

The Records of the Meeting of February 25, 2025 were passed to Councilor Leming.

Reports of Committees

25-023 - Offered by George Scarpelli, City Councilor

Education and Culture Committee, February 25, 2025, Report to Follow

24-033 - Offered by Kit Collins, Council Vice President

Planning and Permitting Committee, February 26, 2025, Report to Follow

24-468 - Offered by Justin Tseng, City Councilor

Committee of the Whole, March 4, 2025, Report to Follow

24-069, 24-073 and 24-354 - Offered by Matt Leming, City Councilor

Resident Services and Public Engagement Committee, March 5, 2025, Report to Follow

HEARINGS

24-515

Public Hearing - Proposed Amendments to the Medford Zoning Ordinance, Chapter 94
(Salem Street Neighborhood Corridor District)

24-499

Public Hearing - Proposed Amendments to the Medford Zoning Ordinance, Chapter 94
(Green Score)

PETITIONS, PRESENTATIONS, AND SIMILAR PAPERS

25-043

Petition for Amendment to a Common Victualler License - Mrs. Murphy's

MOTIONS, ORDERS, AND RESOLUTIONS

24-468 - Offered by Justin Tseng, City Councilor

Draft City Charter as Amended by the Committee of the Whole

25-039 - Offered by Isaac Bears, Council President

Resolution Regarding Schedule of Annual Budget Process for FY2026

25-040 - Offered by Kit Collins, Council Vice President

Resolution in Support of a Fair Contract for Tufts University's Full-Time Lecturers

25-041 - Offered by Justin Tseng, City Councilor

Resolution for Public Engagement Plan for FY26 Budget

COMMUNICATIONS FROM CITY OFFICERS AND EMPLOYEES

25-042

Submitted by Interim Superintendent Suzanne Galusi, Medford Public Schools

MSBA Accelerated Repair Statements of Interest (SOI) for Roof and HVAC Systems at the Roberts, Missituk, and Brooks Elementary Schools

PUBLIC PARTICIPATION

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

UNFINISHED BUSINESS

24-031

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

IN CITY COUNCIL FEBRUARY 6, 2024

TABLED

25-020

Transfer and Conveyance of McCormack Avenue Parcels

IN CITY COUNCIL JANUARY 28, 2025

TABLED

Reports Due/Deadlines

16-574

University Accountability Report (Next Report Due in March 2025)

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

Adjournment



Medford City Council
Medford, Massachusetts

MEETING DATE

March 11, 2025

SPONSORED BY

Isaac Bears, Council President

AGENDA ITEM

25-038 - Resolution in Remembrance of Maxwell Liner

FULL TEXT AND DESCRIPTION

Be it Resolved by the Medford City Council that we send our deepest condolences to the family, friends, and loved ones of Maxwell Liner. Max was my friend of over 15 years and together we were both graduates of the Medford High School Class of 2011 and University of Massachusetts Amherst Class of 2015. He was a deeply caring person who spent his personal and professional lives making a positive impact on people through his work in medical care and his loyalty and devotion to family and friends.

Be it Further Resolved that we dedicate this meeting in his honor.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



City of Medford

Office of Planning, Development and Sustainability

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City Hall - Room 308
85 George P. Hassett Drive
Medford, Massachusetts 02155

Contact:
(781)393-2480
Fax: (781)393-2342
ocd@medford-ma.gov

PUBLIC HEARINGS NOTICES

Medford Community Development Board: January 22, 2025

Medford City Council: February 11, 2025

Chapter 94, Zoning

The **Medford Community Development Board** shall conduct a public hearing on **January 22, 2025 after 6:30 p.m.** via Zoom Remote Videoconferencing relative to the following proposed amendments to the City of Medford Zoning Ordinance and Zoning Map:

1. Amend Section 94-2.1 (Division into Districts) to add the Salem Street Corridor District.
2. Amend Section 94-6.0 (General Regulations) to insert a new subsection to create the new Green Score zoning regulation and to state the applicability, standards, and calculation methodology therein.
3. Amend Section 94-3.2 Table of Use Regulations (Table A) by incorporating the Salem Street Corridor District into the existing table and to designate the uses permitted therein.
4. Amend Section 94-4.1 Table of Dimensional Requirements (Table B) by incorporating the Salem Street Corridor District and to state the dimensional requirements therein.
5. Amend Section 94-12 (Definitions) to amend and add various definitions.
6. Amend Section 94-9.0 to insert a new subsection to create the Salem Street Corridor District.
7. Amending the Zoning Map to create a new Salem Street Corridor District, and to change the zoning district designation of various properties to place them within said district, as shown on a map entitled, "Salem Street Corridor Zoning" dated December 8, 2024.
8. Amend Section 94-11.7 (Site Plan Review) to incorporate the Green Score regulation by adding submission requirements for Site Plan Review and Modifications and establish a waiver process.

The Zoom link to the meeting is <https://us06web.zoom.us/j/95629298475> and also posted on the City website calendar.

A subsequent public hearing on the same matter will be held by the **Medford City Council** on **February 11, 2025 at 7pm** in the Medford City Council Chamber, on the second floor of Medford City Hall, 85 George P. Hassett Drive, Medford, MA, and via Zoom. A link to the public hearing will be posted no later than November 29, 2024.

The full materials for the amendment can be viewed in the Office of the City Clerk, City Hall Room 103, or on the City's website at <https://www.medfordma.org/boards-commissions/community-development-board> by clicking on 'Current CD Board Filings.' Questions and comments may be submitted via email to ocd@medford-ma.gov or via phone to 781-393-2480.

If you need a reasonable accommodation to attend/participate in either meeting, please contact: Frances Nwajei (Telephone: 781-393-2439 Email: fnwajei@medford-ma.gov).



MEMORANDUM

To	Members of the Planning and Permitting Committee Alicia Hunt, Director of Planning, Development & Sustainability Danielle Evans, Senior Planner Brenda Pike, Climate Planner Salvatore Di Stefano, Economic Development Director Scott Vandewalle, Building Commissioner
From	Paula Ramos Martinez, Senior Urban Designer/Planner
Date	March 06, 2025
Project	23146 – Medford – Zoning
Subject	Salem Street Corridor– Draft for Public Review and Comments
Cc:	Emily Keys Innes, AICP, LEED AP ND, President Jimmy Rocha, GIS Analyst/Data Scientist Jonathan Silverstein, Blatman, Bobrowski, Haverty & Silverstein, LLC

As requested, this memorandum contains the draft text for the following proposed zoning changes:

- the yellow highlighted text shows the proposed changes from the city staff since the City Council referral to the Community Development Board.
- the pink highlighted text shows the proposed changes from the Community Development Board; and
- the blue highlighted text shows the recommendations from the Consultant team after the public comments during the Community Development Board.

We understand that the text is presented for public review and comment prior to the continued public hearing by the City Council on this proposed zoning district:

Amend Section 94-2.1. Division into districts	page 2
Amend Section 94-3.2 Table of Use Regulations (Table A) Dimensional Standards	page 3

Amend Section 94-4.1 Table of Dimensional Requirements (Table B)	page 9
Amend Section 94-12.0 Definitions (if needed)	page 10
Insert Section 94-9.X Salem Street Neighborhood Corridor District	page 12

Amend Section 94-2.1. Division into districts.

Add the following row to the table of zoning districts, as shown below:

Full Name	Classification	Abbreviation
Salem Street Neighborhood Corridor District	Residential, Office, and Commercial	SSNCD

[the remainder of this page is blank]

Amend Section 94-3.2 Table of Use Regulations (Table A) by incorporating the following table into the existing table and renumbering as appropriate:

	Salem Street Neighborhood Corridor District					
	MR	MX-1	MX-2	C	PC ⁵	LC
A. RESIDENTIAL USES						
1. Detached one-unit dwelling	N	N	N	N	2 per Dwelling Unit	NA
2. Attached one-unit dwelling (Rowhouse)	Y	N	N	N	1.5 per Dwelling Unit ⁴	NA
3. Detached two-unit dwelling (Duplex)	Y	N	N	N	1.5 per Dwelling Unit ⁴	NA
4. Multiple dwelling	Y	Y	Y	N	1.5 per Dwelling Unit ⁴	NA
5. Dormitory, fraternity or sorority house	N	N	N	N	1 per 4 beds	1/15,000 s.f.
6. Lodging or boarding house	CDB	CDB	CDB	N	1 per Guestroom	1/15,000 s.f.
7. Senior housing facility	CDB	CDB	CDB	N	1 per 2 Units	1/15,000 s.f.
9. Co-housing.	Y	CDB	CDB	N	1.5 per Dwelling Unit ⁴	NA
10. Congregate Housing.	Y	N	N	N	1 per 4 beds	NA
11. Three-unit dwelling, Detached.	Y	N	N	N	1.5 per Dwelling Unit ⁴	NA
12. Townhouse.	Y	N	N	N	1.5 per Dwelling Unit ⁴	NA
B. COMMUNITY USES						
1. Museum	Y	Y	Y	CDB	1 per 750 s.f.	1/15,000 s.f.
2. Community center or adult recreational center, nonprofit	CDB	CDB	CDB	N	1 per 750 s.f.	1/15,000 s.f.
3. Use of land or structures for religious purposes on land owned or leased by a religious sect or denomination	Y	Y	Y	Y	1 per 140 s.f.	NA
4. Use of land or structures for educational purposes on land owned or	Y	Y	Y	Y	1 per 750 s.f.	1/15,000 s.f.

	Salem Street Neighborhood Corridor District					
	MR	MX-1	MX-2	C	PC ⁵	LC
leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination or by a nonprofit educational corporation						
5. Child care center or school aged child care program	Y	Y	Y	Y	1 per 750 s.f.	1/15,000 s.f.
6. Public fire station	Y	Y	Y	Y	1 per 2 employees	1/50,000 s.f.
7. Public library	Y	Y	Y	Y	1 per 750 s.f.	1/15,000 s.f.
8. Other municipal uses	Y	Y	Y	Y	NA	NA
9. Essential services	CDB	CDB	CDB	CDB	NA	NA
10. Hospital, nonprofit	N	N	N	N	1 per 4 beds	1/15,000 s.f.
11. Other Institution	CDB	CDB	CDB	CDB	1 per 750 s.f.	1/15,000 s.f.
C. OPEN RECREATIONAL AND AGRICULTURAL USES						
1. Private open recreational uses, available to the public	Y	Y	Y	CDB	1 per 750 s.f.	1/15,000 s.f.
2. Public open recreational uses	Y	Y	Y	Y	1 per 750 s.f.	NA
3. Exempt agriculture	Y	Y	Y	Y	NA	NA
4. Production of crops, horticulture and floriculture	N	N	N	N	NA	1/15,000 s.f.
5. Keeping and raising of livestock, including animal stable or kennel	N	N	N	N	NA	1/15,000 s.f.
D. COMMERCIAL USES						
1. Private entertainment or recreation facility excluding adult uses	N	Y	Y	CDB	1 per 350 s.f.	1/15,000 s.f.
2. Public entertainment or recreation facility	CDB	Y	Y	CDB	1 per 350 s.f.	1/15,000 s.f.
3. Private nonprofit members only recreational club or lodge	CDB	Y	Y	CDB	1 per 750 s.f.	1/15,000 s.f.
4. Trade, professional, or other school operated for profit	N	Y	Y	Y	1 per 750 s.f.	1/15,000 s.f.
5. Hotel	N	N	N	N	1 per Guestroom	1/15,000 s.f.
7. Mortuary, undertaking or funeral establishment	N	N	N	CDB	1 per 140 s.f.	1/15,000 s.f.

	Salem Street Neighborhood Corridor District					
	MR	MX-1	MX-2	C	PC ⁵	LC
8. Adult use	N	N	N	N	1 per 350 s.f.	1/15,00 0 s.f.
9. Brewery or taproom ¹	N	N	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
10. Artisanal Fabrication.	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
11. Artistic/Creative Production.	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
12. Work-Only Artists' Studio.	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
13. Co-working Space.	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
14. Retail Store or Shop for Sale of Custom Work or Articles Made on the Premises.	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
E. OFFICE USES						
1. Business, professional, or government office	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
2. Bank and other financial institution	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
3. Neighborhood Medical Office	N	N	CDB	CDB	1 per 350 s.f.	1/15,00 0 s.f.
4. Medical Office	N	N	N	N	1 per 350 s.f.	1/15,00 0 s.f.
5. Clinic	N	N	N	N	1 per 350 s.f.	1/15,00 0 s.f.
4. Medical Office	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
5. Clinic not affiliated with any other institution	N	CDB	CDB	CDB	1 per 350 s.f.	1/15,00 0 s.f.
6. Clinic affiliated with a hospital or an accredited university medical school	N	CDB	CDB	CDB	1 per 350 s.f.	1/15,00 0 s.f.
7. Clinic connected to a community center	N	CDB	CDB	CDB	1 per 350 s.f.	1/15,00 0 s.f.
F. RETAIL AND SERVICE USES						
1. Retail sales ²	N	Y	Y	Y	1 per 350 s.f.	1/15,00 0 s.f.
2. Convenience retail ²	N	Y	Y	Y	1 per 500 s.f.	1/15,00 0 s.f.
3. Neighborhood retail	N	Y	Y	Y	1 per 750 s.f.	1/15,00 0 s.f.
4. Drive through retail sales and consumer service	N	N	N	CDB	1 per 350 s.f.	1/15,00 0 s.f.

	Salem Street Neighborhood Corridor District					
	MR	MX-1	MX-2	C	PC ⁵	LC
5. Consumer service establishment	N	Y	Y	Y	1 per 350 s.f.	1/50,00 0 s.f.
7. Body art establishment	N	Y	Y	N	1 per 850 s.f.	1/15,00 0 s.f.
8. Adult Use Marijuana Establishment — Cultivation	N	N	N	N	1 per 350 s.f.	1/50,00 0 s.f.
9. Adult Use Marijuana Establishment — Manufacture and processing	N	N	N	N	1 per 350 s.f.	1/50,00 0 s.f.
10. Adult Use Marijuana Establishment — Retail	N	N	N	N	1 per 350 s.f.	1/15,00 0 s.f.
11. Adult Use Marijuana Establishment — Independent laboratory	N	N	N	N	1 per 350 s.f.	1/15,00 0 s.f.
12. Doggy Daycare	N	Y	Y	Y		
G. EATING, DRINKING, AND ENTERTAINMENT ESTABLISHMENTS						
1. Eating place, without drive through	N	Y	Y	Y	1 per 350 s.f.	1/50,00 0 s.f.
2. Eating place, with drive through	N	N	N	CDB	1 per 350 s.f.	1/15,00 0 s.f.
3. Neighborhood Café	N	Y	Y	CDB	1 per 350 s.f.	1/50,00 0 s.f.
H. MOTOR VEHICLE RELATED USES						
1. Motor vehicle light service station	N	N	N	CDB	1 per 350 s.f.	1/50,00 0 s.f.
2. Motor vehicle repair establishment	N	N	N	N	1 per 350 s.f.	1/50,00 0 s.f.
3. Motor vehicle sales or rental of new vehicles only, accessory storage entirely within enclosed structure	N	N	N	N	1 per 1,040 s.f.	1/50,00 0 s.f.
4. Outdoor motor vehicle sales and storage accessory to H.3	N	N	N	N	NA	NA
5. Motor vehicle sales and storage, outdoors	N	N	N	N	NA	NA
6. Class II used motor vehicle sales	N	N	N	N	NA	NA
7. Motor vehicle wash within enclosed structure	N	N	N	N	1 per 350 s.f.	1/50,00 0 s.f.
I. MISCELLANEOUS COMMERCIAL USES						
1. Parking area or garage not accessory to permitted principal use: Residential	CDB	N	N	CDB	NA	NA
Nonresidential	N	N	N	CDB	NA	NA

	Salem Street Neighborhood Corridor District					
	MR	MX-1	MX-2	C	PC ⁵	LC
2. Parking area or garage accessory to a principal use which is on the same lot as a conforming principal use	Y	Y	Y	Y	NA	NA
3. Parking area or garage accessory to a principal use which is within 500 feet of a conforming principal use but not necessarily in the same district	CDB	CDB	CDB	CDB	NA	NA
4. Parking area or garage accessory to a principal use which is on the same lot as a nonconforming principal use	CDB	CDB	CDB	CDB	NA	NA
5. Parking area or garage accessory to a principal use which is within 500 feet of a conforming principal use in the same MUZ district ³	N	N	N	N	NA	NA
6. Open Storage	N	N	N	N	1 per 1,400 s.f.	1/15,000 s.f.
7. Moving of land	N	N	N	N	NA	NA
8. Radio and television tower	N	N	N	N	NA	NA
9. Solar energy system	Y	Y	Y	Y	NA	NA
J. WHOLESALE, TRANSPORTATION, INDUSTRIAL USES						
1. Fuel and ice sales	N	N	N	N	1 per 1,400 s.f.	1/50,000 s.f.
2. Motor freight terminal	N	N	N	N	NA	NA
3. Printing and publishing	N	N	N	CDB	H	B
4. Railroad right-of-way	Y	Y	Y	Y	NA	NA
5. Manufacturing	N	N	N	N	1 per 2 employees	1/50,000 s.f.
6. Research and testing laboratory	N	N	N	N	1 per 2 employees	1/50,000 s.f.
7. Plumbing or carpentry shop, and other similar service or repair shops	N	N	N	N	1 per 350 s.f.	1/15,000 s.f.
8. Wholesale bakery or food processing plant	N	N	N	N	1 per 2 employees	1/15,000 s.f.
9. Wholesale laundry, cleaner, dyer or similar use	N	N	N	N	1 per 1,400 s.f.	1/50,000 s.f.
10. Warehouse, Wholesale establishment	N	N	N	N	1 per 1,400 s.f.	1/15,000 s.f.
11. Mini or self-storage warehouse	N	N	N	N	1 per 1,400 s.f.	1/15,000 s.f.

