



Medford City Council
Medford, Massachusetts

The Seventh Regular Meeting, April 2, 2024

City Council

Isaac B. "Zac" Bears
Anna Callahan
Kit Collins
Emily Lazzaro
Matt Leming
George A. Scarpelli
Justin Tseng

This meeting will take place at 7:00 P.M. in the City Council Chamber, 2nd Floor, Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom.

Zoom Link: <https://us06web.zoom.us/j/83389323656>

Call-in Number: +16469313860,,83389323656#

Broadcast Live: Channel 22 (Comcast), Channel 43 (Verizon), and medfordtv.org.

To submit written comments, please email AHurtubise@medford-ma.gov.

CALL TO ORDER & ROLL CALL

SALUTE TO THE FLAG

ANNOUNCEMENTS, ACCOLADES, REMEMBRANCES, REPORTS, AND RECORDS

24-062 - Offered by Isaac Bears, Council President

Resolution to Honor and Commemorate Service of Former Mayor Jack McGlynn in WWII 'Ghost Army'

24-063 - Offered by Kit Collins, Council Vice President, Justin Tseng, City Councilor

Resolution to Recognize the Holy Month of Ramadan

24-070 - Offered by George Scarpelli, City Councilor

Recognize and Thank Former Mayor Jack McGlynn for his Service to Our Great Country

Records

The Records of the Meeting of March 19th, 2024 were passed to Councillor Scarpelli.

Reports of Committees

24-045 - Offered by Isaac Bears, Council President

Committee of the Whole Report, March 19, 2024 to Follow.

20-020 - Offered by Isaac Bears, Council President

Committee of the Whole Report, March 20, 2024 to Follow.

24-056 & 24-057 - Offered by Isaac Bears, Council President

Administration and Finance Committee Report, March 26, 2024 to Follow.

23-474 - Offered by Justin Tseng, City Councilor

Governance Committee Report, March 26, 2024 to Follow.

23-427 & 24-008 - Offered by Kit Collins, Council Vice President

Planning and Permitting Committee Report, March 27, 2024 to Follow.

HEARINGS

23-319

Raising Cane's, 760 Fellsway, Special Permit for Additional On Premises Signage

MOTIONS, ORDERS, AND RESOLUTIONS

24-056 - Offered by Matt Leming, City Councilor

Resolution to Bring Linkage Fee Ordinance in Compliance With the State's Act Establishing the Ordinance

24-059 - Offered by Anna Callahan, City Councilor

Resolution to Create a Rental Registry

24-060 - Offered by Emily Lazzaro, City Councilor, Matt Leming, City Councilor, Justin Tseng, City Councilor

Resolution to Amend the City Council Rules

24-061 - Offered by Isaac Bears, Council President

Resolution to Oppose Landfill that Endangers MWRA Water Supply

24-064 - Offered by Kit Collins, Council Vice President

Resolution to Support State "Make Polluters Pay" Legislation

24-065 - Offered by Isaac Bears, Council President

Resolution to Support the CHERISH Act and Our Public Colleges

24-069 - Offered by Justin Tseng, City Councilor

Resolution to Discuss a Modernization of the Human Rights Commission's Enabling Ordinance

24-071 - Offered by George Scarpelli, City Councilor

Resolution to Request Mayor, Superintendent, and MPS Finance Team Meet with City Council to Discuss Financial Shortfalls

24-072 - Offered by George Scarpelli, City Councilor

Resolution to Request Mayor and OCD Director Meet with the City Council to Review Development Projects

24-073 - Offered by Anna Callahan, City Councilor, Justin Tseng, City Councilor, Emily Lazzaro, City Councilor

Resolution to Establish City Council Listening Sessions

PUBLIC PARTICIPATION

To participate outside of Zoom, please e-mail AHurtubise@medford-ma.gov.

UNFINISHED BUSINESS

23-412

Petition to Amend Deed Restriction - 12 Dell Avenue

IN CITY COUNCIL SEPTEMBER 19, 2023
TABLED

24-031 **Request a Representative from BJ's Wholesale Club Meet to Discuss Construction and Neighborhood Concerns**

IN CITY COUNCIL FEBRUARY 6, 2024
TABLED

21-057 **Leaf Blower Ordinance**

IN CITY COUNCIL MARCH 12, 2024
FIRST READING APPROVED - MARCH 12, 2024
SECOND READING TO BE ADVERTISED - APRIL 4, 2024
THIRD READING ELIGIBLE - APRIL 16, 2024

23-319 **Raising Cane's, 760 Fellsway, Special Permit for Additional On Premises Signage**

IN CITY COUNCIL MARCH 12, 2024
PUBLIC HEARING APRIL 2, 2024
CONTINUED TO
DATE CERTAIN

Reports Due/Deadlines

16-574 University Accountability Spring 2017-Report (Next Report Due in November 2024)

17-606 Evangelical Haitian Church 400 High St. 90 Day Review on Illumination (Tabled - January 9, 2018)

20-086 90-Day Review Report on El Tacuba Cocina and Tequila Bar for a petition for a Special Permit – Hours (granted by the Council, as amended to require 90-day report period to begin on opening of restaurant)

22-007 90 Day Report from Administration to present 5-year plan to address gas leaks (Report due in April 2022)

22-009 90 Day Report from School Administration to identify opportunities to connect classroom learning to career applications (Report due in April 2022)

- 22-026** Quarterly Presentation on City's Financial Health by Chief Financial Officer/Auditor
- 22-027** Monthly Copy of Warrant Articles from Chief Financial Officer/Auditor
- 22-039** Report due in 30 days on draft ordinances requested by the Council during the 2020-2021 term

Adjournment



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Isaac Bears, Council President

AGENDA ITEM

24-062 - Resolution to Honor and Commemorate Service of Former Mayor Jack McGlynn in WWII 'Ghost Army'

FULL TEXT AND DESCRIPTION

Be it Resolved by the Medford City Council that we honor and commemorate the dedicated service of former Medford Mayor and State Representative John J. "Jack" McGlynn in the United States Army and 3132 Signal Service Company, part of the World War II "Ghost Army," upon posthumous receipt of the Congressional Gold Medal on March 21st.

