099,950	\$913,040	
	2042	1	\$267,174,677	\$3,043,120			\$2,120,950	\$922,170	
	2043	2	\$269,846,424	\$3,073,551			\$2,142,159	\$931,392	
	2044	3	\$272,544,888	\$3,104,286			\$2,163,581	\$940,706	
	2045	4	\$275,270,337	\$3,135,329			\$2,185,216	\$950,113	
	2046	5	\$278,023,041	\$3,166,682			\$2,207,069	\$959,614	
	2047	6	\$280,803,271	\$3,198,349			\$2,229,139	\$969,210	
	2048	7	\$283,611,304	\$3,230,333			\$2,251,431	\$978,902	
	2049	8	\$286,447,417	\$3,262,636			\$2,273,945	\$988,691	
	2050	9	\$289,311,891	\$3,295,262			\$2,296,684	\$998,578	
	2051	10	\$292,205,010	\$3,328,215			\$2,319,651	\$1,008,564	
	2052	11	\$295,127,060	\$3,361,497			\$2,342,848	\$1,018,649	
	2053	12	\$298,078,331	\$3,395,112			\$2,366,276	\$1,028,836	
	2054	13	\$301,059,114	\$3,429,063			\$2,389,939	\$1,039,124	
	2055	14	\$304,069,705	\$3,463,354			\$2,413,838	\$1,049,515	
	2056	15	\$307,110,402	\$3,497,987			\$2,437,977	\$1,060,011	
	2057	16	\$310,181,506	\$3,532,967			\$2,462,357	\$1,070,611	
	2058	17	\$313,283,321	\$3,568,297			\$2,486,980	\$1,081,317	
	2059	18	\$316,416,154	\$3,603,980			\$2,511,850	\$1,092,130	
	2060	19	\$319,580,316	\$3,640,020			\$2,536,968	\$1,103,051	
	2061	20	\$322,776,119	\$3,676,420			\$2,562,338	\$1,114,082	
<b>Taxes After TIF for 20 yrs</b>			<b>\$70,019,452</b>		<b>Increased Tax Basis After TIF</b>	<b>\$48,801,147</b>		<b>\$21,218,305</b>	

## COMPARISON OF BENEFITS TO CITY WITH TIF VS LOW RISE DEVELOPMENT

DRAFT			
	Sofia High Rise w/ TIF	Low Rise 210 Units	Difference
<b>I/I</b>	\$614,000	<b>\$262,900</b>	\$351,100
<b>Affordable Housing Linkage Fee</b>	\$1,000,000	<b>\$210,000</b>	\$790,000
<b>Tax Payments Over TIF Period</b>	\$8,424,770	<b>\$8,092,870</b>	\$331,900
<b>Annual Tax After TIF</b>	<b>\$3,012,990</b>	<b>\$913,040</b>	<b>\$2,099,950</b>
<b>Union Jobs</b>	1,342	<b>\$0</b>	1,342
<b>Non Union Jobs</b>	0	<b>214</b>	<b>(214)</b>
<b>On Site 30% AMI ( VASH )</b>	24	<b>0</b>	24
<b>On Site 60% AMI</b>	3	<b>0</b>	3
<b>On Site 80% AMI</b>	4	<b>21</b>	<b>(17)</b>
<b>Total On Site Affordable</b>	31	<b>21</b>	10

Increased Mitigation Payments Low Rise Vr. High Rise	\$1,141,100
Increased Tax Revenue of TIF Period	\$331,900
Increased Annual Tax Revenue Compared to Low Rise After TIF	\$2,099,950
Union Job Creation	1,342
Deeper Levels of Affordability & Economic Stimulus	

Increased Tax Revenue & Mitigation	\$1,473,000
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## UNTRENDED RETURN ON COST CALCULATION WITHOUT TIF

No TIF as Approved		
Revenue - 2025		Source
Total Rent	\$26,471,869	Greystar
Gain (loss) to Lease	(\$264,719)	Greystar
Vacancy	(\$1,323,593)	Greystar
Non Revenue Units	(\$52,944)	Greystar
Bad Debt	(\$79,416)	Greystar
Parking & Storage	\$682,500	Greystar
Retail Revenue	\$237,540	Boston Urban
Utility Reimbursements	\$379,440	Greystar
Other Income	\$253,945	Greystar
<b>Total Revenue</b>	<b>\$26,304,623</b>	

Controllable Expenses - 2025		Source
Payroll	(\$1,445,023)	Greystar
Repairs & Maintenance	(\$139,500)	Greystar
Replacement Reserves	(\$155,000)	Greystar
Make Ready	(\$184,872)	Greystar
Contracts	(\$541,980)	Greystar
Leasing & Marketing	(\$185,674)	Greystar
General & Administrative	(\$245,636)	Greystar
Utilities	(\$1,192,109)	Greystar
<b>Total Controllable Expenses</b>	<b>(\$4,089,794)</b>	

Non Controllable Expenses - 2025		Source
Greystar Management Fee	(\$460,331)	Greystar
Property Taxes	(\$2,727,620)	CBRE/City of Everett
Insurance	(\$395,312)	Greystar
<b>Total Non Con. Expenses</b>	<b>(\$3,583,263)</b>	

<b>NOI</b>	<b>\$18,631,565</b>
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Hard Costs	(\$304,029,996)
Soft Costs	(\$40,351,387)
Land	(\$34,701,000)
Construction Int. Reserve	(\$28,992,576)
Operational Cost to Stabilize 2 Yrs	(\$9,146,963)
NPV TIF - No TIF	\$0
Gross income lease - up 2 Yrs	\$21,978,824
<b>Total Dev. Costs</b>	<b>(\$395,243,098)</b>

<b>Untrended Yield on Cost</b>	<b>4.71%</b>
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Notes
Includes building permit fee
Includes 62 of the units @ 80% AMI
Includes \$620,000 Aff. Payment
Assumes HUD Construction Loan

## UNTRENDED RETURN ON COST CALCULATION WITH TIF: METHOD 1 - REAL ESTATE TAXES BASED ON TIF YEAR 5

TIF - Actual Tax Liability		
Revenue -2025		Source
Total Rent	\$27,136,083	Greystar
Gain (loss) to Lease	(\$271,361)	Greystar
Vacancy	(\$1,356,804)	Greystar
Non Revenue Units	(\$54,272)	Greystar
Bad Debt	(\$81,408)	Greystar
Parking & Storage	\$682,500	Greystar
Retail Revenue	\$237,540	Boston Urban
Utility Reimbursements	\$379,440	Greystar
Other Income	\$253,945	Greystar
<b>Total Revenue</b>	<b>\$26,925,663</b>	

Controllable Expenses - 2025		
		Source
Payroll	(\$1,445,023)	Greystar
Repairs & Maintenance	(\$139,500)	Greystar
Replacement Reserves	(\$155,000)	Greystar
Make Ready	(\$184,872)	Greystar
Contracts	(\$541,980)	Greystar
Leasing & Marketing	(\$185,674)	Greystar
General & Administrative	(\$245,636)	Greystar
Utilities	(\$1,192,109)	Greystar
<b>Total Contrallable Expenses</b>	<b>(\$4,089,794)</b>	

Non Controllable Expenses - 2025		
		Source
Greystar Management Fee	(\$471,199)	Greystar
Property Taxes	(\$136,381)	City of Everett
Insurance	(\$395,312)	Greystar
<b>Total Non Con. Expenses</b>	<b>(\$1,002,893)</b>	

<b>NOI</b>	<b>\$21,832,976</b>
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Hard Costs	(\$304,029,996)
Soft Costs	(\$35,025,530)
Land	(\$34,701,000)
Construction Int. Reserve	(\$28,308,578)
Operational Cost to Stabalize	(\$9,272,535)
NPV TIF - No TIF	\$0
Gross income lease - up	\$21,965,556
<b>Total Dev. Costs</b>	<b>(\$389,372,083)</b>

<b>Untrended Yield on Cost</b>	<b>5.61%</b>
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Notes	
Building Permit Fee at Cost ( Soft Cost )	
Includes 31 AFF. Units ( NOI )	
Affordable Housing Fee Increase and Deferral ( Soft Cost )	
Above effects Int. Reserve	
Taxes treated as actual liability for stabalization	
Assuming HUD Constuction loan at lower rate ( Int Reserv.)	

## UNTRENDED RETURN ON COST CALCULATION WITH TIF: METHOD 2 - REAL ESTATE TAXES BASED ON TIF YEAR 5-15 AVERAGE

TIF - Normalized Tax Liability		
Revenue -2025		Source
Total Rent	\$27,136,083	Greystar
Gain (loss) to Lease	(\$271,361)	Greystar
Vacancy	(\$1,356,804)	Greystar
Non Revenue Units	(\$54,272)	Greystar
Bad Debt	(\$81,408)	Greystar
Parking & Storage	\$682,500	Greystar
Retail Revenue	\$237,540	Boston Urban
Utility Reimbursements	\$379,440	Greystar
Other Income	\$253,945	Greystar
<b>Total Revenue</b>	<b>\$26,925,663</b>	

Controllable Expenses - 2025		Source
Payroll	(\$1,445,023)	Greystar
Repairs & Maintenance	(\$139,500)	Greystar
Replacement Reserves	(\$155,000)	Greystar
Make Ready	(\$184,872)	Greystar
Contracts	(\$541,980)	Greystar
Leasing & Marketing	(\$185,674)	Greystar
General & Administrative	(\$245,636)	Greystar
Utilties	(\$1,192,109)	Greystar
<b>Total Controllable Expenses</b>	<b>(\$4,089,794)</b>	

Non Controllable Expenses - 2025		Source
Greystar Management Fee	(\$471,199)	Greystar
Property Taxes	(\$796,477)	City of Everett
Insurance	(\$395,312)	Greystar
<b>Total Non Con. Expenses</b>	<b>(\$1,662,989)</b>	

<b>NOI</b>	<b>\$21,172,880</b>
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Hard Costs	(\$304,029,996)
Soft Costs	(\$35,025,530)
Land	(\$34,701,000)
Construction Int. Reserve	(\$28,308,578)
Operational Cost to Stabilize	(\$9,272,535)
NPV TIF - No TIF	\$0
Gross income lease - up	\$21,965,556
<b>Total Dev. Costs</b>	<b>(\$389,372,083)</b>

<b>Untrended Yield on Cost</b>	<b>5.44%</b>
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Notes
Building Permit Fee at Cost ( Soft Cost ) Includes 31 AFF. Units ( NOI ) Affordable Housing Fee Increase and Deferral ( Soft Cost ) Above effects Int. Reserve Taxes treated as actual liability for stabilization Assuming HUD Constuction loan at lower rate ( Int Reserv.)

**UNTRENDED RETURN ON COST CALCULATION WITH TIF:  
METHOD 3 - REAL ESTATE TAXES BASED ON TAXES WITHOUT TIF; NPV  
OF TIF BENEFIT DEDUCTED FROM TOTAL PROJECT COST**

TIF - Normalized Tax Liability at Stabilization		
Revenue -2025		Source
Total Rent	\$27,136,083	Greystar
Gain (loss) to Lease	(\$271,361)	Greystar
Vacancy	(\$1,356,804)	Greystar
Non Revenue Units	(\$54,272)	Greystar
Bad Debt	(\$81,408)	Greystar
Parking & Storage	\$682,500	Greystar
Retail Revenue	\$237,540	Boston Urban
Utility Reimbursements	\$379,440	Greystar
Other Income	\$253,945	Greystar
<b>Total Revenue</b>	<b>\$26,925,663</b>	

Controllable Expenses - 2025		
		Source
Payroll	(\$1,445,023)	Greystar
Repairs & Maintenance	(\$139,500)	Greystar
Replacement Reserves	(\$155,000)	Greystar
Make Ready	(\$184,872)	Greystar
Contracts	(\$541,980)	Greystar
Leasing & Marketing	(\$185,674)	Greystar
General & Administrative	(\$245,636)	Greystar
Utilities	(\$1,192,109)	Greystar
<b>Total Controllable Expenses</b>	<b>(\$4,089,794)</b>	

Non Controllable Expenses - 2025		
		Source
Greystar Management Fee	(\$471,199)	Greystar
Property Taxes	(\$2,727,620)	City of Everett
Insurance	(\$395,312)	Greystar
<b>Total Non Con. Expenses</b>	<b>(\$3,594,132)</b>	

<b>NOI</b>	<b>\$19,241,736</b>
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Hard Costs	(\$304,029,996)
Soft Costs	(\$35,025,530)
Land	(\$34,701,000)
Construction Int. Reserve	(\$28,308,578)
Operational Cost to Stabilize	(\$9,272,535)
NPV TIF	\$20,725,050
Gross income lease - up	\$21,965,556
<b>Total Dev. Costs</b>	<b>(\$368,647,033)</b>

<b>Untrended Yield on Cost</b>	<b>5.22%</b>
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Notes
Building Permit Fee at Cost ( Soft Cost )
Includes 31 AFF. Units ( NOI )
Affordable Housing Fee Increase and Deferral ( Soft Cost )
Above effects Int. Reserve
NPV TIF - Discount rate as 10yr - 4.25%
Assuming HUD Constuction loan at lower rate ( Int Resrv.)

## COMPARISON OF SOFIA REAL ESTATE TAXES TO NEIGHBORING PROJECT

DRAFT					
380 2nd Street will pay greater than 3-7X than neighboring multifamily developments					
2025					
Name	Address	Unit Count	Taxes	Land Area Sf	Taxes Per Sf of Land
The Mason	101 Mill Rd	330	(\$1,562,360)	199,069	(\$7.85)
Anthem	484 2nd St	450	(\$2,130,490)	205,603	(\$10.36)
The Batch Yard	25 Charlton St	328	(\$1,491,333)	144,184	(\$10.34)
The Pioneer	1760 Revere Beach Pwky	289	(\$1,429,806)	121,615	(\$11.76)
<b>The Sofia - Low Rise</b>	<b>380 2nd St</b>	<b>210</b>	<b>(\$843,177)</b>	<b>70,567</b>	<b>(\$11.95)</b>
<b>The Sofia - As Approved w/ 75% TIF</b>	<b>380 2nd St</b>	<b>620</b>	<b>(\$796,477)</b>	<b>70,567</b>	<b>(\$11.29)</b>
<b>The Sofia - As Approved no TIF</b>	<b>380 2nd St</b>	<b>620</b>	<b>(\$2,557,228)</b>	<b>70,567</b>	<b>(\$36.24)</b>
<b>The Sofia After TIF</b>	<b>380 2nd St</b>	<b>620</b>	<b>(\$3,012,990)</b>	<b>70,567</b>	<b>(\$42.70)</b>

DRAFT

**DRAFT**

**TAX INCREMENT FINANCING AGREEMENT BY AND BETWEEN THE CITY OF EVERETT AND THE SOFIA 2<sup>nd</sup> STREET OWNER, LLC, THIS TAX INCREMENT FINANCING AGREEMENT** (the "Agreement") is made this \_\_\_\_\_ day of March, 2025 (the "Effective Date"), by and among the CITY OF EVERETT (hereinafter referred to as the "City"), acting by its Mayor as authorized by vote of City Council Meeting, and THE SOFIA 2<sup>nd</sup> STREET OWNER, LLC (hereinafter referred to as the "Owner") for the benefit of the Property located at 380 2<sup>nd</sup> Street, Everett, MA 02149 (the "Property"), legal description attached at Exhibit A.

### RECITALS

WHEREAS, the City is a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts having a principal place of business at 484 Broadway, Everett, MA 02149;

WHEREAS, the Owner is a Delaware limited liability company qualified to do business in the Commonwealth of Massachusetts with a principal place of business at 1280 Centre Street, Unit 5, Newton Center, MA 02459; and

WHEREAS the Owner plans to commence construction of a fully approved 21-story mixed-use development with market rate and affordable housing units, totaling 675,202 gross square feet. The project is designed to consist of 620 total residential units, 31 of which shall be deed restricted as affordable units pursuant to the City's affordable housing policy, approximately 18,400 sq. ft. of indoor amenity space, minimum of 7,800 sq. ft. of ground-floor retail and 450 vehicle parking spaces (hereinafter the "Project", Site Plan Review Decision and modifications attached at Exhibit B); and

WHEREAS, on March \_\_\_\_, 2025, the Everett City Council voted to approve this Agreement; and

WHEREAS, the City strongly supports the creation of new housing to provide badly needed housing, additional jobs for Everett residents, expand commercial, retail activity within the city, and especially in the Commercial Triangle Economic Development District, to develop a healthy, economic, and strong growing tax revenue base for the City.

NOW, THEREFORE, in consideration of the mutual promises of the parties' contained herein and other good and valuable consideration each to the other paid, receipt of which is hereby acknowledged, the parties hereby agree as follows:

**DRAFT**

**A. THE CITY'S OBLIGATIONS**

1. A Tax Increment Financing (“TIF”) exemption (the “Exemption”) is hereby granted to the Owner by the City in accordance with Chapter 23A, Sections 3A to 3F; Chapter 40, Section 59, and the applicable regulations thereto. The Exemption for real estate taxes shall be for a period of approximately fourteen (14) years from July 1<sup>st</sup>, 2027 (defined below) (the “Exemption Term”).

2. The following shall serve as the real estate tax payment reduction percentages and/or minimum payment of real estate taxes annually, regardless of the City’s reassessment amounts:

Fiscal Year Exemption Percentage:

Fiscal Year 2028. To 2031(Years 1 to 4) – 100% - except that the payment of real estate taxes shall not fall below \$100,000 in year 1, \$110,000 in year 2, \$120,000 in year 3, and \$130,000 in year 4 to the City from the Owner

Fiscal Year 2032 (Year 5) - 95%

Fiscal Year 2033 (Year 6) - 90%

Fiscal Year 2034 (Year 7) - 85%

Fiscal Year 2035 (Year 8) - 80%

Fiscal Year 2036 (Year 9) - 75%

Fiscal Year 2037 (Year 10) - 70%

Fiscal Year 2038 (Year 11) - 65%

Fiscal Year 2039 (Year 12) - 60%

Fiscal Year 2040 (Year 13) - 55%

Fiscal Year 2041 (Year 14) - 50%

3. The real estate tax bill for the Property shall be adjusted annually by an adjustment factor, as stated above, regardless of the increased residential and commercial property values within the community, as provided in Chapter 40, Section 59 of the Massachusetts General Laws.

4. The City Tax Assessor shall remit to the Owner annually, by December 31st, a statement of the amount of the exemption for each fiscal year of this TIF Agreement.

5. In addition, the city will waive building permit fee, except to cover cost of Building Department labor.

**DRAFT****B. THE OWNER'S OBLIGATIONS**

The Exemption granted to the Owner and Property by the City hereby is in consideration of the Owner's following commitments:

1. Best faith compliance with the City's Job Hiring policies, i.e., hiring qualified Everett residents for Project jobs and the City's trades apprenticeship program. Best faith efforts of the Owner will entail the Owner and their contractors advertising locally and publicly, sponsoring "Town Hall" gatherings for Residents, sponsoring "Job Fairs", and "Apprentice Workshops" for Residents.
2. The Owner will build the Property with a 100% union work force through Certificate of Occupancy:
  - a. Owner will make best faith efforts to improve minority and women percentages within onsite workforces and will report efforts and progress in writing to the Mayor and the Director of the Planning Department annually
3. Additional Inclusionary Zoning Owner Commitment – In order to achieve deeper levels of Inclusionary/Affordable Housing in the City of Everett than originally approved at 10% (62 units) of the units built at the Property, at 80% AMI, the Owner will provide 31 inclusionary/affordable housing units onsite and 31 offsite with a payment in lieu of onsite units outlined below. Of the 31 units onsite, the Owner will now provide 21 Veterans Affairs Supportive Housing (VASH) units, 3 units of 60% AMI, and 4 units at 80% AMI. The 31 units of offsite affordable housing of the original 62 inclusionary units approved, will be provided offsite in consideration of this agreement and the Owner paying \$32,258 per unit, or \$1,000,000 to the City in aggregate to grant to any inclusionary (a/k/a affordable) development project in the City of Everett in need of additional financing/equity. The onsite units will be restricted for 10 years from Certificate of Occupancy. The VASH units are being put forward as a pilot program. If it is determined by the Owner that the VASH pilot is not successful, then the VASH units shall revert to 80% AMI units for the balance of the deed restriction.
4. The Owner shall be responsible for reconstruction of Garden Street Extension and granting 15 feet of Property frontage on Second Street to the City to allow it to move forward with the widening of 2nd Street along the frontage of the Owner's Property submitted in the Site Plan. The Owner shall mill and overlay 2nd Street from the center line to the existing curb line, and construct new full depth pavement, sidewalks, and bike lanes as required in the Site Plan, at a time when the City notifies that it is done with the aforementioned work.

**DRAFT**

5. The Owner shall provide a sketch plan to the Planning & Development Department for its review and approval showing the proposed cross section along Second Street that includes widening the Second Street ROW by 15 feet on the west side of the existing roadway. The sketch plan shall show the interim cross section prior to the construction of the future Silver Line bus route as well as a final proposed cross section.
6. The Owner shall grant to the City a 15-foot-wide easement along Second Street to allow the City to construct a continuous bike path and Silver Line extension along the Second Street corridor, and an enhanced pedestrian experience complete with minimum of 8-foot-wide sidewalks, complete with street trees, street lighting, and outdoor seating.
7. Upon issuance of a building permit by the City, the Owner shall join the Everett Transportation Management Association, currently operating as the Lower Mystic Transportation Management Association and make appropriate dues payments for a project at the "Associate Permitted" level.

**C. ADDITIONAL PROVISIONS**

1. Pursuant to the provisions of Chapter 40, Section 59 of the Massachusetts General Laws and applicable regulations, this Agreement shall be binding upon the Owner and the Property, its successors, assigns, and subsequent owners of the Property. In order for the Owner to meet its Obligations to the City of delivering the fully constructed building through Certificate of Occupancy and then operating the building to initial stabilized occupancy, and absent any mitigating circumstances beyond the Owners control such as an act of god or other unpredictable disastrous financial event (e.g. foreclosure, lack of financing, etc.), in consideration of this Agreement, the Owner shall not convey, assign, or otherwise its real estate interests in the Property to an independent third party through Fiscal Year 2031. Thereafter, the Owner may convey, assign or otherwise transfer its real estate interests in the Property to any unrelated third party or to a wholly owned subsidiary or affiliate without prior approval of the City. The Owner shall provide prior notice to the City of any such transfer and both the Owner, and the new Property owner shall provide all reasonably requested assurances to the City in writing regarding compliance with this Agreement by the new owner. For clarity, the Owner can enter into a joint venture with equity partners at any time to obtain the necessary capital to construct the Project.
2. The City and the Owner acknowledge and agree that there is no public construction contemplated by this Agreement and, therefore, no betterment schedule referred to in Massachusetts General Laws Chapter 40, Section 59 is required. This Agreement and the Tax Increment Financing Exemption provided for hereunder shall apply only to the Property.
3. This Agreement is governed by the laws of the Commonwealth of Massachusetts. If any provision of this Agreement shall be found invalid for any reason, such invalidity shall be

construed as narrowly as possible, and the balance of this Agreement shall be deemed to be amended to the minimum extent necessary to provide to the City and the Owner substantially the benefits set forth in this Agreement.

4. The time within which the Owner shall be required to perform any of its obligations under this agreement shall be extended in the event the performance of such obligation is delayed by a force majeure event such as an act of God, earthquake, fire, act of terrorism, war, labor dispute, delay or restriction by a government body, or any other cause beyond the reasonable control of the Owner. If the Owner is found to be in material and continuous (i.e. 3 years) non-compliance with their Obligations under this agreement then, the City has the right to request the claw back of real estate taxes that would have been due and payable absent the existence of this agreement.

5. All notices permitted or required under the provisions of the Agreement shall be in writing, and, if from the Owner, signed by an authorized officer, and shall be sent by registered or certified mail, postage prepaid, or shall be delivered by private express carrier to the addresses listed below or at such other address as may be specified by a party in writing and served upon the other in accordance with this section. Such notices shall be deemed given when delivered or when delivery is refused.

If intended for the City, addressed to:

Matthew Lattanzi, Director Planning & Development/Assistant City Solicitor  
City of Everett Massachusetts  
Everett City Hall  
484 Broadway, Everett, MA 02149

If intended for the Owner, addressed to:

Scott Brown, CEO  
John Brainard, Director of Development & Acquisitions  
Kurt Hunziker, Director of Construction  
Fulcrum Global Investors, LLC  
1280 Centre Street, Unit 5  
Newton Centre, MA 02459

6. The Owner agrees to allow the City to monitor compliance with this Agreement. The Owner shall provide to the City, upon reasonable request, access to such information as the City may deem necessary to monitor the Owner's compliance.

(Signature pages on separate pages)

**IN WITNESS WHEREOF**, Owner and the City have hereunto set their hands and seals as of the date first written above.

**OWNER:**

THE SOFIA 2<sup>ND</sup> STREET OWNER, LLC, a  
Delaware limited liability company

By: \_\_\_\_\_

Name: Scott D. Brown

Title: Authorized Signatory

**CITY:**

CITY OF EVERETT, a municipal corporation duly organized under the laws of the  
Commonwealth of Massachusetts

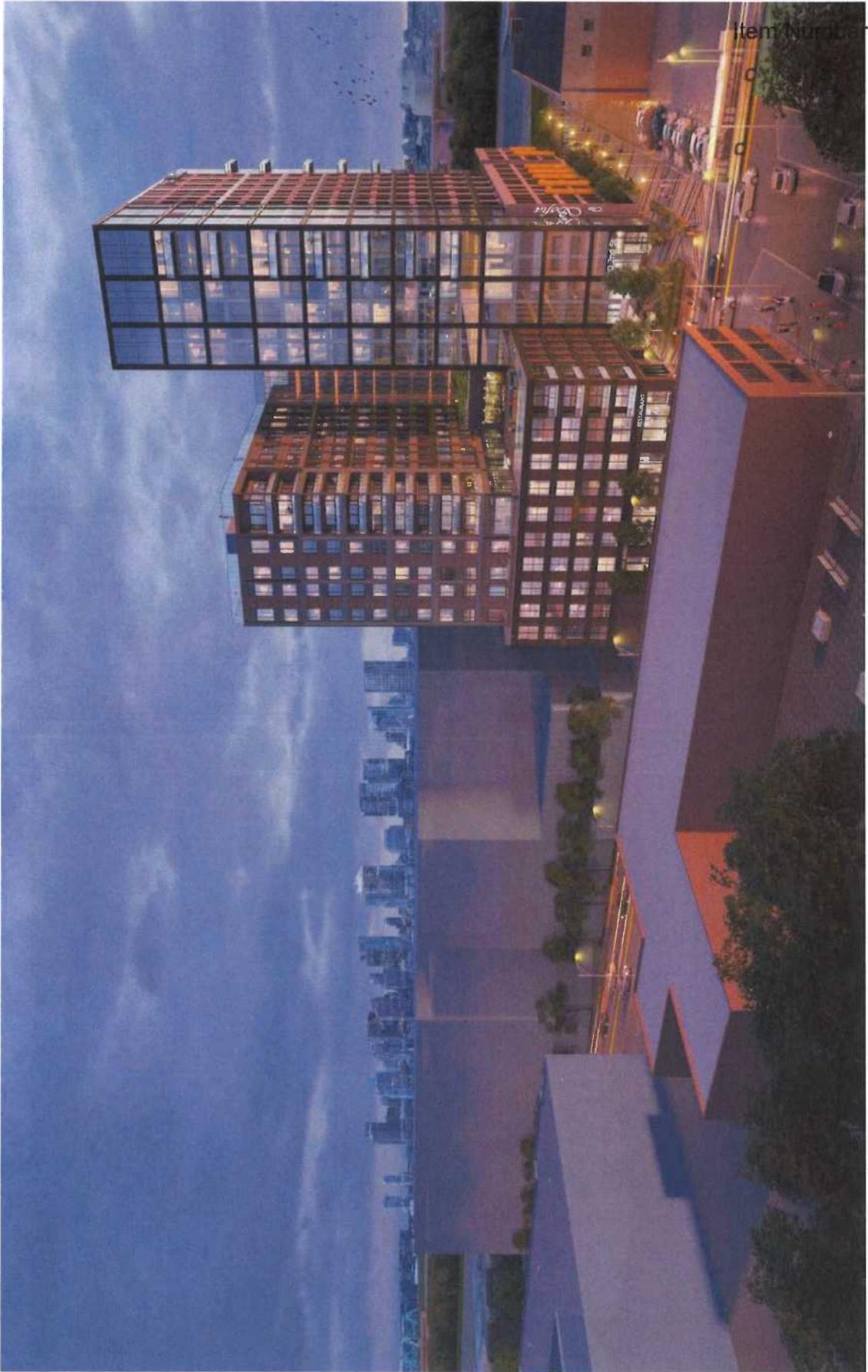
By: \_\_\_\_\_

Name:

Title:

Duly Authorized





Item Number 3





**DEPARTMENT OF VETERANS AFFAIRS**  
**VA Boston Healthcare System**  
**150 South Huntington Ave**  
**Jamaica Plain, MA 02301**

April 23, 2025

RE: Letter of Support

To Whom It May Concern,

As the Program Manager and representative for the VA Boston Healthcare System's HUD-VASH Program I am pleased to submit a letter of support for the project at 380 2<sup>nd</sup> Street, Everett MA, The Sofia.

We are excited to support the proposal to allocate twenty-four (24) affordable units to Veterans. We see this a great opportunity to further our goal of supporting Veterans experiencing homelessness and their housing needs in the Everett area. Veteran homelessness has been and continues to be an on-going issue in the city of Boston and surrounding areas which the VA's HUD-VASH Program has been earmarked to address in its partnership with HUD.

VA staff will provide services and support to Veterans enrolled in the HUD-VASH program with educational, life skills support, case management and any other needs as they arise. Vouchers are subsidies paid through federal funding, allocated by Congress for disabled Veterans.

It has been wonderful to collaborate with Fulcrum Global Investments, LLC who seem to understand the need and have the desire to provide safe, affordable housing to our Nations Veterans.

Sincerely,

*Rebecca Faherty, LICSW*

Rebecca Faherty, LICSW  
HUD-VASH Program Manager  
VA Boston Healthcare System



C0154-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 28, 2025

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**Agenda Item:**

An order requesting the approval to appropriate the amount of \$200,000.00 by borrowing for the Everett Police station roof improvement project.

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**  
484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

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April 23, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

Dear Honorable Members:

I hereby request the amount of **\$200,000.00** be appropriated by borrowing for the Everett Police station roof improvement project. The existing roof can no longer be repaired and needs to be replaced in full.

In an effort to provide an accurate estimate of the cost of this work, the Facilities Maintenance Department had requested preliminary quotes of what the projected costs would be.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



April 23, 2025

# City of Everett, Massachusetts CITY COUNCIL

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type:**  
**Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

That the City hereby appropriates the amount of Two Hundred Thousand Dollars (\$200,000) to be funded by borrowing for roof improvements at the Police Station, located at 45 Elm Street, including the payment of all other costs incidental and related thereto, and that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §8 or pursuant to any other enabling authority, and to issue bonds and notes therefore, provided, that any premium received upon the sale of any bonds or notes approved by this Order, less any such premium applied to the payment of the costs of such issuance of bonds or notes, may be applied to the payment of costs approved by this order in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and to take any other action relative thereto.



C0146-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 28, 2025

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**Agenda Item:**

A petition requesting the renewal of a precious metals license for Art Gold Jewelry Inc. at 159 Main Street

**Background and Explanation:**

**Attachments:**



C0092-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** March 10, 2025

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**Agenda Item:**

An order requesting approval to authorize the City Administration to develop a municipal aggregation plan and to take any and all necessary action to prepare the plan for submission to the Massachusetts Department of Public Utilities pursuant to M.G.L. c. 164, §134

**Background and Explanation:**

**Attachments:**

***CITY OF EVERETT***  
***Office of the Mayor***

**Carlo DeMaria**  
Mayor



**Everett City Hall**  
484 Broadway  
Everett, MA 02149-3694  
Phone: (617) 394-2270  
Fax: (617)381-1150

March 5, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

Dear Honorable Members:

Please find attached an order to authorize the City Administration to develop a municipal aggregation plan and to take any and all necessary action to prepare the plan for submission to the Massachusetts Department of Public Utilities pursuant to M.G.L. c. 164, §134.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria  
Mayor



March 5, 2025

*City of Everett, Massachusetts*  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:** Be it  
**Bill Type: Order** Ordered: BY City Council OF THE CITY OF EVERETT, as follows:

To authorize the City Administration to develop a municipal aggregation plan and to take any and all necessary action to prepare the plan for submission to the Massachusetts Department of Public Utilities pursuant to M.G.L. c. 164, §134.

**Part I** ADMINISTRATION OF THE GOVERNMENT

**Title XXII** CORPORATIONS

**Chapter 164** MANUFACTURE AND SALE OF GAS AND ELECTRICITY

**Section 134** LOAD AGGREGATION PROGRAMS

Section 134. (a) Any municipality or any group of municipalities acting together within the commonwealth is hereby authorized to aggregate the electrical load of interested electricity consumers within its boundaries; provided, however, that such municipality or group of municipalities shall not aggregate electrical load if such are served by an existing municipal lighting plant. Such municipality or group of municipalities may group retail electricity customers to solicit bids, broker, and contract for electric power and energy services for such customers. Such municipality or group of municipalities may enter into agreements for services to facilitate the sale and purchase of electric energy and other related services including renewable energy credits, which may be considered contracts for energy or energy-related services under clause (33) of subsection (b) of section 1 of chapter 30B. Such service agreements may be entered into by a single city, town, county, or by a group of cities, towns, or counties.

A municipality or group of municipalities which aggregates its electrical load and operates pursuant to the provisions of this section shall not be considered a utility engaging in the wholesale purchase and resale of electric power. Providing electric power or energy services to aggregated customers within a municipality or group of municipalities shall not be considered a wholesale utility transaction. The provision of aggregated electric power and energy services as authorized by this section shall be regulated by any applicable laws or regulations which govern aggregated electric power and energy services in competitive markets.

A town may initiate a process to aggregate electrical load upon authorization by a majority vote of town meeting or town council. A city may initiate a process to authorize aggregation by a majority vote of the city council, with the approval of the mayor, or the city manager in a Plan D or Plan E city. Two or more municipalities may as a group initiate a process jointly to authorize aggregation by a majority vote of each particular municipality as herein required.

Upon an affirmative vote to initiate said process, a municipality or group of municipalities establishing load aggregation pursuant to this section shall, in consultation with the department of energy resources, pursuant to section 6 of chapter 25A, develop a plan, for review by its citizens, detailing the process and consequences of aggregation. Any municipal load aggregation plan established pursuant to this section shall provide for universal access, reliability, and equitable treatment of all classes of customers and shall meet any requirements established by law or the department concerning aggregated service. Said plan shall be filed with the department, for its final review and approval, and shall include, without limitation, an organizational structure of the program, its operations, and its funding; rate setting and other costs to participants; the

methods for entering and terminating agreements with other entities; the rights and responsibilities of program participants; and termination of the program. Prior to its decision, the department shall conduct a public hearing.

Participation by any retail customer in a municipal or group aggregation program shall be voluntary. If such aggregated entity is not fully operational on the retail access date, any ratepayer to be automatically enrolled therein shall receive basic service unless affirmatively electing not to do so. Within 30 days of the date the aggregated entity is fully operational, such ratepayers shall be transferred to the aggregated entity according to an opt-out provision herein. Following adoption of aggregation through the votes specified above, such program shall allow any retail customer to opt-out and choose any supplier or provider such retail customer wishes. Once enrolled in the aggregated entity, any ratepayer choosing to opt-out within 180 days shall do so without penalty and shall be entitled to receive basic service as if he was originally enrolled therein. After the initial automatic enrollment of customers upon the establishment of a load aggregation program in accordance with this subsection, the subsequent enrollment of new customers or accounts in the service territory of the aggregator shall be governed by the terms for enrollment set forth in the aggregator's plan; provided, however, that the terms are consistent with the requirements established by the department. Nothing in this section shall be construed as authorizing any city or town or any municipal retail load aggregator to restrict the ability of retail electric customers to obtain or receive service from any authorized provider thereof.

It shall be the duty of the aggregated entity to fully inform participating ratepayers in advance of automatic enrollment that they are to be automatically enrolled and that they have the right to opt-out of the aggregated entity without penalty. In addition, such disclosure shall prominently state all charges to be made and shall include full disclosure of the basic service rate, how to access it, and the fact that it is available to them without penalty. The department of energy resources shall furnish, without charge, to any citizen a list of all other supply options available to them in a meaningful format that shall enable comparison of price and product. To facilitate the automatic enrollment and ratepayer notification, the electric distribution company shall provide to each municipality the name and mailing addresses of all electric accounts within the municipality that are not otherwise receiving generation service from a competitive supplier; provided, however, that any customer may request that their name, mailing address and account number not be shared with the municipality.