	Salem Street Neighborhood Corridor District					
	MR	MX-1	MX-2	C	PC ⁵	LC
12. Distillery or winery.	N	N	N	Y	1 per 350 s.f.	1/15,00 0 s.f.
13. Food Production Facility	N	N	N	N	1 per 2 employee es	1/50,00 0 s.f.
14. Life Science Facility	N	N	N	N	1 per 2 employee es	1/50,00 0 s.f.
15. Light Manufacturing	N	N	N	N	1 per 2 employee es	1/50,00 0 s.f.
16. Maker Space	N	Y	Y	Y	1 per 2 employee es	1/50,00 0 s.f.
17. Shared-use Kitchen	N	CDB	CDB	CDB	1 per 1,000 s.f.	1/15,00 0 s.f.
K. ACCESSORY USES						
1. Home occupation (see § 94-3.4) As of right	Y	Y	Y	N	1 per 350 s.f.	NA
By special permit	CDB	CDB	CDB	N	1 per 350 s.f.	NA
2. Accessory child care center or school aged child care program	Y	Y	Y	Y	1 per 2 employee es	
3. Family day care home	Y	Y	Y	Y	1 per 2 employee es	NA
4. Family day care home, large	CDB	CDB	CDB	CDB	1 per 2 employee es	NA
5. Adult day care home	CDB	CDB	CDB	CDB	1 per 2 employee es	NA
6. Renting of one or two rooms without separate cooking facilities to lodgers within a dwelling unit to one or two total lodgers	Y	Y	Y	N	1 per Guestroo m	NA
7. Noncommercial greenhouse, tool shed, or similar accessory structure	Y	N	N	CDB	NA	NA
8. Swimming pool, on a lot with: Less than 4,500 sq. ft.	Y	Y	Y	Y	NA	NA
More than 4,500 sq. ft.	Y	Y	Y	Y	NA	NA
9. Scientific research and development, as provided at section 94-3. 3.3.1	N	N	N	Y	NA	NA

	Salem Street Neighborhood Corridor District					
	MR	MX-1	MX-2	C	PC ⁵	LC
10. Keno	N	N	N	N	NA	NA
11. Open storage	N	N	N	N	1 per 1,400 s.f.	1/15,00 0 s.f.
12. Heavy repair operations	N	N	N	N	1 per 350 s.f.	1/15,00 0 s.f.
L. OTHER PRINCIPAL USES						
1. Mixed-Use, Community	N	Y	Y	N		
2. Mixed-Use Development	N	Y	Y	N		

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Amend Section 94-4.1 Table of Dimensional Requirements (Table B) by incorporating the following table:

Dimensions	Salem Street Corridor District			
	MR	MX-1	MX-2	Commercial
Lot Area sf (Min) – under review	3,000	3,000	3,000	10,000
Frontage ft (Min)	35 ft	30 ft	40 ft	60 ft
Façade Build Out (Min)	60%	80%	80%	60%
Residential Density (Units per lot) (Min-Max):	2-6 units	-	-	-
Active Frontage (Min)	-	75%	75%	25%
Height				
Min. Height (Stories)	2	2.5	3	1
Base Height (Stories)	3	3	4	3
Maximum Height for buildings that front on Salem St. (Stories)	N/A	4	6	6
Height (ft). Ground floor story. Min/Max	10/12	14 / 18	14/18	14/18
Height (ft). Upper floor story. Min/Max	10/12	10/12	10/12	10/14
Stepback (above 3 rd floor on MX1 and above 4 th floor for buildings that front on Salem St. within MX2 and Commercial)	N/A	N/A	10 ft	10 ft
Setbacks (ft)				
Front (Min/Max)	3 ft-10 ft	3/20 ft	3/20 ft	10/20 ft
Side (Min)	5 ft (Sum 10 ft)	-	-	-
Rear (Min)	10 ft	10 ft	10 ft	10 ft
Stormwater and Landscaping				
Building Coverage (Max)	60%	80%	80%	70%
Green Score (Min / Ideal)	-	25/30	25/30	20/25
Open Space, Permeable (Min)	25%	20%	20%	15%

Amend Section 94-12.0 Definitions by adding the following definitions:

Business Incubator. An organization that assists early innovators achieve a minimum viable product or service and creates an achievable plan to take that product or service to market. In addition to mentorship and investment opportunities, a business incubator gives access to logistical and technical resources, as well as shared office space. An incubator program can last from several months to a few years.

Clinic. A clinic as defined in M.G.L. c.111, section 52.

Hospital. A hospital as defined in M.G.L. c.111, section 52.

Neighborhood Medical Office. Office of a physician, dentist or other medical practitioner not located in a clinic or hospital as defined in Section 94.12.0 Definitions. The office area shall not exceed 1,500 square feet of gross floor area, shall have no more than 5 employees, and shall operate only between the hours of 8:00 a.m. and 7:00 p.m.

Medical Office. Office of a physician, dentist or other medical practitioner not located in a clinic or hospital as defined in Section 94.12.0 Definitions. The office area is greater than 1,500 sf and has more than 5 employees.

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Section 94-9.X Salem Street Neighborhood Corridor District

94-9.X.1 Purpose

The purpose of the Salem Street Neighborhood Corridor District (SSNCD) is to allow a mix of uses, including lower-scale residential, multifamily, and commercial to meet the following needs for this corridor:

1. Wider variety of uses and building types to support jobs and economic development near established residential neighborhoods, providing options for living within walking distance of jobs, goods, and services.
2. Mixed-use, multifamily, and commercial uses at a density appropriate to a walkable, urban corridor.
3. Design standards to buffer abutting neighborhoods from the higher intensity of uses and reinforce a corridor identity along the length of Salem Street.

94-9.X.2 Applicability

The SSNCD replaces the existing zoning districts and is shown on the Zoning Map, City of Medford, Massachusetts, as amended. An applicant may develop within this district in accordance with the provisions of Section 94-9.X and other relevant sections of the Zoning Ordinance.

1. The SSNCD is comprised of the following subdistricts:
 - a. **Multi-unit Residential.** The **Multi-unit Residential** Subdistrict allows buildings of 2-6 units within a corridor, square or neighborhood hub district. The intent for this district is to transition from a higher level of development intensity along corridors or within squares to the lower level of adjacent Neighborhood Districts.
 - b. **Mixed-use 1.** The Mixed-Use 1 Subdistrict allows a mix of residential and commercial uses at a lower scale of building size and massing.
 - c. **Mixed-use 2.** The Mixed-Use 2 Subdistrict allows a mix of residential and commercial uses at a medium scale of building size and massing.
 - d. **Commercial.** The Commercial subdistrict does not include residential uses. The buildings vary in scale and massing. A greater variety of commercial uses are allowed in this district than in the mixed-use districts.

94-9.X.3 Dimensional Requirements and Waivers.

The following waivers are available to the Site Plan Review or Special Permit Authority for projects within the SSNCD.

- a. **Front Setbacks.** The building façade must be set back from the lot line at a distance sufficient to create a 12-foot sidewalk in conjunction with an existing City sidewalk. A maximum setback of an additional ten feet is allowed for the purpose of creating an active public plaza.
- b. **Side and Rear Setbacks.** If the proposed development is adjacent to an existing lot with a residential use of fewer than 5 units, the applicant shall provide a landscaped buffer of at least 10 feet wide. The property owner shall maintain the buffer and landscaping.
- c. **Height Stepback Requirements.** For any lot within the MX-1, MX-2, or Commercial district that abuts a MR, GR, or APT-1 district, a height setback is required along the lot line abutting the residential district. The height stepback is calculated by a 45-degree angle beginning at the third floor and extending to the highest floor of the building in the MX-1, MX-2, or Commercial district. The fourth, fifth, and sixth floors shall not break the plane of that 45-degree angle.
- d. **Multi-Building Lots.** In the SSNCD, lots may have more than one principal building.
- e. **Ground Floor Active Frontage.** Active uses are required on the ground floor of any building with its principal façade parallel to Salem Street subject to the Active Frontage percentages set forth in Section 94-4.1 Table of Dimensional Requirements (Table B). Active uses are defined as arts-related uses, retail (including retail accessory to an artisanal, maker, or manufacturing use), restaurant, personal services, publicly-accessible spaces, residential lobbies and common amenities, and other uses that encourage high levels of pedestrian activity and create a perception of safety.
- f. **Transition to adjacent residential districts.** Buildings adjacent to a residential zoning district should step down to the base height required by the subdistrict of the SSNCD in which the project is located for any buildings between twenty and thirty feet of the rear or side setback abutting a parcel within that residential zoning district. If the side or rear setback is adjacent to an active public way, no stepback is required.
- g. **Setbacks for Infill Lots.** If the adjacent buildings are set back at a distance that exceeds the minimum front yard requirements, infill buildings shall meet the requirements of Section 94-4.1 Table of Dimensional Requirements. Otherwise, infill buildings may match the setback line of either adjacent building or an average of the setback of the two buildings to provide consistency along the street.
- h. **Drop-off zone.** The required setback distances may be waived to allow for a cut-out along the curb for loading and short-term parking for deliveries or drop-off/pick-up zones. Such a cut-out must be coordinated with City staff. The required setback distances may also be waived to allow a development to meet the requirements of Chapter 91.

Commented [EI1]: For discussion - I think this now conflicts with c., above and, based on our fit study, I'm not sure there is sufficient depth in these parcels - except maybe the Target site, that could accommodate this requirement.

- i. **Height Waiver 1.** The limitation on the height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.
- j. **Height Waiver 2.** The minimum height requirement may be waived by a Special Permit from the Community Development Board for projects that are consistent with the purpose of the district and the goals of the Medford Comprehensive Plan.
- k. **Stepback Waiver.** If a building is subject to a front stepback and rear or side stepbacks, the Community Development Board may waive the strict dimensional requirement of any of the stepbacks, provided that priority is given to retaining the stepback(s) in 94-9.X.3.c Height Stepback Requirements.
- l. **Energy-Efficiency.** The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in 94-9.X.6 Development Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

94-9.X.4 Development Incentives

In exchange for incorporating certain provisions that further the City's goals for affordability, economic development, environmental sustainability, and climate resiliency, Applicants may receive Development Incentive Bonuses that allow for additional stories beyond the base number of stories that are allowed as of right under Section 94-4.1 Table of Dimensional Requirements. However, the total number of stories is limited to the maximum number of stories allowed in each subdistrict, as shown in Section 94-4.1 Table of Dimensional Requirements. Additional stories must comply with any setback, stepback, or other dimensional requirements and the development and design standards in 94-9.X.3 Dimensional Requirements and Waivers and 94-9.X.6 Development Standards.

Table of Development Incentive Bonuses.						
Incentive 1: Affordability						
Incentive 1A: Deeper Affordability:						
	# of Lots or Units in Proposed Project	Required Minimum/Total Percentage of Affordable Units at 80% AMI	For One Additional Floor		For Two Additional Floors	
			Minimum Percentage of Affordable Units at 80% AMI	Minimum Percentage of Affordable Units at 65% AMI	Minimum Percentage of Affordable Units at 80% AMI	Minimum Percentage of Affordable Units at 65% AMI
1	10-24	10%	8%	2%	5%	5%
2	25-49	13%	8%	5%	6%	7%
3	50 +	15%	10%	5%	8%	7%
Incentive 1B: More Affordable Units:						
	# of Lots or Units in Proposed Project	Required Minimum Percentage of Affordable Units at 80% AMI	For One Additional Floor		For Two Additional Floors	
			Additional Percentage of Affordable Units at 80% AMI	Total Percentage of Affordable Units at 80% AMI	Additional Percentage of Affordable Units at 80% AMI	Total Percentage of Affordable Units at 80% AMI
1	10-24	10%	3%	13%	5%	15%
2	25-49	13%	3%	16%	5%	18%
3	50 +	15%	3%	18%	5%	20%
Incentive 2: Community Amenities (privately maintained)						
<ul style="list-style-type: none"> Indoor pedestrian seating or outdoor pedestrian plaza of at least 300 square feet and accessible to the public during business hours. 					1 additional quarter-story	
<ul style="list-style-type: none"> One of the following neighborhood open spaces: <ul style="list-style-type: none"> Pocket Park Garden 					1 additional half-story	

Table of Development Incentive Bonuses.	
<ul style="list-style-type: none"> Playground Skate Park 	
<ul style="list-style-type: none"> Fountain / Water element (maintenance and repair for the life of the associated building) 	1 additional quarter-story
<ul style="list-style-type: none"> Low-Income Shared Community Solar 	Incentive to be confirmed.
<ul style="list-style-type: none"> Public parking 	Incentive to be confirmed.
Incentive 3: Community Amenities (publicly maintained)	
<ul style="list-style-type: none"> Streetscape Improvements along a public street 	1 additional half-story
Incentive 4: Vibrant Neighborhoods	
Parking is concealed below grade or within a building structure.	1 additional story
The development project provides a minimum of 50% or the ground floor at rents no less than 15% below market for a minimum tenancy of three years to qualified nonresidential tenants (nonprofits or local businesses under 10 employees)	1 additional story
Incentive 5: Environmental Resilience	
The development project meets the Ideal Green Score	1 additional story
The building(s) is/are certified as Net Zero Emissions Building	1 additional story
The development project is certifiable as LEED Platinum or equivalent standard	1 additional story

Commented [PR2]: Do we have standards? Like min. area. Could we add the min distance to another of the same elements. At least 1 every 10 min walking distance, that is ½ mile. I would apply it to Pocket parks, fountains and gardens and Playgrounds. Skate parks can be every 1 mile.

Commented [PR3R2]:
Pocket Parks standards: Min area 800 sf. Shall include a small sitting area. In residential areas, active or usable portions of a Pocket Park shall be adequately screened for privacy from adjacent residential properties through the use of keep-off groundcovers, shrub plantings, or fencing.
In non-residential areas, active or usable portions of a Pocket Park shall extend to the lot lines and views into the park maintained to promote casual surveillance. Trees shall be planted to provide shade during summer months. Nighttime lighting shall be sensitive to abutting uses. One bicycle rack designed for parking two bicycles is required. (From Somerville).

Commented [PR4R2]: Playgrounds: For the purposes of this section, the term "playground" means an improved area designed, equipped, and set aside for play of six or more children which is not intended for use as an athletic playing field or athletic court, and shall include any play equipment, surfacing, fencing, signs, internal pathways, internal land forms, vegetation, and related structures. The rules and regulations for the design, installation, inspection and maintenance of playgrounds and playground equipment shall substantially comply with the guidelines and criteria which are contained in the handbook for public playground safety produced by the United States Consumer Products Safety Commission or any successor. (From New York State)

Commented [PR5R2]: Skate Parks: A skatepark is a specially designed & purpose-built space designated and equipped for "action sports" such as Skateboarding, BMX riding, Wheelchair Motocross, Roller (Quad) Skating, Inline Skating and Scootering.