Be it Further Resolved that we dedicate this meeting in honor of all of those who served in the "Ghost Army" to defend democracy, the people of the United States, and all humankind.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE	SPONSORED BY
April 2, 2024	Kit Collins, Council Vice President, Justin Tseng, City Councilor
AGENDA ITEM	
<u>24-063</u> - Resolution to Recognize the Holy Month of Ramadan	
FULL TEXT AND DESCRIPTION	
Be it Resolved that the Medford City Council recognize the holy month of Ramadan and wish a happy Ramadan and an easy fast to all who observe.	
RECOMMENDATION	
FISCAL IMPACT	
ATTACHMENTS	
None	



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

George Scarpelli, City Councilor

AGENDA ITEM

24-070 - Recognize and Thank Former Mayor Jack McGlynn for his Service to Our Great Country

FULL TEXT AND DESCRIPTION

Be It Resolved that the Medford City Council recognize and thank former Mayor Jack McGlynn for his service to our great country and finally being recognized for his heroism in being awarded the Congressional Gold Medal for his service as a member of secret Ghost Army during World War II.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

AGENDA ITEM

23-319 - Raising Cane's, 760 Fellsway, Special Permit for Additional On Premises Signage

FULL TEXT AND DESCRIPTION

**LEGAL NOTICE
MEDFORD CITY CLERK'S OFFICE
NOTICE OF PUBLIC HEARING**

The Medford City Council will hold a public hearing in the Howard F. Alden Chambers at Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom on Tuesday, March 12th at 7:00 p.m., a link to be posted no later than Friday, March 8, 2024, on a petition for a special permit for signs by Raising Cane's Restaurants, LLC, d/b/a Raising Cane's Chicken Fingers, 6800 Bishop Road, Plano, TX 75024. The petitioner is seeking to construct an eat-in restaurant (Allowed Use) in a commercial one (C-1) Zoning District at 509-511 Riverside Avenue a/k/a 760 Fellsway, Parcel ID. Lot 7-02-27, with **Additional On-Premises Signage requiring a Special Permit from the Medford City Council pursuant to Ch. 94 Section 6.2.20 of the Medford Zoning Ordinance.**

The petition seeks a special permit for:

Additional On-Premises Signage

The Petition and Site Plans for this project may be viewed in the Office of the City Clerk, Room 103, Medford City Hall, Medford, MA. The site plans can also be viewed on the City's website at <http://www.medfordma.org/bords/communtiy-development-board/> by clicking on "Current CD Board Filings."

Call 781-393-2435 for any accommodations/aids. The City of Medford is an EEO/AA/504 Employer.

By the order of the City Council

S/Adam L. Hurtubise
City Clerk

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Matt Leming, City Councilor

AGENDA ITEM

24-056 - Resolution to Bring Linkage Fee Ordinance in Compliance With the State's Act Establishing the Ordinance

FULL TEXT AND DESCRIPTION

A RESOLUTION TO BRING MEDFORD'S LINKAGE FEE ORDINANCES IN COMPLIANCE WITH THE STATE'S ACT ESTABLISHING THE ORDINANCE

WHEREAS, Medford Municipal Code 94-10.1.3.6, 94-10.2.3.6, 94-10.3.3.6, and 94-10.4.3.6 state that the formula for linkage fees for parks and recreational facilities, police and fire facilities, roads and traffic facilities, and water and sewer facilities, "shall be subject to recalculation no more than three years after the effective date of this provision, and no more than every three years thereafter" by the Community Development Board after public notice and a public hearing, "based on a methodology and analysis established as a result of report(s), documentation and information prepared by the office of community development."

WHEREAS Medford's linkage fee structure were uniquely established via Home Rule Petition in 1989, Chapter 488 "An Act Establishing a Linkage Exaction Program in the City of Medford" (the "Act"), which states the following: *The level of any exaction shall be reviewed at least every three years and reset as required based upon the recommendation of the office of community development and the mayor of said city;*

WHEREAS Medford's municipal codes, in stating that these recalculations shall happen "no more than every three years", presents unclear language that is out of compliance with the Act, which states that these recalculations shall happen "at least every three years."

WHEREAS the Community Development Board is not the Office of Community Development and was never mentioned in the Act as having authority to update Medford's linkage fee schedule;

WHEREAS Medford's Office of Community Development is now merged with the Office of Planning, Development, & Sustainability;

BE IT THEREFORE RESOLVED that Medford City Council update Medford Municipal Code 94-10 to change “the Community Development Board” to “the Mayor and the Office of Planning, Development, and Sustainability”

BE IT FURTHER RESOLVED that Medford City Council update Medford Municipal Code 94-10 to change the language from “no more than every three years” to “at least every three years.”

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 94-10.0. Updates

Chapter 94 - Zoning

SECTION 94-10.0. DEVELOPMENT LINKAGE FEES

Sec. 94-10.1. Parks and recreational facilities.

94-10.1.1 Purpose. The purpose of this section is to promote the public health, safety, convenience and welfare; to prevent the deterioration of existing parks and public recreational facilities; to establish a balance between real estate development and the open space and recreational needs of city residents; and to mitigate the impacts of future development on the deterioration of parks and public recreational facilities, by provisions designed to:

1. Afford review and regulation of real estate development projects which directly or indirectly lead to conditions of the use of parks and public recreational facilities that contribute to an increase in the costs for the upgrade, repair and maintenance of parks and public recreational facilities, and the need for new capital improvements.
2. Provide a fund for parks and public recreational facility capital improvements through a linkage grant to the park and recreational facilities trust, as a condition of the approval of any nonresidential development of 10,000 square feet of gross floor area or more; any residential development of six units or more; any subdivision of property which creates six or more units or buildable lots; or any residential or nonresidential project requiring a density bonus, variance, special permit, or zoning map amendment that is requested for a project of 5,000 square feet or more except those that are exempt pursuant to section 94-10.1.4. Requests for such zoning relief may include bonuses in density of use such as increases in gross floor area, height or other changes in dimensional requirements.
3. The imposition of linkage fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare.
4. The methodology and analysis for the determination of the impact of new development, the need for new facilities and their costs, and the establishment and calculation of the linkage fees shall be established as a result of an investigation and report with supporting documentation, which shall be available for inspection by any fee payer or the public. Calculations of linkage fees may be based on the methodology established by previous studies that outline methods for an escalating linkage fee formula.
5. The provisions of this section shall be construed so as to effectively carry out its purpose in the interest of the public health, safety and welfare.

94-10.1.2 Definitions. See section 94-12.0, "Development linkage fees".