(b) A municipality or group of municipalities establishing a load aggregation program pursuant to subsection (a) may, by a vote of its town meeting or legislative body, whichever is applicable, adopt an energy plan which shall define the manner in which the municipality or municipalities may implement demand side management programs and renewable energy programs that are consistent with any state energy conservation goals developed pursuant to chapter 25A or chapter 164. After adoption of the energy plan by such town meeting or other legislative body, the city or town clerk shall submit the plan to the department to certify that it is consistent with any such state energy conservation goals. If the plan is certified by the department, the municipality or group of municipalities may apply to the Massachusetts

clean energy technology center for monies from the Massachusetts Renewable Energy Trust Fund, established pursuant to section 9 of chapter 23J, and receive, and if approved, expend moneys from the demand side management system benefit charges or line charges in an amount not to exceed that contributed by retail customers within said municipality or group municipalities. This will not prevent said municipality or municipalities from applying to the Massachusetts clean energy technology center for additional funds. If the department determines that the energy plan is not consistent with any such state-wide goals, it shall inform the municipality or group of municipalities within six months by written notice the reasons why it is not consistent with any such state-wide goals. The municipality or group of municipalities may re-apply at anytime with an amended version of the energy plan.

The municipality or group of municipalities shall not be prohibited from proposing for certification an energy plan which is more specific, detailed, or comprehensive or which covers additional subject areas than any such state-wide conservation goals. This subsection shall not prohibit a municipality or group of municipalities from considering, adopting, enforcing, or in any other way administering an energy plan which does not comply with any such state-wide conservation goals so long as it does not violate the laws of the commonwealth.

The municipality or group of municipalities shall, within two years of approval of its plan or such further time as the department may allow, provide written notice to the department that its plan is implemented. The department may revoke certification of the energy plan if the municipality or group of municipalities fails to substantially implement the plan or if it is determined by independent audit that the funds were misspent within the time allowed under this subsection.



#2-C0092-25

Government Operations, Public Safety & Public Service Committee  
April 7, 2025

The Committee on Government Operations, Public Safety & Public Service met on Monday, April 7, 2025 at 6:30pm in City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Peter Pietrantonio, presiding and Councilors Katy Rogers and Holly Garcia. Member absent was Councilor Robert Van Campen.

Communication received from Councilor Van Campen that he would be unable to attend due to a family matter.

The Committee met on an Order offered by Councilor Stephanie Martins, as President: An Order requesting approval to authorize the City Administration to develop a municipal aggregation plan to take any and all necessary action to prepare the plan for submission to the Massachusetts Public Utilities pursuant to MGL C. 164 S 134.

City Planner Jonatan Frias and Representative from Colonial Power Group – President Mark Cappadona and Senior Vice President Denise Allard were also present.

Mr. Frias provided a power point presentation (attached) along with other documents (attached) to Committee outlining the reasons for implementing a municipal aggregation which would allow the City of Everett to maintain stable electricity prices over an extended period. The City has the option to include a percentage of renewable energy in the electricity plan. Municipal aggregation will allow the City to monitor and set rates for all the residents, but will give a safer option to residents as it serves as a protective measure against third party energy suppliers. Mr. Frias explained that the City met last Spring and Summer with Consultants from Peregrine Energy group, Colonial Power Group and Good Energy as well as meeting with representative s of the communities of Salem, Lawrence and Lowell who have already implemented Municipal Aggregation to help the City of Everett select a supplier for the plan. Through a series of interviews the City of Everett has selected Colonial Power Group as its supplier.

Councilor Garcia asked the Colonial representative how prices could be lowered if National Grid was still involved and Mr. Cappadona explained the Department of Public Utilities process. Councilor Rogers remarked that it sounded like it was a city tool to help reduce electricity costs for residents and the representatives concurred that it was and noted that residents could move freely in program at no risk in which they could automatically be enrolled or that they could opt out. Chairman Pietrantonio asked if they were like a middleman in helping the City get the best rate and Mr. Cappadona responded that they were and indicated that they providing a commodity which was a risk on the supplier who wins the bid. Mr. Cappadona acknowledged that Colonial Power Group would obtain a fee of 1/10<sup>th</sup> of a penny per kilowatt. The representatives of Colonial informed the Committee that they were required to reach out to all residents by individual mailing and would also be holding various community meetings on the Municipal Aggregation plan. Councilor Garcia requested that Colonial Power Group be transparent to all residents.

#2-C0092-25

GOPSPS Committee 4/7/25

page 2

The Committee voted: To report back to the City Council at its April 28<sup>th</sup> regular meeting with no recommendation with a request that the Colonial Power Group representatives and City Planner Jonatan Frias be invited to attend to address any questions from other City Council members.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

# CITY OF EVERETT



## COMMUNITY CHOICE AGGREGATION PLAN

### What is Community Choice Aggregation CCA?

Municipal aggregation is the process by which a municipality, in this case, the City of Everett, purchases electricity in bulk from a competitive supplier on behalf of the residents and businesses within the community. By implementing aggregation, the city can procure a competitive electric supply for participating customers. Participation is voluntary, and residents can opt-out if they choose. The electric utility company, National Grid, will continue to provide electricity to residents.



#### Key information

- The municipality purchases electricity in bulk from a competitive supplier on behalf of the residents and businesses.
- Customer participation is voluntary.
- Customers can opt out at any time.
- National Grid will continue to provide distribution services.

#### Process for the City of Everett

- Get approval from the City Council Meeting
- Prepare a CCA plan in consultation with the Department of Energy Resources, often in partnership with a consultant (Peregrine Group, Good Energy LLC, Colonial Power Group)
- Allow an opportunity for citizen review of the CCA plan.
- Submit a CCA plan to the DPU for review and approval (see expected timeline below)

Implementation Steps	Objectives	Key Implementers	Estimated Time Frame
<b>1. Conduct initial research</b>	Learn about municipal aggregation and the role it could play in community	Municipal staff, or committee members	2-3 months
<b>2. Authorize program</b>	Prepare for and authorize development of an aggregation plan by majority vote in the city council or town meeting	City council	2-3 months
<b>3. Issue solicitation for energy broker (optional)</b>	Hire a broker for assistance in the design, implementation, and ongoing monitoring of the aggregation plan.	Relevant municipal staff	2 months
<b>4. Develop an aggregation plan with the DOER (Department of Energy Resources)</b>	Draft a plan with the input of DOER that meets the goal for the community and the requirements of the DPU	Broker, and relevant municipal staff	2 months
<b>5. Approve Aggregation plan</b>	Approve the plan to be filled with the DPU	City council	1 month
<b>6. Submit aggregation plan to DPU</b>	Petition the DPU to authorize the program	Broker	6-9 months
<b>7. Issue RFP for competitive supplier</b>	Solicit competitive bids for the municipal aggregation contract	Broker	1 month
<b>8. Execute contract with supplier</b>	Choose supplier for aggregation	Municipal Staff with support of Broker	Varies based on market conditions
<b>9. Notify customers of opt-out period</b>	Inform customers about the program and opt-out period.	Broker or Municipal Staff	2 months
<b>10. Begin automatic enrollment</b>	Enroll basic service for customers who have not opted out	Utility	1 month
<b>11. Monitor market</b>	Monitor the electricity market for rate changes	Broker	ongoing
<b>12. Submit annual aggregation status report</b>	Compile program performance data	Broker, municipal staff	annually

### Initial Research.

During the initial months of our research on municipal aggregation, the Planning and Development team held a series of meetings with the three contractors eligible to initiate the municipal aggregation process: Peregrine Group, Colonial Power Group, and Good Energy LLC. To ensure transparency in selecting a consulting firm, the same set of questions was posed to each of them.



Initial meeting on May 6th 2024

Founded in 1992 as Mass Choice Power Group. Experience with 32 cities, including Chelsea, Salem, and Charlestown.

Team met with: Julia Ann Harris, Paul Gromer and Marlana Patton.

**What strategies do you recommend for engaging with and educating residents about the aggregation program?**

Local print, municipal and community websites, local cable, community meetings, television and city newsletters

**Is there a penalty for leaving the program?**

Typically, there is no penalty.

**What happens when a resident leaves the program but later wants to get back?**

No penalty to leave, but there is a penalty to join back. The same rates are not guaranteed

**What is the length of the contract?**

2/3 years depending on how good the contract is

**How long can the city wait before renewing the contract?**

The city can start the negotiations a year prior the current contract expires. If the contract expires residents will go back to National Grid Rates until a new contract is signed

**When the contract is renewed, do all residents get into the municipal aggregation, or only the residents that were there before?**

Those who opted out stay out, those who were in stay in.

**How do you handle the enrollment process and customer support?**

They get opted in automatically, but won't be able to opt in and out.



**Initial Meeting on July 15th, 2024.**

Over 21 years of experience and have worked with 99 cities, including Boston, Lowell, and Lawrence.

Team met with: Mark Cappadona, Denise Allard and Stuart Ormsbee.

**What strategies do you recommend for engaging with and educating residents about the aggregation program?**



Local print, municipal and community websites, local cable, community meetings, television, and city newsletters.

**Is there a penalty for leaving the program?**



Typically, there is no penalty.

**What happens when a resident leaves the program but later wants to get back?**



There's no penalty for leaving, and joining back. The city can negotiate terms during contract.

**What is the length of the contract?**



Typically they do 2 year contracts.

**How long can the city wait before renewing the contract?**



The city can start the negotiations a year prior the current contract expires. If the contract expires residents will go back to National Grid Rates until a new contract is signed.

**When the contract is renewed, do all residents get into the municipal aggregation, or only the residents that were there before?**



Those who opted out stay out, those who were in, stay in.

**How do you handle the enrollment process and customer support?**



Residents get opted in automatically, unless they decide to opt out. They can opt in and out of the program.



Initial meeting on July 31st, 2024.

Over 20 years of experience. Collaborated with cities such as Somerville, Waltham, Quincy, and Fitchburg.

Team met with: Stephen DiNatale, Rafidah Rahman and John Orourke.

**What strategies do you recommend for engaging with and educating residents about the aggregation program?**  
 Local print, municipal and community websites, local cable, community meetings, television, and city newsletters.

**Is there a penalty for leaving the program?**  
 Typically, there is no penalty.

**What happens when a resident leaves the program but later wants to get back?**  
 No penalty to leave, but there is a penalty to join back. The same rates are not guaranteed.

**What is the length of the contract?**  
 2 or 3 year contracts

**How long can the city wait before renewing the contract?**  
 The city can start the negotiations a year prior the current contract expires. If the contract expires residents will go back to National Grid Rates until a new contract is signed

**When the contract is renewed, do all residents get into the municipal aggregation, or only the residents that were there before?**  
 Those who opted out stay out, those who were in, stay in.

**How do you handle the enrollment process and customer support?**  
 Residents get opted in automatically, but won't be able to opt in and out.

**Meetings with City Representatives**

As Peregrine Group, Colonial Power Group, and Good Energy LLC frequently provide similar services, their answers were like. We conducted a series of meetings with representatives from various cities that have implemented municipal aggregation. This initiative aimed to enhance our understanding and facilitate the selection of a consultant for our municipal aggregation plan. A similar procedure was implemented during these meetings, with the same questions posed to all city representatives.



Stacy Kilb / Engagement Coordinator &  
Energy Coach, City of Salem  
Date: June 10th, 2024  
Worked with: Peregrine Group/Mass Power  
Choice



**How has your experience with Municipal aggregation gone so far? Do you have any issues or regrets during the process?**

They had a good year and gave them great rates. During the time of the contract residents saved a lot

**Is there a penalty for leaving the program? Is there a penalty for rejoining? If so, what is the penalty?**

There is no penalty to leave the municipal aggregation program, but there is penalty to join back. The consultant and the municipality wants to encourage those residents in the program to stay in the program

**What is the length of the contract that you are currently enrolled in?**

2 to 3 years. It tends to be long term, especially since people historically save money.

**Can the City negotiate or renew a contract?**

Yes, it is possible to negotiate a contract before it ends. the timeframe varies, but it make it easier to stick with one entity.

**What was the most effective way to outreach to residents?**

Being there in person to explain to residents how it works. Also having the city seal in materials is helpful for residents as well.

**Do you have any tips or wisdom about the process?**

Go through contract with legal and make sure they are aware of everything. Also, try to stick with one entity.



**Katherine Moses / Sustainability Director,  
City of Lowell**  
Date: August 22nd, 2024  
Worked with: Colonial Power Group for  
Over 10 years.



**How has your experience with Municipal aggregation gone so far? Do you have any issues or regrets during the process?**

The City of Lowell started the aggregation 10 years ago, and they have enjoyed their time with Colonial Power Group.

**Is there a penalty for leaving the program? is there a penalty for rejoining? what is the penalty?**

There is no penalty to bounce around for residential, but it is difficult for commercial costumers to do so

**What is the length of the contract that you are currently enrolled in?**

The City of Lowell has been with colonial for 10 years, Colonial Power Group does 2 year contracts. Lowell's researchs showed colonial's rates were always lower.

**Can the City negotiate or renew a contract?**

Negotiation start when the rates and time are good.

**What was the most effective way to outreach to residents?**

Bilingual advocates, people that have a local role, transparency and having the meeting in the winter, when most residents are concerned of pricing.

**Do you have any tips or wisdown about the process?**

Lowell is a big fan of colonial power group.



**Anil Navkal / Mayor's Advisor on Energy, Environment, and Sustainability, City of Lawrence**  
**Dillan Patel / Regional coordinator, green communities**  
 Date: June 28th, 2024  
 Worked with: Colonial Power Group. Introduced the program to Andover four years ago and is currently working on implementing it in Lawrence.



**How has your experience with Municipal aggregation gone so far? Do you have any issues or regrets during the process?**

Good experience with Colonial Power group. Mr. Anil Navkal introduced the program to Andover 4 years ago, and was responsible to seeing it through the process. Now he is in the process of bringing the program to the City of Lawrence

**Is there a penalty for leaving the program? Is there a penalty for rejoining? what is the penalty?**

There is not penalty for leaving and joining back. The city can negotiate contract terms.

**What is the length of the contract that you are currently enrolled in?**

2 to 3 years.

**Can the City negotiate or renew a contract?**

The city can start negotiations when the prices are good, and up to 3 months after the current contract expires

**What was the most effective way to outreach to residents?**

Having multilingual staff to answer people's questions. Using the city seal in all materials.

**Do you have any tips or wisdom about the process?**

The city of Lawrence compared all the consultants and found colonial is the best option to work with.

**Additional Testimony from City of Lawrence**

Why MVPC chose Colonial Power Group

**From:** Jerrard Whitten <jjwhitten@mvpc.org>  
**Sent:** Tuesday, January 31, 2023 6:17 PM  
**To:** Anil Navkal <Anil.Navkal@CITYOFLAWRENCE.COM>; Daniel McCarthy <DMcCarthy@CITYOFLAWRENCE.COM>; Awilda Pimentel <awilda.pimentel@CITYOFLAWRENCE.COM>; Cece Gerstenbacher <cgerstenbacher@mvpc.org>  
**Subject:** RE: I gave this presanction to Sen. Payano

Good afternoon Awilda, Anil and Dan,  
Referring to our RFP, these are the three areas that were used as the basis for evaluation (and ultimately the selection) of Colonial Power Group.

Certainly, the fact that the group is working with the Merrimack Valley communities of Amesbury, Haverhill, Methuen, Newburyport, North Andover and Salisbury would also be an advantage. That said, let us know how we can assist you/Lawrence in your energy aggregation efforts.

~Jerrard

1. Relevant experience of proposed staff: staff with at least 6 years or more of experience consulting with municipalities of similar size/scope regarding energy aggregation were favored for this category
2. Proposer's demonstrated ability to develop and complete an electrical or municipal aggregation process on a timely basis: proposers with references indicating that the energy aggregation process was completed on schedule with minimal and insignificant delays were favored for this category
3. Proposer has qualifications and resources necessary to perform the service objectives stated in the RFP for administering and monitoring energy related contracts for the regional aggregation program: proposers which possessed all qualifications necessary to meet community objectives stated in the RFP were favored for this category

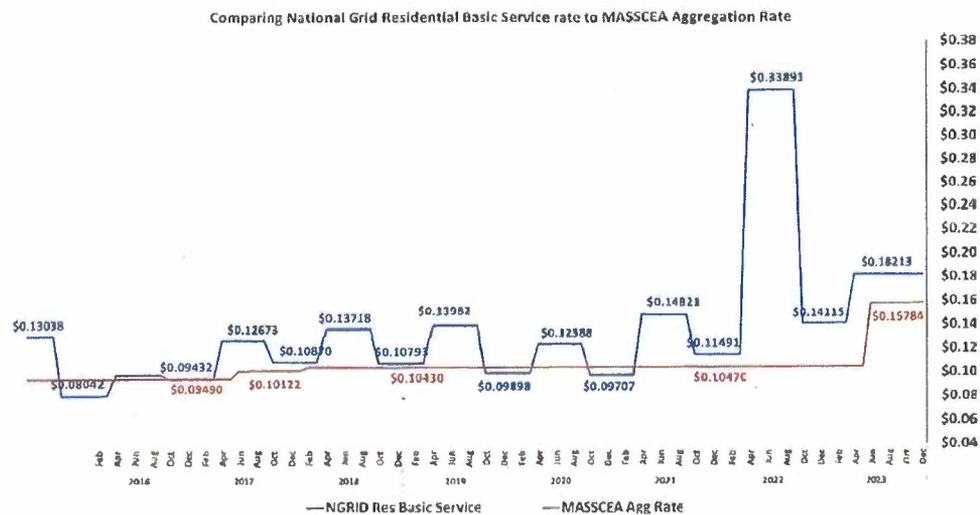
## REASONS FOR IMPLEMENTING MUNICIPAL AGGREGATION

There are three major reasons for implementing CCA in Everett:

- Rate stability
- Possibility to save on "Basic Service" and residents protection.
- Increase renewable energy content with less of a financial burden.

### Rate stability

National Grid typically adjusts its electricity rates twice a year, usually before winter and at the start of summer, to reflect seasonal fluctuations in electricity costs. However, recent changes in Massachusetts have shifted the rate adjustment dates to February and August. Municipal aggregation will allow the city of Everett to maintain stable electricity prices over an extended period. As a result, aggregation will not always provide lower rates than National Grid's basic services. The goal of aggregation is to deliver savings throughout the duration of the program compared to National Grid's services, although future savings are not guaranteed.



### Increase of Renewal Energy

By implementing municipal aggregation, the City of Everett has the option, at its discretion, to include a percentage of renewable energy in the electricity plan that will be established for the corresponding period. Generally, municipal aggregation offers three options:

1. **Basic rate:** does not include renewable energy.
2. **Intermediate option:** includes at least 25% renewable energy.
3. **100% renewable option:** guarantees that the entire supply comes from renewable sources.

This will enhance our sustainability efforts by allowing residents to include and/or choose renewable energy options, aligning with the Department of Energy Resources' best practices for advancing clean energy in municipal aggregation plans.



Each of these options may have variations in cost per kilowatt-hour, depending on the selected provider. Additionally, the city can decide which plan all residents will be enrolled in.

Cities in MA participating in Municipal Aggregation:

- **Cambridge:**
  - Cambridge Community Program
    - 100% Green Plus (100% renewable): 16.82 c/KWh
    - Standard Green (default): 14.81 c/KWh
    - Economy Green (lowest price): 13.82 c/KWh
  - Renewable energy content:  
[www.masspowerchoice.com/cambridge/options-pricing/renewable-energy-content-detail](http://www.masspowerchoice.com/cambridge/options-pricing/renewable-energy-content-detail)
- **Medford:**
  - Medford Community Electricity Aggregation (CEA)
    - Medford 100% Local Green: 16.618 c/kWh
    - Medford Local Green: 14.133 c/kWh
    - Medford Basic: 13.720 c/kWh
- **Somerville:**
  - Somerville Community Choice Electricity
    - Somerville 100% Local Green: 16.060 c/kWh
    - Somerville Local Green: 14.840 c/kWh
    - Somerville Basic: 13.220 c/kWh
- **Boston:**
  - Boston Community Choice Electricity
    - Optional Basic: 14.205 c/kWh
    - Standard: 14.805 c/kWh
    - Optional Green 100: 17.195 c/kWh
- **Chelsea:**
  - Chelsea Electricity Choice
    - Chelsea Basic: 12.42 c/kWh
    - Chelsea Standard: 12.86 c/kWh
    - Chelsea 100% Green: 13.86 c/kWh

**Possibility to save on Basic Service and Residents protection.**

In recent months, numerous residents have approached the Planning and Development Department seeking assistance with high electric bills. Through our educational outreach efforts, we have identified that most of non-English speaking residents and seniors are targeted by third-party energy providers that promise guaranteed savings. Unfortunately, many of these residents end up paying more than before, leading to inflated bills and accumulating charges that can be difficult to manage.



SERVICE FOR: EVERETT MA 02149  
 BILLING PERIOD: Jul 20, 2024 to Aug 19, 2024  
 ACCOUNT NUMBER: [REDACTED]  
 PLEASE PAY BY: Sep 13, 2024  
 AMOUNT DUE: \$ 1,119.00

www.nationalgridus.com



**Supply Services**

SUPPLIER: NATIONAL GAS AND ELECTRIC, LLC  
 12140 WICHESTER LN, STE 100  
 HOUSTON TX 77075  
 PHONE: 1-888-442-0002 ACCOUNT NO:

Electricity Supply	0.2999 x 1871 kWh	561.11
<b>Total Supply Services</b>		<b>\$ 561.11</b>

National Grid Rate is 0.16055      0.16055 x 1871      \$300.38



SERVICE FOR: EVERETT MA 02149  
 BILLING PERIOD: Jul 19, 2023 to Aug 18, 2023  
 ACCOUNT NUMBER: [REDACTED]  
 PLEASE PAY BY: Sep 16, 2023  
 AMOUNT DUE: \$ 214.87

**Enrollment Information**

To enroll with a supplier or change to another supplier, you will need the following information about your account:  
 Leadline: NEMA/BOST  
 Ad# No:      Cycle:

**Electric Usage History**

Month	kWh	Month	kWh
Aug 22	684	Mar 23	795
Sep 22	693	Apr 23	496
Oct 22	566	May 23	473

**Supply Services**

SUPPLIER: RESIDENTS ENERGY LLC  
 520 BROAD STREET  
 NEWARK NJ 07102  
 PHONE: 888-828-7374 ACCOUNT NO:

Electricity Supply	0.1798 x 982 kWh	176.56
<b>Total Supply Services</b>		<b>\$ 176.56</b>

National Grid rate was 0.14115      0.14115 x 982 kWh      \$ 138.60

nationalgrid SERVICE FOR EVERETT MA 02149 BILLING PERIOD Oct 20, 2023 to Nov 20, 2023 PAGE 3 of 3 ACCOUNT NUMBER PLEASE PAY BY Dec 14, 2023 AMOUNT DUE \$ 740.61

www.nationalgridus.com

**Supply Services**

SUPPLIER Direct Energy MA NAHT  
P.O. BOX 180  
TULSA, OK 74101-0180



PHONE 1-888-340-4183 ACCOUNT NO

Electricity Supply	0.2210 x 354 kWh	78.55
<b>Total Supply Services</b>		<b>\$ 78.55</b>
National Grid rate was 0.18213	0.18213 x 354 kWh	<b>\$ 64.47</b>

nationalgrid SERVICE FOR EVERETT MA 02149 BILLING PERIOD Aug 19, 2024 to Sep 18, 2024 PAGE 3 of 3 ACCOUNT NUMBER PLEASE PAY BY Oct 13, 2024 AMOUNT DUE \$ 2,775.74

www.nationalgridus.com

**Supply Services**

SUPPLIER INSPIRE  
1200 FERRY AVENUE  
CAMDEN NJ 08104



PHONE 856-403-2620 ACCOUNT NO

Electricity Supply	0.2099 x 362 kWh	75.98
Current National Grid rate is 0.16055	0.16055 x 362 kWh	<b>\$ 58.11</b>



"The electricity rates from National Grid used in the previous images were taken from the National Grid Residential Fixed and Variable Basic Service Rates that provides data for current and past basic service rates. Please refer to the following link: [www.nationalgridus.com/media/pdfs/billing-payments/electric-rates/ma/resitable.pdf](http://www.nationalgridus.com/media/pdfs/billing-payments/electric-rates/ma/resitable.pdf)."

Many of those residents do not recall consenting to or discussing the enrollment with a third-party energy supplier, as bill owners are not required to provide explicit permission for third parties to enroll them. Instead, any member of the household can sign up on their behalf.

Residents often find themselves trapped in these programs, facing cancellation fees of up to \$150. As a result, they frequently remain stuck in predatory contracts for years, as these companies typically have automatic renewal policies at the end of the contract term unless residents actively opt-out.

Implementing Municipal aggregation not only will allow the city to monitor and set rates for all the residents, but will give a safer option to our residents, as a program where all residents are automatically enrolled, municipal aggregation serves as a protective measure against third-party energy suppliers

Although municipal aggregation does not guarantee future savings, it will allow the city to select energy brokers offering competitive options, which typically have lower prices than National Grid.

*Refer to CCA calculator provided by the City of Lawrence  
[www.lawrencecca.org/?page=calculator](http://www.lawrencecca.org/?page=calculator).*

Additionally, we have included the municipal aggregation report for the cities of Chelmsford, Melrose, and Billerica for the year 2021. Each of these cities entered into contracts with different consultants, resulting in varying rates and renewable energy amounts.

Using the Mass Save database [www.masssavedata.com/Public/GeographicSavings](http://www.masssavedata.com/Public/GeographicSavings), we compared the 2021 kWh consumption of the city of Everett and analyzed the rates of neighboring cities, including those from their respective consultants as well as National Grid, in order to estimate the potential benefits Everett could have gained by entering into a similar contract.

Mass Power Choice / Peregrine Group DPU 2021 Municipal Aggregation Report Chelmsford

Municipality	Chelmsford
Docket/Municipal Aggregation Approved	D.P.U. 15-87
Annual Report Calendar Year	2021

**Instructions:**  
 1. In the "Product Name" column, please provide the name of the product as designed and marketed to customers by the municipal aggregation.  
 2. In the "Supplier" column, please indicate the name of the selected retail supplier under contract to provide supply for the product in the given month.  
 3. In the "Renewable Energy Content (%)", please list the percentage of energy supplied that was or will be matched with a corresponding quantity of renewable energy certificates. If this product does not include additional certificates above and beyond state requirements, the percentage should be listed as 24.1%, which represents the cumulative 2019 Clean Energy Standard, Renewable Portfolio Standard (Class 1), and Renewable Portfolio Standard (Class 1) requirements. (Percentages rounded to 101.)  
 4. In the "Rate (\$/kWh)" column, please indicate the applicable \$/kWh rate charged to customers receiving the product in the given month rounded to the nearest fifth decimal place.  
 5. In the "Description of Product" column, please provide a narrative description of any other components of the product not listed in the prior two columns.

Product Name	Month	Supplier	Renewable Energy Content (%)	Rate (\$/kWh)	Description of Product
Product #1 Chelmsford Choice / Chelmsford Choice Basic	January	Constellation New Energy	49%	\$0.10042	no additional renewable energy
	February	Constellation New Energy	49%	\$0.10042	
	March	Constellation New Energy	49%	\$0.10042	
	April	Constellation New Energy	49%	\$0.10042	
	May	Constellation New Energy	49%	\$0.10042	
	June	Constellation New Energy	49%	\$0.10042	
	July	Constellation New Energy	49%	\$0.10042	
	August	Constellation New Energy	49%	\$0.10042	
	September	Constellation New Energy	49%	\$0.10042	
	October	Constellation New Energy	49%	\$0.10042	
	November	Constellation New Energy	49%	\$0.10042	
	December	Constellation New Energy	49%	\$0.10042	

Product Name	Month	Supplier	Renewable Energy Content (%)	Rate (\$/kWh)	Description of Product
Product #2 Chelmsford Choice Plus / Chelmsford Choice Plus	January	Constellation New Energy	133%	\$0.13015	100% AA Class 1 REC's
	February	Constellation New Energy	133%	\$0.13015	
	March	Constellation New Energy	133%	\$0.13015	
	April	Constellation New Energy	133%	\$0.13015	
	May	Constellation New Energy	133%	\$0.13015	
	June	Constellation New Energy	133%	\$0.13015	
	July	Constellation New Energy	133%	\$0.13015	
	August	Constellation New Energy	133%	\$0.13015	
	September	Constellation New Energy	133%	\$0.13015	
	October	Constellation New Energy	133%	\$0.13015	
	November	Constellation New Energy	133%	\$0.13015	
	December	Constellation New Energy	133%	\$0.13015	

Product Name	Month	Supplier	Renewable Energy Content (%)	Rate (\$/kWh)	Description of Product
Product #3 Chelmsford Choice Deluxe	January	Constellation New Energy	49%	\$0.11484	40% additional AA Class 1 REC's
	February	Constellation New Energy	49%	\$0.11484	
	March	Constellation New Energy	49%	\$0.11484	
	April	Constellation New Energy	49%	\$0.11484	
	May	Constellation New Energy	49%	\$0.11484	
	June	Constellation New Energy	49%	\$0.11484	
	July	Constellation New Energy	49%	\$0.11484	
	August	Constellation New Energy	49%	\$0.11484	
	September	Constellation New Energy	49%	\$0.11484	
	October	Constellation New Energy	49%	\$0.11484	
	November	Constellation New Energy	49%	\$0.11484	
	December	Constellation New Energy	49%	\$0.11484	

Cost Residential Electric Service City Of Everett 2021 Services

Everett Households	17,054
Average kWh monthly use per Households	440 kWh
Household kWh/year	5,291 kWh
Everett Residential Annual Electric Usage	90,239,000 kWh
Total MWh - 90,239 MWh	90,239 MWh
Average National Grid Cost of Electricity 2021	0.12305
Total bill for basic service per kWh	\$11,103,908.95



Possible Cost and Savings Electric Service City Of Everett 2021

Basic Rate	\$0.10042
Greener Rate	\$0.11484
Everett total bill with Basic Rate	\$9,061,800.38 *
Everett total bill with Greener	\$10,363,046.76 *
Total Potential Savings Basic Rate	\$2,042,108.57
Total Potential Savings Greener	\$740,862.19



Good Energy DPV 2021 Municipal Aggregation Report Melrose

Municipality	(Municipality)
Bocket Municipal Aggregation Approved	18-59
Annual Report Calendar Year	2021

Instructions:  
 1. In the "Product Name" column, please provide the name of the product(s) displayed and marketed to customers by the municipal aggregator.  
 2. In the "Supplier" column, please indicate the name of the licensed retail supplier under contract to provide supply for the product in the given month.  
 3. In the "Renewable Energy Content (%)", please list the percentage of energy supplied that was or will be generated with a corresponding quantity of renewable energy certificates. If a product does not include additional information above and beyond what is required, the percentage should be listed as 0% which represents the cumulative 2019 Clean Energy Standard. Renewable credits in the order of 10% and Renewable Portfolio Standard (RPS) requirements.  
 4. In the "Rate (\$/kWh)" column, please indicate the applicable \$/kWh rate charged to customers receiving the product in the given month rounded to the nearest fifth decimal place.  
 5. In the "Description of Product" column, please provide a narrative description of any other components of the product not listed in the prior two columns.

Product Name	Month	Supplier	Renewable Energy Content (%)	Rate (\$/kWh)	Description of Product
Product #1 Local Green	January	Northera	33.71%	\$0.10531	5% extra renewable energy
	February	Northera	33.71%	\$0.10531	
	March	Northera	33.71%	\$0.10531	
	April	Northera	33.71%	\$0.10531	
	May	Northera	33.71%	\$0.10531	
	June	Northera	33.71%	\$0.10531	
	July	Northera	33.71%	\$0.10531	
	August	Northera	33.71%	\$0.10531	
	September	Northera	33.71%	\$0.10531	
	October	Northera	33.71%	\$0.10531	
	November	Northera	33.71%	\$0.10531	
	December	Northera	33.71%	\$0.10531	

Product Name	Month	Supplier	Renewable Energy Content (%)	Rate (\$/kWh)	Description of Product
Product #2 Local Green 100%	January	Northera	100.00%	\$0.12803	100% extra renewable energy
	February	Northera	100.00%	\$0.12803	
	March	Northera	100.00%	\$0.12803	
	April	Northera	100.00%	\$0.12803	
	May	Northera	100.00%	\$0.12803	
	June	Northera	100.00%	\$0.12803	
	July	Northera	100.00%	\$0.12803	
	August	Northera	100.00%	\$0.12803	
	September	Northera	100.00%	\$0.12803	
	October	Northera	100.00%	\$0.12803	
	November	Northera	100.00%	\$0.12803	
	December	Northera	100.00%	\$0.12803	

Product Name	Month	Supplier	Renewable Energy Content (%)	Rate (\$/kWh)	Description of Product
Product #3 Basic	January	Northera	48.71%	\$0.10401	5% extra renewable energy
	February	Northera	48.71%	\$0.10401	
	March	Northera	48.71%	\$0.10401	
	April	Northera	48.71%	\$0.10401	
	May	Northera	48.71%	\$0.10401	
	June	Northera	48.71%	\$0.10401	
	July	Northera	48.71%	\$0.10401	
	August	Northera	48.71%	\$0.10401	
	September	Northera	48.71%	\$0.10401	
	October	Northera	48.71%	\$0.10401	
	November	Northera	48.71%	\$0.10401	
	December	Northera	48.71%	\$0.10401	

Cost Residential Electric Service City Of Everett 2021 Services

Everett Households	17,054
Average kWh monthly use per Households	440 kWh
Household kWh/year	5,291 kWh
Everett Residential Annual Electric Usage	90,239,000 kWh
Total MWh - 90,239 MWh	90,239 MWh
Average National Grid Cost of Electricity 2021	0.12305
Total bill for basic service per kWh	\$11,103,908.95



Possible Cost and Savings Electric Service City Of Everett 2021

Basic Rate	\$0.1040
Greener Rate	\$0.10521
Everett total bill with Basic Rate	\$9,385,758.39
Everett total bill with Local Green	\$9,494,045.19
Total Potential Savings Basic Rate	\$1,718,150.56
Total Potential Savings Local Green	\$1,609,863.76



Colonial Power Group DPU 2021 Municipal Aggregation Report Billerica

Municipality	Billerica
Docket Municipal Aggregation Approved	D.P.U. 17-44
Annual Report Calendar Year	2021

**Instructions:**

1. In the "Product Name" column, please provide the name of the product as designated and marketed to customers by the municipal aggregation.
2. In the "Supplier" column, please indicate the name of the licensed retail supplier under contract to provide supply for the product in the given month.
3. In the "Renewable Energy Content (%) column, please list the percentage of energy supplied that was or will be matched with a corresponding quantity of renewable energy certificates. If the product does not include additional certificates above and beyond state requirements, the percentage should be listed as 24.19%, which represents the cumulative 2019 Clean Energy Standard, Renewable Portfolio Standard - Class I, and Renewable Portfolio Standard - Class II requirements.
4. In the "Rate (\$/kWh)" column, please indicate the applicable \$/kWh rate charged to customers receiving the product in the given month rounded to the nearest 10th decimal place.
5. In the "Description of Product" column, please provide a narrative description of any other components of the product not listed in the prior two columns.