Commented [PR6R2]: Not sure this should have ½ story...I think is quite expensive and should have 1... but I am not sure

94-9.X.5 Design Guidelines and Applicability of Development Standards

- Design Guidelines.** The Community Development Board may adopt and amend, by simple majority vote, Design Standards which shall be applicable to all rehabilitation, redevelopment, or new construction submitted under this SSNCD. Such Design Guidelines may address the scale and proportions of building, the alignment, width, and grade of streets and sidewalks, the type and location of infrastructure, the location of building and garage entrances, off-street parking, the protection of significant natural site features, the location and design of on-site open spaces, exterior signs, and buffering in relation to adjacent properties. Design Guidelines may contain graphics illustrating a particular standard or definition to make such standard or definition clear and understandable.
- Applicability of Development Standards.** Sections 94-9.X.6 Development Standards shall apply to all projects submitted under this SSNCD. These standards, along with any Design Guidelines adopted under paragraph 1, above, are components of the Site Plan Review and Special Permit processes as defined in this Zoning Ordinance.

94-9.X.6 Development Standards

1. Site Standards.

- a. **Connections.** Sidewalks shall provide direct connections among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.
- b. **Sidewalk Width.** Along Salem Street, for any lot abutting a public sidewalk that is less than twelve (12) feet in width, the frontage area must be paved to provide a sidewalk that is at least twelve (12) feet in total width.
- c. **Sidewalk Materials.** Sidewalks shall be continuous across driveways, using the same materials and grade and level as the sidewalk on either side of the driveway.
- d. **Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged. Curb cuts for one-way access shall be no more than twelve (12) feet in width, while curb cuts for two-way traffic shall be no more than twenty (20) feet in width. Designated drop-off and pick-up areas for deliveries and ride-sharing companies should be incorporated to reduce conflicts associated with double-parking and blocking of bicycle lanes, crosswalks, and bus stops. These areas should be clearly marked with signs and conveniently located near entrances to buildings and major destinations.
- e. **Circulation.** Parking and circulation on the site shall be organized to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- f. **Open Space.** Open Space shall be contiguous and connected to the pedestrian network. Isolated pockets of space that cannot be accessed for maintenance are prohibited. Open Space may be either private or public. Public open space shall be in the front or side setback. A minimum third of the requested open space, permeable, shall be landscaped.
- g. **Screening for Surface Parking.** Surface parking adjacent to a public sidewalk shall be screened by a landscaped buffer of sufficient width to allow the healthy establishment of trees, shrubs, and perennials, but no less than [6 (six)] feet. The buffer may include a fence or wall of no more than three feet in height unless there is a significant grade change between the parking and the sidewalk. Chain-link and vinyl fences are prohibited.
- h. **Parking Materials.** The parking surface may be concrete, asphalt, decomposed granite, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.
- i. **Plantings.** Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, shall be prohibited.

- j. **Lighting.** Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide the illumination necessary for safety and convenience while preventing glare and overspill onto adjoining properties and reducing the amount of skyglow.
 - k. **Mechanicals.** Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.
 - l. **Dumpsters.** Dumpsters shall be screened by a combination of fencing and plantings. Dumpsters or other trash and recycling collection points located within the building are preferred.
 - m. **Stormwater management.** Strategies that demonstrate the compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and the City of Medford's Stormwater Management Rules and Regulations. The applicant shall also provide an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements.
- 2. General Building Standards.**
- a. **Position relative to the principal street.** The primary building shall have its principal façade and entrance facing the principal street.
 - b. **Entries.** Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.
- 3. Multiple buildings on a lot.**
- a. **Location of Mixed Uses.** For a mixed-use development, uses may be mixed within the buildings or in separate buildings.
 - b. **Orientation.** The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.
 - c. **Position relative to the street.** Building(s) adjacent to a public street shall have a pedestrian entry facing that public street.
- 4. Mixed-use development.**
- a. **Access.** In a mixed-use building, access to and egress from the residential component shall be clearly differentiated from access to other uses. Such differentiation may occur by using separate entrances or egresses from the building or within a lobby space shared among different uses.

- b. **Connections.** Paved pedestrian access from the residential component shall be provided to residential parking and amenities and to the public sidewalk, as applicable. Paved surfaces may include pervious paving materials.
 - c. **Material Storage.** Materials for non-residential uses shall be stored inside or under cover and shall not be accessible to residents of the development.
 - d. **Shared Outdoor Space.** Multi-family housing and mixed-use development shall have common outdoor space that all residents can access. Such space may be in any combination of ground floor, courtyard, rooftop, or terrace. All outdoor space shall count towards the project's minimum Open Space requirement.
5. **Corner Lots.** A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.
- a. **Connections.** Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
 - b. **Façade Design.** All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.
 - c. **Fire Exits.** Fire exits serving more than one story shall not be located on either of the street-facing façades.
6. **Parking.** Parking shall be subordinate in design and location to the principal building façade.
- a. **Surface parking.** Surface parking shall be located to the rear or side of the principal building. Parking shall not be in the setback between the building and any lot line adjacent to the public right-of-way.
 - b. **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
 - c. **Parking structures.** Above-grade parking structures (stand-alone or within a residential, commercial, or mixed-use building) shall be subordinate in design and placement to the primary uses. Ground-floor parking levels shall be wrapped with active uses such as commercial/retail, community spaces, or residential amenity spaces. Exposed facades of upper parking levels shall incorporate design treatments such as public art installations, vertical planting, or other architectural features for visual interest and to disguise the parking uses within. Vehicular openings shall have doors.
 - d. **Electrical Vehicle (EV) Charging Spaces.** One EV charging space is required for every twenty (20) parking spaces, rounded up to the next highest number of EV stations.
 - e. **Bicycle parking.** For a multi-family development or a mixed-use development, a minimum of 50% of the required bicycle spaces shall be covered or integrated into the structure of the building(s). E-bike storage is only permitted in an area that is separated from the dwelling units by a fire-rated structure.

7. **Waivers.** Upon the request of the Applicant, the Site Plan Review Authority may waive the requirements of 94-9.X.6 Development Standards in the interests of design flexibility and overall project quality and upon a finding of consistency of such variation with the overall purpose and objectives of the SSNCD.

94-9.X.5 Affordability Requirements

Development in the SSNCD is subject to the requirements of Section 94-8.1 Inclusionary Housing.

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City of Medford

Office of Planning, Development and Sustainability

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JAN -8 PM 4:43

City Hall - Room 308
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Medford, Massachusetts 02155

Contact:
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Fax: (781)393-2342
ocd@medford-ma.gov

PUBLIC HEARINGS NOTICES

Medford Community Development Board: January 22, 2025

Medford City Council: February 11, 2025

Chapter 94, Zoning

The **Medford Community Development Board** shall conduct a public hearing on **January 22, 2025 after 6:30 p.m.** via Zoom Remote Videoconferencing relative to the following proposed amendments to the City of Medford Zoning Ordinance and Zoning Map:

1. Amend Section 94-2.1 (Division into Districts) to add the Salem Street Corridor District.
2. Amend Section 94-6.0 (General Regulations) to insert a new subsection to create the new Green Score zoning regulation and to state the applicability, standards, and calculation methodology therein.
3. Amend Section 94-3.2 Table of Use Regulations (Table A) by incorporating the Salem Street Corridor District into the existing table and to designate the uses permitted therein.
4. Amend Section 94-4.1 Table of Dimensional Requirements (Table B) by incorporating the Salem Street Corridor District and to state the dimensional requirements therein.
5. Amend Section 94-12 (Definitions) to amend and add various definitions.
6. Amend Section 94-9.0 to insert a new subsection to create the Salem Street Corridor District.
7. Amending the Zoning Map to create a new Salem Street Corridor District, and to change the zoning district designation of various properties to place them within said district, as shown on a map entitled, "Salem Street Corridor Zoning" dated December 8, 2024.
8. Amend Section 94-11.7 (Site Plan Review) to incorporate the Green Score regulation by adding submission requirements for Site Plan Review and Modifications and establish a waiver process.

The Zoom link to the meeting is <https://us06web.zoom.us/j/95629298475> and also posted on the City website calendar.

A subsequent public hearing on the same matter will be held by the **Medford City Council** on **February 11, 2025 at 7pm** in the Medford City Council Chamber, on the second floor of Medford City Hall, 85 George P. Hassett Drive, Medford, MA, and via Zoom. A link to the public hearing will be posted no later than November 29, 2024.

The full materials for the amendment can be viewed in the Office of the City Clerk, City Hall Room 103, or on the City's website at <https://www.medfordma.org/boards-commissions/community-development-board> by clicking on 'Current CD Board Filings.' Questions and comments may be submitted via email to ocd@medford-ma.gov or via phone to 781-393-2480.

If you need a reasonable accommodation to attend/participate in either meeting, please contact: Frances Nwajei (Telephone: 781-393-2439 Email: fnwajei@medford-ma.gov).

MEMORANDUM

To	Members of the Planning and Permitting Committee Alicia Hunt, Director of Planning, Development & Sustainability Danielle Evans, Senior Planner Brenda Pike, Climate Planner
From	Paula Ramos Martinez, Senior Urban Designer/Planner
Date	March 06, 2025
Project	23146 – Medford – Zoning
Subject	Green Score
Cc:	Emily Keys Innes, AICP, LEED AP ND, President Jimmy Rocha, GIS Analyst/Data Scientist Jonathan Silverstein, Blatman, Bobrowski, Haverty & Silverstein, LLC

This memorandum contains the draft text for Green Score. We present the following recommendations as amendments to the City Council's original text for the Green Score. The Community Development Board recommended these amendments (highlighted in yellow) at their meeting on February 5, 2025. Text highlighted in blue indicates additional recommended changes (primarily typographical edits).

Green Score

1. Purpose

The purpose of the Green Score is to:

- Provide flexibility in meeting environmental performance standards.
- Promote attractive and environmentally functional landscapes.
- Strengthen climate adaptive goals established in the Climate Action and Adaptation Plan released in 2022 by improving flood resilience, heat mitigation, storm infiltration, and water, air, and soil quality.
- Offer many free ecosystem services including mitigation of pollution, shade and energy savings, recreational opportunities, and enhanced property values and quality of life.

2. Overview

The Green Score is an environmental sustainability zoning regulation that sets standards for landscape and site design to help reduce stormwater runoff; improve air, water, and soil quality; and keep the city cooler.

Green Score provides a weighted menu of landscape elements with the intention of being flexible and providing options that can be tailored to different building and site conditions. These landscape elements include green roofs, rain gardens, vegetated walls, and plants, among others. The minimum required Green Score needed to reach compliance differs by zoning district.

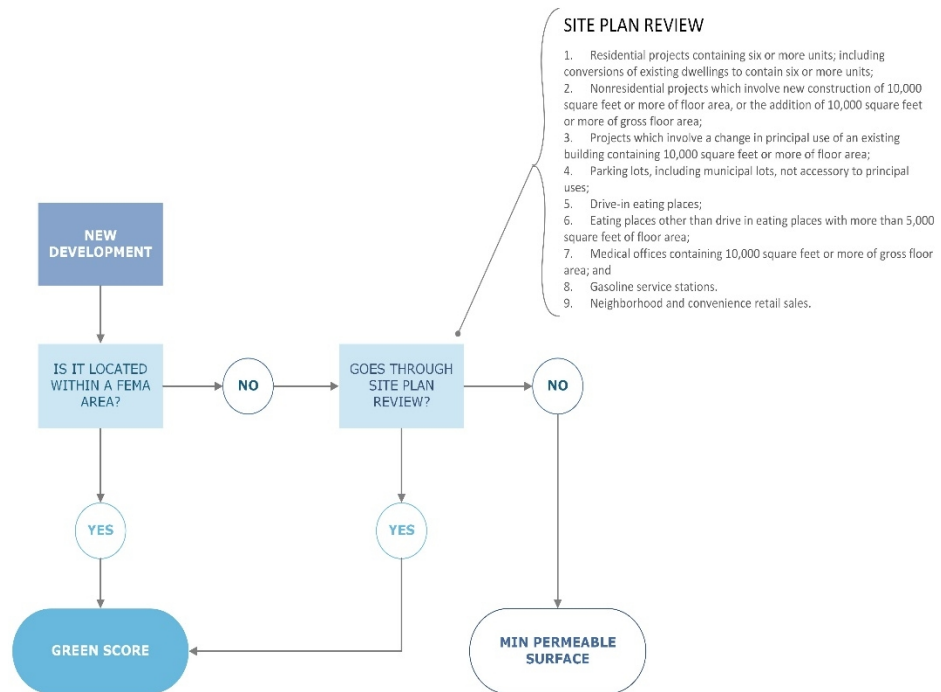
The environmental performance of each landscape element is quantified by assigning a unique multiplier to each feature. This multiplier gives landscape elements with greater environmental value a higher Green Score. Landscaped areas that earn a higher green score correlate to higher environmental sustainability than sites that earn a lower score.

3. Applicability

This section applies to the construction of any new principal building or major renovation that:

- a. Is located within the FEMA National Flood Hazard Layer including the following zones:
 - Zone A, AE. The 1% Annual Chance Flood Hazards and,
 - Zone X. The 0.2% Annual Chance Flood Hazard or Area with Reduced Risk Due to Levee.
- b. Requires Site Plan Review.

Major renovation projects are defined as where the work area exceeds 50% of the aggregate building area, includes the removal and replacement of existing elements, equipment or reconfiguration of the space and whereas the work value exceeds 50% of the assessed value of the structure.



4. Zone Districts

ZONE DISTRICT	GREEN SCORE (MIN / IDEAL)*
Mystic Avenue Corridor Mixed-Use 1	25 / 30
Mystic Avenue Corridor Mixed-Use 2	25 / 30
Mystic Avenue Corridor Mixed-Use 3	25 / 30
Mystic Avenue Corridor Commercial	20 / 30
TBD	
TBD	
TBD	

*Projects that provide more affordable units than the minimum required or provide affordable units with deeper affordability are **allowed** to reduce the required Green Score by 5 points.

5. Calculation

The green score is calculated as follows:

- Determine total lot area in Square Feet (SF).
- Identify all the proposed landscape elements, sorted into the categories presented in Table 5.1.
- Calculate the area of each proposed landscape element or equivalent square footage where applicable. Equivalencies are presented in table 5.2.
- Multiply the square feet, or equivalent square footage, of each landscape element by the multiplier provided for that element in Table 5.2.
- If the landscape elements follow the conditions presented in Table 5.1. their multiplier can be summed to the element's multiplier as a bonus credit and then multiply the square feet or equivalent to the new multiplier.
- Add the weighted score of all landscape elements together.
- Divide the resulting sum by the area of the lot to determine the final green score and multiply by 100.

Table 5.1. Eligible Landscape Elements.

LANDSCAPE ELEMENTS	MULTIPLIER
A- Planted Areas	
A1- Planted areas with a soil depth of 24 inches or more.	0.6
A2- Bioretention facilities	1.0
B- Plants	
B1- Mulch, ground covers, or other plants normally expected to be less than 2 feet tall at maturity	0.1
B2- Medium shrubs or other perennials at least 2 feet tall, but less than 4 feet tall, at maturity	0.3
B3- Large shrubs or other perennials at least 4 feet tall at maturity	0.3
B4- Small trees	0.3
B5- Small/medium trees	0.5
B6- Medium/large trees	0.7
B7- Large trees	0.9

LANDSCAPE ELEMENTS	MULTIPLIER
B8- Preservation of existing trees at least 6 inches in diameter at breast height	1.0
C- Roofs	
C1- Extensive vegetated roof over at least 2 inches but less than 8 inches of growth medium	0.6
C2- Intensive vegetated roof over at least 8 inches of growth medium	0.8
C3- Blue roofs	1.0
C4- High SRI	0.2
D- Vegetated Wall	
D1- Green Wall	0.3
D2- Living wall	0.1
E- Permeable paving	
E1- Installed over at least 6 inches and less than 24 inches of soil and/or gravel	0.3
E2- Installed over at least 24 inches of soil and/or gravel	0.5
F- Enhanced tree growth systems	0.5

Table 5.2. Equivalent square feet of tree canopy and large shrubs.