94-10.1.3 Procedures. The mayor or the office of community development shall be empowered to promulgate regulations and establish fees it deems necessary to implement this section. For a development impact project, no building permit or density bonus, variance, special permit or zoning amendment shall be granted or adopted unless the following requirements are met:

1. The office of community development shall review and calculate the fees for all development impact projects. Applicants may request a schedule for the payment of linkage fees in accordance with regulations established by the community development board.
2. If an applicant elects not to pay the linkage fee as determined by the office of community development, then the applicant shall prepare and submit to the office of community development an independent fee calculation study for the land development activity for which a building or use permit is sought. The independent fee calculation study shall show the basis upon which the independent fee calculation was made, and shall follow the prescribed methodologies and formats based on regulations promulgated by the community development board.
3. The person or persons making application for a building permit or a density bonus, variance, special permit or zoning map amendment to construct, substantially rehabilitate, enlarge or extend a structure pursuant to a development impact project plan shall also enter into an agreement with the city to pay a park and recreational facilities linkage fee. For each development impact project, except for those exemptions found in section 94-10.1.4, a park and recreational facilities linkage fee will be paid as reviewed and approved by the office of community development.
4. The building commissioner shall not issue any building or use permit with respect to any building, structure, or land within an area covered by a development impact project plan until the office of community development provides certification to the building commissioner that the applicant has entered into a fee payment agreement as provided for herein .
5. The park and recreational facilities linkage fee shall be paid to, and eventually withdrawn from, the park and recreational facilities trust based upon a schedule of fees and rules and regulations established by the community development board.
6. The formula (amount and rate of payment) for the park and recreational facilities linkage fee shall be subject to recalculation at least three years after the effective date of this provision, and at least every three years thereafter. The mayor or the office of community development, after public notice and a public hearing of the Community Development Board, may recalculate and amend the formula for the park and recreational facilities linkage fee, based on a methodology and analysis established as a result of report(s), documentation and information.

94-10.1.4 Exemptions. The following are not development impact projects and will not be subject to development impact project requirements:

1. Any structure for which a building or use permit has been lawfully issued prior to the city council adopting this division, provided that construction work under such a permit is commenced within six months after its issuance, and the work proceeds in good faith continuously to completion so far as is reasonably practicable under the circumstances.
2. Any building, structure, addition or substantial rehabilitation below the thresholds described in section 94-10.1.4.
3. Any building, structure, substantial rehabilitation, or addition that is proposed for subsidized, or affordable homeowner or rental housing, which falls within criteria established by the Commonwealth of Massachusetts or the department of housing and urban development, and confirmed by vote of the community development board.
4. Any building, structure, substantial rehabilitation, or addition that is proposed for: a religious or nonprofit educational purpose; a preschool or child care center; a hospital, nursing home, associated outpatient clinic or other health care facility licensed by the Massachusetts Department of Public Health; a social service center, nonprofit community or recreation center, museum, library, art gallery or other public service use.
5. Any structure, conforming or otherwise, damaged or destroyed by fire or other catastrophe where the structure will not be rebuilt beyond its former dimensions.
6. Any claim of exemption shall be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

94-10.1.5 Refund of Linkage Fee Paid. The applicant shall be entitled to a refund of linkage fees for a development impact project provided that a written request is submitted to the office of community development within six months of the issuance of a building permit, and provided that no work has commenced on the project. The request shall be reviewed by the office of community development and the linkage fee, minus ten percent to offset the costs of collection and refund, may be returned to the applicant. Any funds not expended or encumbered by the end of the calendar quarter immediately following six years from the date the linkage fee was paid shall, upon application of the applicant or his assign(s), be returned to such landowner provided that the applicant or his assign(s) submits an application for a refund to the office of community development within 180 days of the expiration of the six-year period.

94-10.1.6 Credits. A credit may be given for voluntary site-related improvements or dedications as approved by the community development board or work performed as required by section 94-6.4.

1. Credit against a linkage fee otherwise due will not be provided until:
 - a. The construction is completed and accepted by the city, or the state, whichever is applicable.
 - b. Security in the form of a performance bond, irrevocable letter of credit, or escrow agreement shall be posted with and approved by the office of community development.
 - c. All design, construction, inspection, testing, bonding and acceptance procedures are in strict compliance with the current state and city requirements.
2. Credit may be provided before completion of specified improvements if adequate assurances are given by the applicant that the standards set out in section 94-10.1.6 will be met, and if the applicant posts security as provided herein for the costs of such construction.
3. Any claim for credit must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.
4. Credits shall not be transferable from one project or development to another without the approval of the community development board, and may only be transferred to another development upon a finding by the community development board that the voluntary dedication for which the credit was given equally benefits the city.
5. Determinations made by the community development board or the office of community development pursuant to the linkage fees or credit provision of this section may be appealed to the city council by filing a written request with the city council within 30 days of the community development board or the office of community development's determination. The appeal procedure shall be as provided for in M.G.L.A. c. 40A, § 15.

94-10.1.7 Penalty. A violation of this section shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction the violator shall be punishable according to section 94-11.3.2. However, in addition to or in lieu of any criminal prosecution, the city shall have the power to sue in civil court to enforce the provisions of this section.

Sec. 94-10.2. Police and fire facilities.

94-10.2.1 Purpose. The purpose of this section is to promote the public health, safety, convenience and welfare; to prevent overuse and deterioration of existing police and fire facilities; to establish a balance between real estate development and the police and fire needs of city residents; and to mitigate the impacts of future development on the overuse and deterioration of police and fire facilities, and the need for new capital improvements, by provisions designed to:

1. Afford review and regulation of real estate development projects which directly or indirectly lead to conditions of the use of police and fire facilities that contribute to an increase in the costs for the upgrade, repair and maintenance of police and fire facilities, and the need for new capital improvements.
2. Provide a fund for police and fire facility capital improvements through a linkage grant to the police and fire linkage trust, as a condition of the approval of: any nonresidential development of 10,000 square feet of gross floor area or more; any residential development of six units or more; any subdivision of property which creates six or more units or buildable lots;

or any residential or nonresidential project requiring a density bonus, variance, special permit, or zoning map amendment that is requested for a project of 5,000 square feet or more, except those that are exempt pursuant to section 94-10.2.4. Requests for such zoning relief may include bonuses in density of use such as increases in gross floor area, height or other changes in dimensional requirements.

3. The imposition of linkage fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare.
4. The methodology and analysis for the determination of the impact of new development, the need for new facilities and their costs, and the establishment and calculation of the linkage fees shall be established as a result of an investigation and report with supporting documentation, which shall be available for inspection by any fee payer or the public. Calculations of linkage fees may be based on the methodology established by previous studies that outline methods for an escalating linkage fee formula.

94-10.2.2 Definitions. See section 94-12.0, "Development linkage fees".

