

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

**ORDERED:**

**April 29, 2024**

**AN ORDER RELATIVE TO A GENERAL FUND BOND + A DEBT EXCLUSION TO CONSTRUCT A NEWBURYPORT RECREATION AND YOUTH SERVICES FACILITY AT 59 LOW ST AND TO RELOCATION THE DEPARTMENT OF PUBLIC SERVICES PARKS DIVISION TO PERRY WAY AT A TOTAL COST OF SEVEN MILLION, SEVEN HUNDRED EIGHTEEN THOUSAND EIGHT HUNDRED AND FIFTY-FOUR DOLLARS (\$7,718,854)**

THAT:

- (1) THAT, \$2,606,500 is appropriated to a) pay costs of constructing a new Newburyport Recreational and Youth Services Facility in substantial conformity and at the cost described in the latest plan design dated \_\_\_\_\_, specifications and estimate submitted to and considered by the City Council in connection with this bond order, a copy which is appended hereto, and b) To relocate the Department of Public Services Parks Division to Perry Way, including the payment of all costs incidental and related thereto, which amount shall be expended in addition to amounts previously appropriated to pay costs of this project, 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, s. 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; and that the Mayor and the Treasurer are authorized to take any other action necessary or convenient to carry out this vote. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.
- (2) THAT, principally, the project includes a) site work, b) renovation of the existing building c) the construction of a new gym d) parking, and e) a so-called rapid flashing beacon across Low St, and a contingency of 10%. The project does not include any crosswalks on Low St, connectivity to the River Valley Charter School, a full traffic signal for crossing Low St., or any traffic calming on Low St.
- (3) THAT, the general fund bond is approved subject to the following offices will submit signed letters that the project meets all applicable standards and will meet standard within the budgetary figure of \$7,718,854 from all sources for the project:
  - a. Newburyport Youth and Recreation Services – Design Programmatic Compatibility
  - b. Department of Public Services (Highway) – Low St. Safety
  - c. Department of Public Services (Engineering) – Drainage, site-work, and remediation of contamination
  - d. Department of Public Services (Director) – Sufficiency of space and budget to facilitate the Relocation of Parks Division to Perry Way.
  - e. Special Project Manager – Parking Sufficiency, Mitigation of contamination risk

- f. Sustainability – Energy Utilization/Source Requirements
- g. Finance – Sufficiency of ongoing funding to support the general fund obligation and legality of utilizing Opioid settlement funding to serve the general fund bond
- h. Building Department – ADA compliance and sufficiency of plumbing fixtures
- i. Architect – As to the budgetary estimates and inclusion of all necessary aspects being included in the project and the budget

- (4) THAT, the current and future balances of the Opioid Stabilization Fund are mandatorily transferred to the general fund in the amount of the general fund obligation towards the debt service for the bond or the amount available in the settlement fund, whichever is less. Such transfer shall be reflected in the annual budget to be approved by the City Council.
- (5) THAT, any gifts or donations made towards this project shall be submitted to the City Council for approval upon receipt consistent with State Law. Naming rights may not be conferred without appropriate approval.
- (6) THAT, further public funds beyond those identified in this order are not planned to support this project.
- (7) THAT, the remaining funds of the Kelley School proceeds \$393,500 are hereby appropriated to the same aforementioned project.
- (8) THAT, the City of Newburyport, pursuant to G.L. c. 59 Section 21C(a), shall seek voter approval at the next special election to be held on [ ] to assess taxes in excess of the amount allowed pursuant to G.L. c. 59 Section 21C(a) for the principal and interest on bonds, notes or certificates of indebtedness, issued by the City of Newburyport to pay costs of construction a youth and recreation facility at 59 Low St., including the payment of all costs incidental or related thereto, which shall include the cost to relocate the Parks Division of the Department of Public Services from 59 Low St. to 16 Perry Way.
- (9) THAT, to that the end, the City Clerk is hereby directed to place the following question on the ballot:

In addition to the \$3,000,000 already appropriated by vote of the City Council, shall the city of Newburyport be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the principal of and interest on the [\$4,718,854] bonds issued to pay costs of construction of a youth and recreational facility at 59 Low St. and to relocate the Parks Division of Public Services to 16 Perry way, including the payment of all costs incidental or related thereto?

- (10) THAT, contingent upon passage of the bond order, the City Council shall move forthwith to rezone the parcel known as 59 Low St. to allow for a Community Center (use #216) and to reassign the parcel to Newburyport Youth and Recreation Services.

Respectfully Submitted,

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Sharif Zeid, Ward 1 City Councillor