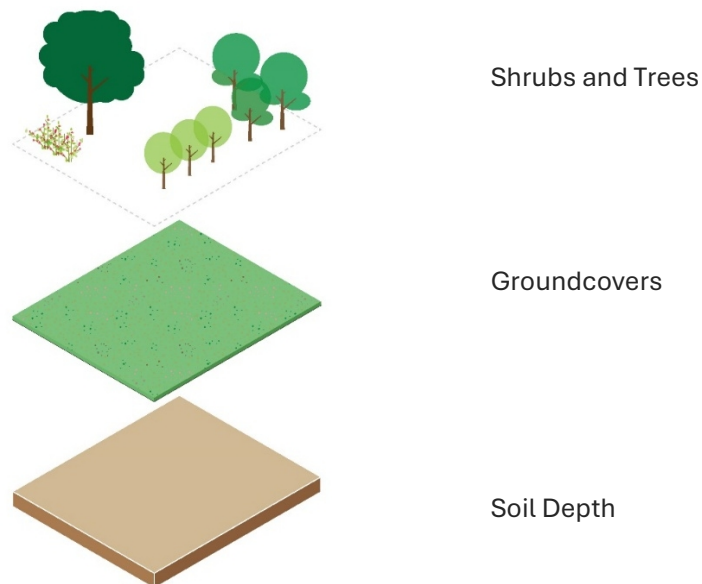
LANDSCAPE ELEMENTS	EQUIVALENT SQUARE FOOTAGE (SF)
B2- Medium shrubs or other perennials at least 2 feet tall, but less than 4 feet tall, at maturity	1 plant = 9 sf
B3- Large shrubs or other perennials at least 4 feet tall at maturity	1 plant = 36 sf
B4- Small trees	1 tree = 75 sf
B5- Small/medium trees	1 tree = 150 sf
B6- Medium/large trees	1 tree = 250 sf
B7- Large trees	1 tree = 350 sf

LANDSCAPE ELEMENTS	EQUIVALENT SQUARE FOOTAGE (SF)
B8- Preserved trees	1 inches = 20 sf

Table 5.3. Bonuses applied to Green Score Landscape Elements:

BONUS CREDIT	MULTIPLIER
Landscaping that consists entirely of native or adaptive (non-invasive) plant species.	0.1
Minimum of 50% of annual irrigation is met through the use of harvested rainwater or collected greywater.	0.2
Landscaping is visible from adjacent public right-of-way or public open spaces.	0.1
Landscape includes food cultivation and the right to harvest for residents, tenants, or neighbors of the subject property.	0.1

Nearly every landscape element is stackable. To demonstrate how elements may be stacked, consider the illustration below.



6. General Standards

Tree and plant selection

Tree and plant selection should be based on climatic and topographic conditions as well as design criteria to ensure compatibility with the site.

Tree and plant preservation

If an applicant counts existing shrubs, perennials, groundcovers, or trees toward meeting any code requirements (including but not limited to Green Score), those planted areas must be protected during construction. Preservation must include specific protection measures and/or details on the approved plan set to ensure compliance during construction to make sure preserved trees and plants are adequately protected.

Trees and other plants bordering driveways and parking areas shall be protected from vehicles with wheel stops, curbs, or similar devices, to be shown on the approved plan set.

Invasive species

Invasive species are prohibited for new plantings. All invasive species must be removed from the development site before new planting. Additionally, a minimum 10' buffer around all planted areas must be cleared of invasive species, except in portions of the buffer which extend beyond the development site.

Maintenance

All plantings and landscape elements required as part of a land use permit or building permit must be maintained by the property owner or designer for the life of the project.

When planting, ample clearance shall be provided so that plants have enough space and light, considering existing conditions on adjacent lots. All landscape improvements must be designed to allow access to conduct maintenance.

Soil and Mulch

Decompact (loosen) subsoil at a minimum of 4 inches depth (whether amended or imported soil) to produce a minimum 12-inch depth of un-compacted soil in all planting areas.

Mulch is required in all planting areas to suppress weeds, conserve water, and improve soil health. Mulch counts for credit on the Green Score if it is coarse, maintained at a depth of 2 to 4 inches, and covers the soil below shrubs and trees. Fine bark is discouraged because it can create hydrophobic conditions at the soil surface.

Landscape elements in the right of way * Applicants should be aware of building code issues involved with planting in containers or over structures: structural weight, drainage, soil mix, irrigation and maintenance, and plant selection.

Irrigation and drainage are required for all container plantings for the life of the project.

7. Standards for Landscape Elements

The purpose of the standards in this section is to clarify what types of plantings, structures, systems, and fixtures are eligible for Green Score points. Each element has specific requirements for installation, configuration, and maintenance that shall be followed to maintain Green Score compliance for the life of the project.

7.1 Planted areas.

Planted areas with a soil depth of 24 inches or greater

Planted areas earn credits for having a soil with a depth of 24 inches or greater in addition to earning credits for specific plants or features in the planted areas. There is no credit awarded for planted areas with less than 24 inches of soil.

Bioretention facilities

Bioretention facilities use soils and plantings to manage stormwater runoff. Bioretention facilities include but are not limited to rain or rainwater gardens, bioretention planters, or linear cells or swales. These do not include structures made of cement or concrete alone. Stormwater will pond at the surface before it filters through the underlying soil. Most water infiltrates into the underlying soil or, in places with lower infiltration rates, is collected by an underdrain and discharged to the drainage system. Stormwater that exceeds the surface storage capacity overflows to the drainage system.

7.2 Plantings

Mulch, ground covers, or other plants less than 2 feet tall at maturity

Evergreen ground covers are spreading plants typically less than 12 inches tall which provide year-round soil coverage when established. For Green Score, areas covered with evergreen perennials or shrubs less than 2 feet tall are awarded the same credit as areas covered with evergreen ground cover. Non-evergreen plants (e.g. grasses) of any height qualify as ground covers so long as they provide soil coverage year-round. Plants that die back below the soil each year do not qualify for Green Factor credit.

Medium shrubs or perennials 2 to 4 feet tall at maturity

To earn credits as shrubs or perennials, plant selections must have a mature height as specified and be non-herbaceous. Otherwise, they are counted as groundcovers.

Shrubs and perennials must be at least 9 inches tall when planted; Preserving existing trees counts for more credit than newly planted trees. Fencing and signage requirements are the same as those for tree

preservation, and the protection area may not be any smaller than the drip line of affected shrubs and perennials.

Spacing between shrubs shall be at least 18 inches apart on-center.

Large shrubs or perennials 4 feet tall or more at maturity

All of the height, size, and preservation standards specific to Medium shrubs or perennials also apply to Large shrubs or perennials.

Spacing between shrubs shall be at least 24 inches apart on-center.

Trees

Size categories: for purposes of determining the size category of a tree species, the tree must have a mature canopy spread of the following:

TREE CATEGORY	CANOPY SIZE
Small Trees	8 ft to 16 ft
Small / Medium Trees	16 ft to 21 ft
Medium / Large Trees	21 ft to 26 ft
Large Trees	26 ft or more

Size at the time of installation on private property:

- Deciduous trees with one trunk must be at least 1.5 inches in diameter, measured 6 inches above the ground.
- Multi-stemmed deciduous trees must have at least 3 stems and be at least 6 feet tall.
- Evergreen trees must be at least 4 feet tall.
- In the right-of-way, because street trees face more difficult growing conditions, DPW requires larger trees at time of installation.
- In the right-of-way, deciduous trees with one trunk must be 2 to 2.5 inches, measured 6 inches above the ground. The Urban Forestry division of DPW requires that they inspect and approve street trees before planting.

Spacing: Trees on private property shall be planted no closer than the following minimum spacing:

- 10 feet on center between small trees
- 14 feet on center between small/medium trees
- 18 feet on center between medium/large trees
- 22 feet on center between large trees.

- Trees in the right-of-way shall be sized according to DPW standards based on growing conditions.

Soil requirements for trees and trees in containers: Soil volume is critical to tree health and survivability. Trees and trees in containers must have a minimum of 30-inch soil depth and a minimum soil volume as follows:

TREE CATEGORY	SOIL VOLUME	AREA (30-in depth)
Small Trees	150 cu ft	6 ft x 10 ft
Small / Medium Trees	250 cu ft	10 ft x 10 ft
Medium / Large Trees	400 cu ft	10 ft x 16 ft
Large Trees	550 cu ft	11 ft x 20 ft

Trees will be healthier, bigger, and longer-lived with greater soil volume. Smaller surface areas can achieve the same volume with greater depth if adjacent paved surfaces are installed over structural soil or similar technologies.

Preserving trees: Every development that is proposing to protect trees must include locations and dimensions of the basic tree protection area for all trees six inches or more at standard height to be retained, whose basic tree protection areas would be affected by proposed construction. The basic protection area for trees to be preserved is generally considered to be the area within the dripline and is a no-disturbance area.

Plans must demonstrate avoidance of all proposed construction impacts and all tree protection measures.

7.3 Roofs

Green Roofs:

Green roofs are plantings on top of a structure at least 10 feet above grade with at least 2 inches of soil, including extensive green roof systems and rooftop gardens. Green roof planting areas that are drought-tolerant are eligible for the drought-tolerance bonus credit.

Green roof vegetation is not eligible for groundcover credits, but rooftop vegetation taller than 2 feet at maturity (shrubs, perennials, and trees) may be counted for their respective credits.

Blue Roofs:

Blue Roofs are flat roofs that are designed to temporarily store water to reduce flooding to the surrounding area and help prevent sewer overflow. The stored water is gradually released as residents use it for various purposes like watering plants or flushing toilets, or it is simply returned to the ground or sewage system in a controlled way after the storm has moved on.

All blue roofs shall be designed to safely convey system overflows to downstream drainage systems. The design of the overflow structure must be sufficient to provide safe, stable discharge of stormwater in the event of an overflow.

Blue roofs shall not permit any standing water to remain 72 hours after a rain event, in order to allow for sufficient storage for the next rain event. Storage in excess of 72 hours may render the blue roof ineffective and may result in anaerobic conditions, odor, and both water quality and mosquito breeding issues.

Blue roof systems may be designed to allow other uses of the roof. Any equipment stored on a blue roof should be protected to ensure that it is not damaged as a result of ponded water. A blue roof system may also be designed with solar panels, provided that the solar panels are designed to allow rainfall to reach the roof surface and will not be damaged by ponded water.

Blue roofs, like all other stormwater BMPs (Best Management Practices) require maintenance; therefore, all maintenance personnel shall access the roof. Additionally, if the roof is open to the public, measures shall be included to ensure safety.

General Maintenance:

- Blue roofs shall be inspected at least four times annually and after every storm event exceeding 1 inch of rainfall. Blue roofs located in areas with significant tree cover or in areas with a high potential for airborne debris may require more frequent inspections due to the potential for clogging.
- All structural components shall be inspected for cracking, spalling and deterioration at least once annually.
- Access points for maintenance are required on all blue roofs; these access points should be clearly identified in the maintenance plan.
- A method for detecting leaks shall be included in the blue roof's maintenance plan. Location of physical leak detection systems will depend on the manufacturer's specifications and should be placed accordingly.

- Disposal of debris, trash, sediment and other waste material shall be done at suitable disposal/recycling sites and in compliance with all applicable local, state and federal waste regulations.

Green-blue roofs:

Green-blue roofs are classic green roofs systems elevated with a crate system underneath that brings significant water storage capability, as well as an additional valve system to control the water level in the water storage underneath the green roof.

Green-blue roofs shall follow all the standards for green and blue roofs, as stated in this document.

To calculate the Green Score of a blue-green roof the same area will be calculated separately as a green roof and as a blue roof.

High Solar Reflective Index (SRI) Roof:

Solar Reflective Index (SRI) is defined as an indicator of the ability of a roof surface to return solar energy to the atmosphere. It is expressed as a unitless value ranging from 0 to 100, with 0 representing the lowest possible solar reflectance and 100 representing the highest possible solar reflectance.

Using roofing materials with a higher SRI values can enhance building occupant comfort and reduce air conditioning use.

To be eligible for this credit the roofing material of such roof shall have a minimum initial SRI of 82.

Roofs with a slope of 2:12 or steeper shall not be subject to a minimum SRI requirement.

7.4 Vegetated walls

Vegetated walls are vertical surfaces covered by plants. Green walls (climbing vines with vertical structural support) and living walls (built-in-place growing media) are design approaches that achieve credit as vegetated walls. Vegetated walls allow sites to gain credit using minimal site area.

The maximum calculated vertical dimension must not exceed 30 feet unless the vegetated wall features a built-in growth medium and irrigation.

To establish successfully, vegetated walls need soil and light. Vegetated walls planted at grade (i.e. where planting medium is not incorporated into the vegetated wall structure) earning credit must include planting medium at least 24 inches deep, with surface dimensions no smaller than 12 inches in any direction.

Vegetated walls earning credit must include dedicated irrigation for the life of the project as well as drainage suitable for the specified plant species.

The walls shall be at least five feet (5 ft.) from a side or rear lot line.

7.5 Permeable pavement

Permeable pavement allows water to pass through voids in the paving material or between pavers while providing a stable, load-bearing surface. Porous asphalt and pervious concrete allow water infiltration. Permeable interlocking concrete pavers can also be used if they are installed with gaps between them to allow stormwater to infiltrate into the subsurface.

Green Score applicants receive credit for the total area of all permeable pavement.

Permeable pavement in the right-of-way can be counted for credit and requires the DPW approval.

Porous asphalt and pervious concrete are only recommended for light automobile traffic. To maintain long-term performance of porous asphalt pavements' stormwater management capabilities, it is recommended that the surface infiltration rates be inspected annually during rain events to observe any changes in effectiveness of infiltrating stormwater. In addition, to remove any solids and debris that could lead to more permanent clogging of the pavement, it is recommended that porous asphalt pavements be vacuumed two to four times a year or power-washed.

Grass pavers, Reinforced Turf, Flexible Porous Surface Treatment, or other similar installations, are not eligible for permeable paving credit but are eligible for ground cover credit if used in areas with low traffic volume, such as fire lanes or event parking. Grass pavers and other similar installations cannot be counted for credit in any area used to meet parking requirements.

Permeable paving and structural soil together cannot add up to more than one-third of a site's Green Score.

7.6 Enhanced tree growth systems

Enhanced tree growth systems, including CU-Structural Soil, Silva Cells, and their performance equivalents, support pavement while avoiding subsurface compaction, allowing air and water infiltration, and contributing to larger, healthier plants.

For Green Score credit, these systems must be at least 36 inches deep, under pavement, and adjacent to and continuous with the root zone of one or more planting areas.

Green Score Credit is calculated by the square footage of the system's footprint.

Structural soil systems in the right-of-way must be approved by the DPW.

Permeable paving and structural soil together cannot add up to more than one-third of a site's Green Score.

8. Bonuses applied to Green Factor Landscape Elements

Any landscape feature that has claimed credit under the regular Green Score categories can also count for one or more bonus credits if it meets the criteria below. Bonus credits can apply to all landscaping, including elements provided in the right-of-way. Bonus credits cannot total more than Green Score elements subtotal.

8.1 Landscaping that consists entirely of native/adaptive non-invasive plant species

Square footage for this credit is calculated as the area covered by native/adaptive non-invasive groundcovers, shrubs, and trees.

8.2 50% of annual irrigation needs are met through the use of harvested rainwater or collected greywater

For each area claimed under this bonus, 50% of annual irrigation needs must be met using harvested rainwater or collected greywater.

This can be demonstrated by drainage or plumbing documents showing a water storage system.

Square footage for this credit is calculated as the area plumbed for irrigation with rainwater or greywater.

8.3 Landscaping visible from adjacent public right-of-way or public open spaces

To earn this credit, landscaping must be planted between the street-facing façade and the street right-of-way or public open spaces, where the planting medium is no higher than 15 feet above grade.

