

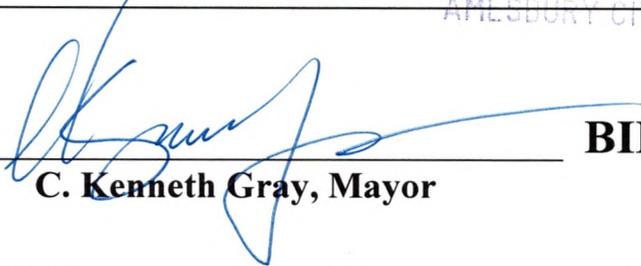


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CITY OF AMESBURY  
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AMESBURY CITY CLERK

SPONSORED BY:

  
C. Kenneth Gray, Mayor

BILL No. 2018-070

**An Order:** to appropriate \$1,500,000 for purposes of making improvements and upgrades to the City's roads and technology infrastructure.

**Summary:** This order proposes to appropriate \$1,500,000 for purposes of making improvements and upgrades to the City's road and sidewalk infrastructure and to expand and make improvements on the City's technology infrastructure. The order further authorizes the Mayor to borrow \$1,500,000 under G.L. c. 44, §7(1) or any other enabling authority.

**Be it Ordered by the City Council of the City of Amesbury assembled, and by the authority of the same, as follows:**

that \$1,500,000 be appropriated to pay costs of (i) improvements and upgrades to the City's road and sidewalk infrastructure, including the payment of costs incidental or related thereto, and (ii) expansion and improvements on the City's technology infrastructure (such as, but not limited to, upgrading servers, data storage, phone systems, networks, and school security systems) including the payment of costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$1,500,000 under G.L. c. 44, §7(1) or any other enabling authority; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project. 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 issuance of such bonds or notes, may be applied to the payment of costs approved by this order in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.



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January 3, 2017

Ms. Cynthia McNerney  
Managing Director  
FirstSouthwest, a Division of Hilltop Securities LLC  
54 Canal Street, Suite 320  
Boston, Massachusetts 02114

Dear Cinder: (City of Amesbury)

Below is a roadmap of the process by which the City of Amesbury can authorize the issuance of bonds.

For the purposes of this roadmap, we have reviewed the Home Rule Charter, Chapter 217 of the Acts of 2011, adopted November 8, 2011 (the "Charter") and certified to us on November 24, 2014, the Code of the Town of Amesbury adopted by ordinance of the Municipal Council on July 13, 2010 (the "2010 Code") and certified to us on November 24, 2014, and the Amesbury Municipal Council Ninth Session Rules and Procedures adopted January 2, 2014 (the "Rules and Procedures") as certified to us on November 24, 2014. If the Charter, 2010 Code, or the Rules and Procedures are not the current official versions, or if they have been revised, amended or otherwise changed since November 24, 2014, please let me know as soon as possible so that I may review such changes and adjust the following roadmap as necessary. We will need to receive a certified and sealed copy of the most recent version of these documents.

All meetings of the Municipal Council at which the Council discusses or takes action on the loan order must be open to the public and notices of such meetings must be given in compliance with Chapter 30A, §§18-25 (the "Open Meetings Law").

**Roadmap:**

1. If any meetings of the Municipal Council at which the loan order is discussed or adopted is a special meeting, written notice of the special meeting, specifying the purposes or purposes for which the meeting is to be held, will need to be delivered to each member of the board at least 48 hours in advance of such meeting in accordance with the provision of the Open Meetings Law (Chapter 30A, §§18-25), the City Charter (Part II, Section 2-7(b) and Part III, Section 3-5(c)) and the Rules and Procedures (Rule 5A).

2. Loan order is filed with the Council Clerk for introduction at a regular Council Meeting in accordance with the Rules and Procedures (Rule 5D). (Note: Rule 5D regarding regular may be suspended by consent vote of 2/3rds of the members of the Municipal Council present in accordance with Rule 4A.)

3. The loan order is introduced at a regular meeting of the Municipal Council by a member of the Council, the Mayor, or by petition as provided by the Rules and Procedures (Rule 5C) and assigned to Finance Committee for public hearing and recommendation to the full Municipal Council as provided by the Rules and Procedures (Rule 11A-1 and Rule 14). (Note: Rule 5C regarding regular meeting introduction and Rule 11A-1 and Rule 14 regarding assignment for Finance Committee may each be suspended by consent vote of 2/3rds of the members of the Municipal Council present in accordance with Rule 4A.)

4. Notice of the public hearing to be conducted by the Finance Committee, stating the date, time, place and subject matter of the public hearing will need to be published in a newspaper of general circulation in the City at least 15 days before the public hearing is held as provided by Rule 11A-1. (Note: While no specific publication notice timeframe is given in Rule 11A-1, we suggest applying the name 15 day publication notice required for the public hearing on the City budget required in Part V, Section 5-2(a) of the Charter. Also Note: Rule 11A-1 may be suspended by consent vote of 2/3rds of the members of the Municipal Council present in accordance with Rule 4A.)

5. Public hearing on the loan order is opened with a quorum of the Finance Committee present, all persons at the hearing given an opportunity to speak, and the hearing is closed. (Note: Rule 11A-1 may be suspended by consent vote of 2/3rds of the members of the Municipal Council present in accordance with Rule 4A.)

6. At a separate regular or special meeting of the Municipal Council following the introduction of the loan order, the Municipal Council votes to adopt the loan order by 2/3rds vote of entire Municipal Council. (Note: *not* 2/3rds of those present) (Also note: no loan order may be passed on the day it is introduced (Part III, Section 3-7(a) of the Charter)).

7. Upon final passage, notice of subject matter of the loan order shall be published in at least 1 newspaper of general circulation within the City and posted on the City bulletin board (City Charter Part III, Section 3-7(d)).

8. Loan order shall become effective at the expiration of 15 days after adoption by the Municipal Council, or at any later date specified therein, provided no petition for referendum has been filed with the City Clerk. (Part III, Section 3-7(a) of the Charter)

9. If the appropriation is for (i) land acquisition for a new school building, (i) plans for construction or renovation of a school building, or (iii) construction or

renovation of a school building, the School Committee will need to approve the site, plans, and/or construction or renovation before acquisition of such site or commencement of the project(s) in accordance with the provisions of M.G.L. c. 43, Section 34.

10. Please note that Rule 7 of the Rules and Procedures provides that if any loan order has been finally rejected by the Council, no motion embodying the same subject matter shall be presented to the Council within 6 months of its previous meetings unless resubmission is approved by a majority vote of the Council. (Note: Rule 7 may be suspended by consent vote of 2/3rds of the members of the Municipal Council present in accordance with Rule 4A.)

If you have any questions or concerns regarding the above authorization procedures, please call us.

Thank you.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Kara K. Adams', is written over the typed name.

Kara K. Adams

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