94-10.2.3 Procedures. The mayor or the office of community development shall be empowered to promulgate regulations and establish fees it deems necessary to implement this section. For a development impact project, no building permit or density bonus, variance, special permit or zoning amendment shall be granted or adopted unless the following are met:

1. The office of community development shall review and calculate the fees for all development impact projects. Applicants may request a schedule for the payment of linkage fees in accordance with regulations established by the community development board.
2. If an applicant elects not to pay the linkage fee as determined by office of community development, then the applicant shall prepare and submit to the office of community development an independent fee calculation study for the land development activity for which a building or use permit is sought. The independent fee calculation study shall show the basis upon which the independent fee calculation was made, and shall follow the prescribed methodologies and formats based on regulations promulgated by the community development board.
3. The person or persons making application for a building permit or a density bonus, variance, special permit, or zoning map amendment to construct, substantially rehabilitate, enlarge or extend a structure pursuant to a development impact project plan shall also enter into an agreement with the city to pay a police and fire facilities linkage fee. For each development impact project, except for those exemptions found in section 94-10.2.4, a police and fire facilities linkage fee will be paid as reviewed and approved by the office of community development.
4. The building commissioner shall not issue any building or use permit with respect to any building, structure, or land within an area covered by a development impact project plan until the office of community development provides certification to the building commissioner that the applicant has entered into a fee payment agreement.
5. The police and fire facilities linkage fee shall be paid to, and eventually withdrawn from, the police and fire facilities trust based upon a schedule of fees and rules and regulations established by the community development board.
6. The formula (amount and rate of payment) for the police and fire facilities linkage fee shall be subject to recalculation at least three years after the effective date of this provision, and at least every three years thereafter. The mayor or the office of community development, after public notice and a public hearing of the Community Development Board, may recalculate and amend the formula for the police and fire facilities linkage fee, based on a methodology and analysis established as a result of report(s), documentation and information.

94-10.2.4 Exemptions. The following are not development impact projects and will not be subject to development impact project requirements:

1. Any structure for which a building or use permit has been lawfully issued prior to the city council adopting this section, provided that construction work under such a permit is commenced within six months after its issuance, and the work proceeds in good faith continuously to completion so far as is reasonably practicable under the circumstances.
2. Any building, structure, addition or substantial rehabilitation below the thresholds described herein.
3. Any building, structure, substantial rehabilitation, or addition that is proposed for subsidized, or affordable homeowner or rental housing, which falls within criteria established by the Commonwealth of Massachusetts or the department of housing and urban development, and confirmed by vote of the city community development board.
4. Any building, structure, substantial rehabilitation or addition that is proposed for: a religious or nonprofit educational purpose; a preschool or child care center; a hospital, nursing home, associated outpatient clinic or other health care facility licensed by the Massachusetts Department of Public Health; a social service center, nonprofit community or recreation center, museum, library, art gallery or other public service use.
5. Any structure, conforming or otherwise, damaged or destroyed by fire or other catastrophe where the structure will not be rebuilt beyond its former dimensions.
6. Any claim of exemption shall be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

94-10.2.5 Refund of Linkage Fee Paid. The applicant shall be entitled a refund of linkage fees for a development impact project provided that a written request is submitted to the office of community development within six months of the issuance of a building permit, and provided that no work has commenced on the project. The request shall be reviewed by the office of community development and the linkage fee, minus ten percent to offset the costs of collection and refund, may be returned to the applicant. Any funds not expended or encumbered by the end of the calendar quarter immediately following six years from the date the linkage fee was paid shall, upon application of the applicant or his assign(s), be returned to such landowner provided that the applicant or his assign(s) submits an application for a refund to the office of community development within 180 days of the expiration of the six-year period.

94-10.2.6 Credits. A credit may be given for voluntary site-related improvements or dedications as approved by the community development board or work performed as required by section 94-6.4.

1. Credit against a linkage fee otherwise due will not be provided until:
 - a. The construction is completed and accepted by the city, or the state, whichever is applicable.
 - b. Security in the form of a performance bond, irrevocable letter of credit, or escrow agreement shall be posted with and approved by the office of community development.
 - c. All design, construction, inspection, testing, bonding and acceptance procedures are in strict compliance with the current state and city requirements.
2. Credit may be provided before completion of specified improvements if adequate assurances are given by the applicant as to the standards set out herein, and if the applicant posts security as provided herein for the costs of such construction.
3. Any claim for credit must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.
4. Credits shall not be transferable from one project or development to another without the approval of the community development board, and may only be transferred to another development upon a finding by the community development board that the voluntary dedication for which the credit was given equally benefits the city.
5. Determinations made by the community development board or the office of community development pursuant to the linkage fees or credit provision of this section may be appealed to the city council by filing a written request with the city council within 30 days of the community development board or the office of community development's determination. The appeal procedure shall be as provided for in M.G.L.A. c. 40A, § 15.

94-10.2.7 Penalty. A violation of this section shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction the violator shall be punishable according to section 94-11.3.2. However, in addition to or in lieu of any criminal prosecution, the city shall have the power to sue in civil court to enforce the provisions of this section.

Sec. 94-10.3. Roads and traffic facilities.

94-10.3.1 Purpose. The purpose of this division is to promote public health, safety, convenience and welfare; to prevent overuse and deterioration of existing roads and traffic facilities; to establish a balance between real estate development and the road and traffic needs of city residents; and to mitigate the impacts of future development on the overuse and deterioration of road and traffic facilities, by provisions designed to:

1. Afford review and regulation of real estate development projects which directly or indirectly lead to conditions of the use of road and traffic facilities that contribute to an increase in the costs for the upgrade, repair and maintenance of road and traffic facilities, and the need for new capital improvements.
2. Provide a fund for roads and traffic facility capital improvements through a linkage grant to the roads and traffic linkage trust as a condition of the approval of: any nonresidential development of 10,000 square feet of gross floor area or more; any residential development of six units or more; any subdivision of property which creates six or more units or buildable lots; or any residential or nonresidential project requiring a density bonus, variance, special permit or zoning map amendment that is requested for a project of 5,000 square feet or more, except those that are exempt pursuant to section 94-10.3.4. Requests for such zoning relief may include bonuses in density of use such as increases in gross floor area, height or other changes in dimensional requirements.
3. The imposition of linkage fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare.
4. The methodology and analysis for the determination of the impact of new development, the need for new facilities and their costs, and the establishment and calculation of the linkage fees shall be established as a result of an investigation and report with supporting documentation, which shall be available for inspection by any feepayer or the public. Calculations of linkage fees may be based on the methodology established by previous studies that outline methods for an escalating linkage fee formula.

94-10.3.2 Definitions. See section 94-12.0, "Development linkage fees".