Product #1	Product Name	Month	Supplier	Renewable Energy Content (%)	Rate (\$/kWh)	Description of Product
		January	NextEra	49.3%	\$0.09303	Meets MA Req
		February	NextEra	49.3%	\$0.09303	Meets MA Req
		March	NextEra	49.3%	\$0.09303	Meets MA Req
		April	NextEra	49.3%	\$0.09303	Meets MA Req
		May	NextEra	49.3%	\$0.09303	Meets MA Req
		June	NextEra	49.3%	\$0.09303	Meets MA Req
		July	NextEra	49.3%	\$0.09303	Meets MA Req
		August	NextEra	49.3%	\$0.09303	Meets MA Req
		September	NextEra	49.3%	\$0.09303	Meets MA Req
		October	NextEra	49.3%	\$0.09303	Meets MA Req
		November	NextEra	49.3%	\$0.09303	Meets MA Req
		December	NextEra	49.3%	\$0.09303	Meets MA Req

Product #2	Product Name	Month	Supplier	Renewable Energy Content (%)	Rate (\$/kWh)	Description of Product
		January	NextEra	149.3%	\$0.09424	100% National Wind
		February	NextEra	149.3%	\$0.09424	100% National Wind
		March	NextEra	149.3%	\$0.09424	100% National Wind
		April	NextEra	149.3%	\$0.09424	100% National Wind
		May	NextEra	149.3%	\$0.09424	100% National Wind
		June	NextEra	149.3%	\$0.09424	100% National Wind
		July	NextEra	149.3%	\$0.09424	100% National Wind
		August	NextEra	149.3%	\$0.09424	100% National Wind
		September	NextEra	149.3%	\$0.09424	100% National Wind
		October	NextEra	149.3%	\$0.09424	100% National Wind
		November	NextEra	149.3%	\$0.09424	100% National Wind
		December	NextEra	149.3%	\$0.09424	100% National Wind

Cost Residential Electric Service City Of Everett 2021 Services

Everett Households	17,054
Average kWh monthly use per Households	440 kWh
Household kWh/year	5,291 kWh
Everett Residential Annual Electric Usage	90,239,000 kWh
Total MWh - 90,239 MWh	90,239 MWh
Average National Grid Cost of Electricity 2021	0.12305
Total bill for basic service per KWh	\$11,103,908.95 *



Possible Cost and Savings Electric Service City Of Everett 2021

Basic Rate	\$0.09303
Greener Rate	\$0.09424
Everett total bill with Basic Rate	\$8,394,934.17 *
Everett total bill with Clean Choice	\$8,504,123.36 *
Total Potential Savings Basic Rate	\$2,708,974.78
Total Potential Savings Clean Choice	\$2,599,785.59



Based on meetings with consultants and feedback from city representatives who have successfully implemented aggregation, we have confidently decided to select **Colonial Power Group** as the consultant for our municipal aggregation plan. The collective insights and experiences of these city representatives and factoring in our diverse residents' needs have strongly support this decision.

The following reasons outline the rationale behind our choice:

1. **Enrollment Policy**

Although Peregrine Group has experience with nearby cities such as Chelsea, Cambridge, Arlington, and Salem, their enrollment policy is not beneficial to residents. Specifically, if a customer opts out and later wishes to re-enroll, they may be charged a higher market price instead of the previously locked-in program price. In contrast, Colonial Power Group allows residents to opt out and rejoin the aggregation at the same rate previously established.

2. **Community Engagement**

Colonial Power Group has demonstrated effective outreach capabilities in communities with similar demographics. The City Advisor of Lawrence and the Sustainability Director of Lowell expressed confidence in Colonial Power Group's outreach campaigns, highlighting their ability to communicate effectively with residents and spoke highly to their commitment of hiring locally to address language equity and enhance workforce development.

3. **Cost Savings**

Reports from the cities of Lowell and Lawrence indicate that Colonial Power Group tends to offer better rates and higher savings compared to other consultants.



# Municipal Aggregation City Of Everett



Presented by  
Planning and Development Department

## Community Choice Aggregation CCA?

Municipal aggregation is the process by which a municipality, in this case, the City of Everett, purchases electricity in bulk from a competitive supplier on behalf of the residents and businesses within the community. By implementing aggregation, the city can procure a competitive electricity supply for participating customers. For power purchases, and residents can opt out if they choose. The electricity company, National Grid, will continue to provide reliability to residents.



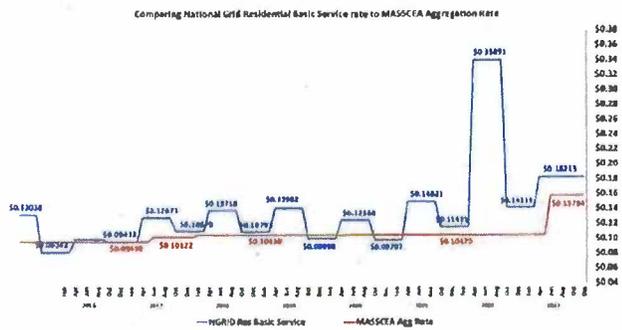
### To implement aggregation in the City of Everett would be needed to:

- Get approval from the City Council.
- Prepare a CCA plan in consultation with the Department of Energy Resources, often in partnership with a consultant (Poregrine Group, Good Energy LLC, Colonial Power Group).
- Allow an opportunity for residents review of the CCA plan.
- Submit a CCA plan to the DPU for review and approval to provide electricity to residents

## Reasons for Implementing Municipal Aggregation

### Rate stability

National Grid typically adjusts its electricity rates twice a year, usually before winter and at the start of summer, to reflect seasonal fluctuations in electricity costs. However, recent changes in Massachusetts have shifted the rate adjustment dates to February and August. Municipal aggregation will allow the city of Everett to maintain stable electricity prices over an extended period. As a result, aggregation will not always provide lower rates than National Grid's basic services. The goal of aggregation is to deliver savings throughout the duration of the program compared to National Grid's services, although future savings are not guaranteed.



## Increase of Renewal Energy



By implementing municipal aggregation, the City of Everett has the option, at its discretion, to include a percentage of renewable energy in the electricity plan that will be established for the corresponding period. Generally, municipal aggregation offers three options:

1. **Basic rate:** does not include additional renewable energy.
2. **Intermediate option:** includes an additional percentage of renewable energy.
3. **100% renewable option:** guarantees that the entire supply comes from renewable sources.

This will enhance our sustainability efforts by allowing residents to include and/or choose renewable energy options, aligning with the Department of Energy Resources' best practices for advancing clean energy in municipal aggregation plans.

## Possibility to save on Basic Service and Residents protection.

In recent months, numerous residents have approached the Planning and Development Department seeking assistance with high electric bills. Through our educational outreach efforts, we have identified that most of non-English speaking residents and seniors are targeted by third-party energy providers that promise guaranteed savings. Unfortunately, many of these residents end up paying more than before, leading to inflated bills and accumulating charges that can be difficult to manage.

Many of those residents do not recall consenting to or discussing the enrollment with a third-party energy supplier, as bill owners are not required to provide explicit permission for third parties to enroll them. Instead, any member of the household can sign up on their behalf.

Residents often find themselves trapped in these programs, facing cancellation fees of up to \$150. As a result, they frequently remain stuck in predatory contracts for years, as these companies typically have automatic renewal policies at the end of the contract term unless residents actively opt-out.



WALLEY FOR  
EVERETT MA 02140

**Account Information**  
To enroll with a supplier or change to another supplier, you will need the following information about your account:  
Customer: KOSMOLOFF  
Last Bill: 09/16/2023

**Account Change History**

Month	From	Month	To
Aug 22	08/15	Mar 23	798
Sep 23	09/01	Apr 23	688
Oct 23	09/01	Mar 24	472

WALLEY FOR  
EVERETT MA 02140

BILLING PERIOD  
Jul 19, 2023 to Aug 18, 2023

PAGE 2 of 2

ACCOUNT NUMBER  
Sep 18, 2023

**\$ 2,114.87**

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**Supply Services**

SUPPLIER: RESIDENTS ENERGY LLC  
350 WINDOOR STREET  
NEWARK NJ 07102  
PHONE: 866-425-7314 ACCOUNT NO:

Electricity Supply 0.1708 x 382 kWh 170.56

Total Supply Services **\$ 1,176.36**

National Grid rate was 0.14115 0.14115 x 382 kWh **\$ 133.60**

SERVICE FOR  
EVERETT MA 02140

BILLING PERIOD  
Aug 19, 2024 to Sep 18, 2024

PAGE 3 of 3

ACCOUNT NUMBER  
Oct 13, 2024

**\$ 2,775.74**

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**Supply Services**

SUPPLIER: INSPIRE  
1700 PERRY AVENUE  
CAMDEN NJ 08104

PHONE: 866-425-2620 ACCOUNT NO:

Electricity Supply 0.2009 x 382 kWh 75.88

Current National Grid rate is 0.16055 0.16055 x 382 kWh **\$ 58.11**

## Possibility to save on Basic Service and Residents protection.

nationalgrid www.nationalgrid.com

SERVICE AREA: EVERETT MA 02149      BILLING PERIOD: Jul 20, 2024 to Aug 19, 2024      PAGE 3 of 3  
 ACCOUNT NUMBER: [REDACTED]      BILLING NUMBER: [REDACTED]      Sep 13, 2024      \$ 1,119.00

**Supply Services**  
 NATIONAL GAS AND ELECTRIC, LLC  
 100 WINDY HILL RD  
 WILMINGTON MA 01897  
 PHONE: 1-888-442-0002      ACCOUNT # 00

Electricity Supply	0.2090 @ 1.871 kWh	\$81.11
<b>Total Supply Services</b>		<b>\$ 81.11</b>
National Grid Rate @ 0.1888	0.16055 @ 1871	<b>\$380.38</b>

  
 We're here to help you manage your

Implementing Municipal aggregation not only will allow the city to monitor and set rates for all the residents, but will give a safer option to our residents, as a program where all residents are automatically enrolled, municipal aggregation serves as a protective measure against third-party energy suppliers.

Although municipal aggregation does not guarantee future savings, it will allow the city to select energy brokers offering competitive options, which typically have lower prices than National Grid.

nationalgrid www.nationalgrid.com

SERVICE AREA: EVERETT MA 02149      BILLING PERIOD: Oct 20, 2023 to Nov 20, 2023      PAGE 3 of 3  
 ACCOUNT NUMBER: [REDACTED]      BILLING NUMBER: [REDACTED]      Dec 14, 2023      \$ 740.61

**Supply Services**  
 DIRECT ENERGY  
 2200 W. 15TH ST  
 TULSA, OK 74104  
 PHONE: 1-888-348-4180      ACCOUNT # 00

Electricity Supply	0.2219 @ 204 kWh	\$72.00
<b>Total Supply Services</b>		<b>\$ 72.00</b>
National Grid rate was 0.18213	0.18213 @ 354 kWh	<b>\$ 64.67</b>



"The electricity rates from National Grid used in the previous images were taken from the National Grid Residential Fixed and Variable Basic Service Rates that provides data for current and past basic service rates. Please refer to the following link [www.nationalgridus.com/media/pdfs/billing-payments/electric-rates/ma/resitable.pdf](http://www.nationalgridus.com/media/pdfs/billing-payments/electric-rates/ma/resitable.pdf)."



		
May 6th, 2024	July 15th, 2024	July 31st, 2024
Julia Ann Harris, Paul Grover Marlana Patton	Mark Cappadona Denise Allard Stuart Ormsbee	Stephen DiNatale Rafidah Rahman John O'Rourke.
Meetings with the Consultants		



June 10th, 2024

Stacy Kilb  
Engagement Coordinator /  
Energy Coach, City of  
Salem



June 28th, 2024

Anill Navkal  
Mayor's advisor on Energy,  
Environment, and  
Sustainability  
City of Lawrence

Meetings with Cities  
Implementing Municipal  
Aggregation



August 22nd, 2024

Katherine Moses  
Sustainability Director,  
City of Lowell



**City of Everett  
Choice**



**Enrollment Policy**

Through a series of interviews with cities and consultants, it was identified that although **Peregrine Group** and **Good Energy** have experience working with nearby cities such as Chelsea, Cambridge, Malden, Arlington, and Salem, their enrollment policies are not particularly beneficial to residents. Specifically, if a customer opts out and later wishes to re-enroll, they may be charged a higher market price instead of the previously locked-in program price. In contrast, Colonial Power Group allows residents to opt out and rejoin the aggregation at the same rate previously established by the city, without any penalty.

**Community Engagement**

Colonial Power Group has demonstrated effective outreach capabilities in communities with similar demographics. The City Advisor of Lawrence and the Sustainability Director of Lowell have both expressed confidence in Colonial Power Group's outreach campaigns. During Planning Department meetings with the consultants, Colonial Power Group emphasized its commitment to hiring locally in order to address language equity and enhance workforce development within the City of Everett, ensuring effective communication with residents.

**Cost Savings**

Research and reports from the Planning Department, as well as from the cities of Lowell and Lawrence, indicate that Colonial Power Group typically offers better rates and higher savings compared to other consultants.

## What the city can do to manage CCA

Over the past 20 years, electricity rates have generally been on the rise. The past five years, the National Grid's average price has been \$0.1461 per kWh. To ensure Everett residents receive a competitive and convenient rate, the City can monitor the National Grid rate and choose the optimal time to lock in a fixed rate for the duration of the contract. Additionally, by monitoring Energy Switch, the City can compare the prices offered by Community aggregation with those of third-party energy suppliers to ensure that we are offering the best possible options. Based on research from the Planning Department, the City intends to bid for rates below \$0.14 per kWh.

**nationalgrid**

Prices per KWh  
2005 - 2024

Lowest price - 0.6718  
5/1/2012 - 10/31/2012

Highest price - \$0.33891  
11/1/22 - 4/30/23

Average price last 20 years  
\$0.954 per Kwh

Average price last 5 years  
\$0.1461 per Kwh

**Under  
\$0.14**



## Relevant Information

Municipal Aggregation only affects the Supply Services charge on utility bills. The Delivery Services charge will still be established by the utility company (National Grid).

Residents will continue to receive their bills from the utility company as usual.

The City of Everett can Switch consultants

The City of Everett can choose to return to National Grid as the energy supplier.



C0055-25

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**To:** Mayor and City Council

**From:** Councilor Robert J. Van Campen

**Date:** February 10, 2025

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**Agenda Item:**

An ordinance regulating the demolition of historical structures in the City of Everett

**Background and Explanation:**

**Attachments:**

**AN ORDINANCE REGULATING  
THE DEMOLITION OF HISTORICAL STRUCTURES  
IN THE CITY OF EVERETT**

1. Purpose

This ordinance is intended to preserve and protect significant buildings within the City of Everett which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the city; and to encourage owners of such buildings to seek out individuals who might be willing to purchase, preserve, rehabilitate or restore such buildings rather than demolishing them. In order to achieve these important purposes, the Everett Historical Commission is authorized to advise and consult with the Director of Inspectional Services/Building Commissioner, or his designee, with respect to the issuance of permits for the demolition of significant buildings. The issuance of demolition permits for significant buildings shall be regulated as set forth in this ordinance.

2. Definitions

For the purposes of this ordinance, the following definitions shall apply:

“Applicant” – any person or entity seeking a demolition permit.

“Building” – any combination of materials creating shelter for persons, animals or property.

“Director of Inspectional Services/Building Commissioner” – the municipal officer authorized to issue Demolition Permits pursuant to the Massachusetts State Building Code.

“Commission” – the Everett Historical Commission.

“Demolition” – any act of pulling down, destroying, removing, or razing a building in total, as such will necessitate the issuance of a Demolition Permit under the State Building Code.

“Demolition Permit” – a permit issued by the Director of Inspectional Services/Building Commissioner under the State Building Code for the demolition of a building or structure.

“Demolition Plan” – the plan submitted to the Commission by the Applicant setting forth the facts related to the property and its proposed use pursuant to section 3.5 of this ordinance.

“Preferably Preserved Building” – a significant building which is the subject of an application for a Demolition Permit, and thereafter determined by vote of the Commission to be worthy of preservation.

“Moratorium” – a period of six (6) months following the hearing date of the Commission’s Determination of Detriment regarding the demolition of a Preferably Preserved Building.

“Significant Building” – any building or portion thereof, not listed in the exemptions in Section 6, and which:

- i. is listed on, or is within an area listed on, the State or National Register of Historic Places, or is the subject of a pending application for listing in said National Register; or
  - ii. was built in whole or in part prior to 1940 as based upon the age ascribed to the building in the records of the Assessor’s Office and that is used exclusively for dwelling purposes as defined and regulated under the State Building Code.
3. Determination/Procedure
- 3.1 The Director of Inspectional Services/Building Commissioner will hold in abeyance any application for a Demolition Permit affecting a Significant Building pending compliance with the procedures set forth herein.
- 3.2 Within ten (10) days of receipt, the Director of Inspectional Services/Building Commissioner will forward any application for a Demolition Permit affecting a Significant Building to the Commission.
- 3.3 The Commission will hold a public hearing within thirty-five (35) days of receipt of the application for the Demolition Permit. Such hearing may be adjourned at the discretion of the Commission, but in no event shall the hearing be held open for longer than sixty (60) days from receipt of the application for a Demolition Permit, unless the Commission and the applicant agree otherwise.
- 3.4 The Commission shall give public notice of the hearing by:
- 3.4.1 Publishing notice of the time, place and purpose of the hearing in a local newspaper at least fourteen (14) days prior to the hearing date; and
  - 3.4.2 By mailing a copy of said notice by first class mail at least fourteen (14) days prior to the hearing to:
    - 3.4.2.1 the applicant;
    - 3.4.2.2 the owners of all property directly abutting the property that is the subject of the application, as they appear on the most recent tax list;

- 3.4.2.3 to such other persons as the Commission shall deem entitled to notice.

The applicant shall be responsible for the costs associated with the mailing, posting and publishing of the required notices.

3.5 No less than fourteen (14) days before the public hearing, the applicant shall submit a sufficient number of copies of the Demolition Plan to the Commission, as may be required by the Commission, which shall include the following:

- 3.5.1 An Assessor's Map or plot plan showing the location of the structure to be demolished on its property with reference to the neighboring properties;
- 3.5.2 Photographs of all façade elevations of the subject property, street elevations of abutting properties and photos of the subject property in the context of its surroundings;
- 3.5.3 A description of the structure to be demolished;
- 3.5.4 The reason for the proposed demolition and data supporting said demolition;

Data requested by the Commission may include:

- 3.5.4.1 If the Applicant or Owner claims that the structure is structurally deficient, an independent licensed structural engineer's report from a qualified structural engineer with proven expertise in historic building techniques.
- 3.5.4.2 If the Applicant or Owner claims financial hardship, (1) an estimate from an architect, developer, contractor, or appraiser experienced in rehabilitation as to the cost to rehabilitate the building to the level of reasonable use or a reasonable profit can be realized from the property, (2) appraised value from a licensed appraiser for the property's current condition, after completion of the proposed demolition, and after rehabilitation of the existing property for continued use, (3) amount paid for the property, and (4) proof of effort to obtain financing, tax incentives, or preservation grants to earn a reasonable economic return.
- 3.5.5 A brief description of the proposed reuse of the property on which the structure to be demolished is located;

- 3.6 The Commission shall distribute copies of the Demolition Plan to the Director of Inspectional Services/Building Commissioner, as well as any other city agency the Commission deems appropriate.
- 3.7 The Commission will make one of either of the alternative determinations, which it will forward to the Director of Inspectional Services/Building Commissioner:
- 3.7.1 No Detriment. The Commission may determine that the demolition of the Significant Building would not be detrimental to the historical or architectural heritage or resources of the city.
- 3.7.2 Detriment. The Commission may determine that the demolition of the Significant Building would be detrimental to the historical or architectural heritage or resources of the city, and is therefore a Preferably Preserved Building based on the following criteria: it is (1) importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic or social history of the City or the Commonwealth of Massachusetts or (2) historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of Buildings.

The Commission will forward a copy of its determination to the Director of Inspectional Services/Building Commissioner, the applicant, the building owner, and the City Clerk within ten (10) days of the Commission's determination. The failure to forward its determination as herein provided will be equivalent to a Determination of No Detriment.

3.8 In the event of a Determination of No Detriment, or in the event that the Building Commissioner has not received a notice of the Commission's Determination of Detriment within ten (10) days of the determination, then the Director of Inspectional Services/Building Commissioner may issue the Demolition Permit, subject to the requirements of the State Building Code and any other applicable laws, rules, or regulations.

3.9 In the event of a Determination of Detriment, the Director of Inspectional Services/Building Commissioner will hold the application in abeyance for the issuance of a Demolition Permit regarding the Preferably Preserved Building during the Moratorium, which will be for a period of six (6) months commencing from the date of the determination

3.9.1 Notwithstanding the foregoing, the Director of Inspectional Services/Building Commissioner may issue a Demolition Permit regarding the Preferably Preserved Building prior to the expiration of the Moratorium, upon receipt of a determination by the Commission that::

3.9.1.1 the Commission is satisfied that there is no reasonable likelihood that either the owner or some other person, group or entity is willing to purchase, preserve, rehabilitate or restore the Preferably Preserved Building; or,

3.9.1.2 in exceptional circumstances, the Commission has imposed additional conditions on an applicant, including but not limited to submission of photographic documentation and/or architectural rendering of the structure, salvage of materials, or installation of historic signage, and said conditions have been met.

#### 4. Emergency Demolition

If the Director of Inspectional Services/Building Commissioner determines that the Building poses an imminent threat to public health and safety and that immediate Demolition of the Building is warranted, the Director of Inspectional Services/Building Commissioner may issue a Demolition Permit without requiring compliance with the provisions of this Ordinance. The Director of Inspectional Services/Building Commissioner will make every reasonable effort to inform the Chair of the Commission of his order to require demolition.

#### 5. Remedies

5.1 The Commission and the Director of Inspectional Services/Building Commissioner are each authorized to institute any and all proceedings in law or in equity as they deem necessary and appropriate to obtain compliance with the requirements of this ordinance, or to prevent a violation thereof.

5.2 No Building Permit will be issued with respect to any premises upon which a Significant Building has been demolished in violation of this ordinance for a period of two years after the date of the completion of such demolition. As used herein, "premises" will include the parcel of land upon which the demolished Significant Building was located, together with abutting parcels in common ownership.

5.3 Upon filing an application for a Demolition Permit of a Significant Building, the owner will be responsible for properly securing and maintaining the building. Should the owner fail to secure the building, the loss of such building through fire or other cause will be considered a demolition in violation of this ordinance for the purposes of Section 5.2.

#### 6. Exceptions

- 6.1 This ordinance shall not apply to any building or structure owned by the City of Everett and/or any of its various departments and agencies, nor shall it apply to any building that has received a Special Permit, Variance or Site Plan Approval from the relevant permit granting authorities at the time of adoption of this Ordinance.

DRAFT

#1- C0055-25

Legislative Affairs & Election Committee  
February 24, 2025

The Committee on Legislative Affairs & Elections met on Monday, February 24, 2025 at 6:00pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Robert Van Campen, presiding, Councilors Stephanie Smith, Katy Rogers and Stephanie Martins, as Ex-Officio. Member absent was Councilor Michael Marchese.

Communication received from Councilor Marchese that he would be away out of State and unable to attend.

The Committee considered an Ordinance offered by Councilor Robert Van Campen: An Ordinance regulating the demolition of historical structures in the City of Everett.

City Clerk Sergio Cornelio, Assistant City Solicitor Keith Slattery, Director of Planning Matt Lattanzi, Acting City Assessor Ron Keohan and Chairman of Historical Commission Larry Arinello were also present.

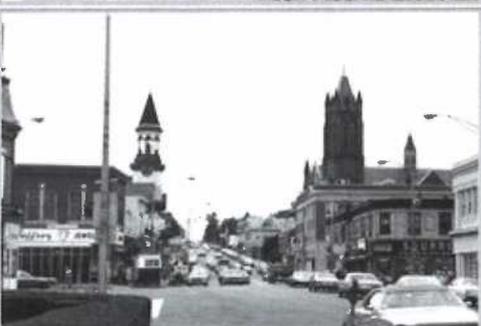
Chairman Van Campen explained that the reason for the proposed Ordinance was due to the significant overdevelopment of the City in which two family homes were being torn down to make room for a development of a six to eight unit family housing. He noted that there were a significant number of historical buildings in the City in which this proposed Ordinance would protect against profit seeking developers. He mentioned that this may not stop the development but would pause it to allow a process to be followed. He stated that it also forces the developer to seek a better option for the property. Councilor Rogers asked what the current definition of historical properties was and Mr. Arinello responded that it included 6800 structures that were built prior to 1940. Chairman Van Campen remarked that the 1940 date was a starting point for us and could be further categorized by age – category – historical register. Councilor Rogers suggested that the City of Chelsea policies on historical designations be looked at. Mr. Cornelio informed the Committee that the City of Everett had no structures with a Federal designation but confirmed that there were 180 structures recognized by the State of Massachusetts. Chairman Van Campen provided Councilor Rogers with an explanation of the process as outlined in the proposed ordinance. Councilor Rogers announced that she supported the effort but expressed concern over the six month pause in the proposal. Councilor Martins stated that she was a little confused with the proposal since she didn't want to see historical buildings demolished at all especially if at the end of process outlined in the ordinance a demolition could still be allowed. Councilor Smith inquired if the Zoning Board of Appeals could allow developers an exemption from the proposed Ordinance and Chairman Van Campen noted that was the reason he did not want this as part of the zoning ordinances so it couldn't be overridden by ZBA. Solicitor Slattery confirmed that it could be listed as a condition for development. Councilor Smith also announced that she supports 100% especially after hearing that it would be taking away from ZBA overriding, but she suggested changing any language with the word "may" to "must". Councilor Martins asked the invited guests if they liked and supported the proposal and all agreed they did. Councilor Rogers stated that she would like to see three categories to help reduce the 6800 structures built prior to 1940. Assessor Keohan cautioned that many properties listed in the Assessors office that showed a 1900 construction date was because no actual date

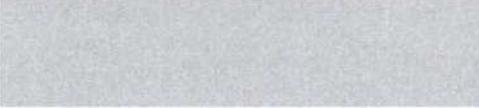
was known when it was actually constructed. Chairman Van Campen requested that Director of ISD David Palumbo be invited to the next committee meeting with the number of demolition permits issued over the past 3 years. He also asked Mr. Cornelio to check with other communities to insure that the proposed Ordinance is in line with what they have on the books.

The Committee voted: To grant further time and that Director of ISD David Palumbo be invited to the next committee meeting with the number of demolition permits issued over the past 3 years.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

Inv. No.	Property Name	Town	SR
<u>EVR.A</u>	Liberty Street Area	Everett	
<u>EVR.B</u>	Pleasant View - Villa - Arlington Streets Area	Everett	
<u>EVR.C</u>	Mount Washington	Everett	
<u>EVR.D</u>	Everett Square	Everett	
<u>EVR.E</u>	Everett - Prescott Streets Area	Everett	

<p><u>EVR.F</u></p>	<p>Chestnut Streetscape</p>	<p>Everett</p>	
<p><u>EVR.G</u></p>	<p>Waverly Streetscape</p>	<p>Everett</p>	
<p><u>EVR.H</u></p>	<p>Sherman - Gilmore Streets Area</p>	<p>Everett</p>	
<p><u>EVR.I</u></p>	<p>Metropolitan Park System of Greater Boston</p>	<p>Everett</p>	
<p><u>EVR.J</u></p>	<p>Hampshire Streetscape</p>	<p>Everett</p>	
<p><u>EVR.K</u></p>	<p>Hendersonville</p>	<p>Everett</p>	

<u>EVR.L</u>	Thurman Park	Everett	
<u>EVR.M</u>	Belmont Streetscape	Everett	
<u>EVR.N</u>	Ferry Streetscape	Everett	
<u>EVR.O</u>	Dartmouth Streetscape	Everett	
<u>EVR.P</u>	Cleveland Streetscape	Everett	

<p><u>EVR.Q</u></p>	<p>Glendale Streetscape</p>	<p>Everett</p>	
<p><u>EVR.R</u></p>	<p>Vernal Streetscape</p>	<p>Everett</p>	
<p><u>EVR.S</u></p>	<p>Reynolds Avenue Streetscape</p>	<p>Everett</p>	
<p><u>EVR.T</u></p>	<p>Porter Streetscape</p>	<p>Everett</p>	
<p><u>EVR.U</u></p>	<p>Broadway - Charlton Street Industrial Area</p>	<p>Everett</p>	

<u>EVR.V</u>	General Electric Company Foundry	Everett	
<u>EVR.W</u>	New England Oil, Paint and Varnish Company	Everett	
<u>EVR.X</u>	Paris - Garvey - Springs Streets Industrial Area	Everett	
<u>EVR.Y</u>	Saint Therese Roman Catholic Church Complex	Everett	
<u>EVR.Z</u>	Metropolitan Park System of Greater Boston	Everett	SR
<u>EVR.AA</u>	Revere Beach Parkway	Everett	SR

# Massachusetts Cultural Resource Information System

## MACRIS

### MACRIS Search Results

Search Criteria: Town(s): Everett; Resource Type(s): Building, Burial Ground, Object, Structure;

Inv. No.	Property Name	Street	Town	Year
EVR.167	Porter, H. K. and Sons Battery Clippers Factory	6 Ashland St	Everett	1900
EVR.190	Colonial Beacon Oil Refinery Business Office	30 Beacham St	Everett	1926
EVR.44	Wood House	40 Beacon St	Everett	c 1885
EVR.45	Berghurst, Olaf House	143 Bell Rock St	Everett	c 1886
EVR.47	Northway, Luther E. House	127 Belmont St	Everett	c 1880
EVR.48	Blake, Thomas Proctor House	135-137 Belmont St	Everett	c 1880
EVR.49	Gramsdorf House	145 Belmont St	Everett	c 1875
EVR.50	Bonn, Blanchard J. House	51 Birch St	Everett	1911
EVR.170	Boston Varnish Company	Boston St	Everett	c 1900
EVR.171	Carpenter - Morton Varnish Company	Boston St	Everett	1909
EVR.176	Edmester, Lemuel House	199 Bow St	Everett	c 1835
EVR.51		145 Bradford St	Everett	c 1888
EVR.52		153 Bradford St	Everett	r 1885
EVR.1	Central Fire Station	Broadway	Everett	1908
EVR.19	Immaculate Conception Catholic Church	Broadway	Everett	1896
EVR.62	Everett High School	Broadway	Everett	1922
EVR.64	Parlin, Albert J. Junior High School	Broadway	Everett	1915
EVR.177	Glendale Baptist Church	Broadway	Everett	1892
EVR.180	Boston Elevated Railway Yard - Power Station	Broadway	Everett	1925
EVR.902	Wehner Park	Broadway	Everett	1919
EVR.178	Boston Elevated Railway Yard - Metal Shop	80 Broadway	Everett	1939
EVR.179	Boston Elevated Railway Yard - Bus Repair Facility	80 Broadway	Everett	1924
EVR.181	Boston Elevated Railway Yard - Carpentry Shop	80 Broadway	Everett	1923
EVR.173	Everett Station Garage	145 Broadway	Everett	1924
EVR.192	Everett Cycle Co. - Donovan, James Shoe Co.	210 Broadway	Everett	1895
EVR.193	Donovan, James Shoe Company Engine House	210 Broadway	Everett	1903

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Inv. No.	Property Name	Street	Town	Year
EVR.194	Everett Factories - EFTC #2 Loft	210 Broadway	Everett	1916
EVR.195	Everett Factories - EFTC #3 Loft	210 Broadway	Everett	1919
EVR.196	Everett Factories - EFTC #5 Loft	210 Broadway	Everett	1951
EVR.53	Bogue, John House	306 Broadway	Everett	c 1830
EVR.54	Stimpson, W. E. House	342 Broadway	Everett	c 1850
EVR.56	Kittredge, Frederick A. House	365 Broadway	Everett	c 1888
EVR.57	Police Station, Old	371 Broadway	Everett	1903
EVR.2	United States Post Office - Everett Branch	391 Broadway	Everett	1938
EVR.3	Parlin, Frederick E. Memorial Library	410 Broadway	Everett	c 1894
EVR.907	Everett Spanish-American Veterans Memorial	410 Broadway	Everett	1927
EVR.6	Everett Co-operative Bank	419 Broadway	Everett	c 1950
EVR.7	Evans Building	421-425 Broadway	Everett	c 1896
EVR.8	Whittier, Arthur H. Building	427-429 Broadway	Everett	1899
EVR.9	Everett Trust Company	431-437 Broadway	Everett	c 1918
EVR.10		432 Broadway	Everett	c 1926
EVR.11		434-436 Broadway	Everett	c 1930
EVR.12	Everett Savings Bank	440-442 Broadway	Everett	1885
EVR.13		444-458 Broadway	Everett	1928
EVR.16	Everett Associate Building	445-453 Broadway	Everett	1908
EVR.17	Everett National Bank	457-459 Broadway	Everett	c 1926
EVR.14	First Congregational Church	460 Broadway	Everett	1852
EVR.15	Everett Savings Bank	466 Broadway	Everett	1930
EVR.18	Howard, Charles W. Building	471 Broadway	Everett	c 1925
EVR.21	Everett City Hall	484 Broadway	Everett	c 1960
EVR.20	Immaculate Conception Rectory	489 Broadway	Everett	1904
EVR.58	Smith, Nathan B. House	499-501 Broadway	Everett	c 1858
EVR.59	Saltmarsh, Goerge A. House	516 Broadway	Everett	1891
EVR.60		523-531 Broadway	Everett	1915
EVR.61	Hotchkiss, Robert E. House	534 Broadway	Everett	c 1888
EVR.43	Foster, Celden B. House	537 Broadway	Everett	c 1902
EVR.63	Masonic Building	538 Broadway	Everett	1910
EVR.65	Atwood, Hawes House	577 Broadway	Everett	c 1857
EVR.66	Brandon Apartment House	651 Broadway	Everett	c 1929
EVR.67	Malden Electric Company Substation	693 Broadway	Everett	1921
EVR.68	Glendale Building	712-722 Broadway	Everett	1898
EVR.69	Shute, William Memorial Library	781 Broadway	Everett	c 1898
EVR.227	Saint Therese Roman Catholic Church Parish Center	795 Broadway	Everett	c 1950

Inv. No.	Property Name	Street	Town	Year
EVR.70	Saint Therese Roman Catholic Church	801 Broadway	Everett	c 1928
EVR.908	Saint Therese of Lisieux Statue	801 Broadway	Everett	c 1930
EVR.909	Saint Therese Roman Catholic Church Garden Shrine	801 Broadway	Everett	c 1965
EVR.71	Porter, Ernest House	826 Broadway	Everett	c 1901
EVR.77	Saint Joseph's Roman Catholic Church	Bucknam St	Everett	1917
EVR.189	Saint Joseph's Roman Catholic Church Rectory	Bucknam St	Everett	c 1926
EVR.72	Carlisle, George W. House	3 Bucknam St	Everett	c 1860
EVR.73	Nowers, Alfred W. House	30 Bucknam St	Everett	c 1860
EVR.74	Averell, Ezekiel House	43 Bucknam St	Everett	c 1860
EVR.75	Bartlett, Joseph W. House	54 Bucknam St	Everett	c 1850
EVR.76	Swanson, Philip House	131 Bucknam St	Everett	c 1910
EVR.78	McDonald, Michael F. House	120 Central Ave	Everett	c 1845
EVR.206	Clark, W. E. and Company Steel Warehouse	3 Charlton St	Everett	r 1910
EVR.197	American Hard Paper-Ware Company Factory	7 Charlton St	Everett	c 1909
EVR.198	Everett Factories - EFTC Shed	7 Charlton St	Everett	1954
EVR.199	American Hard Paper-Ware Company Engine House	7 Charlton St	Everett	c 1903
EVR.200	American Agricultural Chemical Company Loft	7-41 Charlton St	Everett	1914
EVR.203	New England Bolt Company Machine Shop	9R Charlton St	Everett	c 1902
EVR.204	New England Bolt Company Warehouse	9R Charlton St	Everett	1953
EVR.205	New England Bolt Company Sheds	9R Charlton St	Everett	c 1954
EVR.201	American Agricultural Chemical Company Warehouse	31 Charlton St	Everett	c 1920
EVR.202	Everett Factories - EFTC Machine Shop	31 Charlton St	Everett	1953
EVR.34	Armory	Chelsea St	Everett	1902
EVR.23	Faith, C. B. Furniture Company Building	2-22 Chelsea St	Everett	1927
EVR.22		16-18 Chelsea St	Everett	c 1890
EVR.24	Young Men's Christian Association	26 Chelsea St	Everett	1888
EVR.25	Crown Theater	30 Chelsea St	Everett	1914
EVR.26	New England Telephone and Telegraph Building	33 Chelsea St	Everett	1925
EVR.36	Melanson Brothers Auto Salesroom	67 Chelsea St	Everett	c 1925
EVR.35	Edmester, Jonathan House	98 Chelsea St	Everett	c 1800
EVR.117	Oakes, Capt. Thomas House	71 Chestnut St	Everett	c 1810
EVR.80	First Baptist Church	Church St	Everett	1928
EVR.79	Prescott House	36 Church St	Everett	c 1896
EVR.81	Upton, Grafton House	22 Clay Ave	Everett	c 1898
EVR.83	Corey, Benjamin House	25-27 Corey St	Everett	1885
EVR.84	Daggett, Frederick K. House	43 Corey St	Everett	c 1845