Square footage for this credit is calculated as the area covered by visible groundcovers, vegetated walls, all visible shrubs and trees.

8.4 Landscape includes food cultivation and the right to harvest for residents, tenants, or neighbors of the subject property.

Food cultivation areas are designed to grow edible plants by the residents or occupants of a building. They can be planted with annual fruits and vegetables; edible-fruit-producing perennials, shrubs, and trees; and/or nut-bearing plants.

All food cultivation areas must be easily accessible to at least some residents or occupants of a building and must have a source of water that can reach all portions of the food cultivation area.

Food cultivation areas and proposed plantings in the right-of-way are subject to approval by the DPW.

Square footage for this credit is calculated as the area of all edible food-producing shrubs and trees.

Amendment to section Sec. 94-11.7. Site plan review.

MODIFY 94-11.7.7 Site Plan by adding the following requirement:

The application shall include a site plan, prepared by a registered architect, landscape architect, or professional engineer, with the following information:

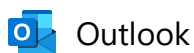
- Green score sheet.
- Landscape drawings and/or specification stamped by a MA registered Landscape Architect drawn to a legible, conventional architectural or engineering scale.
- Typical drawings include but are not limited to:
 - Existing Conditions Plan
 - Demolition and Site Preparation Plan
 - Layout Plan
 - Materials Plan
 - Grading Plan
 - Show existing spot elevations at existing trees
 - Show spot elevations and slopes at hardscape areas
 - Show minimum 1-foot contours
 - Show any existing or proposed sub-surface utilities such as drainage and sewer pipes, gas lines, and electrical conduits.
 - Planting Plan
 - Show the location of preserved and proposed trees
 - Include a planting schedule identifying, common species name, scientific species name, quantity, and minimum size
 - For existing trees to be preserved: show location and canopy radius drawn to scale, note DBH, genus and species, and tree protection area and fencing.
 - Details
 - Include appropriate details for facilities relevant to Green Score such as tree protection, erosion control, tree planting, green roof, bioswale, pervious paving, etc.
- Recent photograph(s) of any trees proposed to be “preserved”
- Other relevant supporting documentation such as product information sheets, boring or infiltration test data, geotechnical reports, engineering calculations, etc.

MODIFY 94-11.7.16 Modifications by adding the following sentence to the end of the paragraph:

The applicant shall submit one paper copy and one electronic copy in a format acceptable to the building inspector of the revised plan for any project that has received approval for modification by the planning board.

ADD 94-11.7.17. As-builts. With the As-built plan, the applicant shall submit a letter issued by a registered architect, landscape architect or professional engineer under pains and penalties of perjury, that the revised plan is consistent in all aspects with the plan reviewed and approved by the planning board and that all conditions of approval have been met.

ADD 94-11.7.18. Waivers. Upon the request of the Applicant, the Site Plan Review Authority may waive the requirements of Green Score in the interests of design flexibility and overall project quality and upon a finding of consistency of such variation with the purpose of the Green Score and the relevant zoning district's overall purpose and objectives.



Fw: Common Vic

From Isaac 'Zac' Bears <ibears@medford-ma.gov>

Date Fri 3/7/2025 9:44 AM

To Isaac 'Zac' Bears <ibears@medford-ma.gov>

From: Barry Rafferty <barmrafferty@gmail.com>

Sent: Thursday, March 6, 2025 4:03 PM

To: Adam Hurtubise <ahurtubise@medford-ma.gov>

Subject: Common Vic

Hi Mr Hurtubise,

I write seeking to extend my hours of business to 1am.

As you are aware my liquor license already allows for that and, it is crucial for my business.

We find ourselves, particularly on Chevalier nights, asking our customers to vacate the premises and it is very upsetting for all parties.

Thank you for your consideration,

Best,

Barry Rafferty



Medford City Council
Medford, Massachusetts

MEETING DATE

March 11, 2025

SPONSORED BY

Justin Tseng, City Councilor

AGENDA ITEM

24-468 - Draft City Charter as Amended by the Committee of the Whole

FULL TEXT AND DESCRIPTION

The draft City Charter proposal as amended by the City Council in Committee of the Whole after the Governance Committee's review process is attached. If approved by the Council, the draft will be submitted to the Mayor for her consideration for submission to the Legislature. If approved by the Legislature, the voters of the City of Medford will approve or deny the draft charter on the November 4, 2025 municipal election ballot.

Original Resolution

Be it Resolved by the Medford City Council that the Governance Committee discuss updates to the City Charter, including creating a timeline for action and reviewing proposals of the Charter Study Committee once finalized.

Representatives of the Edward J. Collins, Jr. Center for Public Management at UMass Boston are invited to provide an overview of the charter review process and the next steps for the City Council.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. MedfordCharter 3.4.25 COW Amendments

Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the public objectives of this petition.

AN ACT ESTABLISHING A CHARTER FOR THE CITY OF MEDFORD

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The following shall be the charter for the city of Medford:

PREAMBLE

We the people of the city of Medford, under the constitution and laws of the Commonwealth of Massachusetts, desiring to manage our own affairs and conduct our local government so that it is accountable, transparent, innovative, stable, ethical, representative, and responsible, and wishing to participate fully in exercising the rights and responsibilities of local government, do adopt and adhere to this charter.

We aim for a government based upon this charter that will promote equity, inclusivity, civic engagement, and a vibrant, diverse community in which all people have a voice.

We recognize the fact that we need a government that is responsive and serves residents’ needs, and demand that our leaders are principled and professional.

Our city’s rich history, from even before the creation of the ford by the meadow from which Medford draws its name, is complex and significant and we resolve to cultivate a city that learns from that past to meet the promises and challenges of the future.

ARTICLE I

INCORPORATION; SHORT TITLE; DEFINITIONS

SECTION 1-1: INCORPORATION

The inhabitants of the city of Medford, within the territorial limits established by law, shall continue to be a municipal corporation, a body corporate and politic, under the name “City of Medford”.

SECTION 1-2: SHORT TITLE

This instrument shall be known and may be cited as the city of Medford charter.

SECTION 1-3: DIVISION OF POWERS

The administration of the fiscal, prudential, and municipal affairs of the city of Medford shall be vested in an executive branch headed by a mayor and a legislative branch consisting of a city council. 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, it is the intention and the purpose of the voters of Medford, 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 power were specifically and individually enumerated in this charter.

SECTION 1-5: CONSTRUCTION

The powers of the city 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, the city 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

As used in this charter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

1. "Charter", this charter and any adopted amendments to it.
2. "City", the city of Medford.
3. "City agency", any multiple member body, any department, division or office of the city of Medford.

4. "City office or department head", a person having charge of a city office or department.
5. "City website", a site established and maintained by the city as its online repository of municipal information, whether on the internet or accessed through another comparable technology, not including the Medford Public Schools.
6. "District", as appearing in Articles 4 and 7 of this charter shall refer to the election of district city councilor or district school committee; 1 to be elected from the following districts comprised of combined wards within the city of Medford: wards 1 and 7, wards 2 and 3, wards 4 and 5, and wards 6 and 8.
7. "Emergency", a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.
8. "Full city council", the entire authorized membership of the city council, notwithstanding any vacancy that exists.
9. "Full multiple member body", the entire authorized membership of a multiple member body, notwithstanding any vacancy that exists.
10. "Full school committee", the entire authorized membership of the school committee, notwithstanding any vacancy that exists.
11. "New Initiative measure", a measure proposed by the voters through the initiative process provided under this charter, excluding repeal referendum measures.
12. "Local newspaper", a newspaper of general circulation within Medford, with either a weekly or daily circulation.
13. "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 such body's own rules; provided, however, that General Laws related to any vote to meet in executive session shall always require a majority of the full multiple member body.
14. "Measure", any ordinance, order or other vote or proceeding adopted, or which might be adopted, by the city council or the school committee.
15. "Multiple member body", any council, commission, committee, subcommittee or other body consisting of 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 or the school committee.
16. "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 municipal services are delivered.

Commented [MOU1]: We discussed in our Governance Committee meeting how this definition may be overly broad and how it might inadvertently include repeal measures.

17. "Quorum", a simple majority of the members of the public body, unless otherwise provided in a general or special law, executive order or other authorizing provision.
18. "Recall", an election to remove an elected official from office before the expiration of the term for which elected.
19. "Repeal referendum measure", a measure adopted by the city council or the school committee that is protested under the referendum procedures of this charter.
20. "Remove from the city" or "remove from a ward", when a person ceases to be domiciled within the territorial limits of the city or a ward.
21. "Voters", registered voters of the city of Medford.
22. "Year", a calendar year, unless otherwise specified.

ARTICLE II LEGISLATIVE BRANCH

SECTION 2-1: COMPOSITION; TERM OF OFFICE; ELIGIBILITY

- a) There shall be a city council that shall exercise the legislative powers of the city. The city council shall consist of ~~11-9~~ members, 5 members elected at large by the voters of the city; and 1 each elected from the following districts comprised of combined wards within the city: wards 1 and 7, wards 2 and 3, wards 4 and 5, and wards 6 and 8. 1 ward ~~councilor nominated and elected by the voters of each of the 8 wards of the city and the remaining 3 city council members shall be councilors-at-large who shall be nominated and elected by and from the voters at large.~~
- b) The term of office for councilors shall be 2 years each, beginning on the first Monday in the January succeeding the councilor's election, except when that first Monday falls on a legal holiday, in which event the term shall begin on the following day and shall end when their successors have been qualified.
- c) Any voter shall be eligible to hold the office of councilor-at-large. A district city council candidate shall be a voter in the district from which election is sought. ward councilor shall be a voter in the ward from which election is sought for at least 1 year prior to the date of inauguration. If a warddistrict councilor or a councilor-at-large removes from the city during the councilor's term, that office shall immediately be deemed vacant and filled in the manner provided in section 2-10. A ward-district councilor who removes from the ward-district in which the councilor was elected and who remains a resident of the city may continue to serve during the term for which the councilor was elected. The city council shall determine by 2/3 vote whether a city councilor has removed from the city.

SECTION 2-2: COUNCIL PRESIDENT AND VICE-PRESIDENT, ELECTION; TERM; POWERS

a) Election and Term – 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 annually elect from among its members a city council president.

b) Powers and Duties - The president shall prepare the agenda for city council meetings. The city council president shall preside at all meetings of the city council, regulate its proceedings and shall decide all questions of order. The city council president shall appoint all members of all committees of the city council, whether special or standing. The city council president shall have the same powers to vote upon all measures coming before the city council as any other member of the city council. The city council president shall perform such other duties consistent with the office as may be provided by charter, by ordinance, city council rules or by other vote of the city council.

c) Council Vice-President – The members of the city council shall also elect annually from among its members a city council vice-president who shall serve as acting president during the temporary absence of the city council president. The powers of an acting city council president shall be limited to only those powers of the office indispensably essential to the performance of the duties of the office during the period of such temporary absence and no others.

d) Vacancy – If a vacancy shall occur in the office of city council president the city council shall elect from among its members a city council president who shall serve for the balance of the current term. If a vacancy shall occur in the office of city council vice-president the city council shall elect from among its members a city council vice-president who shall serve for the balance of the current term.

SECTION 2-3: PROHIBITIONS

a) No member of the city council shall hold any other city office or city employment for which a salary or other emolument is payable from the city treasury. No former member of the city council shall hold any compensated appointed city office or appointed city employment until 1 year following the date on which such former member's service on the city council has terminated.

b) ~~Except for the purpose of inquiries and investigations pursuant to section 2-6, the city council shall contact the officers and employees serving under the mayor solely through the mayor, and n~~Neither the city council nor any member of the city council shall give orders or directions to any such officer or employee, either publicly or privately.

SECTION 2-4: COMPENSATION

a) The members of the city council shall receive such salary for their services as may from time to time be set by ordinance. No ordinance increasing or decreasing the salary of city councilors shall be effective unless it shall have been adopted by a 2/3 vote during the first 18 months of the term for which city councilors are elected and it provides that such salary is to take effect upon the organization of the city government following the next regular municipal election.

b) Subject to appropriation, the city council members shall be entitled to reimbursement of their actual and necessary expenses incurred in the performance of their duties.

SECTION 2-5: EXERCISE OF POWERS; QUORUM; RULES

Except as otherwise provided by law or the 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.

The city council shall from time to time adopt rules regulating its procedures that shall include, but not be limited to:

1) Regular meetings of the city council be held at a time and place fixed by ~~ordinance~~[the city council rules](#);

2) Special meetings of the city council to be held at the call of the president or at the call of not less than 3 members, by written notice delivered in hand, via electronic mail or by first class mail to each member; provided, however, that such notice shall contain a listing of the items to be acted upon; provided further, that except in case of an emergency, which shall be determined by the president, such notice shall be delivered not less than 48 hours in advance of the time set for such meeting, excluding Saturdays, Sundays and legal holidays; and provided further, that a copy of the notice to members shall immediately be posted upon the city bulletin boards;

3) All sessions of the city council and of every committee or subcommittee of the city council shall be open to the public unless another provision is allowed by law.

SECTION 2-6: ACCESS TO INFORMATION

a) The city council may request a member of a multiple-member body or a city officer or employee to appear before the city council to give any information that the city council may require in relation to the municipal services, functions and powers or duties which are within the scope of responsibility of that person and not within the jurisdiction of the school committee.

b) The city council may request specific information from the mayor on any municipal matter and may request that the mayor be present to answer written questions relating to that information at a meeting to be held not earlier than 14 days from the date the mayor receives the questions. The mayor shall personally, or through a designee, attend such meeting and respond to the questions. The mayor, or designee, shall not be required to answer questions relating to any other matter.

c) The city council shall give a minimum of 14 days' notice to a person it may request to appear before it under this section. 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 questions presented in advance and in writing.

SECTION 2-7: APPOINTMENTS OF THE CITY COUNCIL

a) The city council shall elect a city clerk to serve for a term of up to 3 years. The city clerk shall be the keeper of vital statistics of the city and the custodian of the city seal and of all records of the city. The city clerk shall administer the oath of office to all city officers and shall issue licenses and permits as may be provided by law. The city clerk shall have the powers and duties provided to that office by law, this charter, ordinances or other votes of the city council.

b) The city council shall elect a city messenger to serve for a term of up to 2 years. The city messenger shall serve as an assistant to the members of the city council at the direction of the city council president or their designee. The city messenger shall be a resident of the city.

bc) Subject to appropriation, the city council may establish additional support positions by ordinance as the city council deems necessary and may appoint staff to serve in those positions. All officials of the city shall cooperate with employees of the city council in the performance of any oversight functions. City council staff shall have such other powers and duties as may be provided for by charter, by ordinance or by other vote of the city council.

ed) City council staff appointed under this section shall receive such compensation as may from time to time be provided for such position by ordinance.

SECTION 2-8: ORDINANCES AND OTHER MEASURES

a) No ordinance shall be passed finally on the date it is introduced, except in case of an emergency involving the health or safety of the people or their property or in the case of the unanimous vote of the city council. No ordinance shall be regarded as an emergency ordinance unless the emergency is defined and declared in a preamble to the ordinance, separately voted upon and receives the affirmative vote of not less than 8 members of the city council. An emergency ordinance shall be repealed after the expiration of 60 days following its adoption unless an earlier date is specified in the measure, or another measure passed under this section extends the original emergency ordinance.

b) The city council may pass a measure through all of its stages at one meeting, except for proposed ordinances, appropriation orders and loan authorizations, if no member of the city council shall object; provided, however, that if a single member objects, a vote on the measure shall be postponed to the next meeting of the city council. If a member objects to the taking of a vote on the first occasion that the question of adopting any measure is put to the city council, except an emergency ordinance under subsection (a), the vote shall be postponed until the next regular or special meeting of the city council. This procedure shall not be used more than once for any measure notwithstanding any amendments made to the original measure.

c) Every introduced ordinance, appropriation order or loan authorization, except an emergency ordinance, shall be posted on the city bulletin board and city website and made available in the office of the city clerk. After final passage it shall be posted on the city bulletin board and city website and otherwise published and made public as may be required by ordinance.