94-10.3.3 Procedures. The mayor or the office of community development shall be empowered to promulgate regulations and establish fees it deems necessary to implement this division. For a development impact project, no building permit or density bonus, variance, special permit, or zoning amendment shall be granted or adopted unless the following requirements are met:

1. The office of community development shall review and calculate the fees for all development impact projects. Applicants may request a schedule for the payment of linkage fees in accordance with regulations established by the community development board.
2. If an applicant elects not to pay the linkage fee as determined by office of community development, then the applicant shall prepare and submit to the office of community development an independent fee calculation study for the land development activity for which a building or use permit is sought. The independent fee calculation study shall follow the prescribed methodologies and formats based on regulations promulgated by the community development board.
3. The person or persons making application for a building permit or a density bonus, variance, special permit or zoning map amendment to construct, substantially rehabilitate, enlarge or extend a structure pursuant to a development impact project plan shall also enter into an agreement with the city to pay a roads and traffic facilities linkage fee. For each development impact project, except for those exemptions found in section 94-10.3.4, a roads and traffic facilities linkage fee will be paid as reviewed and approved by the office of community development.
4. The building commissioner shall not issue any building or use permit with respect to any building, structure, or land within an area covered by a development impact project plan until the office of community development provides certification to the building commissioner that the applicant has entered into a fee payment agreement as provided for herein.
5. The roads and traffic facilities linkage fee shall be paid to, and eventually withdrawn from, the roads and traffic facilities trust based upon a schedule of fees and rules and regulations established by the community development board.
6. The formula (amount and rate of payment) for the roads and traffic facilities linkage fee shall be subject to recalculation at least three years after the effective date of this provision, and at least every three years thereafter. The mayor or the office of community development, after public notice and a public hearing of the Community Development Board, may recalculate and amend the formula for the roads and traffic facilities linkage fee, based on a methodology and analysis established as a result of report(s), documentation and information.

94-10.3.4 Exemptions. The following are not development impact projects and will not be subject to the development impact project requirements:

1. Any structure for which a building or use permit has been lawfully issued prior to the city council adopting this section provided that construction work under such a permit is commenced within six months after its issuance, and the work proceeds in good faith continuously to completion so far as is reasonably practicable under the circumstances.
2. Any building, structure, addition or substantial rehabilitation below the thresholds described herein.
3. Any building, structure, substantial rehabilitation, or addition that is proposed for subsidized, or affordable homeowner or rental housing, which falls within criteria established by the Commonwealth of Massachusetts or the department of housing and urban development, and confirmed by vote of the city community development board.
4. Any building, structure, substantial rehabilitation, or addition that is proposed for: a religious or nonprofit educational purpose; a preschool or child care center; a hospital, nursing home, associated outpatient clinic or other health care facility licensed by the Massachusetts Department of Public Health; a social service center, nonprofit community or recreation center, museum, library, art gallery or other public service use.
5. Any structure, conforming or otherwise, damaged or destroyed by fire or other catastrophe where the structure will not be rebuilt beyond its former dimensions.
6. Any claim of exemption shall be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

94-10.3.5 Refund of Linkage Fee Paid. The applicant shall be entitled to a refund of linkage fees for a development impact project provided that a written request is submitted to the office of community development within six months of the issuance of a building permit, and provided that no work has commenced on the project. The request shall be reviewed by the office of community development and the linkage fee, minus ten percent to offset the costs of collection and refund, may be returned to the applicant. Any funds not expended or encumbered by the end of the calendar quarter immediately following six years from the date the linkage fee was paid shall, upon application of the applicant or his assign(s), be returned to such landowner provided that the applicant or his assign(s) submits an application for a refund to the office of community development within 180 days of the expiration of the six-year period.

94-10.3.6 Credits. A credit may be given for voluntary site-related improvements or dedications as approved by the community development board or work performed as required by section 94-6.4.

1. Credit against a linkage fee otherwise due will not be provided until:
 - a. The construction is completed and accepted by the city, or the state, whichever is applicable.
 - b. Security in the form of a performance bond, irrevocable letter of credit, or escrow agreement shall be posted with and approved by the office of community development.
 - c. All design, construction, inspection, testing, bonding and acceptance procedures are in strict compliance with the current state and city requirements.
2. Credit may be provided before completion of specified improvements if adequate assurances are given by the applicant as to the standards set out herein, and if the applicant posts security as provided herein for the costs of such construction.

3. Any claim for credit must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.
4. Credits shall not be transferable from one project or development to another without the approval of the community development board, and may only be transferred to another development upon a finding by the community development board that the voluntary dedication for which the credit was given equally benefits the city.
5. Determinations made by the community development board or the office of community development pursuant to the linkage fees or credit provision of this section may be appealed to the city council by filing a written request with the city council within 30 days of the community development board or the office of community development's determination. The appeal procedure shall be as provided for in M.G.L.A. c. 40A, § 15.

94-10.3.7 Penalty. A violation of this section shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction the violator shall be punishable according to section 94-11.3.2. However, in addition to or in lieu of any criminal prosecution, the city shall have the power to sue in civil court to enforce the provisions of this section.

Sec. 94-10.4. Water and sewer facilities.

94-10.4.1 Purpose. The purpose of this section is to promote the public health, safety, convenience and welfare; to prevent overuse and deterioration of existing water and sewer facilities; to establish a balance between real estate development and the road and traffic needs of city residents; and to mitigate the impacts of future development on the overuse and deterioration of road and traffic facilities, by provisions designed to:

1. Afford review and regulation of real estate development projects which directly or indirectly lead to conditions of the use of road and traffic facilities that contribute to an increase in the costs for the upgrade, repair and maintenance of road and traffic facilities; and the need for new capital improvements.
2. Provide a fund for water and sewer facility capital improvements through a linkage grant to the water and sewer linkage trust, as a condition of the approval of: any nonresidential development of 10,000 square feet of gross floor area or more; any residential development of six units or more; any subdivision of property which creates six or more units or buildable lots; or any residential or nonresidential project requiring a density bonus, variance, special permit, or zoning map amendment that is requested for a project of 5,000 square feet or more, except those that are exempt pursuant to section 94-10.4.4. Requests for such zoning relief may include bonuses in density of use such as increases in gross floor area, height or other changes in dimensional requirements.
3. The imposition of linkage fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare.
4. The methodology and analysis for the determination of the impact of new development, the need for new facilities and their costs, and the establishment and calculation of the linkage fees shall be established as a result of an investigation and report with supporting documentation, which shall be available for inspection by any fee payer or the public. Calculations of linkage fees may be based on the methodology established by previous studies that outline methods for an escalating linkage fee formula

94-10.4.2 Definitions. See section 94-12.0, "Development linkage fees".

94-10.4.3 Procedures. The mayor or the office of community development shall be empowered to promulgate regulations and establish fees it deems necessary to implement this division. For a development impact project no building permit or density bonus, variance, special permit, or zoning amendment shall be granted or adopted unless the following requirements are met:

1. The office of community development shall review and calculate the fees for all development impact projects. Applicants may request a schedule for the payment of linkage fees in accordance with regulations established by the community development board.
2. If an applicant elects not to pay the linkage fee as determined by office of community development, then the applicant shall prepare and submit to the office of community development an independent fee calculation study for the land development activity for which a building or use permit is sought. The independent fee calculation study shall show the basis upon which the independent fee calculation was made, and shall follow the prescribed methodologies and formats based on regulations promulgated by the community development board.
3. The person or persons making application for a building permit or a density bonus, variance, special permit, or zoning map amendment to construct, substantially rehabilitate, enlarge or extend a structure pursuant to a development impact project plan shall also enter into an agreement with the city to pay a water and sewer facilities linkage fee. For each development impact project, except for those exemptions found in section 94-10.4.4, a water and sewer facilities linkage fee will be paid as reviewed and approved by the office of community development.
4. The building commissioner shall not issue any building or use permit with respect to any building, structure, or land within an area covered by a development impact project plan until the office of community development provides certification to the building commissioner that the applicant has entered into a fee payment agreement as provided for herein.
5. The water and sewer facilities linkage fee shall be paid to, and eventually withdrawn from, the water and sewer facilities trust based upon a schedule of fees and rules and regulations established by the community development board.