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Inv. No.	Property Name	Street	Town	Year
EVR.39	Henderson Brothers House	78 Cottage St	Everett	1890
EVR.40		118-120 Cottage St	Everett	1890
EVR.168	Sexton Can Company	31 Cross St	Everett	1912
EVR.85	Harvey, Isaac C. House	10 Dartmouth St	Everett	c 1910
EVR.183	Harvey, Isaac C. House	12 Dartmouth St	Everett	c 1910
EVR.184	Harvey, Isaac C. House	14 Dartmouth St	Everett	c 1910
EVR.185	Harvey, Isaac C. House	16 Dartmouth St	Everett	c 1910
EVR.86	Grant, Horace L. House	25 Dyer Ave	Everett	1885
EVR.87	Dana, Francis W. House	26-28 Dyer Ave	Everett	1885
EVR.800	Woodlawn Cemetery	Elm St	Everett	1852
EVR.903	Glendale Park	Elm St	Everett	1902
EVR.174	Spooner, Joseph House	2 Everett Ave	Everett	c 1846
EVR.90	Ferry Street Engine House	Ferry St	Everett	c 1894
EVR.93	Glendale United Methodist Church	Ferry St	Everett	1924
EVR.88	Greenwood, Charles W. House	15 Ferry St	Everett	1883
EVR.182	Greenwood, Frederick P. House	23 Ferry St	Everett	1883
EVR.89	Nichols, Andrew House	137 Ferry St	Everett	c 1860
EVR.92	Willis, William F. House	314 Ferry St	Everett	c 1891
EVR.94	Alden House	462 Ferry St	Everett	c 1830
EVR.95	Green, Jonathan House	519 Ferry St	Everett	r 1720
EVR.96	Mills, M. Augustus House	535-537 Ferry St	Everett	c 1860
EVR.97	Murphy, James and William House	102 Florence St	Everett	1891
EVR.98	Lewis, Albert J. Grammar School	Floyd St	Everett	1915
EVR.99	Tibbetts, Charles House	50 Forest Ave	Everett	c 1878
EVR.100	Woodman, Artemus T. House	58 Forest Ave	Everett	1874
EVR.126	Mann, Horace School	Foster St	Everett	1900
EVR.42	Woodberry, Charles House	39 Fremont Ave	Everett	c 1868
EVR.41	Temple, W. D. House	74 Garland St	Everett	c 1870
EVR.220	Market Forge Company Works	35 Garvey St	Everett	1916
EVR.226	Saint Therese Roman Catholic Church Rectory	20 Gledhill Ave	Everett	c 1920
EVR.103	Hale, Edward Everett School	Glendale St	Everett	1903
EVR.104	Boynton, Charles House	42 Hamilton St	Everett	c 1882
EVR.108	Chemical Engine House	Hancock St	Everett	1899
EVR.105	Alger, Edwin A. Jr. House	32 Hancock St	Everett	c 1865
EVR.106	Drysdale, George House	35 Hancock St	Everett	c 1876
EVR.107	Gleason, Loring W. House	45 Hancock St	Everett	c 1878
EVR.109	Hartley, James House	174-176 Hancock St	Everett	c 1884
EVR.110	Higgins, Richard S. House	175 Hancock St	Everett	c 1890

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Inv. No.	Property Name	Street	Town	Year
EVR.111	Fernald, Benjamin E. House	193 Hancock St	Everett	c 1893
EVR.112	Hall, Edwin M. House	11 High St	Everett	c 1895
EVR.113	Plummer, Nathaniel B. House	38 High St	Everett	c 1871
EVR.114	Bayliss, Thomas Shop	24 Jefferson Ave	Everett	c 1915
EVR.115	Knox, Samuel Richardson House	11-13 Knox Pl	Everett	1846
EVR.116		54 Lexington St	Everett	r 1885
EVR.118	Methodist Episcopal Church	21 Liberty St	Everett	1870
EVR.119	Baldwin, Charles and William House	5-7 Linden St	Everett	c 1834
EVR.120	Coan, George House	98 Linden St	Everett	c 1886
EVR.186	Coan, George House	102 Linden St	Everett	c 1886
EVR.121	Cook, Adam House	128 Linden St	Everett	c 1880
EVR.122	Goodwin, H. P. House	134 Linden St	Everett	c 1860
EVR.123	Merriam House	159 Linden St	Everett	r 1885
EVR.124	Skinner, James House	170 Linden St	Everett	c 1872
EVR.125	Fiske, Sylvester P. House	198 Linden St	Everett	c 1870
EVR.142	Dyer, Francis E. House	36 Locust St	Everett	c 1872
EVR.141	Winslow, Capt. George School	1214 Locust St	Everett	1931
EVR.127	Henderson Block	117-121 Main St	Everett	1891
EVR.128	Sargent, Kilby Commercial Block	125-127 Main St	Everett	1926
EVR.129	Bangs, Charles H. House	219 Main St	Everett	1894
EVR.130	Henderson Commercial Block	242-248 Main St	Everett	c 1890
EVR.131		277-283 Main St	Everett	1924
EVR.132		285-291 Main St	Everett	c 1889
EVR.133	Sawtelle, James House	315 Main St	Everett	c 1890
EVR.134		399-401 Main St	Everett	1911
EVR.135	Mysticside Congregational Church	422 Main St	Everett	1892
EVR.136	Dunmore, Harry - O'Hearn, Patrick House	92-94 Morris St	Everett	c 1903
EVR.187	Rood, Henry and James House	96-98 Morris St	Everett	c 1903
EVR.901	Mystic River Railroad Bridge (Milepost #2.22)	Mystic River	Everett	1894
EVR.137	Rich, Capt. Henry House	68 Newton St	Everett	c 1810
EVR.138	Hamilton, George G. Grammar School	Nichols St	Everett	1915
EVR.140	Lady of Grace Roman Catholic Church	Nichols St	Everett	1917
EVR.188	Lady of Grace Roman Catholic School	Nichols St	Everett	1927
EVR.139	Nichols Apartments	146 Nichols St	Everett	c 1927
EVR.207	U. S. Steel Castings Company Foundry	Norman St	Everett	c 1900
EVR.208	U. S. Steel Castings Foundry Engine House	Norman St	Everett	c 1900
EVR.209	General Electric Company Foundry Shed	Norman St	Everett	c 1950
EVR.210	U. S. Steel Castings Foundry Pattern Shop	Norman St	Everett	r 1905

Inv. No.	Property Name	Street	Town	Year
EVR.211	U. S. Steel Castings Foundry Warehouse	Norman St	Everett	r 1905
EVR.33	First Methodist Episcopal Church	Norwood St	Everett	c 1892
EVR.27	Enterprise Realty Commercial Block	11-13 Norwood St	Everett	1927
EVR.28	Enterprise Realty Commercial Block	15-17 Norwood St	Everett	1925
EVR.32		24-26 Norwood St	Everett	1924
EVR.29		27 Norwood St	Everett	1948
EVR.30		29-31 Norwood St	Everett	1927
EVR.31		33-37 Norwood St	Everett	1926
EVR.143		42 Norwood St	Everett	1904
EVR.144	Harvard-Yale Apartments	48-50 Norwood St	Everett	1915
EVR.145	Slader, George R. House	49-53 Norwood St	Everett	c 1870
EVR.146	Norwood Apartment Block	76 Norwood St	Everett	1896
EVR.148		11 Oakland Ave	Everett	c 1910
EVR.149	Otis, George D. House	16 Otis St	Everett	c 1870
EVR.217	Eagle Shoe Manufacturing Company Factory	80 Paris St	Everett	c 1900
EVR.218	Briggs-Maroney Company Paint Factory	85 Paris St	Everett	c 1913
EVR.219	Briggs-Maroney Company Varnish Factory	85 Paris St	Everett	c 1921
EVR.216	Moore and Company Shoe Shank Factory	101 Paris St	Everett	1911
EVR.150	Jennings, Charles E. House	38 Pleasant St	Everett	1893
EVR.900	Everett Memorial Stadium	Revere Beach Pkwy	Everett	1929
EVR.904	Woods Memorial Bridge	Revere Beach Pkwy	Everett	1954
EVR.910	Revere Beach Parkway	Revere Beach Pkwy	Everett	1899
EVR.911	Santilli Circle Rotary and Mitres	Revere Beach Pkwy	Everett	1956
EVR.912	Santilli Circle Rotary East Access Ramp	Revere Beach Pkwy	Everett	1956
EVR.913	Poirier, Krystyl K. Memorial Roadway	Revere Beach Pkwy	Everett	1904
EVR.914	Poirier Memorial Roadway Bridge over B&M Railroad	Revere Beach Pkwy	Everett	1904
EVR.915	Revere Beach Parkway Bridge over B & M Railroad	Revere Beach Pkwy	Everett	1954
EVR.916	Sweetser, Gen. Leroy E. Circle and Mitres	Revere Beach Pkwy	Everett	1954
EVR.917	Sweetser, Gen. Leroy E. Overpass (West)	Revere Beach Pkwy	Everett	1956
EVR.918	Sweetser, Gen. Leroy E. Overpass (East)	Revere Beach Pkwy	Everett	1956
EVR.919	Sweetser, Gen. Leroy E. Circle West Access Ramp	Revere Beach Pkwy	Everett	1954
EVR.920	Sweetser, Gen. Leroy E. Circle East Access Ramp	Revere Beach Pkwy	Everett	1954
EVR.921	Revere Beach Parkway Median System	Revere Beach Pkwy	Everett	1899
EVR.221	Market Forge Company Loft	2010 Revere Beach Pkwy	Everett	c 1913
EVR.191	Leavitt Peanut Butter Company Office and	100 Santilli Hwy	Everett	1958

Inv. No.	Property Name	Street	Town	Year
	Factory			
EVR.153	Stewart, James P. House	64 School St	Everett	c 1868
EVR.4	Feldman Enterprise Dry Goods Store Building	152 School St	Everett	1938
EVR.5	Whittier, Alvah and Dearborn, Daniel Building	166-172 School St	Everett	1877
EVR.222	Market Forge Company Shed	452 Second St	Everett	c 1925
EVR.38	South Malden Engine House	537 Second St	Everett	1860
EVR.155	Lafayette School	Shute St	Everett	1898
EVR.101	South District - Glendale Schoolhouse	36-38 Shute St	Everett	1854
EVR.154	Paige House	102 Shute St	Everett	c 1840
EVR.224	Argo Tile and Pottery Company	103 Spring St	Everett	1915
EVR.223	Stone and Forsyth Paper and Cordage Company	109 Spring St	Everett	c 1913
EVR.157	Immaculate Conception Catholic School	Summer St	Everett	1922
EVR.159	Everett Vocational High School	Summer St	Everett	c 1892
EVR.156	Coolidge Manor	16-26 Summer St	Everett	1925
EVR.175	Home School	51 Summer St	Everett	c 1888
EVR.158	Dennis, William A. House	58 Summer St	Everett	c 1898
EVR.172	Electric Company Substation #10	37 Thorndike St	Everett	1928
EVR.906	B & M Railroad Bridge #3.24 - Saugus Branch	Tileston St	Everett	1927
EVR.160		9 Valley St	Everett	c 1898
EVR.162	Moran, Thomas House	3 Vine St	Everett	c 1896
EVR.801	Glenwood Cemetery	Washington Ave	Everett	1890
EVR.212	New England Oil, Paint and Varnish Company Factory	59 Waters Ave	Everett	c 1913
EVR.213	Dupont De Demours, E. I. Company East Shed	59 Waters Ave	Everett	c 1950
EVR.214	Dupont De Demours, E. I. Company West Sheds	59 Waters Ave	Everett	r 1950
EVR.215	Dupont De Demours, E. I. Company New West Wing	59 Waters Ave	Everett	r 1955
EVR.225	New England Oil, Paint and Varnish Company Office	59 Waters Ave	Everett	c 1913
EVR.163	Cannell, Samuel P. House	23 Webster St	Everett	c 1887
EVR.169	Fash, Reuben Ice Cream Complex	15 Williams St	Everett	c 1912
EVR.164	Hobbs, Clinton E. House	55 Winthrop St	Everett	c 1910
EVR.37		27 Wolcott St	Everett	1923
EVR.165	Smith, Samuel A. House	11 Woodlawn St	Everett	c 1883
EVR.166	Smith, Samuel A. House	34-36 Woodlawn St	Everett	c 1880

#1- C0055-25

Legislative Affairs & Election Committee  
March 10, 2025

The Committee on Legislative Affairs & Elections met on Monday, March 10, 2025 at 6:00pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Robert Van Campen, presiding, Councilors Michael Marchese, Stephanie Smith and Katy Rogers.

The Committee considered an Ordinance offered by Councilor Robert Van Campen: An Ordinance regulating the demolition of historical structures in the City of Everett.

City Clerk Sergio Cornelio and, Assistant City Solicitor Keith Slattery were also present.

Chairman Van Campen provided the Committee with an updated copy of the proposed Ordinance noting that Solicitor Slattery had offered the following amendments:

- A Severability clause, in the instance any paragraph or portion thereof should fail (eg. Constitutional property rights protections under the 5th and 14th Amendments of state and federal Constitutions). Example:

In case any section, paragraph or part of this Ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part of this By-Law shall continue in full force and effect.

- A "Penalty" section, placing the public on notice, such as:

Anyone who engages in Demolition in violation of this Ordinance may be subject to a fine of three hundred (\$300) dollars, and a stop work order.

Chairman Van Campen requested further time on the matter while he awaits comments from other City Departments which would allow him to work on the final draft.

The Committee voted: To grant further time so the Sponsor can work on the final draft.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

**ENROLLED ORDINANCE**

*PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES OF THE CITY OF EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL LAWS Chapter 43, Section 23.*

ENROLLED: MM/DD/2025

DATE OF PROPOSED ORDAINMENT: MM/DD/2025



**CITY COUNCIL..... No. C0055-25**

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

**AN ORDINANCE REGULATING THE DEMOLITION OF HISTORICAL STRUCTURES IN THE CITY OF EVERETT**

Councilor Robert J. Van Campen & the Entire Membership of the City Council

**WHEREAS**, the Everett City Council has determined the critical importance of preserving and protecting significant buildings, streetscapes and neighborhoods within the City which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the City and limiting the detrimental effect of demolition on the character of the City; and

**WHEREAS**, through the enactment of this ordinance owners of preferably preserved buildings would be encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings, and residents of the City would be alerted to impending demolitions of significant buildings; and

**WHEREAS**, through the preservation and protection of significant buildings, streetscapes and neighborhoods, this ordinance promotes the public welfare by making the City a more attractive and desirable place in which to live and work.

**NOW, THEREFORE**, by the authority granted to the City Council of the City of Everett, Massachusetts to make and amend ordinances:

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Chapter 4 Buildings and Building Regulations of the Revised Ordinances of the City of Everett is hereby amended as follows:

Article II of Chapter 4 of the Revised Ordinances of the City of Everett is hereby amended as follows:

The title of Article II of Chapter 4 shall be changed from “POLES AND WIRES” to “GENERALLY”;

The title of Division 1 of Article II of Chapter 4 shall be is changed from “GENERALLY” to “POLES AND WIRES”;

A new Division 4 shall be added to Article II of Chapter 4 as follows:

**DIVISION 4      DEMOLITION OF HISTORICAL STRUCTURES**

(C0055-25)

***Section 4-70      Purpose***

- (a) This division is intended to
  - (1) Preserve and protect significant buildings within the city which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the city; and
  - (2) Encourage owners of such buildings to seek out individuals who might be willing to purchase, preserve, rehabilitate or restore such buildings rather than demolishing them.
- (b) In order to achieve these important purposes, the city’s historical commission is authorized to advise and consult with the director of inspectional services/building commissioner, or his designee, with respect to the issuance of permits for the demolition of significant buildings.
- (c) The issuance of demolition permits for significant buildings shall be regulated as set forth in this division.

***Section 4-71      Definitions***

For the purposes of this division, the following definitions shall apply:

- (a) “Applicant” – any person or entity seeking a demolition permit.
- (b) “Building” – any combination of materials creating shelter for persons, animals or property.
- (c) “Director of inspectional services/building commissioner” – the municipal officer authorized to issue demolition permits pursuant to the Massachusetts State Building Code.
- (d) “Commission” – the Everett Historical Commission.
- (e) “Demolition” – any act of pulling down, destroying, removing, or razing a building in total, as such will necessitate the issuance of a demolition permit under the State Building Code.
- (f) “Demolition permit” – a permit issued by the director of inspectional services/building commissioner under the State Building Code for the demolition of a building or structure.
- (g) “Demolition plan” – the plan submitted to the commission by the applicant setting forth

the facts related to the property and its proposed use pursuant to Section 4-72(e) of this division.

- (h) “Moratorium” – a period of 6 months following the hearing date of the commission’s determination of detriment regarding the demolition of a preferably preserved building.
- (i) “Preferably preserved building” – a significant building which is the subject of an application for a demolition permit and thereafter determined by vote of the commission to be worthy of preservation.
- (j) “Significant building” – any building or portion thereof, not listed in the exemptions in Section 4-75, and which:
  - (1) Is listed on, or is within an area listed on, the State or National Register of Historic Places, or is the subject of a pending application for listing in said National Register; or
  - (2) Was built in whole or in part prior to 1940 as based upon the age ascribed to the building in the records of the assessor’s office and that is used exclusively for dwelling purposes as defined and regulated under the State Building Code.

***Section 4-72                      Determination/procedure***

- (a) The director of inspectional services/building commissioner will hold in abeyance any application for a demolition permit affecting a significant building pending compliance with the procedures set forth herein.
- (b) Within 10 days of receipt, the director of inspectional services/building commissioner will forward any application for a demolition permit affecting a significant building to the commission.
- (c) The commission will hold a public hearing within 35 days of receipt of the application for the demolition permit. Such hearing may be adjourned at the discretion of the commission, but in no event shall the hearing be held open for longer than 60 days from receipt of the application for a demolition permit, unless the commission and the applicant agree otherwise.
- (d) The commission shall give public notice of the hearing by:
  - (1) Publishing notice of the time, place and purpose of the hearing in a local newspaper at least 14 days prior to the hearing date; and
  - (2) By mailing a copy of said notice by first class mail at least 14 days prior to the hearing to:
    - a. The applicant;
    - b. The owners of all property directly abutting the property that is the subject of the application, as they appear on the most recent tax list;
    - c. To such other persons as the commission shall deem entitled to notice.

The applicant shall be responsible for the costs associated with the mailing, posting and publishing of the required notices.
- (e) No less than 14 days before the public hearing, the applicant shall submit a sufficient

number of copies of the demolition plan to the commission, as may be required by the commission, which shall include the following:

- (1) An assessor's map or plot plan showing the location of the structure to be demolished on its property with reference to the neighboring properties;
- (2) Photographs of all façade elevations of the subject property, street elevations of abutting properties and photos of the subject property in the context of its surroundings;
- (3) A description of the structure to be demolished;
- (4) The reason for the proposed demolition and data supporting said demolition;
- (5) Data requested by the commission may include:
  - a. If the applicant or owner claims that the structure is structurally deficient, an independent licensed structural engineer's report from a qualified structural engineer with proven expertise in historic building techniques.
  - b. If the applicant or owner claims financial hardship,
    1. An estimate from an architect, developer, contractor, or appraiser experienced in rehabilitation as to the cost to rehabilitate the building to the level of reasonable use or a reasonable profit can be realized from the property,
    2. Appraised value from a licensed appraiser for the property's current condition, after completion of the proposed demolition, and after rehabilitation of the existing property for continued use,
    3. Amount paid for the property, and
    4. Proof of effort to obtain financing, tax incentives, or preservation grants to earn a reasonable economic return.
- (6) A brief description of the proposed reuse of the property on which the structure to be demolished is located.
- (f) The commission shall distribute copies of the demolition plan to the director of inspectional services/building commissioner, as well as any other city agency the commission deems appropriate.
- (g) The commission will make one of either of the alternative determinations, which it will forward to the director of inspectional services/building commissioner:
  - (1) No detriment. The commission may determine that the demolition of the significant building would not be detrimental to the historical or architectural heritage or resources of the city.
  - (2) Detriment. The commission may determine that the demolition of the significant building would be detrimental to the historical or architectural heritage or resources of the city, and is therefore a preferably preserved building based on the following criteria:
    - a. It is importantly associated with one or more historic persons or events, or

with the architectural, cultural, political, economic or social history of the city or the Commonwealth of Massachusetts or

- b. It is historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of buildings.

The commission will forward a copy of its determination to the director of inspectional services/building commissioner, the applicant, the building owner, and the city clerk within 10 days of the commission's determination.

The failure to forward its determination as herein provided will be equivalent to a determination of no detriment.

- (h) In the event of a determination of no detriment, or in the event that the building commissioner has not received a notice of the commission's determination of detriment within 10 days of the determination, then the director of inspectional services/building Commissioner may issue the demolition permit, subject to the requirements of the State Building Code and any other applicable laws, rules, or regulations.
- (i) In the event of a determination of detriment, the director of inspectional services/building commissioner will hold the application in abeyance for the issuance of a demolition permit regarding the preferably preserved building during the moratorium, which will be for a period of 6 months commencing from the date of the determination
- (j) Notwithstanding the foregoing, the director of inspectional services/building commissioner may issue a demolition permit regarding the preferably preserved building prior to the expiration of the moratorium, upon receipt of a determination by the commission that:
  - (1) The commission is satisfied that there is no reasonable likelihood that either the owner or some other person, group or entity is willing to purchase, preserve, rehabilitate or restore the preferably preserved building; or,
  - (2) In exceptional circumstances, the commission has imposed additional conditions on an applicant, including but not limited to submission of photographic documentation and/or architectural rendering of the structure, salvage of materials, or installation of historic signage, and said conditions have been met.

***Section 4-73                      Emergency demolition***

- (a) If the director of inspectional services/building commissioner determines that the building poses an imminent threat to public health and safety and that immediate demolition of the building is warranted, the director of inspectional services/building commissioner may issue a demolition permit without requiring compliance with the provisions of this division.
- (b) The director of inspectional services/building commissioner will make every reasonable effort to inform the chair of the commission of his order to require demolition.

**Section 4-74 Remedies and Penalties**

- (a) The commission and the director of inspectional services/building commissioner are each authorized to institute any and all proceedings in law or in equity as they deem necessary and appropriate to obtain compliance with the requirements of this division, or to prevent a violation thereof.
- (b) No building permit will be issued with respect to any premises upon which a significant building has been demolished in violation of this division for a period of 2 years after the date of the completion of such demolition. As used herein, “premises” will include the parcel of land upon which the demolished significant building was located, together with abutting parcels in common ownership.
- (c) Upon filing an application for a demolition permit of a significant building, the owner will be responsible for properly securing and maintaining the building. Should the owner fail to secure the building, the loss of such building through fire or other cause will be considered a demolition in violation of this division for the purposes of Section 4-74(b).
- (d) Any person or entity who engages in Demolition in violation of this ordinance may be subject to a fine of three hundred (\$300) dollars, and a stop work order.

**Section 4-75 Exceptions**

This division shall not apply to any building or structure:

- (a) Owned by the city and/or any of its various departments and agencies; and
- (b) That has received a special permit, variance or site plan approval from the relevant permit granting authorities at the time of adoption of this division.

**Section 4-76 Severability**

In the event any section, paragraph or part of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part of this ordinance shall continue in full force and effect.

Article III of Chapter 4 of the Revised Ordinances of the City of Everett is hereby amended as follows:

The title of Section 4-70 of Article III of Chapter 4 shall be changed from “**Section 4-70 Purposes**” to “**Section 4-100 Purposes**”;

The title of Section 4-70 of Article III of Chapter 4 shall be changed from “**Section 4-71 Contractor Qualifications and Sanctions**” to “**Section 4-101 Contractor Qualifications and SanctionsPurposes**”;

This ordinance shall take effect upon passage by the City Council and subsequent approval by His Honor the Mayor, and in accordance with the Charter of the City of Everett.



A true copy attest

*Sergio Cornelio*

Sergio Cornelio, City Clerk

#1- C0055-25

Legislative Affairs & Election Committee  
March 24, 2025

The Committee on Legislative Affairs & Elections met on Monday, March 24, 2025 at 6:00pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Robert Van Campen, presiding, Councilors Michael Marchese, Stephanie Smith, Katy Rogers and Stephanie Martins, as ex-officio.

The Committee considered an Ordinance offered by Councilor Robert Van Campen: An Ordinance regulating the demolition of historical structures in the City of Everett.

City Clerk Sergio Cornelio and Historical Commission Chairman Larry Arinello were also present.

Chairman Van Campen provided the Committee with an updated copy of the proposed Ordinance noting the most significant update is the change he is offering to the definition of significant building and rather than tying the proposal to a specific year he is using a rolling period of 80 years along with the prior amendments offered by Assistant City Solicitor Keith Slattery at the last meeting. He mentioned that he had hoped to refer out of committee favorably at this meeting but informed the Committee that Director of Planning Matt Lattanzi had provided him with some additional amendments to Section 4-72 "Determination/Procedure" so paragraphs (a) and (b) now read as follows:

(a) For proposals that do not require Site Plan Review, the director of inspectional services/building commissioner will hold in abeyance any application for a demolition permit affecting a significant building pending compliance with the procedures set forth herein.

(b) For proposals that do require Site Plan Review and seek to demolish the existing structure, the Planning Director will forward any such application to the commission within X days of receipt. Councilor Smith suggested amending paragraph (b) further to include a 10 day requirement to forward any application.

Mr. Cornelio suggested that the Committee define demolition a little bit better. Chairman Van Campen mentioned that he had heard from Director of Building Dave Palumbo and discuss the differences in terminology in razing and demolition but agreed that a percentage of demolition should be included in the language. Mr. Cornelio agreed to obtain an agreeable percentage from Mr. Palumbo when he meets with him prior to the next meeting.

The Committee voted: To accept the proposed amendments and to grant further time so the percentage of demolition could be added to the final draft.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

#1- C0055-25

Legislative Affairs & Election Committee  
April 14, 2025

The Committee on Legislative Affairs & Elections met on Monday, April 14, 2025 at 6:00pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Robert Van Campen, presiding, Councilors Michael Marchese, Stephanie Smith, Katy Rogers and Stephanie Martins, as ex-officio.

The Committee considered an Ordinance offered by Councilor Robert Van Campen: An Ordinance regulating the demolition of historical structures in the City of Everett.

City Clerk Sergio Cornelio and Historical Commission Chairman Larry Arinello were also present.

Chairman Van Campen informed the Committee that he had received some information on definition of demolition as well as percentage of demolition as requested from Director of Inspectional Services David Palumbo. Mr. Palumbo informed the Chairman that he found references in the RS Means Illustrated Construction Dictionary, which defines:

- Demolition - The intentional destruction of all or part of a structure.
- Raze - To tear down, demolish, or level to the ground.

He remarked that the Committees working definition seems to align well with these. He noted that he had also spoken with other municipalities that use percentage-based thresholds, and they've consistently emphasized that these cases are generally handled on a case-by-case basis rather than being driven solely by percentages. He mentioned that Chapter 9 of the IEBC outlines the technical requirements for buildings undergoing Level 3 alterations. This chapter is intended to address significant improvements to existing building elements, spaces, and structural systems. Specifically, Level 3 alterations apply when the work impacts 50 percent or more of the aggregate area of the building. To contrast:

- Level 1 alterations: Do not involve reconfiguration of spaces.
- Level 2 alterations involve extensive reconfiguration but affect less than 50 percent of the building area.
- Level 3 alterations involve alterations to 50 percent or more of the building and may require additional improvements beyond the immediate work area.

Depending on the scope and location of the work—and whether it affects one or more tenants—there may be requirements for upgrades like open floor penetration protection, sprinkler systems, or additional means of egress (e.g., stairs or fire escapes). In some cases, this chapter may also trigger safety upgrades in portions of the building where no alterations are being made.

Chairman Van Campen recommended that the proposed Ordinance be amended to incorporate the Level 3 alterations to 50% or more in the demolition definition section. The Committee vote unanimously in favor of the amendment.

The Committee voted: To report back to the City Council with a recommendation for favorable action as amended by the Committee.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

**ENROLLED ORDINANCE**

*PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES OF THE CITY OF  
EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL LAWS Chapter 43, Section 23.*

ENROLLED: MM/DD/2025

DATE OF PROPOSED ORDAINMENT: MM/DD/2025



**CITY COUNCIL..... No. C0055-25**

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

**AN ORDINANCE REGULATING THE DEMOLITION OF HISTORICAL  
STRUCTURES IN THE CITY OF EVERETT**

Councilor Robert J. Van Campen & the Entire Membership of the City Council

**WHEREAS**, the Everett City Council has determined the critical importance of preserving and protecting significant buildings, streetscapes and neighborhoods within the City which constitute or reflect distinctive features of the architectural, cultural, economic, political or social history of the City and limiting the detrimental effect of demolition on the character of the City; and

**WHEREAS**, through the enactment of this ordinance owners of preferably preserved buildings would be encouraged to seek out alternative options that will preserve, rehabilitate or restore such buildings, and residents of the City would be alerted to impending demolitions of significant buildings; and

**WHEREAS**, through the preservation and protection of significant buildings, streetscapes and neighborhoods, this ordinance promotes the public welfare by making the City a more attractive and desirable place in which to live and work.

**NOW, THEREFORE**, by the authority granted to the City Council of the City of Everett, Massachusetts to make and amend ordinances:

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Chapter 4 Buildings and Building Regulations of the Revised Ordinances of the City of Everett is hereby amended as follows:

Article II of Chapter 4 of the Revised Ordinances of the City of Everett is hereby amended as follows:

The title of Article II of Chapter 4 shall be changed from "POLES AND WIRES" to "GENERALLY";

The title of Division 1 of Article II of Chapter 4 shall be is changed from "GENERALLY" to "POLES AND WIRES";

A new Division 4 shall be added to Article II of Chapter 4 as follows:

**DIVISION 4      DEMOLITION OF HISTORICAL STRUCTURES**  
(C0055-25)

***Section 4-70      Purpose***

- (a) This division is intended to
  - (1) Preserve and protect significant buildings within the city which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the city; and
  - (2) Encourage owners of such buildings to seek out individuals who might be willing to purchase, preserve, rehabilitate or restore such buildings rather than demolishing them.
- (b) In order to achieve these important purposes, the city's historical commission is authorized to advise and consult with the director of inspectional services/building commissioner, or his designee, with respect to the issuance of permits for the demolition of significant buildings.
- (c) The issuance of demolition permits for significant buildings shall be regulated as set forth in this division.

***Section 4-71      Definitions***

For the purposes of this division, the following definitions shall apply:

- (a) "Applicant" – any person or entity seeking a demolition permit.
- (b) "Building" – any combination of materials creating shelter for persons, animals or property.
- (c) "Director of inspectional services/building commissioner" – the municipal officer authorized to issue demolition permits pursuant to the Massachusetts State Building Code.
- (d) "Commission" – the Everett Historical Commission.
- (e) "Demolition" – any act of pulling down, destroying, removing, or razing fifty percent (50%) or more of a building-in total, as such will necessitate the issuance of a demolition permit under the State Building Code.
- (f) "Demolition permit" – a permit issued by the director of inspectional services/building commissioner under the State Building Code for the demolition of a building or structure.
- (g) "Demolition plan" – the plan submitted to the commission by the applicant setting forth

the facts related to the property and its proposed use pursuant to Section 4-72(e) of this division.

- (h) "Moratorium" – a period of 6 months following the hearing date of the commission's determination of detriment regarding the demolition of a preferably preserved building.
- (i) "Preferably preserved building" – a significant building which is the subject of an application for a demolition permit and thereafter determined by vote of the commission to be worthy of preservation.
- (j) "Significant building" – any building or portion thereof, not listed in the exemptions in Section 4-75, and which:
  - (1) Is listed on, or is within an area listed on, the State or National Register of Historic Places, or is the subject of a pending application for listing in said National Register; or
  - (2) Was built in whole or in part 80 or more years, based upon the records of the assessor's office, -prior to the date of application of any demolition permit~~1940 as based upon the age ascribed to the building in the records of the assessor's office and that is used exclusively for dwelling purposes as defined and regulated under the State Building Code.~~

**Section 4-72                      Determination/procedure**

- (a) The director of inspectional services/building commissioner will hold in abeyance any application for a demolition permit affecting a significant building pending compliance with the procedures set forth herein.
- (b) Within 10 days of receipt, the director of inspectional services/building commissioner will forward any application for a demolition permit affecting a significant building to the commission.
- (c) The commission will hold a public hearing within 35 days of receipt of the application for the demolition permit. Such hearing may be adjourned at the discretion of the commission, but in no event shall the hearing be held open for longer than 60 days from receipt of the application for a demolition permit, unless the commission and the applicant agree otherwise.
- (d) The commission shall give public notice of the hearing by:
  - (1) Publishing notice of the time, place and purpose of the hearing in a local newspaper at least 14 days prior to the hearing date; and
  - (2) By mailing a copy of said notice by first class mail at least 14 days prior to the hearing to:
    - a. The applicant;
    - b. The owners of all property directly abutting the property that is the subject of the application, as they appear on the most recent tax list;
    - c. To such other persons as the commission shall deem entitled to notice.
 The applicant shall be responsible for the costs associated with the mailing,

posting and publishing of the required notices.

- (e) No less than 14 days before the public hearing, the applicant shall submit a sufficient number of copies of the demolition plan to the commission, as may be required by the commission, which shall include the following:
  - (1) An assessor's map or plot plan showing the location of the structure to be demolished on its property with reference to the neighboring properties;
  - (2) Photographs of all façade elevations of the subject property, street elevations of abutting properties and photos of the subject property in the context of its surroundings;
  - (3) A description of the structure to be demolished;
  - (4) The reason for the proposed demolition and data supporting said demolition;
  - (5) Data requested by the commission may include:
    - a. If the applicant or owner claims that the structure is structurally deficient, an independent licensed structural engineer's report from a qualified structural engineer with proven expertise in historic building techniques.
    - b. If the applicant or owner claims financial hardship,
      - 1. An estimate from an architect, developer, contractor, or appraiser experienced in rehabilitation as to the cost to rehabilitate the building to the level of reasonable use or a reasonable profit can be realized from the property,
      - 2. Appraised value from a licensed appraiser for the property's current condition, after completion of the proposed demolition, and after rehabilitation of the existing property for continued use,
      - 3. Amount paid for the property, and
      - 4. Proof of effort to obtain financing, tax incentives, or preservation grants to earn a reasonable economic return.
  - (6) A brief description of the proposed reuse of the property on which the structure to be demolished is located.
- (f) The commission shall distribute copies of the demolition plan to the director of inspectional services/building commissioner, as well as any other city agency the commission deems appropriate.
- (g) The commission will make one of either of the alternative determinations, which it will forward to the director of inspectional services/building commissioner:
  - (1) No detriment. The commission may determine that the demolition of the significant building would not be detrimental to the historical or architectural heritage or resources of the city.
  - (2) Detriment. The commission may determine that the demolition of the significant building would be detrimental to the historical or architectural heritage or resources of the city, and is therefore a preferably preserved building based on the

following criteria:

- a. It is importantly associated with one or more historic persons or events, or with the architectural, cultural, political, economic or social history of the city or the Commonwealth of Massachusetts or
- b. It is historically or architecturally important by reason of period, style, method of building construction or association with a particular architect or builder, either by itself or in the context of a group of buildings.

The commission will forward a copy of its determination to the director of inspectional services/building commissioner, the applicant, the building owner, and the city clerk within 10 days of the commission's determination.

The failure to forward its determination as herein provided will be equivalent to a determination of no detriment.

- (h) In the event of a determination of no detriment, or in the event that the building commissioner has not received a notice of the commission's determination of detriment within 10 days of the determination, then the director of inspectional services/building Commissioner may issue the demolition permit, subject to the requirements of the State Building Code and any other applicable laws, rules, or regulations.
- (i) In the event of a determination of detriment, the director of inspectional services/building commissioner will hold the application in abeyance for the issuance of a demolition permit regarding the preferably preserved building during the moratorium, which will be for a period of 6 months commencing from the date of the determination
- (j) Notwithstanding the foregoing, the director of inspectional services/building commissioner may issue a demolition permit regarding the preferably preserved building prior to the expiration of the moratorium, upon receipt of a determination by the commission that:
  - (1) The commission is satisfied that there is no reasonable likelihood that either the owner or some other person, group or entity is willing to purchase, preserve, rehabilitate or restore the preferably preserved building; or,
  - (2) In exceptional circumstances, the commission has imposed additional conditions on an applicant, including but not limited to submission of photographic documentation and/or architectural rendering of the structure, salvage of materials, or installation of historic signage, and said conditions have been met.