SECTION 2-9: CITY COUNCIL CONFIRMATION OF CERTAIN APPOINTMENTS

The mayor shall refer to the city council, and simultaneously file with the city clerk the name of each person the mayor desires to appoint as a member of a multiple-member body. Appointments made by the mayor shall become effective on the 30th day after the date on which notice of the proposed appointment was filed with the city clerk unless rejected by a [2/3majority](#) vote of the city council within the 30 days, such rejection shall not be unreasonably withheld. The question on rejection of any appointment made by the mayor shall not be subject to the procedure of objection provided in section 2-8(b) of the charter.

SECTION 2-10: FILLING OF VACANCIES

a) If a vacancy shall occur in the office of councilor-at-large, the vacancy shall be filled in descending order of votes received by the candidate for the office of councilor-at-large at the preceding city election who received the highest number of votes without being elected and who received not less than 30 percent of the total votes cast for the candidate with the highest number of votes for the office of councilor-at-large, if that person remains eligible and willing to serve as councilor-at-large. The board of city clerk~~selection commissioners~~ shall certify this candidate to the office of councilor-at-large to serve for the balance of the unexpired term.

b) If a vacancy shall occur in the office of ward-district councilor, the vacancy shall be filled in descending order of votes received by the candidate for the office of ward-district councilor in the ward-district in which the vacancy occurs at the preceding city election who received the highest number of votes without being elected and who received not less than 30 percent of the total votes cast for the candidate with the highest number of votes for the office of ward-district councilor in the ward-district, if that person remains eligible and willing to serve as ward-district councilor. The board of city clerk~~selection commissioners~~ shall certify this candidate to the office of ward-district councilor to serve for the balance of the unexpired term.

c) If a vacancy shall occur in the office of councilor-at-large or in that of ward-district councilor and there is no available candidate to fill the vacancy in the manner provided in subsection (a) or (b), the remaining members of the city council shall elect a person to fill the vacancy. The notice of the meeting to fill the vacancy must be posted at least 10 days in advance of the meeting. A person elected by the city council to fill a vacancy shall serve 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 the person is elected.

d) No vacancy shall be filled under this section if a regular city election is to be held within 120 days following the date the vacancy is declared to exist. A person serving as a councilor under this section shall not be entitled to have the words "candidate for re-election" printed against the person's name on the election ballot.

SECTION 92-611: PERIODIC REVIEW OF ORDINANCES

Not later than July 1, at 5-year intervals, in each year ending in a 7 or in a 2, the ~~mayor and~~ city council shall provide for a review to be made of some or all the ordinances of the city to prepare a proposed revision or recodification of them. This review shall be made by a special committee to be established by ordinance~~a vote of the city council~~. All members of the committee shall be voters of the city. The special committee shall file its report with the city clerk on a date

specified by ordinancea vote of the city council. The review of city ordinances shall be under the supervision of the city solicitor. Copies of any recommendations shall be made available to the public at a cost not exceeding the actual cost of the reproduction.

ARTICLE III EXECUTIVE BRANCH

SECTION 3-1: MAYOR: QUALIFICATIONS; TERM OF OFFICE; COMPENSATION; PROHIBITIONS

a) The chief executive officer of the city shall be a mayor, elected by and from the voters of the city at large. Any voter shall be eligible to hold the office of mayor. The mayor shall devote full time to the office and shall not hold any other elective public office, nor shall the mayor be engaged in any other business, occupation, or profession during the period of service as mayor.

b) The term of office of the mayor shall be 4 years beginning on the first Monday in the January succeeding the mayor's election, except when that first Monday falls on a legal holiday, in which event the term shall begin on the following day and shall end when a successor has been qualified.

c) No person shall be elected to the office of mayor for more than 4 consecutive terms.

d) The city council shall, by ordinance, establish compensation for the mayor. No ordinance increasing or decreasing the compensation of the mayor shall be effective unless it has been adopted by a 2/3 vote of the full city council. No ordinance increasing or decreasing the compensation of the mayor shall be effective unless it has been adopted during the first 36 months of the term for which the mayor is elected and unless it provides that the compensation increase or decrease is to take effect upon the organization of the city government following the next regular city election.

e) No former mayor shall hold any compensated appointed city office or city employment at least 1 year following the date on which said mayor leaves office.-

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. 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.

b) The mayor shall exercise general supervision and direction over all city agencies, unless otherwise provided by law or the charter. Each city agency shall furnish to the mayor, forthwith 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.

c) The mayor shall be, by virtue of the office, a member of every multiple-member body of the city. The mayor shall have a right, as such ex officio member, to attend any meeting of any multiple-member body of the city, at any time, including so-called 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.

SECTION 3-3: APPOINTMENTS BY THE MAYOR

a) The mayor shall appoint, subject to the review of such appointments by the city council under section 2-9, 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 the charter or ordinance. All appointments to multiple-member bodies shall be in accordance with section 2-9. Upon the expiration of the term of a member of a multiple-member body, a successor shall be appointed in like manner. The mayor shall fill a vacancy for the remainder of the unexpired term of a member of any multiple-member body.

b) All persons classified as department heads, except the city clerk, 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. All appointments and promotions made or approved by the mayor shall be made based on merit and fitness demonstrated by examination, past performance or by other evidence of competence and suitability. 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 the person is chosen.

SECTION 3-4: REMOVAL OR SUSPENSION OF CERTAIN OFFICIALS

The mayor may, in writing, remove or suspend any city officer or the head of any city department appointed by the mayor by filing a written statement containing the effective date of the removal or suspension and the office or officer affected, with the city clerk.

SECTION 3-5: TEMPORARY APPOINTMENTS TO CITY OFFICES

(a) If a temporary or permanent vacancy occurs in a city office and the needs of the city require that the office be filled, the mayor may designate the head of another city agency, a city officer, a 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. If a person is designated under this section, the mayor shall file a certificate with the city clerk in substantially the following form:

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 that will be required and that I make this designation solely in the interests of the city of Medford.

(b) A person serving as a temporary officer 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. Notwithstanding any general or special law to the contrary, no temporary appointment shall be for more than 180 days; provided, however, that 1 extension of not more than 120 days of a temporary appointment may be made when a permanent vacancy exists in the office.

SECTION 3-6: COMMUNICATIONS; SPECIAL MEETINGS

(a) Within 12 weeks following the start of each fiscal year the mayor shall submit to the city council, and make available for public distribution, a complete report on the financial and administrative

activities of the city for the preceding fiscal year. The mayor shall, from time to time throughout the year, 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. The mayor shall, from time to time throughout the year by written communications, keep the city council fully informed of the financial and administrative condition of the city and shall specifically indicate in any such reports any fiscal, financial or administrative problems of the city.

(b) The mayor may call a special meeting of the city council for any purpose. Notice of the meeting shall, except in an emergency, require written notice delivered in hand, via electronic mail or by first class mail to each member; provided, however, that such notice shall contain a listing of the items to be acted upon; provided further, that except in case of an emergency, which shall be determined by the mayor, such notice shall be delivered not less than 48 hours in advance of the time set for such meeting, excluding Saturdays, Sundays and legal holidays; and provided further, that a copy of the notice to members shall immediately be posted upon the city bulletin boards.

SECTION 3-7: APPROVAL OF CITY MAYOR, VETO

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 by the city council and any matters relating to the internal affairs of the city council, shall be presented to the mayor for approval. If the mayor approves of a measure, the mayor shall sign it. If the mayor disapproves of a measure, the mayor shall return the measure with the specific reasons for the disapproval attached to it, in writing, to the city council. The city council shall enter the objections of the mayor on its records and shall reconsider the measure not less than 10 but not more than 30 days from the date of the measure is returned. If the city council shall again pass the order, ordinance or vote by a 2/3 vote of the full city council, it shall then take effect notwithstanding the objections of the mayor. If the mayor has neither signed a measure nor returned it to the city council within 10 days following the date it was presented to the mayor, the measure shall take effect.

SECTION 3-8: TEMPORARY ABSENCE OF THE MAYOR

(a) Whenever, the mayor is temporarily unable to perform the duties of the office, the president of the city council shall serve as acting mayor or, if the city council president is unable or unwilling to serve, the city

council shall elect, by majority vote, one of its members to serve as an acting mayor. The city council, by unanimous vote of the entire membership, may determine whether the mayor is unable to perform the duties of the office. The mayor may of their own authority declare themselves temporarily unable to perform the duties of the office. Notwithstanding any general or special law to the contrary, the vote shall be taken in public session by a roll call vote. The mayor may at any point declare themselves able to perform the duties of office.

(b) The acting mayor shall have only those powers of the mayor as are indispensable and essential to conduct the business of the city in an orderly and efficient manner and on which action may not be delayed. The acting mayor shall have no authority to make a permanent appointment or removal from city service unless the absence of the mayor shall extend beyond 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. During any period in which any member of the city council is serving as acting mayor, such councilor shall not vote as a member of the city council.

SECTION 3-9: DELEGATION OF AUTHORITY BY THE MAYOR

The mayor may authorize a subordinate officer or employee of the city to exercise a power or perform a function or a duty which is assigned by this charter, or otherwise, to the mayor and the mayor may rescind or revoke an authorization previously made; provided, however, that all acts performed under any such delegation of authority during the period of authorization shall be and remain the acts of the mayor. Nothing in this section shall be construed to authorize a mayor to delegate the powers and duties of a school committee member, the power of appointment to city office or employment or to sign or return measures approved by the city council.

SECTION 3-10: VACANCY IN THE OFFICE OF THE MAYOR

(a) If a vacancy in the office of mayor occurs during the first 34 months of the term for which the mayor is elected, the city council shall forthwith order a special election to be held within 90 days following the date the vacancy is created, to fill such vacancy for the balance of the remaining term. If a regular city election is to be held within 180 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. The person elected shall serve for the balance of

the remaining term. An acting mayor as provided in Section 3-8 shall serve until such special or regular municipal election and shall receive such compensation as established by ordinance for mayoral compensation.

(b) If a vacancy in the office of mayor occurs in the last 14 months of the term to which the mayor is elected, the president of the city council shall serve as acting mayor and if the city council president is unable or unwilling to serve, the city council shall elect one of its members to serve as acting mayor. A majority vote of the city council shall be required to elect a mayor from among the members of the city council. Upon the election of a member of the city council as the mayor, under this section, a vacancy shall exist in that city council seat which shall be filled in the manner provided in section 2-10. Any person serving as mayor under this subsection shall not be subject to the restrictions contained in the second sentence of section 3-1(a). ~~S, nor shall~~ such person shall not be entitled to have the words "candidate for re-election" printed against their name on the election ballot for the office of the Mayor, but may have these words printed against their name on the election ballot for their original city council position. Such person shall receive such compensation as established by ordinance for mayoral compensation.

ARTICLE IV SCHOOL COMMITTEE

SECTION 4-1: COMPOSITION; TERM OF OFFICE; ELIGIBILITY

The school committee shall consist of 7 members: 2 members elected at large by the voters of the city; and 1 each elected from the following districts comprised of combined wards within the city: wards 1 and 7, wards 2 and 3, wards 4 and 5, and wards 6 and 8. The mayor shall serve as the 7th member of the school committee. ~~and will serve as chair.~~

(b) The term of office for school committee members, other than the mayor, shall be 2 years each, beginning on the first Monday in the January succeeding the member's election, except when that first Monday falls on a legal holiday, in which event the term shall begin on the following day and shall end when their successors have been qualified.

(c) Any voter shall be eligible to hold the office of school committee member at-large. A district school committee candidate shall be a voter in the district from which election is sought.

(d) If any school committee member removes from the city during the school committee member's term, that office shall immediately be

deemed vacant and filled in the manner provided in section 4-6. A district school committee member who removes from the district in which the school committee member was elected and who remains a resident of the city may continue to serve during the term to which the remainder of the school committee member was elected. The school committee shall determine by 2/3 vote whether a school committee member has removed from the city.

SECTION 4-2: SCHOOL COMMITTEE ORGANIZATION; CHAIR, VICE CHAIR AND ~~CLERK (SECRETARY)~~SECRETARY (CLERK)

(a) Immediately prior to the first regular committee meeting in January or as soon as practical after school committee members-elect have been qualified following each regular city election, the school committee members shall choose from amongst their membership a ~~chair, vvice chair-chair,~~ and secretary (clerk) ~~who will each serve for 1 year.~~

(b) ~~With the assistance of the superintendent of schools, t~~The chair shall prepare the agenda for the school committee meetings. The chair shall preside over all regular meetings of the school committee ~~and,~~ regulate its proceedings, ~~and decide all questions of order. The chair shall appoint members to various subcommittees after seeking each member's views regarding interest and availability.~~The chair will have the same powers to vote upon measures coming before the school committee as any other member of the school committee. The school committee chair shall perform such other duties consistent with the office as may be provided by charter, by ordinance or by other vote of the school committee. The vice chair shall preside in the absence of the chair.

(c)The secretary shall record the votes taken at regular school committee meetings. The secretary shall oversee and approve the bills of the school department unless the school committee votes to form a subcommittee expressly for reviewing the bills.

SECTION 4-3: PROHIBITIONS

No member of the school committee shall hold any other city office or city employment for which a salary or other emolument is payable from the city treasury. No former member of the school committee shall hold any compensated appointed city office or city employment until at least 1 year after the date on which the member's service on the school committee has ended; ~~provided, however, that a city officer or other city employee who has vacated a position in order to serve as a member of the school committee may return to the same office or position of city employment held at the~~

~~time the position was vacated if it has remained vacant but shall not be eligible for any other municipal position until at least 1 year after the end of service as a member of the school committee.~~

SECTION 4-4: COMPENSATION

The members of the school committee shall receive such salary for their services as may from time to time be set by ordinance. No ordinance increasing or decreasing the salary of school committee members shall be effective unless it shall have been adopted by a 2/3 vote of the city council during the first 18 months of the term for which school committee members are elected and it provides that such salary is to take effect upon the organization of the city government following the next regular municipal election.

SECTION 4-5 POWERS AND DUTIES

a) The school committee shall have all powers which are conferred on school committees by the General Laws and the additional powers and duties provided by charter, ordinance or otherwise and not inconsistent with the General Laws.

b) The school committee shall exercise the following powers and perform the following duties, and no individual member is empowered to act unless by vote of the school committee:

1) Selection, evaluation, and removal of a superintendent of 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 superintendent(s), business manager(s), director(s) of special education, and nurses as authorized by the General Laws.

2) Making all reasonable rules and regulations for the management of the public school system and for conducting the business of the school committee as deemed necessary or desirable; including but not limited to determining the hours and sessions of the public schools, establishing rates of tuition for non-resident pupils, and participating in negotiations in accordance with the General Laws of the Commonwealth of Massachusetts.

3) Adopting and overseeing the administration of an annual operating budget for the school departmentsystem, subject to appropriation by the city council; provided, however, that the

Commented [MOU2]: Motion to request that counsel to the Medford School Committee provide suggested language to address the confusion in Section 4-5(b)(i) regarding the phrase "upon the recommendation of the superintendent."

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.

SECTION 4-6: FILLING OF VACANCIES

a) If a vacancy shall occur in the office of school committee at-large, the vacancy shall be filled in descending order of votes received by the candidate for the office of school committee at-large at the preceding city election who received the highest number of votes without being elected and who received not less than 30 percent of the total votes cast for the candidate with the highest number of votes for the office of school committee at-large, if that person remains eligible and willing to serve as school committee at-large. The ~~city clerk~~board of elections-commissionerselection commissioners shall certify this candidate to the office of school committee at-large to serve for the balance of the unexpired term.

b) If a vacancy shall occur in the office of district school committee member, the vacancy shall be filled in descending order of votes received by the candidate for the office of district school committee in the district in which the vacancy occurs at the preceding city election who received the highest number of votes without being elected and who received not less than 30 percent of the total votes cast for the ~~candidate receiving the highest number of votes highest vote getter~~ for the office of district school committee in the district, if that person remains eligible and willing to serve as district school committee. The ~~city clerk~~board of elections-commissionerselection commissioners shall certify this candidate to the office of ~~ward councilor~~district school committee to serve for the balance of the unexpired term.

c) If a vacancy shall occur in the office of school committee at-large or in that of district school committee member and there is no available candidate to fill the vacancy in the manner provided in subsection (a) or (b), the remaining members of the school committee and the city council shall meet in joint session to elect a person to fill the vacancy. The notice of the meeting to fill the vacancy must be posted at least 10 days in advance of the meeting. A person elected by the school committee and city council to fill a vacancy shall serve 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 current term in addition to the term to which elected. No vacancy shall be filled under this section if a regular city election is to be held within 120 days following the date the vacancy is declared to exist. A person serving as a school

committee member under this section shall not be entitled to have the words "candidate for re-election" printed against the person's name on the election ballot.