6. The formula (amount and rate of payment) for the water and sewer facilities linkage fee shall be subject to recalculation at least three years after the effective date of this provision, and at least every three years thereafter. The mayor or the office of community development, after public notice and a public hearing of the Community Development Board, may recalculate and amend the formula for the water and sewer facilities linkage fee, based on a methodology and analysis established as a result of report(s) and documentation and information.

94-10.4.4 Exemptions. The following are not development impact projects and will not be subject to the development impact project requirements:

1. Any structure for which a building or use permit has been lawfully issued prior to the city council adopting this section provided that construction work under such a permit is commenced within six months after its issuance, and the work proceeds in good faith continuously to completion so far as is reasonably practicable under the circumstances.
2. Any building, structure, addition or substantial rehabilitation below the thresholds described herein.
3. Any building, structure, substantial rehabilitation, or addition that is proposed for subsidized, or affordable homeowner or rental housing, which falls within criteria established by the Commonwealth of Massachusetts or the department of housing and urban development, and confirmed by vote of the city community development board.
4. Any building, structure, substantial rehabilitation, or addition that is proposed for: a religious or nonprofit educational purpose; a preschool or child care center; a hospital, nursing home, associated outpatient clinic or other health care facility licensed by the Massachusetts Department of Public Health; a social service center, nonprofit community or recreation center, museum, library, art gallery or other public service use.
5. Any structure, conforming or otherwise, damaged or destroyed by fire or other catastrophe where the structure will not be rebuilt beyond its former dimensions.
6. Any claim of exemption shall be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

94-10.4.5 Refund of Linkage Fee Paid. The applicant shall be entitled to a refund of linkage fees for a development impact project provided that a written request is submitted to the office of community development within six months of the issuance of a building permit, and provided that no work has commenced on the project. The request shall be reviewed by the office of community development and the linkage fee, minus ten percent to offset the costs of collection and refund, may be returned to the applicant. Any funds not expended or encumbered by the end of the calendar quarter immediately following six years from the date the linkage fee was paid shall, upon application of the applicant or his assign(s), be returned to such landowner provided that the applicant or his assign(s) submits an application for a refund to the office of community development within 180 days of the expiration of the six-year period.

94-10.4.6 Credits. A credit may be given for voluntary site-related improvements or dedications as approved by the community development board or work performed as required by section 94-6.4.

1. Credit against a linkage fee otherwise due will not be provided until:
 - a. The construction is completed and accepted by the city, or the state, whichever is applicable.
 - b. Security in the form of a performance bond, irrevocable letter of credit, or escrow agreement shall be posted with and approved by the office of community development.
 - c. All design, construction, inspection, testing, bonding and acceptance procedures are in strict compliance with the current state and city requirements.
2. Credit may be provided before completion of specified improvements if adequate assurances are given by the applicant as to the standards set out herein, and if the applicant posts security as provided herein for the costs of such construction.
3. Any claim for credit must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.
4. Credits shall not be transferable from one project or development to another without the approval of the community development board, and may only be transferred to another development upon a finding by the community development board that the voluntary dedication for which the credit was given equally benefits the city.
5. Determinations made by the community development board or the office of community development pursuant to the linkage fees or credit provision of this section may be appealed to the city council by filing a written request with the city council within 30 days of the community development board or the office of community development's determination. The appeal procedure shall be as provided for in M.G.L.A. c. 40A, § 15.

94-10.4.7 Penalty. A violation of this section shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction the violator shall be punishable according to section 94-11.3.2. However, in addition to or in lieu of any criminal prosecution, the city shall have the power to sue in civil court to enforce the provisions of this section.

Sec. 94-10.5. Affordable housing.

94-10.5.1 Purpose. The purpose of this section is to promote the public health, safety, convenience and welfare; to incentivize the development of new affordable housing units; to prevent the deterioration of existing affordable housing facilities; to establish a balance between market-rate real estate development and the affordable housing needs of city residents; and to mitigate the impacts of future development on the deterioration of affordable housing facilities, by provisions designed to:

1. Afford review and regulation of real estate development projects which directly or indirectly lead to conditions of the use of affordable housing facilities that contribute to an increase in the costs for the upgrade, repair and maintenance of affordable housing facilities, and the need for new capital improvements.
2. Provide a fund for affordable housing facility capital improvements through a linkage grant to the affordable housing trust, as a condition of the approval of any nonresidential development of 10,000 square feet of gross floor area or more; any residential development of six units or more; any subdivision of property which creates six or more units or buildable lots; or any residential or nonresidential project requiring a density bonus, variance, special permit, or zoning map amendment that is requested for a project of 5,000 square feet or more except those that are exempt pursuant to section 94-10.5.4. Requests for such zoning relief may include bonuses in density of use such as increases in gross floor area, height or other changes in dimensional requirements.
3. The imposition of linkage fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of capital facilities necessary to accommodate such development. This must be done in order to promote and protect the public health, safety and welfare.
4. The methodology and analysis for the determination of the impact of new development, the need for new facilities and their costs, and the establishment and calculation of the linkage fees shall be established as a result of an investigation and report with supporting documentation, which shall be available for inspection by any fee payer or the public. Calculations of linkage fees may be based on the methodology established by previous studies that outline methods for an escalating linkage fee formula.

94-10.5.2 Definitions. See section 94-12.0, "Development linkage fees".