**Section 4-73                      Emergency demolition**

- (a) If the director of inspectional services/building commissioner determines that the building poses an imminent threat to public health and safety and that immediate demolition of the building is warranted, the director of inspectional services/building commissioner may issue a demolition permit without requiring compliance with the provisions of this division.
- (b) The director of inspectional services/building commissioner will make every reasonable effort to inform the chair of the commission of his order to require demolition.

**Section 4-74 Remedies and Penalties**

- (a) The commission and the director of inspectional services/building commissioner are each authorized to institute any and all proceedings in law or in equity as they deem necessary and appropriate to obtain compliance with the requirements of this division, or to prevent a violation thereof.
- (b) No building permit will be issued with respect to any premises upon which a significant building has been demolished in violation of this division for a period of 2 years after the date of the completion of such demolition. As used herein, "premises" will include the parcel of land upon which the demolished significant building was located, together with abutting parcels in common ownership.
- (c) Upon filing an application for a demolition permit of a significant building, the owner will be responsible for properly securing and maintaining the building. Should the owner fail to secure the building, the loss of such building through fire or other cause will be considered a demolition in violation of this division for the purposes of Section 4-74(b).
- (d) Any person or entity who engages in Demolition in violation of this ordinance may be subject to a fine of ~~three hundred~~ (\$300 per day said person is found in violation of this ordinance) ~~dollars~~, and a stop work order.

**Section 4-75 Exceptions**

This division shall not apply to any building or structure:

- (a) Owned by the city and/or any of its various departments and agencies; and
- (b) That has received a special permit, variance or site plan approval from the relevant permit granting authorities at the time of adoption of this division.

**Section 4-76 Severability**

In the event any section, paragraph or part of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, every other section, paragraph and part of this ordinance shall continue in full force and effect.

Article III of Chapter 4 of the Revised Ordinances of the City of Everett is hereby amended as follows:

The title of Section 4-70 of Article III of Chapter 4 shall be changed from "**Section 4-70 Purposes**" to "**Section 4-100 Purposes**";

The title of Section 4-70 of Article III of Chapter 4 shall be changed from "**Section 4-71 Contractor Qualifications and Sanctions**" to "**Section 4-101 Contractor Qualifications and Sanctions Purposes**",

This ordinance shall take effect upon passage by the City Council and subsequent approval by His Honor the Mayor, and in accordance with the Charter of the City of Everett.



A true copy attest

*Sergio Cornelio*

Sergio Cornelio, City Clerk





C0135-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 14, 2025

---

**Agenda Item:**

An order requesting approval to appropriate \$6,672 from General Fund Budgetary Fund Balance (Free Cash) to pay prior year legal bills per the attached list

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

April 9, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

Dear Honorable Members:

I hereby submit for your consideration an order to appropriate \$6,672 from General Fund Budgetary Fund Balance (Free Cash) to pay prior year legal bills per the attached list.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



April 9, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

That the sum of \$6,672.00 be appropriated from the General  
Fund Budgetary Fund Balance (Free Cash) to pay prior year  
legal bills per the attached list.

147807  
KP LAW, P.C.  
101 ARCH STREET  
FLOOR 12  
BOSTON, MA 02110  
(617) 556-0007  
FEDERAL TAX ID: 04-2746356  
INVOICE NO: 147807

SOLICITOR  
+  
CLERK  
FY24

COLLEEN MEJIA, ESQ.  
ESQ  
EVERETT CITY HALL  
484 BROADWAY-ROOM21  
EVERETT, MA 02149

May 22, 2024  
IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH April 30, 2024

**GENERAL LEGAL SERVICES**

03/18/2024	LFG	LEGAL RESEARCH RE: [REDACTED]	0.50	135.00
04/02/2024	MRR	ANALYZE E-MAILS FROM AND TELEPHONE CONFERENCE WITH CITY SOLICITOR RE: [REDACTED]	0.40	108.00
04/16/2024	BWR	RESEARCH AND DRAFT OPINION LETTER TO MAYOR RE: [REDACTED]	7.10	1917.00
04/26/2024	BWR	RESEARCH AND DRAFT OPINION LETTER TO CITY CLERK RE: [REDACTED]	1.20	324.00
SUBTOTAL:			9.20	\$2,484.00

TOTAL FEES: 9.20 2,484.00

TOTAL DUE: \$2,484.00

SOLICITOR \$ 2,160

CLERK \$ 324

~~7/20/24~~  
V/603

CLERK  
FY 24

KP LAW, P.C.  
101 ARCH STREET  
FLOOR 12  
BOSTON, MA 02110  
(617) 556-0007  
FEDERAL TAX ID: 04-2746356  
INVOICE NO: 148395

COLLEEN MEJIA, ESQ.  
ESQ  
EVERETT CITY HALL  
484 BROADWAY-ROOM 21  
EVERETT, MA 02145

June 14, 2024  
IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH May 31, 2024

**GENERAL LEGAL SERVICES**

05/06/2024	MRR	ANALYZE AND RESPOND TO E-MAIL FROM CITY SOLICITOR RE: [REDACTED]	0.40	108.00
05/07/2024	BWR	RESEARCH AND DRAFT OPINION LETTER TO CITY CLERK RE: [REDACTED]	1.90	513.00
05/08/2024	BWR	RESEARCH AND DRAFT OPINION LETTER TO CITY CLERK RE: [REDACTED]	3.50	945.00
05/20/2024	RS1	REVIEW E-MAIL FROM CITY SOLICITOR RE: [REDACTED]	0.30	81.00
		<b>SUBTOTAL:</b>	<b>6.10</b>	<b>\$1,647.00</b>

TOTAL FEES: 6.10 1,647.00

TOTAL DUE: \$1,647.00

OUTSTANDING \$1,458

CLERK

1723.43

FY 23

KP LAW, P.C.  
101 ARCH STREET  
FLOOR 12  
BOSTON, MA 02110  
(617) 556-0007  
FEDERAL TAX ID: 04-2746356  
INVOICE NO: 140746

Amount due: \$2,251.13

COLLEEN MEJIA, ESQ.  
ESQ.  
EVERETT CITY HALL  
484 BROADWAY-ROOM 21  
EVERETT, MA 02149

February 27, 2023  
IN REFERENCE TO: PROFESSIONAL SERVICES THROUGH January 31, 2023

GENERAL LEGAL SERVICES

01/02/2023	BWR	[REDACTED]	2.40	624.00
01/03/2023	LFG	CHARTER - MEET WITH CITY CLERK RE: [REDACTED]	0.10	26.00
01/03/2023	LFG	CHARTER - MEET VIRTUALLY WITH CITY CLERK RE: [REDACTED]	0.40	104.00
01/03/2023	MTS	[REDACTED] - REVIEW AND ANALYZE FACTS.	0.10	26.00
01/09/2023	BWR	E-MAIL CITY SOLICITOR RE: [REDACTED]	0.70	182.00
01/11/2023	LFG	CITY CLERK - VIDEO CONFERENCE WITH CLERK RE: [REDACTED]	1.60	416.00
01/11/2023	BWR	ZOOM MEETING WITH MAYOR RE: [REDACTED]	0.80	208.00
01/13/2023	MTS	[REDACTED] - LEGAL RESEARCH RE: [REDACTED]	1.00	260.00
01/17/2023	MTS	[REDACTED] - LEGAL RESEARCH RE: [REDACTED]	1.10	286.00
01/24/2023	MTS	[REDACTED] - LEGAL RESEARCH RE: [REDACTED]	2.30	598.00
SUBTOTAL:			10.50	\$2,730.00

TOTAL FEES: 10.50 2,730.00

KP LAW, P.C.

PAGE: 2

01/24/2023	WESTLAW ON-LINE RESEARCH.	2.97
01/24/2023	WESTLAW ON-LINE RESEARCH.	4.46
	TOTAL COSTS:	<u>\$7.43</u>

TOTAL DUE:	<u>\$2,737.43</u>
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## FY25 Prior Year Outstanding Bills for 4/7/25

Department	Vendor	Account	Invoice Amount
City Council	KP Law	01-111-2-5765 - Other Charges	\$ 2,730.00
Solicitor	KP Law	01-151-2-5765 - Other Charges	\$ 324.00
City Clerk	KP Law	01-161-2-5765 - Other Charges	\$ 2,160.00
City Clerk	KP Law	01-161-2-5765 - Other Charges	\$ 1,458.00
<b>Total</b>			<b>\$ 6,672.00</b>



C0136-25

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**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** April 14, 2025

---

**Agenda Item:**

An order requesting approval to appropriate \$82,000 from General Fund Budgetary Fund Balance (Free Cash) to the Human Resources Local 25 benefits account. This appropriation is necessary to cover additional costs related to the three local 25 unions

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

April 9, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

Dear Honorable Members:

I hereby submit for your consideration an order to appropriate \$82,000 from General Fund Budgetary Fund Balance (Free Cash) to the Human Resources Local 25 benefits account. This appropriation is necessary to cover additional costs related to the three local 25 unions.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



April 9, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as follows:

That the sum of \$82,000 be appropriated from the General Fund Budgetary Fund Balance (Free Cash) to the Human Resources Local 25 benefits account.

This appropriation is necessary to cover additional costs related to the three local 25 unions.



C0121-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 14, 2025

---

**Agenda Item:**

An order requesting confirmation on the appointment of Belushi Previlon to the Cultural Council for a term of Three (3) expiring May 1, 2028

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

***CITY OF EVERETT - OFFICE OF THE MAYOR***

*484 Broadway Everett, Massachusetts 02149*

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

April 2, 2025

The Honorable City Council  
Everett City Hall  
484 Broadway  
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section N (II)(a) of the City of Everett Administrative Code, I hereby appoint, subject to confirmation by the City Council, Belushi Previlon to the Cultural Council for a term of Three (3) expiring May 1, 2028.

Thank you for your favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria  
Mayor



April 2, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

**Offered By:** \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

To appoint Belushi Previlon to the Cultural Council in  
accordance with Section 3-3 of the City Charter and, Section N  
(II)(a) of the City of Everett Administrative Code for a three-year  
term, expiring on May 1, 2028.



C0123-25

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**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** April 14, 2025

---

**Agenda Item:**

An order requesting the confirmation on the re-appointment of Carol Garrett to the Council on Aging for a term of Two (2) years expiring May 1, 2027

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

April 2, 2025

The Honorable City Council  
Everett City Hall  
484 Broadway  
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section B (II)(a)(b) of the City of Everett Administrative Code, I hereby re-appoint, subject to confirmation by the City Council, Carol Garrett to the Council on Aging for a term of Two (2) years expiring May 1, 2027.

Thank you for your favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria  
Mayor



April 2, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

I hereby submit for your approval the appointment of Carol  
Garrett to the Council on Aging for a term of Two (2) years  
expiring May 1, 2027.



C0138-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 14, 2025

---

**Agenda Item:**

An order requesting the confirmation on the appointment of Beninson Pena to the position of City Assessor for a one-year term ending May 1, 2026

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

April 9, 2025

Honorable City Council  
484 Broadway  
Everett, MA 02149

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section IV(H)(VII)(a) of the City of Everett Administrative Code, I hereby appoint, subject to confirmation by the City Council, Beninson Pena to the position of City Assessor for a one-year term ending May 1, 2026.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria  
Mayor



April 9, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

I hereby appoint, subject to confirmation by the City Council,  
and accordance with Section 3-3 of the City Charter and,  
Section IV(H)(VII)(a) of the City of Everett Administrative Code,  
Beninson Pena to the position of City Assessor for a one-year  
term ending May 1, 2026.



C0144-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 14, 2025

---

**Agenda Item:**

An order requesting that the City Council vote to rescind its designation of the position of Board of Assessors as a special municipal employee, pursuant to MGL Chapter 268A, as of June 30, 2025

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

April 9, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

Dear Honorable Members:

I hereby submit for your consideration an order requesting that the City Council vote to rescind its designation of the position of Board of Assessors as a special municipal employee, pursuant to MGL Chapter 268A, as of June 30, 2025.

I submitted the request for this designation in January 2025 so that the City would be able to have a qualified individual (Ron Keohan) acting as Interim Director of Assessing while the City seeks to fill the position with a permanent replacement.

I have submitted separately to the City Council for approval the appointment of Benison Pena to serve as Assessor. If the Council acts favorably on that appointment, I am requesting that Mr. Keohan continue to be able to assist Mr. Pena with the transition into his new role while also keeping the commitment for this special employee designation to have a definitive duration.

Thank you for your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



April 9, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

An order requesting that the City Council vote to rescind the designation of the position of Board of Assessors as a special municipal employee pursuant to MGL Chapter 268A as of June 30, 2025.



C0005-25

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**To:** Mayor and City Council

**From:** Councilor Katy L. Rogers

**Date:** January 13, 2025

---

**Agenda Item:**

A resolution to implement a multi-lingual City of Everett app to enhance accessibility and communication

**Background and Explanation:**

Summary:

This tool would serve as a central hub for city resources and services, benefiting every department, particularly 311 and our school system, while also providing critical support to our diverse community:

Community Hub

Event calendar: Festivities, city meetings.

Virtual 311: Report issues like potholes, broken streetlights, double poles.

Local Resources

Trash, recycling, and street sweeping schedules.

Park locations and amenities.

Safety and Emergency Services

Crime and safety updates: alerts, missing person.

Emergency contacts (police, fire, health, animal control).

Road closures and detours.

Transportation

Bus schedules and fares.

Maps of bike lanes and walking paths.

Local Economy

City job opportunities.

Shop Everett: business directory.

Youth and Schools

Sports leagues, after-school programs, and events.

Links to local schools and academic calendars.

Health and Senior Services

Clinics, vaccinations, and mental health programs.

Fitness classes and senior center activities.

Cultural and Educational Resources

Library hours and museum information.

Events, Public art, grants.

Animal Services

Report lost pets.

Renew dog licenses.

Adoption resources and wildlife safety tips.

Sustainability

Recycling and composting guidelines.

Green Everett: Energy programs and green initiatives.

Background info: We were introduced to an app in Tampa that would be minimal cost to the city and help with language barriers. It can be a universal hub and include all departments without replacing anything. It can be customized to our particular needs as a city. App would be free for residents

**Attachments:**



C0066-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** February 24, 2025

---

**Agenda Item:**

That the administration consider providing equitable funding to support local organizations providing emergency assistance to residents

**Background and Explanation:**

**Attachments:**

**From:** [Erin Deveney](#)  
**To:** [Stephanie Martins](#)  
**Cc:** [Sergio Cornelio](#); [Michael Mangan](#); [David Flood](#)  
**Subject:** Additional Information Requested -Resolution C0066-25  
**Date:** Tuesday, March 18, 2025 2:21:11 PM

---

Dear President Martins-

I am reaching out to request additional information from you as the sponsor of the above-referenced item.

The language of the resolution is vague and ambiguous. I went back through my communications from Council on this item and did not find any additional information other than the language in the resolution itself.

In an effort to furnish a response to you, would you please clarify:

- Which organizations you consider to be ones that are “providing emergency assistance” to residents?
- What funding source(s) do you believe the City should be distributing to local organizations?
- How do you define the term “equitable”?

Thank you for providing further clarification on the issues you would like to be addressed in order for a response to be provided as requested.

-Erin



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

March 19, 2025

The Honorable City Council  
Everett City Hall  
484 Broadway  
Everett, MA 02149

**RE: Resolution C0066-25**

Dear Honorable Members:

I am in receipt of the above-referenced resolution. The language of the resolution is very general in nature, so I will respond as best I can with the information that has been provided.

The City of Everett is fortunate to have private organizations that work to support our residents. We are grateful for all organizations that seek to support our residents. We have worked to expand our outreach to organizations by making information about programs, services, and opportunities available in multiple languages. With respect to funding opportunities, the Administration works to have applications prepared so that they are easily discernible to organizations at all stages of growth from newly established to long-standing organizations and those with limited staff members to those with staff dedicated to finding funding and revenue opportunities.

The City does not have the capacity to meet all the demands for support that it receives from community groups and organizations. However, there is a commitment to support as many organizations as possible.

If the Council would like to further refine the information that was being sought by this resolution, I would be happy to provide a further response.

Thank you.

Respectfully submitted,

Carlo DeMaria  
Mayor

**Michael Mangan**

---

**From:** Erin Deveney  
**Sent:** Tuesday, April 8, 2025 6:38 AM  
**To:** Michael Mangan; Dolores Lattanzi  
**Cc:** David Flood  
**Subject:** RE: City Council Agenda Item C0066-25  
**Attachments:** RE: Additional Information Requested -Resolution C0066-25; ommunication on Resolution C0066.25.docx

Hello-

Thank you for this notice.

The language of the resolution was vague, so a request was made to the sponsor for clarification of what was sought. No response was received to that request, so a general response was submitted before the last meeting. A copy of that email correspondence chain and response is attached. There has no been communication from the sponsor since we submitted the last response.

Unless you have any further information to share on what is being sought, we have no further update or information to share.

Thank you.



**Erin C. Deveney**  
Chief of Staff  
Office of Mayor Carlo DeMaria  
Direct: 617- 944-0255

**From:** Michael Mangan <Michael.Mangan@ci.everett.ma.us>  
**Sent:** Monday, April 7, 2025 1:17 PM  
**To:** Erin Deveney <Erin.Deveney@ci.everett.ma.us>; Dolores Lattanzi <Dolores.Lattanzi@ci.everett.ma.us>  
**Cc:** David Flood <david\_flood@comcast.net>  
**Subject:** City Council Agenda Item C0066-25

**Good morning Erin, & Dolores**

**The following agenda item was postponed at the March 24<sup>th</sup> City Council meeting. It will be on the council agenda again for the meeting of April 14<sup>th</sup>.**

**Thanks, Mike**

**C0066-25** Resolution/s/ Councilor Stephanie Martins

That the administration consider providing equitable funding to support local organizations providing emergency assistance to residents

**POSTPONED**



C0073-25

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**To:** Mayor and City Council

**From:** Councilor Peter Pietrantonio

**Date:** March 10, 2025

---

**Agenda Item:**

That a representative from National Grid appear at the next meeting to explain the power outages we had in Everett recently.

**Background and Explanation:**

**Attachments:**

**From:** [John Prudente](#)  
**To:** [Peter Pietrantonio](#)  
**Cc:** [Michael Mangan](#)  
**Subject:** NGrid Outage Info Request  
**Date:** Friday, March 28, 2025 1:26:32 PM

---

Good afternoon, Councilor Pietrantonio,

I spoke with Mike earlier this week and I was hoping you could provide a little more detail on the information you are looking for from NGrid. In February we had two major wind storms come through that caused some infrastructure disruptions. I also recall there was an issue caused by a third party contractor and a planned work outage, but nothing particularly out of the ordinary.

In March, I'm seeing only 2 outages for 101 customers and 38 customers, each resolved within a couple hours.

Happy to provide whatever information I can to you on specific outages. I am available for a call as well at your convenience!

Best,

**John Prudente**

[nationalgrid](#)

Principal Community Engagement Manager

Massachusetts | 857-292-6434 (mobile) | [john.prudente@nationalgrid.com](mailto:john.prudente@nationalgrid.com)

[Report Electric Outages 800-322-3223](#)

[Report a Gas Emergency 911 or 800-233-5325](#)

[Massachusetts Grid Modernization](#)

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C0093-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** March 10, 2025

---

**Agenda Item:**

An order requesting approval to appropriate \$500,000 from the Capital Stabilization account for the costs of design services and related ancillary costs associated for the potential reuse of additional space at the former Everett High School

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

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March 5, 2025

The Honorable City Council  
Everett City Hall  
484 Broadway  
Everett, MA 02149

**RE: Resolution C0075-25**

Dear Honorable members:

I hereby submit for your consideration an order to appropriate **\$500,000** from the Capital Stabilization account for the costs of design services and related ancillary costs associated for the potential reuse of additional space at the former Everett High School.

Based on the input from residents and members of this City Council at a recent community meeting to discuss the proposed reuse of the former Everett High School for additional academic space, I am submitting this request for funds to hire a vendor to prepare actual designs for the reuse of that space. These designs would provide information as to costs for reuse of this space, in addition to the information already shared with you in the feasibility study that has been conducted.

The current balance in the Capital Stabilization as of March 5, 2025 is **\$7,260,256**.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



March 5, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

To appropriate **\$500,000** from the Capital Stabilization account for the costs of design services and related ancillary costs associated for the potential reuse of additional space at the former Everett High School.

The current balance in the Capital Stabilization account is **\$7,260,256.**

#3 - C0093-25

Ways and Means Committee  
March 20, 2025

The Committee on Ways and Means met on Thursday, March 20, 2025 at 6:00pm in the City Council Chambers at City Hall.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Stephanie Smith, presiding; Councilors John Hanlon and Pietrantonio. Member absent was Councilor Anthony DiPierro.

Communication received from Councilor DiPierro that he would be unable to attend due to a prior commitment.

The Committee met on an Order from Councilor Stephanie Martins, as President: An Order requesting the approval to appropriate \$500,000 from the Capital Improvement Stabilization fund for the costs of design services and related ancillary costs associated with the potential reuse of additional space at the former Everett High School.

Mayors Chief of Staff Erin Deveney was also present.

Councilor Hanlon remarked that it seemed that all the City Council was doing lately is putting money into the old Everett High School building. Ms. Deveney mentioned the recent Community meeting that was held on the old EHS building in which it was requested for the Administration to provide more definitive costs and as a result the City is taking the next step to obtain more substantive and solidified costs through an extensive design process if the City is to use that building. Councilor Pietrantonio asked who came up with the design cost of \$500,000 and Ms. Deveney explained that it was based on the projected overall construction cost of \$72 million which they feel is sufficient to cover the design cost. Councilor Pietrantonio inquired to how much was paid to the Mt Vernon Group to perform their feasibility study and Ms. Deveney noted that this cost was paid by the School Department. Councilor Pietrantonio asked if some of the surplus ARPA funds from the roof repair could be applied to the Design work and Ms. Deveney agreed to look into. Chairperson Smith asked what would happen if the City doesn't expend the full amount of the ARPA funds allotted for the project knowing that December 31, 2024 was the date all ARPA funds had to be assigned. Ms. Deveney stated that the City would do everything it can to assure the funding is not lost and she agreed to look into the matter further. Chairperson Smith asked if this appropriation was for one round of design or multiple designs and Ms. Deveney informed the Committee that there would be an opportunity to provide feedback once the preliminary design was available. Councilor Pietrantonio suggested holding off in passing the appropriation until it was determined if the ARPA funds could be used.

The Committee voted: to report back to the City Council with No recommendation pending a determination if surplus ARPA funds could be utilized for the design instead.

Respectfully Submitted,

John W. Burley  
Clerk of Committees



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

**TO:** Councilor Peter Pietrantonio  
Councilor Stephanie Smith

**CC:** Council President Stephanie Martins  
Sergio Cornelio, City Clerk  
Michael Mangan, Legislative Aide  
David Flood, Legislative Research Specialist

**FROM:** Erin Deveney  
Chief of Staff

**DATE:** April 9, 2025

**RE:** **Order C0093-25**

---

During prior Council consideration on Order C0093-25 (An order requesting approval to appropriate \$500,000 from the Capital Improvement Stabilization Fund for the costs of design services and related ancillary costs associated with the potential reuse of additional space at the former Everett High School), you requested a response on whether the City could use ARPA funding for the cost of design services for potential reuse of additional space at the former Everett High School in lieu of using the Capital Improvement Stabilization Fund.

The Administration posed the question to Accenture (formerly known as ANSER) to see if the ARPA rules would allow for a portion of the \$10M in ARPA funding that was approved by the City Council to replace the roof of the former Everett High School to cover the costs for services to develop designs and provide detailed cost estimates for possible additional classroom space.

Accenture has advised that ARPA funds can not be used for the design services. The following information includes the reasons why this project is not eligible:

“This does not align with the scope outlined in the [Interagency Agreement Memorandum of Understanding] IAAMOU, making it an invalid use of excess funds. Additionally, since the design scope was not under contract before

December 31, 2024, it cannot be treated as a new obligation or reclassified for funding.

As previously mentioned, recipients cannot re-obligate or obligate additional SLFRF funds after December 31, 2024. However, they can replace contracts or subawards made before this date if:

1. The contractor or subrecipient defaults, goes out of business, or cannot perform.
2. Both parties mutually agree to terminate for convenience.
3. The contract or subaward was improperly awarded, with clear evidence and documentation.

After the deadline, recipients may reclassify excess funds to other eligible projects if the original obligation was made by December 31, 2024. “

Since the ARPA funds may not be used for this purpose, the Administration asks the City Council to consider favorable action on the request to use Capital Improvement Stabilization Funds for design services for the potential reuse of the former Everett High School for additional classroom space.

Thank you.



C0102-25

---

**To:** Mayor and City Council

**From:** Councilor Holly D. Garcia

**Date:** March 24, 2025

---

**Agenda Item:**

That contractors that work in the city have a designated staging area for their equipment and construction materials when they are going to be working in a designated area for more than three days

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0103-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** March 24, 2025

---

**Agenda Item:**

That the administration provide a copy of any proposed host agreements with Jupiter Battery Storage

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**  
484 Broadway Everett, Massachusetts 02149  
☎ 617-394-2270  
✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

April 9, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

**RE: C0103-25**

Dear Honorable Members:

I am receipt of your request for a copy of any proposed host agreements with Jupiter Battery Storage.

Please be advised that while conversations are taking place with Jupiter Power, no agreement terms have been reached.

Thank you.

Respectfully submitted,

Carlo DeMaria  
Mayor



C0104-25

---

**To:** Mayor and City Council  
**From:** Councilor Stephanie V. Smith  
**Date:** March 24, 2025

---

**Agenda Item:**

That the Postmaster General provides the City Council with a list of the tentative consolidating of 5 routes in the Ward 2/Ward 3 area and anything other route consolidations that are happening in Everett

**Background and Explanation:**

WHEREAS, the United States Postal Service (USPS) plays a vital role in ensuring reliable mail delivery and service to the residents and businesses of the City of Everett;  
WHEREAS, the USPS is considering the consolidation of five (5) postal routes within the Ward 2 and Ward 3 areas of Everett, which may impact mail delivery times, operational efficiency, and customer service;  
WHEREAS, transparency and communication between federal agencies and local government are essential to addressing potential concerns from residents and businesses affected by these changes;  
WHEREAS, the Everett City Council seeks to ensure that any proposed postal route consolidations are made with careful consideration of their effects on service quality and community needs;  
NOW, THEREFORE, BE IT RESOLVED THAT, the Everett City Council formally requests that the Postmaster General provide the City Council with a detailed list of the tentative consolidations of the five (5) routes in the Ward 2/Ward 3 area, as well as any other planned route consolidations occurring within the City of Everett;

**Attachments:**



C0108-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** March 24, 2025

---

**Agenda Item:**

An order requesting approval to appropriate \$100,000 from General Fund Budgetary Fund Balance (Free Cash) to the Legal Department litigation/professional services account. This amount is requested to ensure the legal department has sufficient funds through the remainder of the fiscal year

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

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---

March 19, 2025

The Honorable City Council  
City Hall  
484 Broadway  
Everett, Massachusetts 02149

Dear Honorable Members:

I hereby submit for your consideration an order to appropriate **\$100,000** from General Fund Budgetary Fund Balance (Free Cash) to the Legal Department litigation/professional services account. This amount is requested to ensure the legal department has sufficient funds through the remainder of the fiscal year.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



March 19, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

That the sum of \$100,000 be appropriated from the General Fund Budgetary Fund Balance (Free Cash) to the Legal department Litigation/professional services account.

This amount is requested to ensure the legal department has sufficient funds through the remainder of the fiscal year.

#3 - C0108-25

Ways and Means Committee  
April 7, 2025

The Committee on Ways and Means met on Monday, April 7, 2025 at 6:00pm in the City Council Chambers at City Hall.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Stephanie Smith, presiding; Councilors Anthony DiPierro, John Hanlon and Peter Pietrantonio.

The Committee met on an Order offered by Councilor Stephanie Martins, as President: An Order requesting approval to appropriate \$100,000.00 from General Fund Budgetary Fund balance (Free Cash) to the Legal Department litigation/professional services account.

City Solicitor Colleen Mejia was also present.

Solicitor Mejia informed the Committee that her office has \$121,000 in invoices but only \$107,000 left in her budget and that the amount being requested to appropriate is to ensure the legal department has sufficient funds through the remainder of the fiscal year noting that she was still awaiting other invoices. Councilor Pietrantonio remarked that it appeared to be an awful lot of law firms the City was using. Solicitor Mejia responded that her office once had four attorneys and now only had two attorneys with the outside law firms providing expert law advice. She provided an overview of the many legal matters that they are involved with for the City. Chairperson Smith recommended that the Committee not approve the appropriation until the actual redacted invoices are received for review.

The Committee voted: to report back to the City Council with no recommendation pending receipt of the invoices the Committee is seeking.

Respectfully Submitted,

John W. Burley  
Clerk of Committees



C0116-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie V. Smith

**Date:** April 14, 2025

---

**Agenda Item:**

That the City shall reinstate the seasonal overflow trash collection service in both the Fall and Spring, as was customarily done in previous years. In order to discourage illegal dumping and ensure the efficient use of City resources, the City shall implement an online request system whereby residents may obtain a limited number of designated stickers per household to be used during this period

**Background and Explanation:**

**Attachments:**



C0117-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Holly D. Garcia

**Date:** April 14, 2025

---

**Agenda Item:**

That the head of the Communications Department and the Administration appear at the next meeting to discuss the Communications Department resources being used exclusively for the Mayor.

**Background and Explanation:**

**Attachments:**



C0127-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins, Councilor Katy L. Rogers, Councilor Peter Pietrantonio, Councilor Robert J. Van Campen, Councilor Holly D. Garcia, Councilor Stephanie V. Smith

**Date:** April 14, 2025

---

**Agenda Item:**

That a representative from the Kraft group appear at the first meeting in May to provide a presentation on the renderings and site plans for the soccer stadium

**Background and Explanation:**

**Attachments:**



C0145-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 28, 2025

---

**Agenda Item:**

Report and recommendations of the City of Everett 2024 – 2025 Charter Review Committee

**Background and Explanation:**

**Attachments:**



## City of Everett 2024 – 2025 Charter Review Committee

**Guerline Alcy Jabouin**  
**Fred Capone**  
**Darren Costa**  
**Rosa DiFlorio**

**Robert J. Van Campen**  
**Committee Chairman**

**David R. Flood**  
**Committee Clerk**

**James Mastrocola**  
**Kathleen Parker**  
**David Pretti**  
**David Senatillaka**

Dear City Clerk Cornelio:

In accordance with Section 9-6 of the Everett City Charter (“Charter”), please find enclosed herewith the report of the Everett Charter Review Committee (“Committee”). As you are aware, the Committee has been working diligently since the summer of 2024 in order to conduct the periodic review of the Charter that is required by Section 9-6. The attached report outlines those areas where the Committee has approved recommended changes for consideration by the Everett City Council.

As the Committee’s work is now complete, I do want to thank the members for their diligence and professionalism in serving the people of Everett. Those members are Councilor Guerline Alcy Jabouin, Committee Vice Chair Fred Capone, Darren Costa, Rosa DiFlorio, James Mastrocola, Kathleen Parker, David Pretti, and David Senatillaka. Their insights have been invaluable throughout this process.

I also want to thank the City Council staff who were involved in assisting along the way, and I want to particularly thank Research Analyst David Flood who served as Clerk to the Committee, as well as yourself for helping guide this process throughout.

Very truly yours,

Robert J. Van Campen  
Chair, Everett 2024 – 2025 Charter Review Committee



## City of Everett 2024 – 2025 Charter Review Committee

**Guerline Alcy Jabouin**  
**Fred Capone**  
**Darren Costa**  
**Rosa DiFlorio**

**Robert J. Van Campen**  
**Committee Chairman**

**David R. Flood**  
**Committee Clerk**

**James Mastrocola**  
**Kathleen Parker**  
**David Pretti**  
**David Senatillaka**

April 15, 2025

Everett City Council  
Everett City Hall, Room 38  
484 Broadway  
Everett, MA 02149

To the Honorable Everett City Council

The Everett 2024 – 2025 Charter Review Committee takes great pride in presenting this report of its findings for your consideration.

### **Introduction and Process**

Section 9-6 of the Home Rule Charter of the City of Everett currently requires the mayor and the city council to provide for a periodic review of said charter to be made at 10-year intervals in each year ending in the number 4. The mayor and the city council president each appointed their designated number of members to the committee, and the members began their review of the city's charter in June of 2024.

Over an 11-month period, the committee performed a thorough, comprehensive review of the entire city charter. The committee attempted to identify those specific provisions of the charter that worked, those that did not and those that could be improved. To aid in this process, the committee considered recommendations made in a review of the charter that was performed by City Clerk Sergio Cornelio and Attorney Lauren Goldberg of KP Law.

The committee held 10 open public meetings and 2 televised public hearings. The committee accepted input by e-mail, including establishing a dedicated e-mail address that could be used to send e-mails directly to the committee.

Besides listening to the will of the voters, each committee member brought their own ideas to the table. Debates were lively with strongly defended opinions, At the same time, committee members listened to, learned from and were often persuaded by each other. In all instances, the committee was a model of civil discourse and participatory democracy.

### **Proposed Charter Amendments**

A list of the major categories of amendments that the committee has recommended for the charter follows:

#### **Charter Format**

A new format for the city's charter document is being recommended. A copy of the reformatted document is attached. The new format is intended to make the charter more user-friendly and easier to read.

#### **Numbers**

New standards for how numbers will appear in the charter have been recommended. Currently, the format used when numbers appear in the charter is "number word (number)". (for example, "thirty (30)"). Going forward, it is recommended that only the number appears (i.e., 30}. This will prevent situations where the number word and the number do not match. Recommendations for new standards for how ordinal numbers (1<sup>st</sup>, 2<sup>nd</sup>, etc.) and fractions (2/3<sup>rd</sup>s) will appear in the charter going forward have also been made.

#### **Gender**

Changes have been recommended which will make the charter gender neutral.

#### **City Clerk/Attorney Goldberg Suggested Amendments**

The committee reviewed a number of various changes suggested in a review of the charter performed by the city clerk and KP Law. The committee recommended that a number of these changes be incorporated in their final recommendations. Other recommendations were not accepted.

#### **Election of City Council President/School Committee Chair & Vice Chair**

The committee made recommendations to change the language in the charter that states that a city council president, a school committee chair and a school committee vice chair are only elected in years following the biennial city election. The recommendations made will match the current practice of these elections being held every year.

#### **Mayor – Term of Office/Conflicting Term of Office Language**

It was recommended that the term of office language that was adopted for the city council and the school committee in the last charter revision be adopted for the position of mayor as well. It was also recommended that now conflicting language in the oath of office section of the charter be deleted as well.

#### **Felony Convictions**

One of KP Law's recommendations was to consider making changes to the charter's felony conviction language so that a felony conviction does not necessarily carry a lifetime ban from holding elected office in the city. The committee discussed the issue thoroughly but could not agree on a way to change the current language in a way that they could agree upon. However, they did recommend to centralize the felony conviction language to 1 place in the charter rather than 3, so that if it is ever changed in the future, the same language will automatically apply to all elected positions.

### **Elections**

The committee has recommended a major overhaul of the charter’s Elections article. These recommendations align the article with the city’s current election practices and change the main responsibility for elections to the board of election commissioners and the elections department. These recommendations have been vetted by KP Law and the Massachusetts Secretary of State’s Office and any recommendations they made have been incorporated into the committee’s recommendations.

### **Citizen Participation Mechanisms**

Many changes have been recommended for the Citizen Participation Mechanisms article of the charter as it was felt that the article was lacking in detail for how these mechanisms are supposed to work. The recommended changes also better reflect the role the board of election commissioners and the elections department now play in these mechanisms.

The committee also recommended that the percentage of registered voter signatures needed for a recall election be reduced from 20% to 15%. While some may be disappointed that the percentage was not decreased more or that voters who voted in the last biennial city election was not used to determine the number of signatures needed for a recall, the committee felt, much as the original charter review commission did, that a recall should not be an easy process.

### **Standardization of terms**

A number of the recommendations made by the committee involve using standardized terms in the charter whenever possible. Using the same terms for the same things throughout the charter should make the charter easier to understand.

### **Delete obsolete transitional provisions**

The committee has recommended that any of the transitional provisions in Article X of the charter that are no longer needed be deleted from the charter.

### **Conclusion**

The members of the City of Everett 2024 – 2025 Charter Review Committee are honored to have served the community in this endeavor over the past 11 months. The committee carried out its duties to the best of its abilities based on the members’ commitment to an open and transparent process.