ARTICLE V

ADMINISTRATIVE ORGANIZATION

SECTION 5-1: ORGANIZATION OF CITY AGENCIES

The organization of the city into agencies to provide services and administer 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. The mayor may, subject only to express prohibitions of a general law or this charter, submit proposals to reorganize, consolidate or abolish any agency, in whole or in part, or to establish a new agency as is deemed necessary, establish terms of office and prescribe the functions and administrative procedures to be followed by all such agencies. No function assigned by this charter to a particular agency may be discontinued or assigned to any other agency unless specified by this charter. The mayor may prepare and submit to the city council administrative orders that establish agencies for the orderly, efficient, or convenient conduct of the business of the city. These administrative orders shall be accompanied by a message from the mayor which explains the expected benefits and advises the city council if an administrative order shall require amendments, insertions, revisions, repeal or otherwise of existing ordinances. Whenever the mayor proposes an administrative order, the city council shall hold 1 or more public hearings on the proposal giving notice by publication in a local newspaper and on the city's website, 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 7 nor more than 14 days following the publication. An organization or reorganization plan shall become effective at the expiration of 60 days following the date the proposal is submitted to the city council unless the city council shall, by a majority vote, within that 60-day period, vote to disapprove the plan. 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

All appointments and promotions of city officers and employees shall be made on the basis of merit and fitness demonstrated by examination, past performance or by other evidence of competence and suitability. 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.

ARTICLE VI FINANCIAL PROCEDURES

SECTION 6-1: FISCAL YEAR

The fiscal year of the city shall begin on July 1 and shall end on the last day of June, unless another period is required by general law.

SECTION 6-2: ANNUAL BUDGET MEETING

On or before February 15th, the mayor shall call a joint meeting of the city council and school committee before the commencement of the budget process to review the financial condition of the city and share relevant information.

SECTION 6-3: SUBMISSION OF OPERATING BUDGET; BUDGET MESSAGE

Not less than 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 budget as approved by the school committee, for the ensuing fiscal year with an accompanying budget message and supporting documents. The budget message submitted by the mayor shall explain the operating budget in fiscal terms and in terms of work programs for all city agencies. It shall outline the proposed fiscal policies of the city for the ensuing fiscal year, describe key features of the proposed operating budget and indicate any major variations from the current operating budget, fiscal policies, revenues, and expenditures, together with reasons for such changes. 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. The school budget, as adopted by the school committee, shall be submitted to the mayor within a reasonable time before the submission of the proposed operating budget to the city council. The mayor shall notify the school committee of the date by which the budget of the school committee shall be submitted to the mayor. The mayor and the school superintendent shall coordinate the dates and times of the school committee's budget process.

SECTION 6-4: ACTION ON THE OPERATING BUDGET

a) The city council shall publish in at least one local news publication of general circulation in the city and on the city website a notice of the proposed operating budget_ as submitted by the mayor. The notice shall state: (i) the times and_ places where copies of the entire proposed operating budget are

available for inspection by the public; and (ii) the date, time and place, not less than 14 days after its publication, when a public hearing on the proposed operating budget will be held by the city council.

b) The city council shall adopt the operating budget, with or without amendments, not more than 30 days following the date the budget is filed with the city clerk. In amending the operating budget, the city council may delete or decrease any amounts except expenditures required by law. The city council, except on the recommendation of the mayor, shall not increase any item in or the total of the proposed operating budget unless otherwise authorized by law. If the city council fails to act on an item in the operating budget within 30 days after receipt of the budget, that amount shall, without any action by the city council, become a part of the appropriations for the upcoming fiscal year and shall be available for the purposes specified.

c) In addition to any other posting requirements under law, immediately after the submission of the proposed budget to the city council, the mayor shall cause the entire budget document to be posted on the city's website, such posting shall be prominently labeled as "Proposed FY ____Budget". Said proposed budget document shall remain posted during the city council review process contained in this article. After the enactment of the budget, it shall be posted on the city's website and prominently labeled as "FY ____Budget" and shall remain there throughout the fiscal year for which it is in effect. Said budget document shall reflect any amendments made by the city council and approved by the mayor.

SECTION 6-5: CAPITAL IMPROVEMENT PROGRAM

a) The mayor shall submit a capital improvement program to the city council at least 120 days before the start of each fiscal year. The capital improvement program shall include:

- 1) a clear and concise general summary of its contents;
- 2) a list of all capital improvements proposed to be undertaken during the next ensuing 5 years, with supporting information as to the need for each capital improvement;
- 3) cost estimates, methods of financing and recommended time schedules for each improvement; and,
- 4) 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.

b) The city council shall publish in at least one newspaper of general circulation in the city, and on the city's website, 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 14 days after such publication, when a public hearing on said plan will be held by the city council.

c) 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 resolution adopt the capital improvements program with or without amendment, provided that each amendment must be voted separately and that any increase in the capital improvements program as submitted must clearly identify the method of financing proposed to accomplish such increase.

SECTION 6-6: INDEPENDENT AUDIT

The city 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. The mayor shall annually provide a sum sufficient to satisfy the estimated cost of conducting the audit. The report of the audit shall be filed in final form and published on the city website. At least every 5 years, the city shall conduct a competitive procurement process to retain auditing services.

SECTION 6-7: EXPENDITURES IN EXCESS OF APPROPRIATIONS

Except as otherwise provided by law, no official shall knowingly and intentionally expend in any fiscal year any sums in excess of the appropriations duly made in accordance with law or involve the city in any contract for the future payment of money in excess of these appropriations and any such expenditure or involvement shall be in strict compliance with section 31 of chapter 44 of the General Laws. An 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.

ARTICLE VII ELECTIONS

SECTION 7-1: PRELIMINARY ELECTIONS

A preliminary election to nominate candidates for mayor, councilor-at-large, ward city councilor, and at large and district school committee members

shall be held on the second Tuesday in September in each odd-numbered year in which the candidates are to be elected, but the ~~city clerk~~board of election commissioners may, with the approval of the city council, reschedule the preliminary election to the fourth Tuesday in September to avoid a conflict with any civic or religious holiday. Whenever a special election to fill a vacancy is to be held, a preliminary election shall be conducted, if necessary, 28 days before the date established for the special election; provided, however, that a preliminary election to fill a vacancy for ~~ward councilor~~district councilor or district school committee member shall be held only in the affected wards comprising such district.~~shall be held only in~~

~~the affected ward, and in the case of a district school committee, in the wards comprising such district.~~

SECTION 7-2: PRELIMINARY ELECTION PROCEDURES

a) The number of signatures of voters required to place the name of a candidate on the official ballot to be used at a preliminary election shall be as follows: for the office of mayor, not less than 150 certified signatures; for any other office elected at large, not less than 100 certified signatures; for the office of ~~ward councilor~~district councilor, not less than 50 certified signatures; for the office of district school committee, not less than 50 certified signatures; provided, however, that the signatures for the office of ~~ward councilor~~district councilor shall be from voters in the ward for which the councilor shall be elected, and the signatures for district school committee members shall be from voters in the wards comprising such district. Signatures of voters shall be made on a form prescribed by the ~~board of election commissioners registrars of voters~~ and shall be made available not earlier than April 2 in each city election year and those forms shall be submitted to the ~~board of election commissioners registrars of voters~~ for certification of the names on or before the 14th day preceding the date fixed for submission to the ~~board of election commissioners~~city clerk. The forms shall be submitted to the ~~board of election commissioners~~city clerk on or before 5:00 in the afternoon on the 45th day prior to the declared date of the preliminary election. An individual may appear on the ballot for only one office at any preliminary, regular or special city election.

b) 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 40 days before the preliminary election. The drawing

shall be open to the public.

c) The 2 persons who receive the highest number of votes for nomination for an office at the preliminary election shall, except as provided by 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 city election at which the office is to be voted upon and no acceptance of a nomination shall be necessary to its validity. If 2 or more persons are to be elected to the same office at the regular or special city election, the several persons equal in number to twice the number to be elected, receiving at such preliminary election the highest number of votes for nomination for that office shall, except as provided by this section, be the sole candidates for that office whose names shall be printed on the official ballot. If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes which would entitle a person receiving the same to have that person's name printed on the official ballot for the election, all candidates participating in the tie vote shall have their names printed on the official ballots, although in consequence thereof there shall be printed on the ballots the names of candidates exceeding twice the number to be elected.

d) 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 ~~board of election commissioners city-clerk~~ for an office as are to be elected to such office, the candidates whose statements have thus been filed shall be deemed to have been nominated to the office and those candidates shall be voted on for such office at the regular or special city election and the ~~board of election commissioners city-clerk~~ shall not print those names on the ballot to be used at the preliminary election and no other nomination to the office shall be made. If in consequence it shall appear that no names are to be printed upon the official ballot to be used at a preliminary election in the city, no preliminary election shall be held for such office or offices.

SECTION 7-3 REGULAR CITY ELECTION

The regular city election shall be held on the first Tuesday following the first Monday in November in each odd-numbered year.

SECTION 7-4: BALLOT POSITION, REGULAR CITY ELECTION

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 board of election commissioners ~~city clerk~~ not later than 7 days after the certification of the preliminary election results. If there is no preliminary election in advance of the regular city election, the drawing shall be conducted at least 40 days before the general election. If there is no preliminary election in advance of a special city election, the drawing shall be conducted at least 40 days prior to the special city election. The drawing shall be open to the public.

SECTION 7-5: NON-PARTISAN ELECTIONS

All elections for city offices shall be nonpartisan and election ballots shall be printed without any party mark, emblem, or other political designation.

SECTION 7-6: WARDS

The territory of the city shall be divided into 8 wards so established as to consist of as nearly an equal number of inhabitants as is reasonable to achieve based on compact and contiguous territory, bounded as far as reasonable by the center line of known streets or ways or by other well-defined limits. Each ward shall be composed of voting precincts established in accordance with the General Laws. The city council shall from time to time but not less than once every 10 years, review the wards to ensure their uniformity in number of inhabitants.

SECTION 7-7: 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 General Laws relating to the right to vote, the registration of voters, the nomination of candidates, voting places, the conduct of preliminary, regular and special city elections, the submission of charters, charter amendments and other propositions to the voters, the of votes, the recounting of votes and the determination of results.

ARTICLE VIII

CITIZEN PARTICIPATION MECHANISMS

SECTION 8-1: ~~FREE-GROUP~~ PETITIONS

The city council shall hold a public hearing and act with respect to every petition which is addressed to the city council and that is signed by at least 100 municipal voters as certified by the Board of Election Commissioners, along with their addresses, and that seeks the passage of a measure. The city council or the school committee shall hold a public hearing on every ~~petition addressed to the city council or the school committee that is signed~~

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by not less than 25 voters, along with their addresses, and that seeks the
Once received, the petition shall be reviewed by the City's legal department to
ensure it does not conflict with any provisions of General Law regarding public
hearings and legally permissible topics thereof. If approved for consideration, a
hearing shall be held by the city council or by a committee or subcommittee
thereof, and the city council shall act on the petition within 3 months of filing with
the city clerk. Hearings on two or more petitions filed under this section may be
held at the same time and place. At least 14 days before the hearing, the city
clerk shall notify the ten petitioners whose names first appear on each such
petition, publish a general summary of the subject matter of the petition, and
post notice of the date and time of the public hearing. A hearing shall not be held
upon any subject more than once in a given 12-month period, as determined by
the city council president. ~~passage of a measure. The hearing shall be held by the~~
~~city council or the~~

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Commented [MOU5]: Collins Center to suggest language regarding legal review to replace this sentence.

~~school committee, or by a committee or subcommittee of the city council or~~
~~the school committee, and the action by the city council or the school~~
~~committee shall be taken not later than 10 weeks after the petition was filed~~
~~with the city clerk or the school committee. Hearings on 2 or more petitions~~
~~filed under this section may be held at the same time and place. The city~~
~~clerk or the school committee secretary shall mail notice of the hearing to~~
~~the 10 persons whose names appear first on the petition not less than 7~~
~~days before the hearing. No hearings shall be required on a petition~~
~~addressing the same content more than once each year. Notice by~~
~~publication of all such hearings shall be at public expense.~~

SECTION 8-2: CITIZEN NEW INITIATIVE MEASURES

a) Initiative procedures shall be started by the filing of a proposed initiative petition with the city clerk or the secretary (clerk) of the school committee. The petition shall: (i) be addressed to the city council or the school committee; (ii) contain a request for the passage of a particular measure, which shall be set forth in full in the petition; and (iii) be signed by not less than 250 voters and include their addresses. Not less than 25 signatures shall be certified from each ward. The petition shall be accompanied by an affidavit signed by 10 voters, containing their residential addresses, stating that they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, as well as designating one member as its clerk.

b) The city clerk or the secretary (clerk) of the school committee shall, immediately following receipt of a proposed petition, deliver a copy of the petition to the city solicitor. The city solicitor shall, not more than 15 days following receipt of a copy of the petition, advise the city council or the school committee in writing as to 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. 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. A copy of the opinion of the city solicitor shall be mailed to the members of the petitioners' committee.

c) If the opinion of the city solicitor is that the petition is in a proper form, the ~~city clerk~~board of elections commissionerselection commissioners 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 10 voters who signed the originating petition. Not more than 90 days following the date the blank forms are issued by the ~~city clerk~~, the petitions shall be returned and filed with the board of elections commissionerselection commissioners~~city clerk~~, signed by not less than 5 percent of the total number of voters as of the date of the most recent city election. Signatures to an initiative petition may be on more than one sheet of paper but all papers pertaining to any one measure shall be fastened together and shall be filed as a single instrument with the endorsement on it of the name and residential 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. Not more than 10 days following the filing of the petition, the board of board of elections commissionerselection commissioners ~~registrars of voters~~ 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 city election. The board of elections commissionerselection commissioners ~~board of registrars~~ of voters shall attach to the petition a certificate showing the results of its examination and shall return the petition to the city clerk or to the secretary of the school committee, depending on how the petition is addressed. A copy of the board of elections commissionerselection commissioners's board of registrars of voters' certificate shall also be mailed to the person designated as clerk of the petitioners' committee.

d) Not more than 30 days following the date a petition has been returned to the city clerk or the secretary (clerk) 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: (i) passing it without change; (ii) passing a measure stated to be in lieu of the initiative measure; or (iii) rejecting it. The passage of a measure in lieu of an initiative measure shall be considered a rejection of the initiative measure. If the city council or the school committee does not act with respect to an initiative measure that is presented to it not

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more than 30 days following the date the measure is returned to it, the measure shall be deemed to have been rejected on the thirtieth day. If an initiative measure is rejected, the city clerk or the secretary (clerk) of the school committee shall promptly give notice of that fact to the persons designated as the petitioners' committee by certified mail.

e) Not more than 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. The supplemental initiative petition shall be signed by a number of additional voters that is not less than ~~10~~5 percent of the total number of voters as of the date of the most recent city election. 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 not less than ~~10-15~~ percent of the total number of voters in the city. If the number of signatures to this supplemental petition is found to be sufficient by the ~~board of elections-commissionerselection commissionerscity-clerk~~, the city council shall call a special election to be held on a date fixed by it not less than 35 days nor more than 90 days following the date of the certificate of the ~~board of elections-commissionerselection commissioners 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; provided, however, that if another city election is to be held not more than 180 days following the date of the certificate of the ~~board of elections-commissionerselection commissioners city-clerk~~ that a sufficient number of voters have signed the supplemental initiative petition, the city council may omit the calling of such special election and cause the question to appear on the election ballot at such regular city election for determination by the voters.

f) The full text of an initiative measure that is to be submitted to the voters shall be published in at least one local news publication not less than 7 days but not more than 14 days before the date of the election at which the question is to be voted upon. Additional copies of the full text shall be available for distribution to the public in the office of the ~~board of elections-commissionerselection commissionerscity-clerk~~ —, and the text of the initiative and ballot question shall be posted on the city's website.

g) 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 that was proposed by an initiative petition take effect? (Insert a fair, concise summary prepared by the petitioners and

approved by the city solicitor.)