94-10.5.3 Procedures. The mayor or the office of community development shall be empowered to promulgate regulations and establish fees it deems necessary to implement this section. For a development impact project, no building permit or density bonus, variance, special permit or zoning amendment shall be granted or adopted unless the following requirements are met:

1. The office of community development shall review and calculate the fees for all development impact projects. Applicants may request a schedule for the payment of linkage fees in accordance with regulations established by the community development board.
2. If an applicant elects not to pay the linkage fee as determined by the office of community development, then the applicant shall prepare and submit to the office of community development an independent fee calculation study for the land development activity for which a building or use permit is sought. The independent fee calculation study shall show the basis upon which the independent fee calculation was made, and shall follow the prescribed methodologies and formats based on regulations promulgated by the community development board.
3. The person or persons making application for a building permit or a density bonus, variance, special permit or zoning map amendment to construct, substantially rehabilitate, enlarge or extend a structure pursuant to a development impact project plan shall also enter into an agreement with the city to pay an affordable housing linkage fee. For each development impact project, except for those exemptions found in section 94-10.5.4, an affordable housing linkage fee will be paid as reviewed and approved by the office of community development.
4. The building commissioner shall not issue any building or use permit with respect to any building, structure, or land within an area covered by a development impact project plan until the office of community development provides certification to the building commissioner that the applicant has entered into a fee payment agreement as provided for herein .
5. The affordable housing linkage fee shall be paid to, and eventually withdrawn from, the affordable housing trust based upon a schedule of fees and rules and regulations established by the community development board.
6. The formula (amount and rate of payment) for the affordable housing linkage fee shall be subject to recalculation at least three years after the effective date of this provision, and at least every three years thereafter. The mayor or the office of community development, after public notice and a public hearing of the Community Development Board, may recalculate and amend the formula for the affordable housing linkage fee, based on a methodology and analysis established as a result of report(s), documentation and information.

94-10.5.4 Exemptions. The following are not development impact projects and will not be subject to development impact project requirements:

1. Any structure for which a building or use permit has been lawfully issued prior to the city council adopting this division, provided that construction work under such a permit is commenced within six months after its issuance, and the work proceeds in good faith continuously to completion so far as is reasonably practicable under the circumstances.
2. Any building, structure, addition or substantial rehabilitation below the thresholds described in section 94-10.5.4.
3. Any building, structure, substantial rehabilitation, or addition that is proposed for subsidized, or affordable homeowner or rental housing, which falls within criteria established by the Commonwealth of Massachusetts or the department of housing and urban development, and confirmed by vote of the community development board.
4. Any building, structure, substantial rehabilitation, or addition that is proposed for: a religious or nonprofit educational purpose; a preschool or child care center; a hospital, nursing home, associated outpatient clinic or other health care facility licensed by the Massachusetts Department of Public Health; a social service center, nonprofit community or recreation center, museum, library, art gallery or other public service use.
5. Any structure, conforming or otherwise, damaged or destroyed by fire or other catastrophe where the structure will not be rebuilt beyond its former dimensions.

6. Any claim of exemption shall be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.

94-10.5.5 Refund of Linkage Fee Paid. The applicant shall be entitled to a refund of linkage fees for a development impact project provided that a written request is submitted to the office of community development within six months of the issuance of a building permit, and provided that no work has commenced on the project. The request shall be reviewed by the office of community development and the linkage fee, minus ten percent to offset the costs of collection and refund, may be returned to the applicant. Any funds not expended or encumbered by the end of the calendar quarter immediately following six years from the date the linkage fee was paid shall, upon application of the applicant or his assign(s), be returned to such landowner provided that the applicant or his assign(s) submits an application for a refund to the office of community development within 180 days of the expiration of the six-year period.

94-10.5.6 Credits. A credit may be given for voluntary site-related improvements or dedications as approved by the community development board or work performed as required by section 94-6.4.

1. Credit against a linkage fee otherwise due will not be provided until:
 - a. The construction is completed and accepted by the city, or the state, whichever is applicable.
 - b. Security in the form of a performance bond, irrevocable letter of credit, or escrow agreement shall be posted with and approved by the office of community development.
 - c. All design, construction, inspection, testing, bonding and acceptance procedures are in strict compliance with the current state and city requirements.
2. Credit may be provided before completion of specified improvements if adequate assurances are given by the applicant that the standards set out in section 94-10.5.6 will be met, and if the applicant posts security as provided herein for the costs of such construction.
3. Any claim for credit must be made no later than the time of application for a building permit. Any claim not so made shall be deemed waived.
4. Credits shall not be transferable from one project or development to another without the approval of the community development board, and may only be transferred to another development upon a finding by the community development board that the voluntary dedication for which the credit was given equally benefits the city.
5. Determinations made by the community development board or the office of community development pursuant to the linkage fees or credit provision of this section may be appealed to the city council by filing a written request with the city council within 30 days of the community development board or the office of community development's determination. The appeal procedure shall be as provided for in M.G.L.A. c. 40A, § 15.

94-10.5.7 Penalty. A violation of this section shall be prosecuted in the same manner as misdemeanors are prosecuted and upon conviction the violator shall be punishable according to section 94-11.3.2. However, in addition to or in lieu of any criminal prosecution, the city shall have the power to sue in civil court to enforce the provisions of this section.



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Anna Callahan, City Councilor

AGENDA ITEM

24-059 - Resolution to Create a Rental Registry

FULL TEXT AND DESCRIPTION

Whereas the City of Medford has climate sustainability, affordable housing, and other goals that would be easier to accomplish if we could reach either renters or landlords or both in our city, and

Whereas our lack of a registry of rental properties means that we currently miss opportunities to reach either our renters or our landlords or both,

Be it so Resolved that the Council explore and consider language for a rental licensing ordinance with energy efficiency standards as described in the CAAP section 2.2.D.

Be it Further Resolved that this ordinance be referred to committee for further discussion in the Planning and Permitting Committee.

Be it Further Resolved that members of the Planning and Permitting Committee submit questions to the Chair, Clerk, and city staff ahead of the committee meeting scheduled for this subject.

Be it Further Resolved that the Council work with the Building Department and the Office of Planning, Development, and Sustainability on the drafting of this ordinance to ensure that it best serves the city of Medford and our climate and affordable housing goals.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Emily Lazzaro, City Councilor, Matt
Leming, City Councilor, Justin
Tseng, City Councilor

AGENDA ITEM

24-060 - Resolution to Amend the City Council Rules

FULL TEXT AND DESCRIPTION

Be it Resolved, that Rule 16 of the Rules of the Medford City Council be amended to state the following:

Any resident, petitioner, or interested party shall be able to speak on any item included on the agenda once for no more than 2 minutes. Public participation shall not exceed 90 minutes per agenda item during a single meeting. Interested parties may also contribute written public comment on agenda items via an online form on the Medford City Council website or a paper form in the office of the City Clerk.

All petitions filed by members of the public shall either be sponsored by a member or reviewed by the City Clerk and Council President prior to placement on the agenda.

Any resident participating in-person may provide their residential address to the City Messenger and any resident participating virtually may provide their residential address to the City Clerk prior to speaking and the address shall not be included in the Council Records.