The committee believes that they have recommended amendments to the current city charter that will make it a clearer and stronger document. While some may be disappointed that the committee did not go far enough in recommending changes to the charter, this revision of the charter is intended to be functional, not controversial.

This update is intended to correct a number of issues that have been identified in the charter that need to be addressed. To ensure that these issues are corrected, the support of both the city council and the mayor are required. Without both, these recommended changes cannot move forward.

If there are other charter issues that the city council or members of the public feel need to be addressed, the committee recommends that they should be part of separate petitions.

The committee's detailed recommendations for changes to the city's charter are documented in an order which is included as a part of this package.

If you have any questions about this report or any of the committee's recommendations, feel free to contact any of the committee members or the committee's clerk.

David R. Flood

Clerk of City of Everett 2024 – 2025 Charter Review Committee

# CITY OF EVERETT, MASSACHUSETTS



## HOME RULE CHARTER

Approved: 11/08/2011  
Last Revised: 05/15/2021

# City of Everett Home Rule Charter

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# City of Everett Home Rule Charter

## ARTICLE 1

### INCORPORATION; SHORT TITLE; DEFINITIONS

#### SECTION 1-1: INCORPORATION

The inhabitants of the city of Everett, as such, shall have, exercise and enjoy all the rights, powers, privileges and immunities, and shall be subject to all the duties and obligations pertaining to and incumbent upon the said city as a municipal corporation and as a body corporate and politic.

#### SECTION 1-2: SHORT TITLE

This act shall be known and may be cited as the City of Everett Home Rule Charter.

#### SECTION 1-3: DIVISION OF POWERS

- (a) The administration of the fiscal, prudential and municipal affairs of Everett, with the government thereof, shall be vested in an executive branch headed by a mayor and a legislative branch consisting of a city council.
- (b) The legislative branch shall never exercise any executive power, and the executive branch shall never exercise any legislative power.

#### SECTION 1-4: POWERS OF THE CITY

Subject only to express limitations on the exercise of any power or function by a municipal government in the constitution or General Laws of the commonwealth, it is the intention and the purpose of the voters of Everett through the adoption of this charter to secure for themselves and their government all of the powers it is possible to secure as fully and as completely as though each such power were specifically and individually enumerated herein.

#### SECTION 1-5: CONSTRUCTION

The powers of the city of Everett under this charter are to be construed liberally in favor of the city, and the specific mention of any particular power is not intended to limit the general powers of the city as stated in section 1-4.

#### SECTION 1-6: INTERGOVERNMENTAL RELATIONS

Subject only to express limitations in the constitution or general laws of the commonwealth, Everett may exercise any of its powers or perform any of its functions, and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with the commonwealth or any of its agencies or political subdivisions, or with the United States government or any of its agencies.

#### SECTION 1-7: DEFINITIONS

Unless another meaning is clearly apparent from the manner in which the word or phrase is used, the following words and phrases as used in this charter shall have the following meanings:

- (a) "Charter", this charter and any adopted amendments to it.
- (b) "City", the city of Everett.

## City of Everett Home Rule Charter

- (c) "City agency", any multiple member body, any department, division, or office of the city of Everett.
- (d) "City officer", when used without further qualification or description, shall mean a person having charge of an office or department of the city who in the exercise of the powers or duties of that position exercises some independent statutory authority.
- (e) "Emergency", a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.
- (f) "Full city council", "full school committee" "full multiple member body", the entire authorized membership of the city council, school committee or other multiple member body notwithstanding any vacancy which might exist.
- (g) "general laws", laws enacted which apply alike to all cities and towns, to all cities, or to a class of 2 or more cities, or to a class of cities and towns of which Everett is a member.
- (h) "General Laws", the General Laws of the Commonwealth of Massachusetts, a codification and revision of statutes enacted on December 22, 1920, and including all amendments thereto subsequently adopted.
- (i) "Initiative measure", a measure proposed by the voters through the initiative process provided under this charter.
- (j) "Local newspaper", a newspaper of general circulation within Everett, with either a weekly or daily circulation.
- (k) "Majority vote", when used in connection with a meeting of a multiple member body shall mean a majority of those present and voting, unless another provision is made by ordinance or by its own rules, provided however that General Law provisions related to any vote to meet in "executive session" shall always require a majority of members of the body.
- (l) "Measure", an ordinance, resolution, order or vote passed by the city council, or a resolution, order or vote passed by the school committee, as the case may be.
- (m) "Multiple member body", any council, commission, committee, subcommittee or other body consisting of two (2) or more persons whether elected, appointed or otherwise constituted, but not including the city council, the school committee or an advisory committee appointed by the mayor.
- (n) "Organization or reorganization plan", a plan submitted by the mayor to the city council which proposes a change in the organization or the administrative structure of the city administration or organization, or a change in the way in which a municipal service or services are delivered.
- (o) "Quorum", a majority of all members of a multiple member body unless some other number is required by law or by ordinance.
- (p) "Referendum measure", a measure adopted by the city council or the school committee that is protested under the referendum procedures of this charter.
- (q) "Remove from the city", when a person ceases to be domiciled within the territorial limits of the city.
- (r) "Voters", registered voters of the city of Everett.

# City of Everett Home Rule Charter

## ARTICLE 2 LEGISLATIVE BRANCH

### SECTION 2-1: COMPOSITION, TERM OF OFFICE

(C0005-1-20/Acts of 2021, Chapter 14)

(a) Composition

There shall be a city council of eleven (11) members that shall exercise the legislative powers of the city.

- (1) Five (5) members of the city council shall be known as councilors-at-large and shall be nominated and elected by and from the voters of the city at large.
- (2) Six (6) members of the city council shall be known as ward councilors. Ward councilors shall be domiciled in the ward from which they seek to be nominated and elected and shall be elected by and from the voters of that ward only, with one (1) such ward councilor to be elected from each of the six (6) wards into which the city is divided.

(b) Term of Office

- (1) The term of office for all councilors shall be for two (2) years each.
- (2) The term shall run from the first business day of January succeeding the councilor's election and until their successors have been qualified.
- (3) Councilors shall be sworn into office no later than January 7 at 8:00 p.m., at a time and place as shall be designated by the city clerk.

(c) Eligibility

- (1) Any voter shall be eligible to hold the office of councilor-at-large.
- (2) A ward councilor shall be a voter domiciled in the ward from which election is sought no later than sixty-four (64) days prior to the date of the preliminary election.
- (3) If a ward councilor or a councilor-at-large removes from the city during the term for which the councilor was elected, such office shall immediately be deemed vacant by the city clerk and shall be filled in the manner provided in section 2-11.
- (4) If a ward councilor removes from the ward from which the councilor was elected during the first eighteen (18) months of the councilor's term, such office shall immediately be deemed vacant and filled in the manner provided in said section 2-11; provided, however, that a ward councilor who removes from the ward from which the councilor was elected during the last six (6) months of the councilor's elected term, and who remains a resident of the city, may serve out the remainder of their term.

# City of Everett Home Rule Charter

## SECTION 2-2: PRESIDENT

(C0005-1-20/Acts of 2021, Chapter 14)

### (a) Election and Term

- (1) As soon as practicable after the councilors-elect have been qualified following each biennial election, as provided in section 9-11, the members of the city council shall elect from among its members a president who shall serve for one (1) year.
- (2) The method of election of the president shall be prescribed within the rules of the city council.

### (b) Powers and Duties

- (1) The president shall preside at all meetings of the city council, regulate its proceedings and decide all questions of order.
- (2) The president shall appoint all members of all committees of the city council, whether special or standing.
- (3) The president shall have the same powers to vote upon all measures coming before the city council as any other member of the city council.
- (4) The president shall perform any other duties consistent with the office that may be provided by charter, ordinance or other vote of the city council.

# City of Everett Home Rule Charter

## SECTION 2-3: PROHIBITIONS

(C0005-1-20/Acts of 2021, Chapter 14)

### (a) Holding Other City Office or Position

- (1) No member of the city council shall hold any other city office or city employment unless authorized by chapter 268A of the General Laws or by the state ethics commission.
- (2) No former member of the city council shall hold any compensated appointed city office or appointed city employment until thirty (30) days following the date on which the former member’s service on the city council has terminated

(C0113-18/Acts of 2018, Chapter 314)

- a. This provision shall not prevent a city officer or other city employee who has vacated a position to serve as a member of the city council from returning to the same office or other position of city employment held at the time the position was vacated, but no such person shall be eligible for any other municipal position until thirty (30) days following the termination of service as a member of the city council.

(C0113-18/Acts of 2018, Chapter 314)

### (b) Interference with Administration

No city council or any member of the city council shall give orders or directions to any officer or employee of the city appointed by the mayor, either publicly or privately.

### (c) Felony Conviction

- (1) Any person who has been finally convicted of a state or federal felony shall not be eligible to petition for, or serve in, any elective or appointive office or position under the city.
- (2) Any councilor who has been finally convicted of a state or federal felony shall be deemed to have vacated their office and shall be disqualified from serving in any other elective or appointive office or position under the city.

## City of Everett Home Rule Charter

### SECTION 2-4: COMPENSATION; EXPENSES

(a) Compensation

- (1) The members of the city council shall receive such salary for their services as may, from time to time, be set by ordinance.
- (2) No ordinance increasing the salary of councilors shall be effective unless it shall have been adopted by a two-thirds (2/3) vote of the full city council during the first eighteen (18) months of the term for which the city council is elected and unless it provides that the salary increase is to take effect upon the organization of the city government following the next municipal election.
- (3) No member of the city council shall be eligible to participate in the city's group health or life insurance programs.

(b) Expenses

- (1) Subject to appropriation, council members shall be entitled to reimbursement of their actual and necessary expenses incurred in the performance of their duties.
- (2) Actual and necessary expenses shall be defined within the council's rules and regulations.

### SECTION 2-5: GENERAL POWERS

Except as otherwise provided by general law or by this charter, all powers of the city shall be vested in the city council which shall provide for their exercise and for the performance of all duties and obligations imposed upon the city by law.

## City of Everett Home Rule Charter

### SECTION 2-6: EXERCISE OF POWERS; QUORUM; RULES

(a) Exercise of Powers

Except as otherwise provided by general law or by this charter, the legislative powers of the city council may be exercised in a manner determined by it.

(b) Quorum

- (4) The presence of six (6) members shall constitute a quorum for the transaction of business.
- (5) Except as otherwise provided by general law or by this charter, the affirmative vote, taken by roll call vote, of eight (8) members shall be required to adopt an appropriation order.
- (6) Except as otherwise provided by law or this charter, the affirmative vote, taken by roll call vote, of a majority of the full city council shall be required to adopt any ordinance.

(c) Rules of Procedure

The city council shall from time to time adopt rules regulating its procedures, which shall be in addition to the following:

(1) Regular meetings

- a. Regular meetings of the city council shall be held at a time and place fixed by ordinance.
- b. All regular meetings of the city council shall provide for a period of public comment, provided however, the city council may promulgate rules that regulate such period of public comment as deemed appropriate.

(2) Special meetings

- a. Special meetings of the city council shall be held at the call of the president or at the call of any five (5) or more members by written notice delivered in hand or to the place of residence of each member and which contains a listing of the items to be acted upon.
- b. Except in case of an emergency, of which the president shall be the sole judge, this notice shall be delivered at least forty-eight (48) weekday hours in advance of the time set for such meeting.
- c. A copy of the notice shall immediately be posted in accordance with law.

(3) All sessions of the city council and of every committee or subcommittee of the council shall at all times be open to the public unless another provision is made by law.

(4) A full, accurate, up-to-date account of the proceedings of the city council shall be kept by the city clerk, which shall include a record of each vote taken, and which shall be made available with reasonable promptness following each meeting. Unless otherwise provided by law, the minutes of any executive session shall be made available as soon as their publication would not defeat the lawful purposes of the executive session.

## City of Everett Home Rule Charter

### SECTION 2-7: ACCESS TO INFORMATION

(a) In General

The city council may make investigations into the affairs of the city and into the conduct and performance of any city agency.

(b) City Officers, Members of City Agencies, Employees

The city council may require any city officer, member of a city agency or city employee to appear before it to give any information that the city council may require in relation to the municipal services, functions, powers, or duties which are within the scope of responsibility of that person and within the jurisdiction of the city council.

(c) Mayor

(7) The city council may require the mayor to provide specific information to it on any matter within the jurisdiction of the city council.

(8) The city council may require the mayor to appear before it, in person, to provide specific information on the conduct of any aspect of the business of the city. The mayor may bring to such meeting any city officer or employee the mayor may deem necessary to assist in responding to the questions posed by the city council.

(d) Notice

(3) The city council shall give a minimum seven (7) days' notice to any person it may require to appear before it under the provisions of this section.

(4) The notice shall include specific questions on which the city council seeks information, and no person called to appear before the city council under this section shall be required to respond to any question not relevant or related to those presented in advance and in writing.

## City of Everett Home Rule Charter

### SECTION 2-8: APPOINTMENTS OF THE CITY COUNCIL

#### (a) City Clerk and Assistant City Clerk

- (9) The city council shall, by a majority vote of the full city council, appoint a city clerk and an assistant city clerk each of whom shall serve for five (5) year terms.
- (10) Any vacancy in the office of city clerk or assistant city clerk shall be filled in a like manner for the remainder of the expired term.
- (11) The city clerk and the assistant city clerk shall receive such compensation as the city council may from time to time determine.
- (12) The city council shall have charge and control over of the office of city clerk.
- (13) The city clerk shall keep full and accurate records of the doings of the city council and perform such other duties as prescribed by the general laws, by this charter or by ordinance.
- (14) In the absence of the city clerk, the assistant city clerk shall perform the duties of the city clerk and shall perform such other duties as prescribed by the city clerk or by ordinance.

#### (b) Clerk of Committees

- (1) The city council shall biennially in January of the year following a municipal election vote, by a majority vote of the full city council, elect a clerk of committees, who shall hold office for two (2) years, from no later than the first day of March in the year of his election, and until a successor is qualified, unless sooner removed.
- (2) The clerk of committees shall receive such compensation as the city council may from time to time determine.
- (3) The clerk of committees shall keep full and accurate records of the doings of the several committees of the city council, and shall perform such other duties as may be required of the clerk of committees by the city council.

#### (c) Other Staff

Subject to appropriation, the city council may employ such other staff as it deems necessary.

## City of Everett Home Rule Charter

### SECTION 2-9: ORDINANCES AND OTHER MEASURES

#### (a) Measures

- (15) No measure, except resolutions and other votes constituting ordinary, routine matters, shall be passed finally on the date on which they are introduced, except in the case of an emergency.
- (16) Except as otherwise provided by the charter, every adopted measure shall become effective at the expiration of thirty (30) days after adoption or at any other date specified therein.
- (17) No ordinance shall be amended or repealed except by another ordinance adopted in accordance with the charter, or as provided in the initiative and referendum procedures.

#### (b) Emergency Measures

- (5) An emergency measure shall be introduced in the form and manner prescribed for measures generally except that it shall be plainly designated as an emergency measure and shall contain statements after the enacting clause declaring that an emergency exists and describing its scope and nature in clear and specific terms.
- (6) A preamble which declares and defines the emergency shall be separately voted on and shall require the affirmative vote of two-thirds (2/3) of the full city council.
- (7) An emergency measure may be passed with or without amendment or rejected at the meeting at which it is introduced.
- (8) No measure making a grant, renewal or extension, whatever its kind or nature, or a franchise or special privilege shall be passed as an emergency measure, and except as provided by the laws of the Commonwealth, no such grant, renewal or extension shall be made otherwise than by ordinance.
- (9) An emergency measure shall become effective upon adoption or at such later time as it may specify.

#### (c) Charter Objection

- (1) On the first occasion that the question on adoption of a measure is put to the city council, if a single member objects to the taking of the vote, the vote shall be postponed until the next meeting of the city council whether regular or special.
- (2) If two (2) members shall object, such postponement shall be until the next regular meeting; but for an emergency measure at least four (4) members, in all, must object.
- (3) This procedure shall not be used more than once for any matter bearing a single docket number notwithstanding any amendment to the original matter.
- (4) A charter objection shall have privilege over all motions but must be raised prior to or at the call for a vote by the presiding officer and all debate shall cease.

## City of Everett Home Rule Charter

### SECTION 2-10: CITY COUNCIL CONFIRMATION OF CERTAIN APPOINTMENTS

- (a) The mayor shall submit to the city council the name of each person the mayor desires to appoint to any city office as a department head or as a member of a multiple-member body, but not including any position which is subject to the civil service law.
- (b) The city council may refer each name submitted to it to a standing committee of the council which shall review each candidate for appointment and may make a recommendation to the full city council not less than seven (7) nor more than forty-five (45) days after the referral.
- (c) The committee may require any person whose name has been referred to it to appear before the committee, or before the city council, to give any information relevant to the appointment that the committee, or the city council, may require.
- (d) Appointments made by the mayor shall become effective on the forty-fifth day after the date on which notice of the proposed appointment was filed with the city clerk unless approved or rejected by the city council within the forty-five (45) days.

### SECTION 2-11: FILLING OF VACANCIES

- (a) If a vacancy occurs in the office of city councilor, whether by failure to elect or otherwise, the remaining councilors shall, within thirty (30) days following the date of such vacancy, act to fill said vacancy.
- (b) The city council shall fill the vacancy for the remainder of the unexpired term by choosing the defeated candidate receiving the most votes for said seat from the last regular city election; provided, however, that said defeated candidate shall have received at least twenty percent (20%) of the total ballots cast for the particular seat being vacated.
  - (1) For the purpose of this section, the twenty percent (20%) minimum threshold shall be calculated as a ratio of ballots cast for the particular office being vacated to votes obtained by said defeated candidate.
- (c) If there was no other candidate for said office or said defeated candidate shall not have received at least twenty percent (20%) of the total ballots cast, the city council shall at its discretion choose an individual, who may be the defeated candidate, from among the voters entitled to vote for such office to serve for the remainder of the unexpired term.
  - (1) In such an instance, the city clerk shall post notice of the vacancy at least fourteen (14) days prior to the meeting at which the council shall act to fill the vacancy.
- (d) Any person so chosen shall take the oath of office and commence to serve forthwith.
- (e) Persons serving as councilor under this section shall not be entitled to have the words "candidate for re-election" printed against their names on the election ballot.
- (f) No vacancy shall be filled, in the manner herein provided, if a regular city election is to be held within ninety (90) days following the date the vacancy is declared to exist.

# City of Everett Home Rule Charter

## ARTICLE 3 EXECUTIVE BRANCH

### SECTION 3-1: MAYOR: QUALIFICATIONS; TERM OF OFFICE; COMPENSATION; PROHIBITIONS

(a) Mayor, Qualifications

(18) The chief executive officer of the city shall be a mayor, elected by and from the voters of the city at large.

(19) Any Everett voter domiciled in the city shall be eligible to hold the office of mayor.

(b) Term of Office

The term of office of the mayor shall be four (4) years beginning on the first Monday in the January succeeding his election, except when said first Monday falls on a legal holiday, in which event on the following day, no later than eight o'clock in the evening (8:00 PM), and until his successor has been qualified.

(c) Compensation

(10) The city council shall, by ordinance, establish an annual salary for the mayor.

- a. No ordinance increasing the salary of the mayor shall be effective unless it shall have been adopted by a two-thirds (2/3) vote of the full city council during the first eighteen (18) months of the term for which the city council is elected and unless it provides that the salary increase is to take effect upon the organization of the city government following the next municipal election.

(11) Subject to appropriation, the mayor shall be entitled to reimbursement of his actual and necessary expenses incurred in the performance of his duties.

(d) Prohibitions

(5) The mayor shall hold no other city office or city employment for which a salary or other emolument is payable from the city treasury.

(6) No former mayor shall hold any compensated appointed city office or city employment until one (1) year following the date on which the former mayor's city service has terminated.

- a. This provision shall not prevent a city officer or other city employee who has vacated a position in order to serve as mayor from returning to the same office or other position of city employment held at the time the position was vacated, if such position exists, but no such person shall be eligible for any other municipal position until at least one (1) year after the termination of service as mayor.
- b. This prohibition shall not apply to persons covered under the leave of absence provisions of the civil service law.

(e) Felony Conviction

## City of Everett Home Rule Charter

- (20) Any person who has been finally convicted of a state or federal felony shall not be eligible to petition for or serve in any elective or appointive office or position under the city.
- (21) Any mayor who has been finally convicted of a state or federal felony shall be deemed to have vacated said office and shall be disqualified from serving in any other elective or appointive office or position under the city.

### **SECTION 3-2: EXECUTIVE POWERS; ENFORCEMENT OF ORDINANCES**

- (a) The executive powers of the city shall be vested solely in the mayor and may be exercised by the mayor either personally or through the several city agencies under the general supervision and control of the office of the mayor.
- (b) The mayor shall cause the charter, the laws, the ordinances and other orders for the government of the city to be enforced, and shall cause a record of all official acts of the executive branch of the city government to be kept.
- (c) The mayor shall exercise general supervision and direction over all city agencies, unless otherwise provided by law or by this charter.
  - (1) Each city agency shall furnish to the mayor, immediately upon request, any information, materials or otherwise as the mayor may request and as the needs of the office of mayor and the interest of the city may require.
- (d) The mayor shall supervise, direct and be responsible for the efficient administration of all city activities and functions placed under the control of the mayor by law or by this charter.
- (e) The mayor shall be responsible for the efficient and effective coordination of the activities of all agencies of the city and for this purpose shall have authority, consistent with law, to call together for consultation, conference and discussion at reasonable times all persons serving the city, whether elected directly by the voters, chosen by persons elected directly by the voters, or otherwise.
- (f) The mayor shall be, by virtue of the office, a member of every appointed multiple member body of the city.
  - (1) The mayor shall have a right, as an ex officio member, to attend any meeting of any appointed multiple member body of the city, at any time, including executive sessions, to participate in the discussions, to make motions and to exercise every other right of a regular member of such body, but not including the right to vote.

## City of Everett Home Rule Charter

### SECTION 3-3: APPOINTMENTS BY THE MAYOR

- (a) The mayor shall appoint, subject to the confirmation of such appointments by the city council under section 2-10, all city officers and department heads and the members of multiple-member bodies for whom no other method of appointment or selection is provided by law or this charter, excepting only persons serving under the school committee, and persons serving under the city council.
- (b) All appointments to multiple-member bodies shall be for terms established under section 5-1.
  - (1) Upon the expiration of the term of any member of a multiple member body, a successor shall be appointed in like manner.
  - (2) The mayor shall fill any vacancy for the remainder of the unexpired term of any member of a multiple member body.
- (c) All persons classified as department heads shall, subject to the consent of the mayor, appoint, promote and discipline all assistants, subordinates and other employees of the agency for which that person is responsible.
- (d) All appointments and promotions made by the mayor shall be made on the basis of merit and fitness demonstrated by examination, past performance or by other evidence of competence and suitability
  - (1) Each person appointed to fill an office or position shall be a person especially fitted by education, training and previous work experience to perform the duties of the office or position for which chosen.

## City of Everett Home Rule Charter

### SECTION 3-4: TEMPORARY APPOINTMENTS TO CITY OFFICES

- (a) Whenever a vacancy, either temporary or permanent, occurs in a city office and the needs of the city require that the vacancy be filled, the mayor may designate the head of another city agency or a city officer or city employee or some other person to perform the duties of the office on a temporary basis until the position can be filled as otherwise provided by law or by this charter.
- (1) No city officer or city employee shall receive dual compensation for holding a temporary appointment.
- (b) The mayor shall file a certificate in substantially the following form, with the city clerk, whenever a person is designated under this section:
- I designate (name of person) to perform the duties of the office of (designate office in which vacancy exists) on a temporary basis until the office can be filled by (here set out the regular procedure for filling the vacancy, or when the regular officer shall return). I certify that said person is qualified to perform the duties which will be required and that I make this designation solely in the interests of the city of Everett.
- (signed)  
Mayor
- (c) Persons serving as temporary officers under this section shall have only those powers of the office essential to the performance of the duties of the office during the period of the temporary appointment.
- (d) Notwithstanding any general or special law to the contrary, no temporary appointment shall be for more than ninety (90) days, but not more than two (2) thirty (30) day extensions of a temporary appointment may be made when a permanent vacancy exists in the office.

### SECTION 3-5: COMMUNICATIONS; SPECIAL MEETINGS

- (a) Communications to the City Council
- (1) The mayor shall, from time to time, by written communications, recommend to the city council for its consideration such measures as, in the judgment of the mayor, the needs of the city require.
- (2) The mayor shall, from time to time, by written communication, but no less than quarterly, keep the city council fully informed of the financial and administrative condition of the city and shall specifically indicate in such reports any financial or administrative issues facing the city.
- (b) Special Meetings of the City Council
- (22) The mayor may at any time call a special meeting of the city council, for any purpose, by causing a notice of the meeting to be delivered in hand or to the place of business or residence of each member of the city council.
- (23) This notice shall, except in an emergency of which the mayor shall be the sole judge, be delivered at least forty-eight (48) weekday hours in advance of the time set and shall specify the purpose or purposes for which the meeting is to be held.

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- (24) A copy of each such notice shall be posted in accordance with law.

## City of Everett Home Rule Charter

### SECTION 3-6: APPROVAL OF MAYOR, EXCEPTION (VETO)

- (a) Every order, ordinance or vote adopted or passed by the city council relative to the affairs of the city, except resolutions, the selection of city officers or employees by the city council and any matters relating to the internal affairs of the city council shall be presented to the mayor for approval.
- (b) If the mayor approves of the measure, the mayor shall sign it within ten (10) days; if the mayor disapproves of the measure, the mayor shall return the measure within ten (10) days, with the specific reason or reasons for such disapproval attached to it, in writing, to the city council.
- (c) The city council shall enter the objections of the mayor on its records, and not sooner than ten (10) days, nor later than thirty (30) days from the date of its return to the city council, shall again consider the same measure.
- (d) If the city council, notwithstanding the disapproval by the mayor, shall again pass the order, ordinance or vote by a two-third (2/3) vote of the full council, it shall then be deemed in force, notwithstanding the failure of the mayor to approve it.
- (e) If the mayor has neither signed a measure nor returned it to the city council within ten (10) days following the date it was presented to the mayor, the measure shall be deemed approved and in force.

### SECTION 3-7: TEMPORARY ABSENCE OF THE MAYOR

- (a) Acting Mayor
  - (25) Whenever, by reason of sickness, absence from the city or other cause, the mayor shall be unable to perform the duties of the office, the president of the city council shall be the acting mayor.
    - a. Should the president of the city council be unable or unwilling to serve, the city council shall forthwith elect one (1) of its members to serve as acting mayor.
- (b) Powers of Acting Mayor
  - (12) The acting mayor shall have only those powers of the mayor that are essential to the conduct of the business of the city in an orderly and efficient manner and on which action may not be delayed.
  - (13) The acting mayor shall have no authority to make any permanent appointment or removal of any individual from city service unless the disability or absence of the mayor shall extend beyond sixty (60) days, nor shall an acting mayor approve or disapprove of any measure adopted by the city council unless the time within which the mayor must act would expire before the return of the mayor.
  - (14) During any period in which any member of the city council is serving as acting mayor, that councilor shall not vote as a member of the city council.

## City of Everett Home Rule Charter

### SECTION 3-8: DELEGATION OF AUTHORITY BY MAYOR

- (a) The mayor may authorize any subordinate officer or employee of the city to exercise any power or perform any function or any duty which is assigned by this charter, or otherwise, to the mayor, and the mayor may rescind or revoke any such authorizations previously made, but all acts performed under any such delegation of authority during a period of authorization shall be and remain the acts of the mayor.
- (b) Nothing in this section shall be construed to authorize a mayor to delegate his power of appointment to any city office or employment or to sign or return measures approved by the city council.

### SECTION 3-9: VACANCY IN OFFICE OF MAYOR

#### (a) Special Election

- (26) If a vacancy in the office of mayor occurs during the first two (2) years of the term for which the mayor is elected, whether by reason of death, resignation, removal from office, incapacity, or otherwise, the city council shall immediately, in the manner provided in section 7-1, order a special election to be held within ninety (90) days following the date the vacancy is created, to fill the vacancy for the balance of the then unexpired term.
- (27) If a regular city election is to be held within one hundred twenty (120) days following the date the vacancy is created a special election need not be held and the position shall be filled by vote at such regular election.

#### (b) President of City Council to Serve As Acting Mayor

- (15) If a vacancy in the office of mayor occurs in the third or fourth year of the term for which the mayor is elected, whether by reason of death, resignation, removal from office, or otherwise, the president of the city council shall become the acting mayor.
- (16) Upon the qualification of the president of the city council as the acting mayor, under this section, a vacancy shall exist in that seat on the city council which shall be filled in the manner provided in section 2-11.
- (17) A president serving as acting mayor under this subsection, who subsequently stands for office as mayor shall not be entitled to have the words "candidate for re-election" printed against their name on the election ballot.

#### (c) Powers, Term of Office

- (7) The mayor elected under section 3-9(a) or the acting mayor designated under section 3-9 (b) shall have all the powers of the mayor.
- (8) A person elected under subsection (a), shall serve for the balance of the term unexpired at the time of election to the office.
- (9) A person chosen under subsection (b), shall serve until the time of the next regular election at which time the person elected to fill the office for the ensuing term of office shall serve, in addition, for the balance of the then unexpired term.

# City of Everett Home Rule Charter

## ARTICLE 4 SCHOOL COMMITTEE

### SECTION 4-1: SCHOOL COMMITTEE

(C0005-1-20/Acts of 2021, Chapter 14)

#### (a) Composition

There shall be a school committee which shall consist of ten (10) members, nine (9) school committee members and the mayor in an ex officio capacity who shall have a voice and a vote.

(C0005-2-20/Acts of 2020, Chapter 332)

- (1) Three (3) school committee members shall be known as school committee members-at-large and shall be nominated and elected by and from the voters at large.
- (2) Six (6) school committee members shall be known as ward school committee members, shall be domiciled in the ward from which elected and shall be nominated and elected by and from the voters of that ward only, with one (1) such ward school committee member to be elected from each of the six (6) wards into which the city is divided.

#### (b) Term of Office

- (1) The term of office for school committee members shall be for two (2) years each.
- (2) The term shall run from the first business day of January succeeding their election, and until their successors have been qualified.
- (3) Such school committee members shall be sworn into office no later than January 7 at 8:00 p.m., at a time and place as shall be designated by the city clerk.

#### (c) Eligibility

- (1) Any voter shall be eligible to hold the office of school committee member-at-large.
- (2) A ward school committee member shall be a voter domiciled in the ward from which election is sought no later than sixty-four (64) days prior to the date of the preliminary election.
- (3) If a ward school committee member or a school committee member-at-large removes from the city during the term for which such school committee member was elected, such office shall immediately be deemed vacant by the city clerk and shall be filled in the manner provided in section 4-6.
- (4) If a ward school committee member removes from the ward from which such school committee member was elected during the first eighteen (18) months of the member's term, such office shall immediately be deemed vacant and filled in the manner provided in said section 4-6; provided, however, that a ward school committee member who removes from the ward from which such school committee member was

## City of Everett Home Rule Charter

elected during the last six (6) months of their elected term, and who remains a resident of the city, may serve out the remainder of their term.

### SECTION 4-2: SCHOOL COMMITTEE CHAIR

(C0005-1-20/Acts of 2021, Chapter 14)

(a) Powers and Duties, Chair

- (1) As soon as practicable after the school committee members-elect have been qualified following each biennial city election, as provided in section 9-11, the school committee shall organize by electing one (1) of the school committee members to serve as school committee chair.
- (2) The school committee chair shall preside at all meetings of the school committee, regulate its proceedings and decide all questions of order.
- (3) The school committee chair shall appoint all members of all sub-committees of the school committee, whether special or standing.
- (4) The school committee chair shall have the same powers to vote upon all measures coming before the school committee as any other member of the school committee.
- (5) The school committee chair shall perform such other duties consistent with the office as may be provided by this charter or by vote of the school committee.

(b) Powers and Duties, Vice Chair

- (1) As soon as practicable after the school committee members-elect have been qualified following each biennial city election, as provided in section 9-11, the school committee shall organize by electing one (1) of the school committee members to serve as school committee vice chair.
- (2) In the absence, of the chair, the vice chair shall exercise all of the duties and authority of the chair, other than appointing members of subcommittees, whether special or standing.

(c) School Committee meetings

Except in the case of an emergency or in the event of a joint meeting, the school committee shall not meet on the same date as a regular city council meeting.

## City of Everett Home Rule Charter

### SECTION 4-3: PROHIBITIONS

(C0005-1-20/Acts of 2021, Chapter 14)

(a) Holding Other City Office or Position

- (1) No member of the school committee shall hold any other city office or city employment unless authorized by chapter 268A of the General Laws or the state ethics commission.
- (2) No former member of the school committee shall hold any compensated appointed city office or appointed city employment until thirty (30) days following the date on which the former member's service on the school committee has terminated.
  - a. This provision shall not prevent a city officer or other city employee who has vacated a position to serve as a member of the school committee from returning to the same office or other position of city employment held at the time the position was vacated, but no such person shall be eligible for any other municipal position until thirty (30) days following the termination of service as a member of the school committee.

(b) Interference with Administration

No school committee or any member of the school committee shall give orders or directions to any officer or employee of the city appointed by the mayor, either publicly or privately.

(c) Felony Conviction

- (1) Any person who has been finally convicted of a state or federal felony shall not be eligible to petition for, or serve in, any elective or appointive office or position under the city.
- (2) Any school committee member who has been finally convicted of a state or federal felony shall be deemed to have vacated said office and shall be disqualified from serving in any other elective or appointive office or position under the city.

## City of Everett Home Rule Charter

### SECTION 4-4: COMPENSATION; EXPENSE

(a) Compensation

- (28) The members of the school committee shall receive such salary for their services as may from time to time be set by ordinance.
- (29) No ordinance increasing the salary of school committee members shall be effective unless it shall have been adopted by a two-thirds (2/3) vote of the full city council during the first eighteen (18) months of the term for which the school committee is elected and unless it provides that the salary increase is to take effect upon the organization of the city government following the next municipal election.
- (30) No member of the school committee shall be eligible to participate in the city's group health or life insurance programs.

(b) Expenses

- (18) Subject to appropriation, school committee members shall be entitled to reimbursement of their actual and necessary expenses incurred in the performance of their duties.
- (19) Actual and necessary expense shall be defined in the school committee's rules and regulations.

## City of Everett Home Rule Charter

### SECTION 4-5: POWERS AND DUTIES

- (a) The school committee shall have all powers which are conferred on school committees by general laws and such additional powers and duties as may be provided by the charter, by ordinance, and/or otherwise and not inconsistent with the grant of powers conferred by general laws.
- (b) The powers and duties of the school committee shall include the following:
  - (1) To elect a superintendent of the schools who shall be charged with the administration of the school system, subject only to policy guidelines and directives adopted by the school committee and, upon the recommendation of the superintendent, to establish and appoint assistant or associate superintendents as provided in by law.
  - (2) To make all reasonable rules and regulations for the management of the public school system and for conducting the business of the school committee as may be deemed necessary or desirable.
  - (3) To adopt and to oversee the administration of an annual operating budget for the school department, subject to appropriation by the city council.
  - (4) The school committee shall have general charge and superintendence of all school buildings and grounds and shall furnish all school buildings with proper fixtures, furniture and equipment.
  - (5) The school committee shall provide ordinary maintenance of all school buildings and grounds; unless a central municipal maintenance department which may include maintenance of school buildings and grounds is established in accordance with law.
  - (6) Whenever the school committee shall determine that additional classrooms are necessary to meet the educational needs of the community, at least 1 member of the school committee, or a designee of the school committee, shall serve on the agency, council or committee to which the planning or construction of such new, remodeled or renovated school building is delegated.

## City of Everett Home Rule Charter

### SECTION 4-6: FILLING OF VACANCIES

#### (a) Runner-Up to Fill Vacancy

- (1) If a vacancy occurs in the office of school committee member, whether by failure to elect or otherwise, the remaining school committee members shall, within thirty (30) days following the date of such vacancy, act to fill said vacancy.
- (2) The school committee shall fill the vacancy for the remainder of the unexpired term by choosing the defeated candidate receiving the most votes for said seat from the last regular city election; provided, however, that said defeated candidate shall have received at least twenty percent (20%)-of the total ballots cast for the particular seat being vacated.
  - a. For the purpose of this section, the twenty percent (20%) minimum threshold shall be calculated as a ratio of ballots cast for the particular office being vacated to votes obtained by said defeated candidate.
- (3) Any person so chosen shall take the oath of office and commence to serve forthwith.
- (4) Persons serving as school committee member under this section shall not be entitled to have the words "candidate for re-election" printed against their names on the election ballot.
- (5) No vacancy shall be filled, in the manner herein provided, if a regular city election is to be held within ninety (90) days following the date the vacancy is declared to exist.

#### (b) Filling of Vacancies By City Council and School Committee

- (1) Whenever a vacancy shall occur in the office of school committee member and there is no available candidate to fill the vacancy in the manner provided in section 4-6 (a), the president of the city council shall, within 30 days following the date of the vacancy, call a joint meeting of the city council and the school committee to act to fill the vacancy.
- (2) Persons elected to fill a vacancy by the city council and school committee shall serve only until the next regular election at which time the vacancy shall be filled by the voters and the person chosen to fill the vacancy shall immediately be sworn and shall serve for the remainder of the unexpired term in addition to the term for which elected.
- (3) Persons serving as school committee members under this section shall not be entitled to have the words "candidate for reelection" printed against their names on the election ballot.

# City of Everett Home Rule Charter

## ARTICLE 5

### ADMINISTRATIVE ORGANIZATION

#### SECTION 5-1: ORGANIZATION OF CITY AGENCIES

- (a) The organization of the city into operating agencies for the provision of services and the administration of the government may be accomplished only through an administrative order submitted to the city council by the mayor. No administrative order may originate with the city council.
- (b) The mayor may, subject only to express prohibitions in a general law or this charter, propose to reorganize, consolidate or abolish any city agency, in whole or in part, or to establish such new city agencies as is deemed necessary, but no function assigned by this charter to a particular city agency may be discontinued or assigned to any other city agency unless this charter specifically so provides.
- (c) The mayor may from time to time prepare and submit to the city council administrative orders that establish operating divisions for the orderly, efficient or convenient conduct of the business of the city.
- (d) These administrative orders shall be accompanied by a message of the mayor which explains the benefits expected to ensue and advises the city council if any provision of an administrative order shall require amendments, insertions, revisions, repeal or otherwise of existing ordinances.
- (e) Whenever the mayor proposes an administrative order, the city council shall hold one or more public hearings on the proposal giving notice by publication in a local newspaper, which notice shall describe the scope of the proposal and the time and place at which the public hearing will be held, not less than seven (7) nor more than fourteen (14) days following said publication.
- (f) An organization or reorganization plan shall become effective at the expiration of sixty (60) days following the date the proposal is submitted to the city council unless the city council shall, by a majority vote, within such period vote to disapprove the plan.
- (g) The city council may vote only to approve or to disapprove the plan and may not vote to amend or to alter it.

#### SECTION 5-2: MERIT PRINCIPLES

- (a) All appointments and promotions of city officers and employees must be made on the basis of merit and fitness demonstrated by examination, past performance or by other evidence of competence and suitability.
- (b) Each person appointed to fill an office or position shall be a person especially fitted by education, training and previous work experience to perform the duties of the office or position for which chosen.

# City of Everett Home Rule Charter

## ARTICLE 6

### FINANCE AND FISCAL PROCEDURES

#### SECTION 6-1: FISCAL YEAR

The fiscal year of the city shall begin on the first day of July and shall end on the last day of June, unless another period is required by general law.

#### SECTION 6-2: ANNUAL BUDGET POLICY

The mayor shall call a joint meeting of the city council and school committee, to include the superintendent of schools, before the commencement of the budget process to review the financial condition of the city, revenue and expenditure forecasts, and other relevant information prepared by the mayor in order to develop a coordinated budget.

#### SECTION 6-3: SUBMISSION OF OPERATING BUDGET; BUDGET MESSAGE

- (a) At least forty-five (45) days before the beginning of the fiscal year, the mayor shall submit to the city council a proposed operating budget for all city agencies, which shall include the school department, for the ensuing fiscal year with an accompanying budget message and supporting documents.
- (b) The budget message submitted by the mayor shall:
  - (1) Explain the operating budget in fiscal terms and in terms of work programs for all city agencies;
  - (2) It shall outline the proposed fiscal policies of the city for the ensuing fiscal year;
  - (3) Describe important features of the proposed operating budget; and
  - (4) Include any major variations from the current operating budget, fiscal policies, revenues and expenditures together with reasons for these changes.
- (c) The proposed operating budget shall provide a complete fiscal plan of all city funds and activities and shall be in the form the mayor deems desirable.
- (d) The school budget, as adopted by the school committee shall be submitted to the mayor at least thirty (30) days before the submission of the proposed operating budget to the city council.
  - (1) The mayor shall notify the school committee of the date by which the proposed budget of the school committee shall be submitted to the mayor.
  - (2) The mayor and the superintendent of schools shall coordinate the dates and times of the school committee's budget process under the General Laws.

## City of Everett Home Rule Charter

### SECTION 6-4: ACTION ON THE OPERATING BUDGET

(a) Public Hearing

The city council shall publish in at least one (1) newspaper of general circulation in the city a notice of the proposed operating budget as submitted by the mayor. The notice shall state:

- (1) The times and places where copies of the entire proposed operating budget are available for inspection by the public; and
- (2) The date, time and place not less than fourteen (14) days after its publication, when a public hearing on the proposed operating budget will be held by the city council.

(b) Adoption of the Budget

- (1) The city council shall adopt the proposed operating budget, with or without amendments, within forty-five (45) days following the date the proposed budget is filed with the city clerk.
- (2) In amending the proposed operating budget, the city council may delete or decrease any amounts except expenditures required by law, but except on the recommendation of the mayor, the city council shall not increase any item in or the total of the proposed operating budget, unless otherwise authorized by the general laws.
- (3) If the city council fails to take action on any item in the proposed operating budget within forty-five (45) days after its receipt, that amount shall, without any action by the city council, become a part of the appropriations for the year, and be available for the purposes specified.

## City of Everett Home Rule Charter

### SECTION 6-5: CAPITAL IMPROVEMENT PROGRAM

(a) Submission

The mayor shall submit a capital improvement program to the city council at least one hundred twenty (120) days before the start of each fiscal year. The capital improvement program shall include:

- (31) A clear and concise general summary of its contents;
- (32) A list of all capital improvements proposed to be undertaken during the next ensuing five (5) years, with supporting information as to the need for each capital improvement;
- (33) Cost estimates, methods of financing and recommended time schedules for each improvement; and,
- (34) The estimated annual cost of operating and maintaining each facility and piece of major equipment involved. This information is to be annually revised by the mayor with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

(a) Public hearing

The city council shall publish in at least one (1) newspaper of general circulation in the city a notice stating:

- (1) The times and places where entire copies of the capital improvements program are available for inspection by the public; and,
- (2) The date, time and place not less than fourteen (14) days after such publication, when a public hearing on said plan will be held by the city council.

(b) Adoption

At any time after the public hearing, but before the first day of the last month of the current fiscal year, the city council shall, by order, adopt the capital improvements program, with or without amendment, provided that:

- (20) Each amendment must be voted separately; and
- (21) That any increase in the capital improvements program as submitted must clearly identify the method of financing proposed to accomplish such increase.

## City of Everett Home Rule Charter

### **SECTION 6-6: INDEPENDENT AUDIT**

- (a) The city council shall annually provide for an outside audit of the books and accounts of the city to be conducted by a certified public accountant, or a firm of certified public accountants, which has no personal interest, direct or indirect, in the fiscal affairs of the city or any of its officers.
- (b) The mayor shall annually provide to the city council a sum of money sufficient to satisfy the estimated cost of conducting the audit as presented to the mayor, in writing, by the city council.
- (c) The award of a contract to audit shall be made by the city council on or before September 15 of each year.
- (d) The clerk of committees shall coordinate the work of the individual or firm selected.
- (e) The report of the audit shall be filed in final form with the city council not later than March 1 in the year following its award.

### **SECTION 6-7: EXPENDITURES IN EXCESS OF APPROPRIATIONS**

- (a) Except as otherwise may be provided by law, no official of the city of Everett shall knowingly and intentionally:
  - (1) Expend, in any fiscal year, any sums in excess of the appropriations, awards, grants or gifts, duly made in accordance with law, or
  - (2) Involve the city in any contract for the future payment of money in excess of these appropriations, awards, grants or gifts.
- (b) It is the intention of this section that section 31 of chapter 44 of the General Laws shall be strictly enforced.
- (c) Any official who violates this section shall be personally liable to the city for any amounts so expended to the extent that the city does not recover these amounts from the person to whom the sums were paid.

# City of Everett Home Rule Charter

## ARTICLE 7

### ELECTIONS

#### SECTION 7-1: PRELIMINARY ELECTION FOR MAYOR

- (a) A preliminary election for the purpose of nominating candidates for mayor shall be held on the third Tuesday in September in each odd-numbered year in which a mayor is to be elected, but the city clerk may, with the approval of the city council, reschedule this election to the fourth Tuesday to avoid a conflict with any civil or religious holiday.
- (b) Whenever a special election to fill a vacancy in the office of mayor is to be held, a preliminary election shall be conducted, if necessary, twenty-eight (28) days before the date established for the special election.

#### SECTION 7-2: PRELIMINARY ELECTION FOR CITY COUNCIL AND SCHOOL COMMITTEE

A preliminary election for the purpose of nominating candidates for city councilors and school committee members who are to be elected shall be held on the third Tuesday in September in each odd-numbered year in which a city councilor or school committee member is to be elected, but the city clerk may, with the approval of the city council, reschedule this election to the fourth Tuesday to avoid a conflict with any civil or religious holiday.

#### SECTION 7-3: PRELIMINARY ELECTION PROCEDURES

- (a) Ballot Preparation and Signature Requirements  
(C0005-1-20/Acts of 2021, Chapter 14)
  - (35) The board of election commissioners and city clerk shall prepare separate nomination papers for nomination to at-large and ward positions, and make the same available not earlier than April 2 in each preliminary election year.  
(C0114-18/Acts of 2018, Chapter 316)
  - (36) Said papers shall be submitted to the city clerk on or before 4 p.m. on the forty-fifth day prior to the declared date of such preliminary election.
  - (37) An individual may appear on the ballot for only one (1) office at any preliminary, regular or special election.
  - (38) Nomination papers shall be signed by the following number of voters for each office:
    - a. Mayor, no fewer than five hundred (500) signatures, with no fewer than twenty-five (25) signatures certified from each ward;
    - b. Councilor at large or school committee member at large, no fewer than two hundred fifty (250) signatures; and
    - c. Ward councilor or ward school committee member, no fewer than one hundred (100) signatures from the ward in which election is sought.

## City of Everett Home Rule Charter

- (39) The number of signatures for nomination may be changed from time to time by an affirmative vote of no fewer than seven (7) councilors.
- (40) Any candidate taking out papers shall be advised of the number of signatures required for nomination to the office sought.

(b) Ballot Position

The order in which names of candidates for each office appear on the ballot shall be determined by a drawing, by lot, conducted by the city clerk at least forty (40) days before the preliminary election. Such drawing shall be open to the public.

(c) Determination of Candidates

- (22) The two (2) persons receiving at a preliminary election the highest number of votes for nomination for an office shall, except as provided by subsection (d) of this section, be the sole candidates for that office whose names shall be printed on the official ballot to be used at the regular or special election at which such office is to be voted upon, and no acceptance of a nomination shall be necessary to its validity.
- (23) If two (2) or more persons are to be elected to the same office at such regular or special city election, the several persons equal in number to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office shall, except as provided by subsection (d) of this section, be the sole candidates for that office whose names shall be printed on the official ballot.
- (24) If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes which, but for said tie vote, would entitle a person receiving the same to have their name printed on the official ballot for the election, all candidates participating in said tie vote shall have their names printed on the official ballots, although in consequence thereof there shall be printed on such ballots the names of candidates exceeding twice the number to be elected.

(d) Condition Making Preliminary Unnecessary

- (10) If, at the expiration of the time for filing statements of candidates to be voted for at any preliminary election, not more than twice as many such statements have been filed with the city clerk for an office as are to be elected to such office:
  - a. The candidates whose statements have thus been filed shall be deemed to have been nominated to said office; and
  - b. Their names shall be voted on for such office at the succeeding regular or special election, as the case may be; and
  - c. The city clerk shall not print said names upon the ballot to be used at said preliminary election and no other nomination to said office shall be made.
- (11) If, in consequence, it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of the city, no preliminary election shall be held in any such ward or wards.

## **City of Everett Home Rule Charter**

### **SECTION 7-4: REGULAR ELECTION**

The regular city election shall be held on the first Tuesday following the first Monday in November in each odd-numbered year.

### **SECTION 7-5: BALLOT POSITION, REGULAR ELECTION**

The order in which names of candidates for each office appear on the ballot for each office shall be determined by a drawing, by lot, conducted by the city clerk no later than 7 days after the certification of the preliminary election results. Such drawing shall be open to the public.

### **SECTION 7-6: NON-PARTISAN ELECTIONS**

All elections for city offices shall be non-partisan, and election ballots shall be printed without any party mark, emblem, or other political designation.

## City of Everett Home Rule Charter

### **SECTION 7-7: WARDS**

- (a) The territory of the city shall be divided into six (6) wards by the city clerk so established as to consist of as nearly an equal number of inhabitants as it is possible to achieve based on compact and contiguous territory, bounded as far as possible by the center line of known streets or ways or by other well-defined limits.
- (b) Each such ward shall be composed of voting precincts established in accordance with general laws.
- (c) The city council shall from time to time, but at least once in each ten (10) years, review these wards to insure their uniformity in number of inhabitants.

### **SECTION 7-8: APPLICATION OF STATE GENERAL LAWS**

Except as otherwise expressly provided in this charter and authorized by law, all city elections shall be governed by the laws of the Commonwealth relating to the right to vote, the registration of voters, the nomination of candidates, voting places, the conduct of preliminary, regular and special elections, the submission of charters, charter amendments and other propositions to the voters, the counting of votes, the recounting of votes, and the determination of results.

# City of Everett Home Rule Charter

## ARTICLE 8

### CITIZEN PARTICIPATION MECHANISMS

#### SECTION 8-1: FREE PETITION

- (a) The city council or the school committee shall hold a public hearing and act with respect to every petition which is addressed to it, which is signed by one hundred (100) or more voters, and which seeks the passage of a measure.
- (b) The hearing shall be held by the city council or the school committee and the action by the city council or the school committee shall be taken not later than six (6) weeks after the petition is filed with the city clerk or the secretary of the school committee.
- (c) Hearings on two (2) or more petitions filed under this section may be held at the same time and place.
- (d) The city clerk or the secretary of the school committee shall mail notice of the hearing to the ten (10) persons whose names appear first on the petition at least seven (7) days before the hearing.
- (e) Notice, by publication, of all such hearings shall be at public expense.

#### SECTION 8-2: CITIZEN INITIATIVE MEASURES

- (a) Commencement
  - (1) Initiative procedures shall be started by the filing of a proposed initiative petition with the city clerk or the secretary of the school committee.
  - (2) The petition shall be addressed to the city council or to the school committee, shall contain a request for the passage of a particular measure which shall be set forth in full in the petition, and shall be signed by at least two hundred fifty (250) voters. At least twenty-five (25) signatures must be certified from each ward.
  - (3) The petition shall be accompanied by an affidavit signed by ten (10) voters and containing their residential address stating they will constitute the petitioners committee and be responsible for circulating the petition and filing it in proper form.
- (b) Referral to City Solicitor
  - (41) The city clerk or the secretary of the school committee shall, immediately following receipt of a proposed petition, deliver a copy of the petition to the city solicitor.
  - (42) The city solicitor shall, within fifteen (15) days following receipt of a copy of the petition, in writing, advise the city council or the school committee whether the measure as proposed may lawfully be proposed by the initiative process and whether, in its present form it may be lawfully adopted by the city council or the school committee.
  - (43) If the opinion of the city solicitor is that the measure is not in proper form, the reply shall state the reasons for this opinion, in full.
  - (44) A copy of the opinion of the city solicitor shall also be mailed to the person designated

## City of Everett Home Rule Charter

as clerk of the petitioners committee.

(c) Submission to City Clerk

- (45) If the opinion of the city solicitor is that the petition is in a proper form, the city clerk shall provide blank forms for the use of subsequent signers, and shall print at the top of each blank form a fair, concise summary of the proposed measure, as determined by the city solicitor, together with the names and addresses of the first ten (10) voters who signed the originating petition.
- (46) Within thirty (30) days following the date the blank forms are issued by the city clerk, the petitions shall be returned and filed with the city clerk signed by at least ten percent (10%) of the total number of voters as of the date of the most recent city election.
- (47) Signatures to an initiative petition need not all be on one (1) paper, but all papers pertaining to any one (1) measure shall be fastened together and shall be filed as a single instrument, with the endorsement on it of the name and residence address of the person designated as filing the same. With each signature on the petition there shall also appear the street and number of the residence of each signer.
- (48) Within ten (10) days following the filing of the petition, the board of election commissioners shall ascertain by what number of voters the petition has been signed, and what percentage that number is of the total number of voters as of the date of the most recent regular city election.  
(C0114-18/Acts of 2018, Chapter 316)
- (49) The board of election commissioners shall attach to the petition a certificate showing the results of its examination and shall return the petition to the city clerk, or the secretary of the school committee, depending on how the petition is addressed.  
(C0114-18/Acts of 2018, Chapter 316)
- (50) A copy of the board of election commissioners' certificate shall also be mailed to the person designated as clerk of the petitioners committee.  
(C0114-18/Acts of 2018, Chapter 316)

(d) Action on Petitions

- (25) Within thirty (30) days following the date a petition has been returned to the city clerk or the secretary of the school committee, and after publication under subsection (f), the city council or the school committee shall act with respect to each initiative petition by passing it without change, by passing a measure which is stated to be in lieu of the initiative measure, or by rejecting it. The passage of a measure which is in lieu of an initiative measure shall be deemed to be a rejection of the initiative measure.
- (26) If the city council or the school committee fails to act with respect to any initiative measure which is presented to it within thirty (30) days following the date the measure is returned to it, the measure shall be deemed to have been rejected on the thirtieth day.
- (27) If an initiative measure is rejected, the city clerk or the secretary of the school committee shall promptly give notice of that fact to the person designated as the clerk of the petitioners committee, by certified mail.

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(e) Supplementary Petitions

- (51) Within sixty (60) days following the date an initiative petition has been rejected, a supplemental initiative petition may be filed with the city clerk or the secretary of the school committee, but only by persons constituting the original petitioners committee.
- (52) The supplemental initiative petition shall be signed by a number of additional voters which is equal to at least five (5) per cent of the total number of voters as of the date of the most recent city election, and the signatures on the initial petition filed under subsection (c), and the signatures on the supplemental petition filed under this subsection, taken together, shall contain the signatures of at least fifteen percent (15%) of the total number of voters in the city.
- (53) If the number of signatures to this supplemental petition is found to be sufficient by the city clerk, the city council shall call a special election to be held on a date fixed by it not less than thirty (35) nor more than ninety (90) days following the date of the certificate of the city clerk that a sufficient number of voters have signed the supplemental initiative petition and shall submit the proposed measure, without alteration, to the voters for determination, but if any other city election is to be held within one hundred twenty (120) days following the date of the certificate, the city council may omit the calling of such special election and cause the question to appear on the election ballot at the approaching election for determination by the voters.

(f) Publication

- (28) The full text of any initiative measure which is submitted to the voters shall be published in at least one (1) newspaper of general circulation in the city not less than seven (7) nor more than fourteen (14) days preceding the date of the election at which the question is to be voted upon.
- (29) Additional copies of the full text shall be available for distribution to the public in the office of the city clerk.

(g) Form of Question

The ballots used when voting on a measure proposed by the voters under this section shall contain a question in substantially the following form:

Shall the following measure which was proposed by an initiative petition take effect?

(Here insert a fair, concise summary prepared by the petitioners, and approved by the city solicitor.)

- YES
- NO

(h) Time of Taking Effect

If a majority of the votes cast on the question is in the affirmative, the measure shall be deemed to be effective immediately, unless a later date is specified in the measure.

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### SECTION 8-3: CITIZEN REFERENDUM PROCEDURES

(a) Petition, Effect on Final Vote

- (54) If, within twenty-one (21) days following the date on which the city council or the school committee has voted finally to approve of any measure, a petition signed by a number of voters equal to at least twelve (12) per cent of the total number of voters as of the date of the most recent regular city election and addressed to the city council or to the school committee as the case may be, protesting against the measure or any part of it is filed with the secretary of the school committee or city clerk, the effective date of such measure shall be temporarily suspended.
- (55) The school committee or the city council shall immediately reconsider its vote on the measure or part of it, and, if the measure is not rescinded, the city council shall provide for the submission of the question for a determination by the voters either at a special election which it may call at its convenience, or within such time as may be requested by the school committee, or at the next regular city election, but pending this submission and determination, the effect of the measure shall continue to be suspended.

(b) Certain Initiative Provisions to Apply

- (30) The petition described in this section shall be termed a referendum petition and the applicable provisions of section 8-2 as they relate to the filing and certification of signatures shall apply to such referendum petitions, except that the words "measure or part thereof protested against" shall be deemed to replace the word "measure" and the word "referendum" shall be deemed to replace the word "initiative".
- (31) The measure or part protested against shall be null and void unless a majority of those voting on the question shall vote in favor of the measure or part protested against at the election.

### SECTION 8-4: INELIGIBLE MEASURES

None of the following shall be subject to the initiative or the referendum procedures:

- (a) Proceedings relating to the internal organization or operation of the city council or of the school committee;
- (b) An emergency measure adopted under the charter;
- (c) The city budget or the school committee budget as a whole;
- (d) Any appropriation for the payment of the city's debt or debt service;
- (e) An appropriation of funds to implement a collective bargaining agreement;
- (f) Proceedings relating to the appointment, removal, discharge, employment, promotion, transfer, demotion, or other personnel action;
- (g) Any proceedings repealing or rescinding a measure or part of it which is protested by referendum procedures;
- (h) Any proceedings providing for the submission or referral to the voters at an election; and
- (i) Resolutions and other votes constituting ordinary, routine matters not suitable as the subject of a referendum petition.

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### SECTION 8-5: RECALL

#### (a) Application

- (56) Any holder of an elected office in the city, with more than six (6) months remaining in the term of office for which the officer was elected, may be recalled therefrom by the voters of the city in the manner provided in this section.
- (57) No recall petition shall be filed against an officer within six (6) months after taking office.

#### (b) Recall Petition

(C0005-1-20/Acts of 2021, Chapter 14)

- (32) A recall petition may be initiated by the filing of an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall; provided, however, that the affidavit is signed by no fewer than five hundred (500) voters for any officer elected city-wide and no fewer than three hundred (300) voters for any officer elected by ward.
- (33) The city clerk shall thereupon deliver to said voters making the affidavit, copies of petition blanks demanding such recall, copies of which printed forms the city clerk shall keep available.
- a. Such blanks shall be issued by the city clerk, with signature and official seal attached thereto.
  - b. Such blanks shall be dated, addressed to the city council and contain the names of all the persons to whom they are issued, the number of blanks so issued, the name of the person whose recall is sought, the office from which removal is sought and the grounds of recall as stated in the affidavit.
- (34) A copy of the petition shall be entered in a record book to be kept in the office of the city clerk.
- (35) The recall petition shall be returned and filed with the city clerk within twenty-eight (28) days after the filing of the affidavit, and shall have been signed by no fewer than twenty per cent (20%) of the voters of the city for offices elected city-wide and no fewer than twenty per cent (20%) of the voters of the ward for offices elected by ward. The city clerk shall immediately submit the petition to the election commissioners, and the commission shall, within five (5) working days, certify thereon the number of signatures that are names of voters.

(C0114-18/Acts of 2018, Chapter 316)

#### (c) Recall Election

- (12) If the petition shall be found and certified by the city clerk to be sufficient, the city clerk shall submit the same with such certificate to the city council within five (5) working days, and the city council shall forthwith give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not

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resign within five (5) days thereafter, order an election to be held on a date fixed by them not less than sixty-four (64) days and not more than ninety (90) days after the date of the city clerk's certificate that a sufficient petition has been filed; provided, however, that if any other city election is to occur within one hundred fifty (150) days after the date of the certificate the city council shall postpone the holding of the recall election to the date of such other election.

- (2) If a vacancy occurs in said office after a recall election has been ordered, the election shall not proceed as provided in this section.

(d) Office Holder

(36) The incumbent shall continue to perform the duties of the office until the recall election.

(37) If said incumbent is not recalled, the incumbent shall continue in office for the remainder of the unexpired term subject to recall as before.

(38) If recalled, the officer shall be deemed removed and the office vacant.

- a. The vacancy created thereby shall be filled in accordance with the provisions of Articles 2, 3 and 4 of this charter for filling vacancies in such office.
- b. A person chosen to fill the vacancy caused by such recall shall hold office until the next regular city election.
- c. Should the person be a candidate in the subsequent election, he or she will not be allowed to have "candidate for re-election" appear on the ballot at such election.

(e) Ballot Proposition

The form of the question to be voted upon shall be substantially as follows: "Shall [here insert the name and title of the elective officer whose recall is sought] be recalled?"

- o YES
- o NO

If a majority of the votes cast upon the question of recall is in the affirmative, such elected officer shall be recalled.

(f) Repeat of Recall

In the case of an officer subjected to a recall election and not recalled thereby, no recall petition shall be filed against such officer until at least two hundred seventy (270) days after the election at which the officer's recall was submitted to the voters of the city.

(g) Office Holder Recalled

No person who has been recalled from an office or who has resigned from office while recall proceedings were pending against such person, shall be appointed to any city office or position of employment within two (2) years after such recall or such resignation.

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### **SECTION 8-6: REQUIRED VOTER PARTICIPATION**

(C0005-1-20/Acts of 2021, Chapter 14)

- (a) For any measure to be effective under any initiative procedure and for any measure to be declared null and void under any referendum procedure, no fewer than twenty per cent (20%) of the voters as of the most recent regular city election shall vote at an election that includes on the ballot submission of at least one (1) initiative or referendum questions to the voters.
- (b) For any recall election to be effective, no fewer than twenty per cent (20%) of the voters as of the most recent regular city election for those offices elected city-wide, and no fewer than twenty per cent (20%) of the voters as of the most recent regular city election in the ward for those offices elected by ward, shall vote in such recall election.

### **SECTION 8-7: SUBMISSION OF OTHER MATTERS TO VOTERS**

The city council may of its own motion, and shall, at the request of the school committee if a measure originates with that body and pertains to affairs under its jurisdiction, submit to the voters at any regular city election for adoption or rejection any measure in the same manner and with the same force and effect as are hereby provided for submission by petitions of voters.

### **SECTION 8-8: CONFLICTING PROVISIONS**

If two (2) or more measures passed at the same election contain conflicting provisions, only the one (1) receiving the greatest number of affirmative votes shall take effect.

# City of Everett Home Rule Charter

## ARTICLE 9 GENERAL PROVISIONS

### SECTION 9-1: CHARTER CHANGES

This charter may be replaced, revised or amended in accordance with any procedure made available under the state constitution, or by statutes enacted in accordance with the state constitution.

### SECTION 9-2: SEVERABILITY

- (a) The provisions of this charter are severable.
- (b) If any provision of this charter is held invalid the other provisions shall not be affected by this holding.
- (c) If the application of this charter, or any of its provisions, to any person or circumstance is held invalid, the application of the charter and its provisions to other persons and circumstances shall not be affected thereby.

### SECTION 9-3: SPECIFIC PROVISION TO PREVAIL

To the extent that any specific provision of this charter shall conflict with any provision expressed in general terms, the specific provision shall prevail.

### SECTION 9-4: RULES AND REGULATIONS

- (a) A copy of all rules and regulations adopted by any city agency shall be placed on file in the office of the city clerk and shall be available for review by any person who requests such information at any reasonable time.
- (b) Unless an emergency exists as determined by the mayor, no rule or regulation adopted by any city agency shall become effective until five (5) days following the date it is so filed.

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### SECTION 9-5: PERIODIC REVIEW OF ORDINANCES

- (a) Not later than the first day of July, at ten (10) year intervals, in each year ending in a five (5), the mayor and city council shall provide for a review to be made of the ordinances of the city for the purpose of preparing a proposed revision or recodification of them, without substantive change.
- (b) This review shall be made by a special committee to consist of nine (9) members, six (6) of whom shall be appointed by the city council president and three (3) of whom shall be appointed by the mayor.
  - (1) At least two (2) of the persons appointed by the city council president shall be members of the city council and all of the remaining members shall be voters of the city.
- (c) The special committee shall file its report with the city clerk not later than the first day of May in the year following the year in which the committee is appointed.
- (d) The recommendations of the special committee shall appear on the city council agenda for action before the fifteenth day of June in that year and if not so scheduled by the city clerk the matter shall come before the city council for action at its next meeting held following the fifteenth day of June, and no other business shall be in order until the report has been acted upon, by roll call vote.
- (e) The city solicitor shall serve as an advisor to the special committee.
- (f) A revision, recodification or republication of the ordinances shall be made at ten (10) year intervals.
- (g) Copies of the revision, recodification or republication shall be made available to the public at a cost not to exceed the actual cost of the reproduction.
- (h) In each year between these reenactments, an annual supplement shall be printed which shall contain all ordinances and amendments to ordinances adopted in the preceding year.

### SECTION 9-6: PERIODIC REVIEW OF CHARTER

- (a) Not later than the first day of July, at ten (10) year intervals, in each year ending in a four (4), the mayor and city council shall provide for a review to be made of the city charter.
- (b) This review shall be made by a special committee to consist of nine (9) members.
  - (1) Four (4) members shall be appointed by the city council president, two (2) of whom shall be members of the city council and two (2) of whom shall be voters of the city but shall not be elected or appointed officers or employees of the city.
  - (2) Five (5) members shall be appointed by the mayor, all of whom shall be voters of the city but shall not be elected or appointed officers or employees of the city.
- (c) The special committee shall file its report with the city clerk, not later than the first day of May in the year following the year in which the committee is appointed.
- (d) The recommendations of the special committee shall appear on the city council's agenda for action before the fifteenth day of June in that year and if not so scheduled by the city clerk the

## City of Everett Home Rule Charter

matter shall come before the city council for action at its next meeting held following the fifteenth day of June, and no other business shall be in order until such report has been acted upon, by roll call vote.

### **SECTION 9-7: UNIFORM PROCEDURES GOVERNING MULTIPLE-MEMBER BODIES**

#### (a) Meetings

- (58) All appointed multiple member bodies of the city shall meet regularly at the times and places that they by their own rules prescribe.
- (59) Special meetings of any multiple member body shall be held on the call of the chairman or by one-third (1/3) of the members of the body by written notice delivered in hand or to the place of residence of each member at least forty-eight (48) hours in advance of the time set, which shall contain notice of the subjects to be acted upon. A copy of the notice shall also be posted in accordance with law.
- (60) Except as may otherwise be authorized by law, all meetings of all multiple member bodies shall at all times be open to the public.

#### (b) Rules and Journals

- (39) Each appointed multiple member body shall determine its own rules and order of business and shall provide for keeping a journal of its proceedings.
- (40) These rules and journals shall be a public record, and certified copies shall be placed on file in the office of the city clerk and in the Everett Public Library.

#### (c) Voting

If requested by any member, any vote of any appointed multiple member body shall be taken by a call of the roll and the vote of each member shall be recorded in the journal, but if the vote is unanimous, only that fact need be recorded.

#### (d) Quorum

- (13) A majority of the members of an appointed multiple member body shall constitute a quorum.
- (14) Unless some other provision is made by the multiple member body's own rules while a quorum is present, except on procedural matters, a majority of the full membership of the body shall be required to vote on any matter representing an exercise of the powers of the multiple member body, and that General Law provisions related to any vote to meet in "executive session" shall always require a majority of members of the body.

### **SECTION 9-8: NUMBER AND GENDER**

Words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; and words importing the masculine gender shall include the feminine gender.

## City of Everett Home Rule Charter

### **SECTION 9-9: REFERENCES TO GENERAL LAWS**

All references to General Laws contained in the charter refer to the General Laws of the Commonwealth of Massachusetts and are intended to refer to and to include any amendments or revisions to such chapters or sections or to the corresponding chapters and sections of any rearrangement, revision or recodification of such statutes enacted or adopted subsequent to the adoption of this charter.

### **SECTION 9-10: COMPUTATION OF TIME**

- (a) In computing time under this charter, the day of the act or event after which the designated period of time begins to run shall not be included.
- (b) The last day of the period shall be included, unless it is a Saturday, Sunday or legal holiday, in which event the period shall be extended to the next day which is not a Saturday, Sunday or legal holiday.
- (c) When the period of time designated is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall not be included, when the period is seven (7) days or more, every day shall be counted.

### **SECTION 9-11: OATH OF OFFICE OF MAYOR, CITY COUNCIL, AND SCHOOL COMMITTEE**

- (a) A mayor-elect (as applicable), the city council-elect, and the school committee members-elect shall, on the first Monday in the January of each even-numbered year, except when said first Monday falls on a legal holiday, in which event on the following day, no later than eight o'clock in the evening (8:00 PM), meet and be sworn to the faithful discharge of their duties.
- (b) The oath may be administered by the city clerk, the assistant city clerk, or by any person qualified to take oaths or affirmations.
- (c) A certificate that the oath or oaths have been taken shall be entered in the journal of the city council.
- (d) In case of the absence of the mayor-elect or any members-elect of the city council or school committee on the day the oath of office is administered, the oath may at any time thereafter be administered to those persons by the city clerk, the assistant city clerk or by any person qualified to take oaths or affirmations. A certificate of each oath subsequently taken shall be entered in the journal of the city council.
- (e) After the oath has been administered to the city council members present, they shall organize by electing from among their number a person to serve as the president as provided in section 2-2. The member senior in years of continuous service on the city council shall preside during this election. If two (2) or more members are equally senior in continuous years of service on the city council, the member senior both in continuous years of service and age shall preside.
- (f) After the oath has been administered to the school committee members present, they shall organize by electing from among their number a person to serve as the chair, as provided in section 4-2. The member senior in years of continuous service on the school committee shall preside during the election. If two (2) or more members are equally senior in continuous years

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of service on the school committee the member senior both in continuous years of service and age shall preside.

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### **SECTION 9-12: CERTIFICATE OF ELECTION OR APPOINTMENT**

- (a) Every person who is elected, including those elected by the city council, or appointed to an office of the city, shall receive a certificate of such election or appointment from the city clerk.
- (b) Except as otherwise provided by law, every person who is elected, including those elected by the city council, or appointed to an office of the city before performing any act under this appointment or election, shall take and subscribe to an oath to qualify to enter upon the duties.
- (c) A record of this oath shall be kept by the city clerk.

### **SECTION 9-13: LIMITATION ON OFFICE HOLDING**

- (a) Unless otherwise allowed by law or this charter, no person shall simultaneously hold more than one (1) full-time city office or position of employment.
- (b) Any hours worked in any part-time position shall not be the same or otherwise conflict with the hours worked in a full-time position.

### **SECTION 9-14: ENFORCEMENT OF CHARTER PROVISIONS**

- (a) It shall be the duty of the mayor to see that the charter is faithfully followed and complied with by all city agencies and city employees.
- (b) Whenever it appears to the mayor that any city agency or city employee is failing to follow any provision of this charter, the mayor shall, in writing, cause notice to be given to that agency or employee directing compliance with the charter.
- (c) If it shall appear to the city council that the mayor personally is not following the provisions of the charter, the city council shall, by resolution, direct the attention of the mayor to those areas in which the city council believes there is a failure to comply with charter provisions.
- (d) The procedures made available in chapter 231A of the General Laws may be used to determine the rights, duties, status or other legal relations arising under this charter, including any question of construction or validity which may be involved in such determination.

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## ARTICLE 10

### TRANSITIONAL PROVISIONS

#### SECTION 10-1: CONTINUATION OF EXISTING LAWS

- (a) All general laws, special laws, city ordinances, and rules and regulations of or pertaining to Everett, including special acts creating regional entities and arrangements of which the city is a member, that are in force when this charter takes effect, and not specifically or by implication repealed by this charter, shall continue in full force and effect until amended or repealed, or rescinded by law, or until they expire by their own limitation.
- (b) In any case in which the provisions of this charter are found to be inconsistent with the provisions of any general or special law that would otherwise be applicable, the provisions of this charter shall be deemed to prevail.
- (c) Every inconsistency between the prior law and this charter shall be decided in favor of this charter.

#### SECTION 10-2: CONTINUATION OF GOVERNMENT AND ADMINISTRATION

All city agencies shall continue to perform their duties until re-elected, reappointed, or until successors to their respective positions are duly appointed or elected, or until their duties have been transferred and assumed by another city agency.