A six calendar day public comment period shall commence upon the consideration of any petition, as defined in Rule 19. Public comments shall be submitted in writing to the City Clerk. The Council can waive this requirement by a majority vote.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

I. CC 4.2.24 Surrounding Cities Public Participation Policies

Surrounding Cities Public Participation Policies

City	Participation Type	Limit per speaker	Total time	Notes
Cambridge	Public Comment	1-3 min depending on sign ups		Strict restrictions on subject, sign up ahead of time
Somerville	Sponsored speaker			Must be sponsored by a City Council Member, submitted noon on Friday before meeting (No public comment, no comment on agenda items)
Malden	Public Comment	2 minutes or 300 words written	30 minutes	Speakers must sign in prior to meeting
Everett	Public Comment	2 minutes	10 minutes	
Revere	Comment on agenda item	discretion of chair, a few minutes		Any member of the public can comment on any agenda item
Melrose	Public Comment	10 minutes, 1 time only		
Watertown	Public Forum	2 minutes		Speakers must sign up ahead of time, one forum at beginning of meeting, one forum at end
Medford - current policy	Comment on agenda item	5 minutes, up to 3 times	No limit	No sign-up required
Medford - proposed policy	Comment on agenda item	2 minutes, 1 time only	90 minutes per agenda item	No sign-up required



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Isaac Bears, Council President

AGENDA ITEM

24-061 - Resolution to Oppose Landfill that Endangers MWRA Water Supply

FULL TEXT AND DESCRIPTION

Be it Resolved by the Medford City Council that we join with neighboring communities, environmental protection activists, and the residents of Hardwick, MA in opposing the proposed construction of a landfill by Casella Corporation near the Quabbin Reservoir watershed due to the incredible danger it poses to our regional water supply.

Be it Further Resolved that a copy of this resolution be forwarded to the Massachusetts Water Resources Authority leadership and the Medford state legislative delegation

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Kit Collins, Council Vice President

AGENDA ITEM

24-064 - Resolution to Support State "Make Polluters Pay" Legislation

FULL TEXT AND DESCRIPTION

Offered by Vice President Collins

Whereas, this legislative session, bill H.872/S.481, "An Act establishing a climate change superfund and promoting polluter responsibility," also known as the "Make Polluters Pay" Bill, was filed; and

Whereas, if passed, this bill would establish a climate change superfund into which the largest oil and gas companies would pay \$75 billion over 25 years, with each company's share proportional to their contribution to global greenhouse gas emissions between 2000 and 2018; and

Whereas, oil and gas companies bear the responsibility for exacerbating the climate crisis, and have consistently misrepresented the destructive impacts of fossil fuel combustion on the global climate; and

Whereas, climate change caused by global warming poses many serious threats to the City of Medford and its residents, including extreme heat, flooding, poor air quality, and other extreme weather, which are already impacting the Medford community; and

Whereas, to adequately fund necessary climate adaptation and resilience projects, Medford requires funding at a scale beyond the reasonable constraints of the City's operating budget, and the passage of the proposed "Make Polluters Pay" legislation in the State House would provide the means for Medford and other cities like it to adapt to climate impacts more adequately, equitably and meaningfully; and

Whereas, the proposed legislation would mandate that 40% of the monies raised be allocated to projects benefiting environmental justice communities, encourage utilization of apprenticeship work programs, and encourage adherence to prevailing wage laws; and

Whereas, this session the "Make Polluters Pay" Bill was given a study order by the Joint Committee

on the Environment and Natural Resources, but will be re-introduced in the next legislative session; and

Whereas, the Commonwealth of Massachusetts currently does not have a plan to adequately, equitably and meaningfully fund necessary resilience and adaptation projects in affected communities like Medford; now, therefore:

Be it Resolved that the Medford City Council expresses its support of H.872/S.481, “An Act establishing a climate change superfund and promoting polluter responsibility;” to build polluter accountability and fund climate resilience.

Be it Further Resolved that the City Clerk forward a copy of this resolution to the Medford legislative delegation as well as the House Speaker, Senate President, and the Office of the Governor.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Isaac Bears, Council President

AGENDA ITEM

24-065 - Resolution to Support the CHERISH Act and Our Public Colleges

FULL TEXT AND DESCRIPTION

Whereas, The public colleges and universities in the Commonwealth of Massachusetts are the foundation of our communities and democracy; and

Whereas, the State Legislature has devastatingly underfunded Massachusetts public colleges and universities, creating a student debt crisis, limiting access to higher education for poor and working-class students, and forcing many adjunct professors and staff members to be overworked and underpaid; and

Whereas, the revenue from the Fair Share Amendment can be allocated towards transformative investments in public colleges and universities to support students, families, and our communities; and

Whereas, the CHERISH Act has overwhelming co-sponsorship among members of the State House and State Senate; now, therefore:

Be it Resolved by the Medford City Council that we support the CHERISH Act (S.816/H.1260) to reinvest in our public higher education system and urge the legislature to pass it this term.

Be it Further Resolved that we thank Representative Garballey as a lead sponsor and Senator Jehlen, Representative Barber, and Representative Donato for being co-sponsors.

Be it Further Resolved that a copy of this resolution be distributed to our state delegation and to the offices of Senate President Spilka, House Speaker Mariano, and Governor Healey.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Justin Tseng, City Councilor

AGENDA ITEM

24-069 - Resolution to Discuss a Modernization of the Human Rights Commission's Enabling Ordinance

FULL TEXT AND DESCRIPTION

Be it Resolved that the Committee on Resident Services and Public Engagement meet to discuss a modernization of the Human Rights Commission's enabling ordinance and invite current and former commissioners to provide input.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

George Scarpelli, City Councilor

AGENDA ITEM

24-071 - Resolution to Request Mayor, Superintendent, and MPS Finance Team Meet with City Council to Discuss Financial Shortfalls

FULL TEXT AND DESCRIPTION

Be It Resolved that the Mayor, Superintendent of Schools, and the MPS Finance team meet with the City Council to discuss the financial shortfalls that were expressed in a letter from the Superintendent.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

George Scarpelli, City Councilor

AGENDA ITEM

24-072 - Resolution to Request Mayor and OCD Director Meet with the City Council to Review Development Projects

FULL TEXT AND DESCRIPTION

Be it Resolved that the Mayor and OCD Director meet with the City Council to review development projects that have stalled and have not moved forward and explain the financial losses that this has caused our community.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

April 2, 2024

SPONSORED BY

Anna Callahan, City Councilor,
Justin Tseng, City Councilor, Emily
Lazzaro, City Councilor

AGENDA ITEM

24-073 - Resolution to Establish City Council Listening Sessions

FULL TEXT AND DESCRIPTION

Whereas many studies have shown that local governments primarily hear from a small proportion of their residents in addition to corporate interests, and those residents who do reach out tend to be more affluent than the average resident,

Be it Resolved, that the Committee on Resident Services and Public Engagement reach out to city staff, residents, and community groups to develop and implement a series of listening sessions where councilors listen to residents to extend Council outreach to residents, particularly of various underrepresented or under-served neighborhoods and backgrounds.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None