#### SECTION 10-3: TRANSFER OF RECORDS AND PROPERTY

All records, property and equipment whatsoever of any city agency, or part thereof, the powers and duties of which are assigned in whole or in part to another city agency, shall be transferred immediately to that agency.

#### SECTION 10-4: EFFECT ON OBLIGATIONS, TAXES, ETC.

All official bonds, recognizances, obligations, contracts, and other instruments entered into or executed by or to the city before the adoption of this charter, and all taxes, assessments, fines, penalties, forfeitures, incurred or imposed, due or owing to the city, shall be enforced and collected, and all writs, prosecutions, actions and causes of action, except as otherwise provided in this charter, shall continue without abatement and remain unaffected by the charter; and no legal act done by or in favor of the city shall be rendered invalid by reason of the adoption of this charter.

## City of Everett Home Rule Charter

### SECTION 10-5: DISPOSITION OF CERTAIN SPECIAL LAWS

(a) Certain Special Laws Recognized and Retained

The following special acts are hereby retained:

- (61) Chapter 417 of the Acts of 1991 relative to the police chief;
- (62) Chapter 86 of the Acts of 1933 relative to the fire chief;
- (63) Chapter 33 of the Acts of 1989 relative to the auditor;
- (64) Chapter 73 of the Acts of 1982 relative to the development and financial corporation;
- (65) Chapter 133 of the Acts of 1990 relative to the economic development and industrial corporation,
- (66) Chapter 308 of the Acts of 1988 relative to licensing of establishments with pool tables;
- (67) Chapter 318 of the Acts of 1988 relative to a general liability insurance fund;
- (68) Chapter 423 of the Acts of 2002 relative to retiree health insurance;
- (69) Chapter 60 of the Acts of 1939 relative to the laying out of public ways; and
- (70) Chapter 24 of the Acts of 2008 relative to special police officers.

(b) Certain Special Laws Recognized and Retained, in part

The following special acts relating to the organization of the city's government are recognized and retained in part as follows:

- (41) So much of Chapter 432 of the Acts of 1962 creating a purchasing department;
- (42) Chapter 453 of the Acts of 1990 relative to the board of park commissioners,
- (43) Chapter 115 of the Acts of 2001 providing for an Executive Director of City Services, and
- (44) Chapter 332 of the Acts of 2010 creating an inspectional services department.

These acts shall remain in effect only until such time as the mayor may act to modify provisions contained in these acts pursuant to Article 5 of this charter.

(c) Certain special laws recognized and retained with respect to incumbents in office at the time of charter adoption

Incumbents now serving in the following offices shall have all the rights afforded by these acts, but upon the vacating of office by the incumbents by resignation, retirement, or other cause, such offices will be subject to the city's charter provisions relating to appointment, and the city's personnel policies and procedures:

- (15) The building inspector pursuant to Chapter 518 of the Acts of 1920;
- (16) The city engineer pursuant to Chapter 136 of the Acts of 1927;
- (17) The Director of Veterans' Services (Commissioner of Soldier's Relief and State and Military Aid) pursuant to Chapter 92 of the Acts of 1932;
- (18) The city clerk and assistant city clerk pursuant to Chapter 8 of the Acts of 1926; and
- (19) The treasurer pursuant to Chapter 166 of the Acts of 1947.

## City of Everett Home Rule Charter

(d) Certain Borrowing Authorizations, Retained

The following special acts which authorized the city to borrow certain sums of money, for certain purposes, are hereby recognized and retained:

- (71) Chapter 455 of the Acts of 1998; and
- (72) Chapter 309 of the Acts of 2002.

(e) Certain Other Obsolete Special Laws Repealed

The following acts hereby stand repealed:

- (45) Chapter 355 of the Acts of 1892, Chapter 366 of the Acts of 1896; and Chapter 152 of the Acts of 1902 of or relating to the city's charter;
- (46) Chapter 260 of the Acts of 1917, Chapter 57 of the Acts of 1933, and Chapter 161 of the Acts of 1934 relating to preliminary elections;
- (47) Chapter 183 of the Acts of 1918 relating to vacancies;
- (48) Chapter 349 of the Acts of 1928 and Chapter 288 of the Acts of 2002 relating to the mayor's term;
- (49) Chapter 361 of the Acts of 1930 relating to biennial municipal elections;
- (50) Chapter 135 of the Acts of 1933 and Chapter 64 of the Acts of 1935 relating to the municipal inaugural;
- (51) Chapter 525 of the Acts of 1943 and Chapter 146 of the Acts of 1990 relating to the school committee;
- (52) Chapter 259 of the Acts of 1949 relating to office-holding; and
- (53) Chapter 308 of the Acts of 1977 relating to initiative petition.

### SECTION 10-6: TIME OF TAKING EFFECT

This charter shall take effect upon its ratification by the voters and in accordance with the following schedule:

- (1) All city officers and employees shall continue to perform their duties in the same manner and to the same extent as they have performed the same prior to the ratification by the voters of the home rule charter.
- (2) The first election of officers under this charter shall be held on the first Tuesday following the first Monday in November 2013 for the purpose of electing a mayor, a city council and members of the school committee. A preliminary election for the purpose of nominating candidates to be elected shall be held on the third Tuesday of September 2013, if necessary, as provided in Article 7 of this charter.
- (3) On the first Monday in January 2014 the persons elected as mayor, city council members, and school committee members shall be sworn to the faithful performance of their duties.
- (4) Not later than thirty (30) days following the date of the ratification of this charter by the voters, the city clerk shall give to each member of the General Court who represent any part of Everett a copy of the vote ratifying this charter.
- (5) Immediately after the election at which this charter is adopted, the board of aldermen shall appoint four (4) persons to a committee, at least one of which shall be a member of the charter

## City of Everett Home Rule Charter

commission elected in November 2009, to begin a review of the city ordinances for the purpose of preparing such revisions and amendments as may be needed or necessary to bring them into conformity with the provisions of this charter and to fully implement the provisions of this charter. The city clerk shall be the fifth member and chair of this committee. The committee shall submit a report, with recommendations, within one (1) year following its creation and may submit interim reports with recommendations at any time. The city solicitor, or special counsel appointed for this express purpose, shall serve as an advisor to the committee.

- (6) No later than September 2014, the mayor shall promulgate a series of administrative orders providing for the organization of city government into operating agencies in accordance with section 5-1.
- (7) Forthwith following the 2013 municipal election, the persons elected as members of the city council shall meet for the sole purpose of reviewing and revising policies and procedures, rules, or interim rules that will govern the conduct of the business of the city council until such time following the taking of the oath of office when the city council adopts permanent rules. Such meetings shall be called by the council member-elect most senior in age and shall be open to the public, although the business of any such meetings shall be confined to the topics identified here. The city clerk shall serve as an advisor to the city council-elect in this endeavor.
- (8) As soon as practical following the election at which this charter is adopted, the city clerk and the registrars of voters shall, using existing precinct boundary lines and voting places, divide the city into six (6) equal voting districts, or, as nearly equal as may be, using such existing precinct lines. At the first municipal election held in the odd numbered year following adoption of this charter, until the city has been reapportioned, as provided in Massachusetts General Laws, chapter 54, one (1) ward councilor shall be elected from each such ward, based on the city's most recent reapportionment pursuant to Massachusetts General Laws, chapter 54, and five (5) councilors shall be elected from the city at large.
- (9) Until such time as another salary is established in accordance with the provisions of this charter, the initial salaries for the mayor and for a school committee member shall be the same amount established for those offices at the time of the municipal election next following the election at which this charter is adopted. Until such time as another salary is established in accordance with the provisions of this charter, the initial salary for a city councilor shall be the same amount established for the board of aldermen at the time of the municipal election next following the election at which this charter is adopted.
- (10) No later than May 1, 2014, the city council shall promulgate an ordinance providing for a code of conduct and a code of ethics applicable to all appointed and elected officials and employees of the city.
- (11) The mayor and the board of aldermen and common council, in office at time this charter is adopted, and the mayor and successor city council elected pursuant to this charter, shall have the authority to adopt measures that clarify, confirm, or extend any of the transitional provisions in order that such transition may be made in the most expeditious manner possible.
- (12) So much of this charter as is possible shall take effect following its adoption by the voters.

## **City of Everett Home Rule Charter**

Provisions relating to the election of the city council shall take effect for the municipal election next following the adoption of this charter. Upon taking of office, such council shall operate pursuant to the provisions of Article 2 of this charter.



**CITY COUNCIL .....No. C0145-25**

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

**AN ORDER REQUESTING APPROVAL OF THE REPORT AND  
RECOMMENDATIONS OF THE CITY OF EVERETT 2024 – 2025 CHARTER  
REVIEW COMMITTEE**

/s/Councilor Stephanie Martins, as President

**Whereas:** Section 9-6 of the Home Rule Charter of the City of Everett requires the mayor and the city council to provide for a periodic review of said charter to be made at 10-year intervals in each year ending in the number 4; and

**Whereas:** The mayor and the city council president each appointed their designated number of members to the committee, and the members began their review of the city’s charter in June of 2024; and

**Whereas:** The committee has completed its review of the charter and, in accordance with Section 9-6 of the charter, has submitted its required report to the city clerk not later than the first day of May in the year following their appointment; and

**Whereas:** The committee has also submitted its detailed recommendations for amendments to the charter to the city council in the form of an order which can be used to create a home rule petition for submission to the General Court of the Commonwealth of Massachusetts; and

**Whereas:** In the view of the committee, none of the amendments that they have proposed rises to level of needing the approval of the voters;

**Now,** therefore, in accordance with Chapter 43B of the Massachusetts General Laws, which grants the City Council of the City of Everett, Massachusetts the authority to petition the Massachusetts State Legislature to approve amendments to the city’s Home Rule Charter:

**Be it Ordered** by the City Council of the City of Everett, Massachusetts that City of Everett Home Rule Charter shall be hereby amended as follows:

A new format for the city’s charter document was adopted. A copy of the reformatted document is attached. The new format is intended to make the charter more user-friendly and easier to read. In the adoption of this new format, a limited number of minor changes have been made to

support the new format; but none of them were substantive. All of the following references to the articles, sections and subsections of the charter refer to the notation in this new version of the charter.

There shall be new standards for how numbers will appear in the charter going forward. Currently, the format used when numbers appear in the charter is “number word (number)”, i.e., “thirty (30)”. Going forward, only the number shall appear (i.e., 30}. This will prevent situations where the number word and the number do not match. The format for how ordinal numbers (1st, 2nd, etc.) and fractions ( $2/3^{\text{rd}}$ ) shall appear in the charter have also been standardized going forward.

The committee’s detailed recommended changes to the city’s home rule charter are as follows:

Section 2-2(a)(1) is hereby amended by the replacing the phrase “As soon as practicable after the councilors-elect have been qualified following each biennial election, as provided in section 9-11)” with the phrase “At the 1<sup>st</sup> meeting of the city council held in January of every year,”;

Section 2-2(a)(1) is hereby further amended by inserting the phrase “ begin the process to” between the words “shall” and “elect”;

Section 2-3(c) is hereby amended by deleting the current version of the subsection in its entirety and replacing it with the following new version:

- (1) The impact of a final state or federal felony conviction on the convicted person’s eligibility to petition for or serve in the office of city councilor shall be in accordance with Section 9-15 (a) of this charter.
- (2) The impact of a final state or federal felony conviction on a person serving in the office of city councilor shall be in accordance with Section 9-15 (b) of this charter.

Section 2-6(c)(1). is hereby amended by replacing the word “ordinance” with the phrase “the rules of the city council”;

Section 2-6(c)(2)b. is hereby amended by replacing the phrase “this notice” with the phrase “the notice required by subsection a”;

Section 2-7(b) is hereby amended by inserting the phrase “, to the extent not inconsistent with any applicable collective bargaining agreement,” between the words “or” and “city”;

Section 2-7(c) is hereby amended by adding a new subsection (3) as follows:

- (3) City officers, employees and departments shall respond to any formal requests for information issued by the city council within 10 business days of receipt, unless a written extension is granted by a majority vote of the entire city council.

Section 2-7(d) is hereby amended by adding a new subsection (3) as follows:

- (3) The city council shall postpone consideration of any agenda item for which the requested supporting documentation has not been received by the time the agenda

is finalized and publicly posted.

Section 2-8(b)(1) is hereby amended by replacing the word “his” with the word “their”;

Section 2-9(b)(2) is hereby amended by replacing the phrase “full city council” with the phrase “members of the city council present and voting”;

Section 2-9(c)(3) is hereby amended by replacing both occurrences of the word “matter” with the word “measure”;

Section 2-10(c) is hereby amended by replacing the word “require” with the phrase “, through the mayor, request”;

Section 2-10(c) is hereby further amended by replacing the phrase “to give any” with the phrase “or to provide to the committee, or the city council”;

Section 2-10(c) is hereby further amended by deleting the phrase “that the committee, or the city council, may require.”;

Section 2-11(a) is hereby amended by inserting the phrase “city clerk shall declare the same. If no defeated candidate is eligible or willing to serve under subsection (b) of this section, the” between the words “the” and “remaining”;

Section 2-11(b) is hereby amended by deleting the phrase “city council shall fill the vacancy for the remainder of the unexpired term by choosing the”;

Section 2-11(b) is hereby further amended by replacing the word “regular” with the word “biennial”;

Section 2-11(b) is hereby further amended by inserting the phrase ‘ shall, following receipt of notice from the city clerk and acceptance of the position, and after taking the oath of office, serve for the remainder of the unexpired term” between the words “election” and the word “provided”;

Section 2-11(c) is hereby amended by replacing the phrase “or said defeated candidate shall not have received at least twenty percent (20%) of the total ballots cast” with the phrase “the defeated candidate is not eligible for appointment under sub-section (b) or the eligible candidate under subsection (b) declines to serve,”;

Section 2-11(c) is hereby further amended by inserting the phrase “, following acceptance and taking the oath of office,” between the words “serve” and “for”;

Section 2-11(d) is hereby deleted in its entirety and all subsequent subsections shall be renumbered accordingly;

The newly renumbered Section 2-11(e) is hereby amended by changing the word “regular” to “biennial”;

Section 3-1(b) is hereby amended by deleting the current version of the subsection in its entirety and replacing it with the following new version:

- (1) The term of office of the mayor shall be 4 years.
- (2) The term shall run from the 1<sup>st</sup> business day of January succeeding their election,

and until their successor has been qualified.

- (3) The mayor shall be sworn into office no later than January 7 at 8:00 p.m., at a time and place as shall be designated by the city clerk.

Section 3-1(e) is hereby amended by deleting the current version of the subsection in its entirety and replacing it with the following new version:

- (4) The impact of a final state or federal felony conviction on the convicted person's eligibility to petition for or serve in the office of mayor shall be in accordance with Section 9-15 (a) of this charter.
- (5) The impact of a final state or federal felony conviction on a person serving in the office of mayor shall be in accordance with Section 9-15 (b) of this charter.

Section 3-6(a) is hereby amended by deleting the following phrase "the selection of city officers or employees by the city council" and inserting the following phrase in its place "appointments by the city council of legislative branch officers or employees, confirmation of mayoral appointments, election warrants, designation of polling places, opting in or out for local elections of early voting by mail and early voting in person";

Section 3-8(b) is hereby amended by replacing the word "his" with the word "their";

Section 3-9(a)(2) is hereby amended by changing the first occurrence of the word "regular" to the word "biennial";

Section 3-9(a)(2) is hereby further amended by changing the second occurrence of the word "regular" to the phrase "biennial city";

Section 3-9(b)(3) is hereby amended by inserting the following phrase at the end of the subsection "; provided, however, that should such person subsequently stand for election as a city councilor, they shall be entitled to have the words "candidate for re-election" printed against their name on the election ballot.";

Section 3-9(c)(3) is hereby amended by replacing the word "regular" with the phrase "biennial city";

Section 4-2(a)(1) is hereby amended by the replacing the phrase "As soon as practicable after the school committee members-elect have been qualified following each biennial election, as provided in section 9-11)" with the phrase "At the 1<sup>st</sup> meeting of the school committee held in January of every year,";

Section 4-2(a)(2) is hereby amended by the replacing the phrase "As soon as practicable after the school committee members-elect have been qualified following each biennial election, as provided in section 9-11)" with the phrase "At the 1<sup>st</sup> meeting of the school committee held in January of every year,";

Section 4-3(c) is hereby amended by replacing the phrase "city appointed by the mayor, either publicly or privately" with the phrase "school department either publicly or privately; notwithstanding the previous clause, however, nothing herein shall be a limitation on the authority of the school committee to exercise its authority as a committee to adopt broad policy

guidelines, supervise the superintendent, and take such other action authorized by state law consistent with the provisions of section 4-5(a)”;

Section 4-3(d) is hereby amended by deleting the current version of the subsection in its entirety and replacing it with the following new version:

- (1) The impact of a final state or federal felony conviction on the convicted person’s eligibility to petition for or serve in the office of school committee member shall be in accordance with Section 9-15 (a) of this charter.
- (2) The impact of a final state or federal felony conviction on a person serving in the office of school committee member shall be in accordance with Section 9-15 (b) of this charter.

Section 4-5(b)(1) is hereby amended by replacing the word “elect” to the word “appoint”;

Section 4-5(b)(5) is hereby amended by inserting the following phrase at the end of the subsection; “ or by written agreement between the mayor and the school committee”

Section 4-6(a)(2) is hereby amended by replacing the word “regular” with the word “biennial”;

Section 4-6(a)(5) is hereby amended by replacing the word “regular” with the word “biennial”;

Section 4-6(b)(2) is hereby amended by replacing the word “regular” with the phrase “biennial city”;

Section 5-1(a) is hereby amended by replacing the phrase” to the city council by the mayor” with the phrase “by the mayor to the city council”;

Section 5-1(c) is hereby amended by inserting the phrase “, though its clerk,” between the words “council” and “administrative”;

Section 5-1 (e) is hereby amended by deleting the existing subsection in its entirety and replacing it with the following new version of the subsection:

- (e) Whenever the mayor proposes an administrative order, the city council shall hold 1 or more public hearings on the proposal for which notice shall be provided no less 10 days prior thereto by posting the full text of the proposal and a summary thereof on the official city website, and publishing notice in at least 1 local newspaper of the time, date and place of the public hearing with information about how to receive a copy of the full proposal.

Section 6-4 (a) is hereby amended by deleting the existing subsection in its entirety and replacing it with the following new version of the subsection:

(a) Public Hearing

The city council shall provide notice of the availability of the entire proposed operating budget no less than 14 days prior to the public hearing thereon, by posting on the official city website the time, date and place of the public hearing and the full text of the proposed operating budget and a summary thereof and publishing notice in 1 or more local newspapers of the time, date and place of the public hearing with information about

how to receive a copy of the full proposed operating budget.

Section 6-5 is hereby amended by replacing all occurrences of the phrase “capital improvement program” to the phrase “capital improvement plan”

Section 6-5 (b) is hereby amended by deleting the existing subsection in its entirety and replacing it with the following new version of the subsection:

(b) Public hearing

The city council shall provide notice of the availability of the capital improvement plan no less than 14 days prior to the public hearing thereon by posting on the official city website the time, date and place of the public hearing and the full text of the proposed capital improvement plan and a summary thereof; and publishing notice in at least 1 local newspaper of the time, date and place of the public hearing with information about how to receive a copy of the full proposed capital improvement plan. Such public hearing may, but need not, be scheduled simultaneously with the public hearing on the proposed operating budget.

Section 6-6(d) is hereby amended by inserting the phrase “, with the assistance of the city auditor and any other city officials requested by the city council president,” between the words “committees” and “shall”;

Section 7-1 is hereby amended by deleting the existing section in its entirety and replacing it with the following new version of the section:

**SECTION 7-1: CITY ELECTIONS**

- (a) Biennial city elections shall be held in odd-numbered years.
- (b) Such elections for city council and school committee members shall be held every 2 years.
- (c) Such elections for the office of mayor shall be held every 4 years, starting in 2013.
- (d) An individual shall only appear on the ballot for 1 office at any preliminary, biennial or special city election.

Section 7-2 is hereby amended by deleting the existing section in its entirety and replacing it with the following new version of the section which merges the functions of the prior Sections 7 – 1 and 7 -2:

**SECTION 7-2: PRELIMINARY ELECTIONS FOR CITY OFFICES**

- (a) If necessary, a preliminary election for the purpose of nominating candidates for any city office shall be conducted on a Tuesday in September, but no later than September 21<sup>st</sup>.
- (b) The board of election commissioners shall determine the date of said preliminary election, with the approval of the city council.
- (c) Whenever a special election to fill a vacancy in the office of mayor is to be held, a preliminary election shall be conducted, if necessary, 35 days before the date established for the special election.

Section 7-3(a) is hereby amended by deleting the existing subsection in its entirety and replacing it with the following new version of the subsection:

(a) Ballot Preparation and Signature Requirements

(C0005-1-20/Acts of 2021, Chapter 14)

- (4) In biennial city election years, the board of election commissioners shall:
- a. Prepare separate nomination papers for the offices of at-large and ward city council and school committee;
  - b. In biennial city election years in which a mayor is to be elected, prepare nomination papers for the office of mayor;
  - c. Determine the date on which such nomination papers shall be made available, but no earlier than April 2<sup>nd</sup>. and
  - d. Make such nomination papers available on the specified date.

(C0114-18/Acts of 2018, Chapter 316)

- (5) Nomination papers shall be submitted to the elections department on or before 4 p.m. on the 14<sup>th</sup> day prior to the date that nomination papers are required to be filed with the city clerk prior to a preliminary election.
- (6) Nomination papers for each of the following offices shall require the specified number of certified signatures of registered voters listed below in order for a candidate for such office to appear on the election ballot.
- a. Mayor, no fewer than 500 signatures, with no fewer than 25 signatures certified from each ward;
  - b. Councilor at large or school committee member at large, no fewer than 250 signatures; and
  - c. Ward councilor or ward school committee member, no fewer than 100 signatures from the ward in which election is sought.
- (7) The minimum number of certified registered voter signatures required to be eligible for nomination may be changed from time to time by an affirmative vote of no fewer than 8 councilors; provided however, that such vote shall take place no later than March 15<sup>th</sup> in any biennial city election year and, further that a certified copy of such vote shall be posted in the city clerk's office and on the official city website.
- (8) Any candidate taking out nomination papers shall be advised of the minimum number of certified signatures of registered voters required to be eligible for nomination to the office sought.
- (9) The elections department shall complete their certification of all nomination paper signatures no later than 47 days prior to the scheduled date of the preliminary election so that the certified nomination papers can be filed with the city clerk as

required by the General Laws.

Section 7-3(b)(1) is hereby amended to change the phrase “city clerk’ to board of election commissioners”;

Section 7-3(b)(1) is hereby further amended to insert the phrase “scheduled date of the “ between the words “the” and “preliminary”;

Section 7-3(b)(1) is hereby further amended to delete the sentence “Such drawing shall be open to the public.”

Section 7-3(b) is further amended to add two new subsections (2) and (3) as follows:

- (2) Notice of the date, time and location of the drawing shall be posted in the office of the city clerk and on the official city website.
- (3) Such drawing shall be open to the public.

Section 7-3(c)(1) is hereby amended by replacing the phrase “regular or special” with the phrase “biennial or special city”;

Section 7-3(c)(2) is hereby amended by replacing the word “regular” with the word “biennial”;

Section 7-3(d)(1) is hereby amended by replacing the first occurrence of the word “statements” with the phrase “nomination papers”;

Section 7-2(d)(1) is hereby further amended by replacing the phrase “such statements have been filed with the city clerk” with the phrase “candidates have filed nomination papers with the elections department”;

Section 7-3(d)(1)a. is hereby amended by replacing the word “statements” with the phrase “nomination papers”;

Section 7-3(d)(1)b. is hereby amended by replacing the phrase “regular or special” with the phrase “biennial or special city”;

Section 7-3(d)(1)c. is hereby amended by replacing the phrase “city clerk” with the phrase “board of election commissioners”;

Section 7-4 is hereby amended by replacing the word ”REGULAR” with the phrase “BIENNIAL CITY” in the section’s title;

Section 7-4 is hereby amended by replacing the word “regular” with the word “biennial”;

Section 7-5 is hereby amended by replacing the word ”REGULAR” with the phrase “BIENNIAL CITY” in the section’s title;

Section 7-5(a) is hereby amended by replacing the phrase “city clerk” with the phrase ‘board of election commissioners”;

Section 7-5(a) is hereby further amended by inserting the phrase “or if no preliminary election is held, no later than 34 days prior to the biennial city election” after the word ‘results”;

Section 7-5(a) is hereby further amended by deleting the sentence “Such drawing shall be open

to the public”;

Section 7-5 is further amended to add two new subsections (b) and (c) as follows

- (a) Notice of the date, time and location of the drawing shall be posted in the office of the city clerk and on the official city website.
- (b) Such drawing shall be open to the public.

Section 7-8 is hereby amended by replacing the phrase “regular and special” with the phrase “biennial and special city”;

Section 8-1(a) is hereby amended by inserting the phrase “filed with the city clerk and” between the words “is” and “addressed”;

Section 8-1(a) is hereby further amended by deleting the phrase “ which is”;

Section 8-1(b) is hereby amended by inserting the word “ public” between the words “the” and “ hearing”;

Section 8-1(b) is hereby further amended by deleting the phrase “or the secretary of the school committee”;

Section 8-1(c) is hereby amended by inserting the word “Public “ at the beginning of the subsection;

Section 8-1(c) is hereby further amended by inserting the word “, date” between the words “time” and “and”

Section 8-1(d) is hereby deleted in its entirety and replaced with the following new version of the subsection”;

- (d) The city clerk shall by electronic or 1<sup>st</sup>-class mail provide to the person whose name is listed 1<sup>st</sup> on the petition notice of the time, date and place of the public hearing,

Section 8-1(e) is hereby deleted in its entirety and replaced with the following new version of the subsection”:

- (e) Notice of the public hearing generally shall be provided by posting on the official city website no later than 7 days prior thereto the time, date and place of the public hearing and the full text of the proposed measure and at the discretion of the city clerk or city council, posted or published by any other means appropriate to inform the general public.

Section 8-2(a)(1) is hereby amended by inserting the following phrase “(“originating petition”)” between the words “ petition and “with”;

Section 8-2(a)(1) is hereby further amended by deleting the phrase “ or the secretary of the school committee”;

Section 8-2(a)(3) is hereby amended by inserting the word “ originating” between the first occurrence of the words “The” and “petition”;

Section 8-2(a)(3) is hereby further amended by inserting the phrase “ identifying the lead petitioner and” between the words “address” and “stating”;

Section 8-2(a)(3) is hereby further amended by inserting the word “ that” between the words “stating” and “they”;

Section 8-2(b)(1) is hereby amended by deleting the phrase ”or the secretary of the school committee”;

Section 8-2(b)(1) is hereby further amended by replacing the phrase “a proposed” with the phrase “the originating”;

Section 8-2(b)(2) is hereby amended by inserting the word “ originating” between the words “the” and “petition”;

Section 8-2(b)(4) is hereby amended by replacing the word “mailed” with the word “provided”;

Section 8-2(c)(1) is hereby amended by inserting the word “ originating” between the words “the” and “petition”;

Section 8-2(c)(1) is hereby amended by inserting the word “ petition” between the words “blank” and “form”;

Section 8-2(c)(2) is hereby amended by inserting the word “ registered” between the words ‘of’ and “voters”;

Section 8-2(c)(2) is hereby further amended by replacing the phrase “most recent” with the phrase “last biennial”;

Section 8-2(c)(4) is hereby amended by inserting the word “ registered” between the words ‘of’ and “voters”;

Section 8-2(c)(4) is hereby further amended by replacing the phrase “most recent regular” with the phrase “last biennial”;

Section 8-2(e)(1) is hereby amended by deleting the phrase “ or the secretary of the school committee”;

Section 8-2(e)(2) is hereby amended by inserting the word “ registered” between the first occurrence of the words “of” and “voters”;

Section 8-2(e)(2) is hereby further amended by replacing the phrase “most recent” with the phrase “last biennial”;

Section 8-2(e)(2) is hereby further amended by replacing the phrase “of the total number of voters in the city” with the phrase “of the total number of registered voters as of the date of the last biennial city election”;

Section 8-2(e)(3) is hereby amended by replacing both occurrences of the phrase “city clerk” with the phrase “board of election commissioners”;

Section 8-2(e)(3) is hereby further amended by inserting the phrase “, in consultation with the “board of election commissioners,” between the words “council” and “shall”;

Section 8-2(f) is hereby hereby deleted in its entirety and replaced with the following new version of the subsection”;

The full text of any initiative measure submitted to the voters shall be posted in full on the official city website not less than 7 days preceding the date of the election at which the question is to be voted upon, copies of which shall be available in the office of the city clerk, and further, notice of the availability and locations at which copies of the full text may be accessed shall be printed in at least 1 newspaper of local circulation.

Section 8-3(a)(1) is hereby amended by inserting the word “registered” between the words “of” and “voters”;

Section 8-3(a)(1) is hereby further amended by replacing the phrase “most recent regular” with the phrase “last biennial”;

Section 8-3(a)(1) is hereby further amended by deleting the phrase “ secretary of the school committee or”;

Section 8-3(a)(2) is hereby amended by inserting the phrase “, in consultation with the board of election commissioners,” between the words “council” and “shall”;

Section 8-3(a)(2) is hereby amended by replacing the word “regular” with the word “biennial”;

Section 8-3(b)(2) is hereby amended by replacing the word “unless” with the word “if”;

Section 8-3(b)(2) is hereby further amended by replacing the phrase “in favor of” with the word “against”;

Section 8-4(c) is hereby amended by replacing the word “committee” with the phrase “department portion of the”;

Section 8-5(b)(1) is hereby amended by inserting the following phrase at the end of the subsection “, which affidavit shall identify a lead petitioner for purposes of the recall”;

Section 8-5(b)(2) is hereby amended by replacing the word “deliver” with the phrase “make available”;

Section 8-5(b)(2)b. is hereby amended by replacing the phrase “all the persons to whom they are issued” with the phrase “the 1<sup>st</sup> 10 signatories to the petition”;

Section 8-5(b)(4) is hereby amended by deleting the current version of the subsection in its entirety and replacing it with the following new version of the subsection as follows:

- (4) The recall petition shall be returned and filed with the city clerk within 30 days after the filing of the affidavit, and shall have been signed for offices elected city-wide by no fewer than 15% of the total number of registered voters of the city as of the last biennial city election and for offices elected by ward, no fewer than 15% of the total number of registered voters of the ward as of the last biennial city election. The city clerk shall immediately submit the petition to the board of election commissioners, and the commission shall, within 5 working days, certify thereon the number of signatures that are names of voters.

Section 8-5(c)(1) is hereby amended by deleting the subsection in its entirety and replacing it with the following new version of the subsection:

- (10) If the petition shall be found and certified by the board of election commissioners to be sufficient, the board of election commissioners shall submit the same with such certificate to the city clerk within 5 working days and provide written or actual notice of the certified petition to the officer sought to be recalled; if the officer does not resign within 5 days thereafter, the city council, following consultation with the board of election commissioners, shall order a special recall election to be held on a date fixed by it no more than 90 days after the date of the board of election commissioner's certificate that a sufficient petition has been filed; provided, however, that if any other city election is to occur within 150 days after the date of the certificate, the city council shall postpone the holding of the recall election to the date of such other election.

Section 8-5(d)(3)b. is hereby amended by replacing the word "regular" with the word "biennial";

Section 8-5(d)(3)c. is hereby amended by replacing the phrase "he or she" with the word "they";

Section 8-6(a) is hereby amended by replacing the phrase "twenty per cent (20%)" with the percentage "15%";

Section 8-6(a) is hereby further amended by inserting the phrase "total number of registered" between the first occurrence of the words "the" and "voters";

Section 8-6(a) is hereby further amended by replacing the phrase "most recent regular" with the phrase "last biennial";

Section 8-6(b) is hereby amended by deleting the subsection in its entirety and replacing it with the following new version of the subsection:

- (b) For any recall election to be effective, for those offices elected city-wide, no fewer than 15% of the total number of registered voters in the city as of the last biennial city election, and for those offices elected by ward, no fewer than 15% of the total number of registered voters in the ward as of the last biennial city election shall vote in such recall election.

Section 8-7 is hereby amended by replacing the word "MATTERS" with the word "MEASURES" in the section's title;

Section 8-7 is hereby further amended by replacing the word "regular" with the word "biennial";

Section 9-5 is hereby amended by changing the number phrase "five (5)" to the number "6";

Section 9-6 is hereby amended by changing the number phrase "four (4)" to the number "0";

Section 9-7(a)(2) is hereby amended by inserting the word "weekday" between the number "48" and the word "hours";

Section 9-7(d)(1) is hereby amended by replacing the word "members" with the phrase "full membership";

Section 9-7(d)(2) is hereby amended by deleting the subsection in its entirety and replacing it with the following new version of the subsection:

- (11) Unless some other provision is made by law or the multiple member body's own rules while a quorum is present, a majority of those members present and voting shall be required to vote on any matter representing an exercise of the powers of the multiple member body.

Section 9-8 is hereby amended to replace the phrase “the masculine gender shall include the feminine gender” with the phrase “a particular gender shall be interpreted to include any”;

Section 9-10(b) is hereby amended by adding the following phrase at the end of the subsection “unless otherwise provided by law”;

Section 9-11(a) is hereby deleted in its entirety and the remaining subsequent subsections shall be renumbered accordingly;

The newly renumbered Section 9-11(a) is hereby amended by inserting the phrase “ of office for the mayor, the city council and school committee” between the words “oath” and “may”;

The originally numbered Section 9-11(e) is hereby deleted in its entirety;

The originally numbered Section 9-11(f) is hereby deleted in its entirety;

A new Section 9-15 is hereby added following Section 9-14. The details of the new section follow:

**SECTION 9-15: FELONY CONVICTION**

- (a) Any person who has been finally convicted of a state or federal felony shall not be eligible to petition for, or serve in, any elective or appointive office or position under the city.
- (b) Any elected official who has been finally convicted of a state or federal felony shall be deemed to have vacated their office and shall be disqualified from serving in any other elective or appointive office or position under the city.

Section 10-1(a) is hereby amended by inserting the phrase “ or any amendments thereto” between the words “charter” and “takes”;

Section 10-1(a) is hereby amended by inserting the phrase “ or any amendments thereto” between the words “charter” and “shall”;

Section 10-2 is hereby deleted in its entirety and the remaining subsequent sections shall be renumbered accordingly;

Section 10-3 is hereby deleted in its entirety and the remaining subsequent sections shall be renumbered accordingly;

The newly re-sequenced Section 10-2 (Originally Section 10-4) is hereby amended by inserting the phrase “ or amendments thereto,” after the first occurrence of the word “charter”;

The newly re-sequenced Section 10-3 (Originally Section 10-5) is hereby amended by deleting subsections (c) and (e) and renumbering the remaining subsections accordingly;

The originally numbered Section 10-6 is hereby deleted in its entirety;



Upon passage of this order by the City Council and subsequent approval by His Honor the Mayor, a home rule petition containing these changes to the city's home rule charter shall be submitted to the General Court of the Commonwealth of Massachusetts for their consideration,



A true copy attest

A handwritten signature in black ink that reads "Sergio Cornelio". The signature is written in a cursive style.

Sergio Cornelio, City Clerk



C0151-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 28, 2025

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**Agenda Item:**

That ISD provide an update on baiting and overflow trash enforcement as the warm months begin

**Background and Explanation:**

**Attachments:**



C0152-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 28, 2025

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**Agenda Item:**

That the department of engineering provide an update on why it continues to take months for permit approvals and additional conditions are added after the fact delaying projects.

**Background and Explanation:**

**Attachments:**



C0155-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 28, 2025

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**Agenda Item:**

Pursuant to Charter Section 2-7(c), the Council requires the Administration (Mayor, CFO, and Budget Director) to provide the following information and documents within seven (7) days: copies of all emails, text messages, other correspondence and draft ordinances from January 1, 2016 to the present regarding proposed or approved increases in the Mayor's salary or other compensation other than the longevity ordinances, including but not limited to C0218-16 and C0185-17

**Background and Explanation:**

**Attachments:**



C0156-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** April 28, 2025

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**Agenda Item:**

Executive Session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to anticipated litigation and 21(a)(7) to act in accordance with the provisions of the Public Records Law (discuss litigation strategy and privileged written legal advice regarding longevity payments to the Mayor)

**Background and Explanation:**

**Attachments:**