YES
NO

If the vote meets the voter participation criterion of Section 8-6, and a majority of the votes cast on the question is in the affirmative, the measure shall be effective immediately unless a later date is specified in the measure.

SECTION 8-3: CITIZEN REPEAL REFERENDUM PROCEDURES

a) If, not more than 21 days following the date on which the city council or the school committee has voted finally to approve of a measure, a petition signed by a number of voters amounting to not less than ~~12~~15 percent of the total number of voters as of the date of the most recent general 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 (clerk) of the school committee or city clerk, the effective date of the measure shall be temporarily suspended. 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 at a special election, which the city council may call at its convenience, or within such time as may be requested by the school committee or at the next regular city election; provided, however, that pending this submission and determination the effect of the measure shall continue to be suspended.

b) The petition under this section shall be a referendum petition and the applicable provisions of section 8.2 that 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 replace the word "measure" and the word "referendum" shall replace the word "initiative". 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

The following shall not be subject to the initiative or referendum procedures:

- (i) a proceeding relating to the internal organization or operation of the city council or the school committee;
- (ii) an emergency measure adopted under this charter;

- (iii) ~~the city budget or school committee budget as a whole, or any portion thereof~~ the city budget or the school committee budget as a whole;
- (iv) an appropriation for the payment of the city's debt or debt service;
- (v) an appropriation of funds to implement a collective bargaining agreement;
- (vi) a proceeding relating to the appointment, removal, discharge, employment, promotion, transfer, demotion, or other personnel action;
- (vii) a proceeding repealing or rescinding a measure or part of it that is protested by referendum procedures;
- (viii) a proceeding providing for the submission or referral to the voters at an election;
- (ix) a memorial resolution and other votes constituting ordinary, routine matters not suitable as the subject of an initiative or referendum petition;
- (x) setting of a property tax rate; ~~and~~
- (xi) setting of water and sewer rates; ~~and~~;
- (xii) a change in the title of a City Agency or multiple member body.

SECTION 8-5 RECALL

a) ~~Any holder of an elected office in the city. The holder of the elected office of mayor in the city,~~ with more than 6 months ~~remaining in the term of office for which the officer was~~ the mayor was elected, may be recalled therefrom by the voters of the city in the manner provided in this section. No recall petition shall be filed against an officer within 6 months after taking office.

b) A recall petition may be initiated by the filing of an affidavit containing the name of the ~~officer sought to be recalled~~ mayor, provided that the affidavit is signed by at least 500 voters ~~for the office of mayor or councilor-at-large and at least 300 voters for any other elected official; provided, however, that the signatures for a recall petition for the office of ward city councilor shall be from voters in the ward for which the councilor was elected, and the signatures for a recall provision of a district school committee member shall be signed by voters of the wards constituting such district.~~ The ~~city clerk~~ board of election commissioners shall thereupon deliver ~~to those voters making the affidavit copies of petition blanks~~ demanding such recall, copies of which printed forms the board of election commissioner ~~city clerk~~ shall keep available. The blanks shall be issued by the board of election commissioner ~~city clerk~~, with signature and official seal attached thereto. The blanks shall be dated,

shall be addressed to the city council and shall contain the names of all the persons to whom the blanks 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. A copy of the petition shall be entered in a record book to be kept in the office of the board of election commissioner~~city clerk~~. Said recall petition shall be returned and filed with the board of election commissioner~~city clerk~~ within 40 days after the filing of the affidavit and shall have been signed by at least 20% of the voters of the city, ~~ward, or district dependent on the office being subject to recall~~. The board of election commissioner~~city clerk~~ shall submit the petition to the ~~registrars of voters~~ and the registrars shall, within 5 days, certify thereon the number of signatures which are names of voters.

c) 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 5 days, and the city council shall give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within 5 days thereafter, order an election to be held on a date fixed by the city council not less than 64 days and not more than 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 120 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. If a vacancy occurs in said office after a recall election has been ordered, the election shall not proceed as provided in this section.

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d) The incumbent shall continue to perform the duties of the office until the recall election. If said incumbent is not recalled, the incumbent shall continue in office for the remainder of the unexpired term subject to recall as before. If recalled, the officer shall be deemed removed and the office vacant. The vacancy created thereby shall be filled under article ~~s 2, 3 and 4~~ of this charter for filling vacancies in such offices. A person chosen to fill the vacancy caused by a recall shall hold office until the next regular city election. Should the person be a candidate in the subsequent election, that person will not be allowed to have "candidate for reelection" appear on the ballot at such election.

e) 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? Yes No

f) If a majority of the votes cast upon the question of recall is in the affirmative, such elected officer shall be recalled.

g) In the case of an officer subjected to a recall election and not recalled thereby, no other or additional recall petition shall be filed against such officer until at least 270 days after the election at which the officer's recall was submitted to the voters of the city.

h) 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 within 2 years after such recall or such resignation.

SECTION 8-6: REQUIRED VOTER PARTICIPATION

For any measure to be effective under initiative procedure and for any measure to be declared null and void under a referendum procedure, at least 20% of the registered voters as of the most recent regular city election must vote at an election that includes on the ballot submission to the voters of one or more initiative or referendum questions. Any election that includes on the ballot submission a recall question shall require that 25% of the registered voters as of the most recent regular city election must vote at such election.

SECTION 8-7: SUBMISSION OF OTHER MATTERS TO VOTERS

The city council may by its own motion, and shall at the request of the mayor or the school committee if a measure originates with the mayor or school committee 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 2 or more measures passed at the same election contain conflicting provisions, only the measure receiving the greatest number of affirmative votes shall take effect.

ARTICLE IX 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 the General Laws.

SECTION 9-2: SPECIFIC PROVISION TO PREVAIL

To the extent that a specific provision of this charter conflicts with any provision expressed in general terms, the specific provision of the charter shall prevail.

SECTION 9-3: RULES AND REGULATIONS

A copy of all rules and regulations adopted by a city agency shall be placed on file in the office of the city clerk not later than the effective date of the rule or regulation and shall be available for review by any person who requests such information at any reasonable time. Unless an emergency exists, as determined by the mayor, no rule or regulation adopted by a city agency shall become effective until at least 5 days following the date it is filed.

SECTION 9-5: PERIODIC REVIEW OF CHARTER

a) The charter shall be subject to review by a charter review committee as defined below within 10 years of the charter's approval by the voters, and every 10 years thereafter.

b) In any year where a charter review is taking place, the mayor and city council shall provide for a review to be made of the city charter. This review shall be made by a special committee to be composed of 3 appointees of the mayor, 3 appointees of the city council, and 3 appointees of the school committee~~5 appointees of the mayor, 3 appointees of the city council president, and 1 appointee by the school committee vice chair. In the case of the resignation or removal of a member of the special committee, the original appointing authority shall appoint a replacement. The mayor shall appoint the chair of the special committee.~~ All members shall be appointed by March 1 of the year of the charter review, and the committee shall prepare a report of its recommendations within 15 months of the committee's appointments. The committee shall hold at least 2 public hearings, one to hear testimony from city officials and residents, and one to present the committee's recommendations to the public. All members of the committee shall be voters of the city. The special committee shall file its report with the city clerk. Copies of any recommendations shall be made available to the public at city hall and posted to the municipal website.

c) The city council shall review and vote on the recommendations within

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Add the language that the original appointing authority will appoint a replacement in the case of vacancy

90 days of receipt of the committee's report. The city council may amend the recommendations.

SECTION 9-6: PERIODIC REVIEW OF ORDINANCES

~~Not later than July 1, at 5-year intervals, in each year ending in a 7 or in a 2, the mayor and city council shall provide for a review to be made of some or all the ordinances of the city to prepare a proposed revision or recodification of them. This review shall be made by a special committee to be established by ordinance. All members of the committee shall be voters of the city. The special committee shall file its report with the city clerk on a date specified by ordinance. The review of city ordinances shall be under the supervision of the city solicitor. Copies of any recommendations shall be made available to the public at a cost not exceeding the actual cost of the reproduction.~~

SECTION 9-76: UNIFORM PROCEDURES GOVERNING MULTIPLE-MEMBER BODIES

a) All appointed multiple-member bodies shall elect a chair, a vice-chair and a secretary and any other officer it deems necessary.

b) All appointed multiple-member bodies of the city shall meet regularly at the times and places that the multiple-member body, by the body's own rules, prescribe. Special meetings of any multiple-member body shall be held at the call of the chair or by a majority of the members of the body. Notice of the meeting shall be posted as required by law. Except as may otherwise be authorized by law, all meetings of all multiple-member bodies shall at all times be open to the public.

c) Each appointed multiple-member body shall determine its own rules and order of business. Each multiple-member body shall provide for the keeping of agendas, minutes and related submissions of its proceedings. All such documents shall be a public record and certified copies shall be placed on file in the office of the city clerk within a reasonable period from the date of approval or acceptance of such submissions. Agendas and meeting minutes shall be posted on the city's website at the same time as submission to the city clerk, and to the extent practicable, all related submissions to any agenda item; provided, however, that if such submission cannot reasonably be posted on the website, the meeting minutes shall state where and when any submissions as referenced in the meeting minutes can be viewed.

d) If requested by a member, a vote of an appointed multiple-member

body shall be taken by a roll call vote and the vote of each member shall be recorded in the minutes, but if the vote is unanimous, only that fact need be recorded.

e) A majority of the members of an appointed multiple-member body shall constitute a quorum. 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. General Laws related to a vote to meet in "executive session" shall always require a majority of members of the body.

f) All appointed multiple-member body members shall be residents of the city. However, the residency requirement established by this subsection may be waived by majority vote of the city council upon recommendation of the mayor. The mayor's recommendation shall set out the reasons why said waiver is in the best interest of the city.

SECTION 9-8-~~7~~ LOSS OF OFFICE; EXCESSIVE ABSENCE

If any person appointed to serve as a member of a multiple-member body shall fail to attend 3 or more consecutive meetings, or all of the meetings held during 4 calendar months, or at least 50 per cent of all of the meetings of such body held in 1 calendar year, the remaining members of the multiple-member body shall, by a majority vote of their members, notify the appointing authority. Such notice to the appointing authority shall include the notice from the chair of the multiple-member body to the person meeting the criteria above given in hand, or mailed, postage prepaid, by registered or certified mail, return receipt requested, of the body's intent to notify the appointing authority of the incidence of absence at least 10 days before providing notice to the appointing authority, and the response, if any, received from the person so notified. Only the appointing authority may determine if the seat is to be declared vacant.

SECTION 9-~~98~~: REFERENCES TO GENERAL LAWS

All references to General Laws contained in the charter refer to the General Laws of the commonwealth 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-~~109~~: COMPUTATION OF TIME

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. 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. When the period of time designated is fewer than 7 days, intermediate Saturdays, Sundays and legal holidays shall not be included, when the period is 7 days or more, Saturdays, Sundays and legal holidays shall be included.

SECTION 9-~~1110~~: OATHS OR AFFIRMATIONS FOR THE OFFICE OF MAYOR, CITY COUNCIL, SCHOOL COMMITTEE, CITY CLERK

A mayor-elect, the city council members-elect ~~and~~, the school committee members-elect ~~and a city clerk-elect~~ shall, on the first Monday in the January of each even-numbered year, meet and take an oath or affirmation to the faithful discharge of the duties of their office by the city clerk. If the first Monday in January of such even-numbered years falls on a legal holiday, the oaths or affirmations shall be taken on the following day. Upon receiving the oath or affirmation, each official shall document the same by signing an oath or affirmation that shall be kept in a bound book maintained by the city clerk. In the case of the absence of the mayor-elect or any member-elect of the city council or school committee on the day the oath is administered, the oath or affirmation may at any time thereafter be administered to that person by the city clerk, the assistant city clerk, a judge of a court of record or by a justice of the peace. Modifications to this section may be prescribed by ordinance.

SECTION 9-~~1211~~: CERTIFICATE OF ELECTION OR APPOINTMENT

Every person who is elected or appointed to an office or as a member of a multiple-member body shall receive a certificate of that election or appointment from the ~~city clerk~~board of election commissioners. Except as otherwise provided by law, every person who is elected or appointed to an office or as a member of a multiple-member body, before performing any act under this election or appointment, shall take and subscribe to an oath or affirmation to qualify to enter upon the duties. The ~~city clerk~~board of election commissioners shall keep a record of this oath.

SECTION 9-~~1312~~: LIMITATION ON OFFICE HOLDING

Unless otherwise allowed by law or this charter, no person shall simultaneously hold more than 1 city office or position of employment. This section may be waived by the mayor with the approval of the city council by majority vote. The city council shall have 30 days to accept or reject the

mayor's request. If the city council does not act within said 30 days, the waiver shall become effective.

SECTION 9-~~1413~~: FELONY CONVICTION

An elected official who has been convicted of a state or federal felony while holding office shall be deemed to have vacated the office. Any such vacancy shall be filled in accordance with the charter.

SECTION 9-~~1514~~: ENFORCEMENT OF CHARTER PROVISIONS

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. Whenever it appears to the mayor that a city agency or city employee is failing to follow this charter the mayor shall, in writing, cause notice to be given to that agency or employee directing compliance with the charter. If it appears to the city council that the mayor personally is not following the charter the city council shall, by resolution, direct the attention of the mayor to those areas in which it believes there is a failure to comply with the charter. 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.

SECTION 9-~~1715~~: CONFLICT OF INTEREST

All city employees shall be considered municipal employees under Chapter 268A of the General Laws and shall comply with the state conflict of interest laws.

ARTICLE X TRANSITIONAL PROVISIONS

SECTION 10-1: CONTINUATION OF EXISTING LAWS

All general or special laws, city ordinances and rules and regulations of or pertaining to the city of Medford, 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, rescinded by law or until they expire by their own limitation. In any case in which this charter is found to be inconsistent with any general or special law that would otherwise be applicable, this charter shall be deemed to prevail. 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 the duties of the agency until re-elected, reappointed or until successors to the respective positions are duly appointed or elected or until the duties have been transferred and assumed by another city agency.

SECTION 10-3: TRANSFER OF RECORDS AND PROPERTY

All records, property and equipment of a 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, recognizance, 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 and 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. No legal act done by or in favor of the city shall be rendered invalid by reason of the adoption of this charter.

SECTION 10-5: DISPOSITION OF CERTAIN SPECIAL ACTS

Chapter 605 of the Acts of 1986 is hereby repealed.

[Chapter 839 of 1974 establishing, a Department of Community Development and Chapter 423 of the Acts of 1958, as amended by Chapter 163 of 2014, relating to the Traffic Commission are hereby retained until the city takes action under Article 5.](#)

SECTION 10-6: TIME OF TAKING EFFECT

a) The mayor will be elected to a 4-year term at the November 2, 2027 regular city election.

b) The city council composed of [11-9](#) members [and the school committee composed of 7 members](#) will be elected at the November 2, 2027 regular city election.

c) The provisions in Article 6 relative to the operating budget and the capital improvement program will be in effect for the fiscal year beginning July 1, 2028.

SECTION 2: The ~~city clerk~~board of election commissioners shall cause the following question to be placed on the official ballot to be used by the city of Medford at the regular city election to be held on November 4, 2025:

Shall the city adopt Chapter XXX of the Acts of 2025 that provides a special act charter for the city of Medford?

The city solicitor shall prepare the summary of the proposed special act charter which shall appear on the ballot along with the question provided in this section and the city solicitor shall submit the question and summary to the ~~city clerk~~board of election commissioners in accordance with section 42C of Chapter 54 of the General Laws.

SECTION 3: Except as noted in Section 11-5, Section 1 of this act shall take effect upon acceptance by a majority of the voters participating in the November 4, 2025 election voting in the affirmative, but not otherwise.

SECTION 4: Section 2 of this act shall take effect upon passage.



Medford City Council
Medford, Massachusetts

MEETING DATE

March 11, 2025

SPONSORED BY

Isaac Bears, Council President

AGENDA ITEM

25-039 - Resolution Regarding Schedule of Annual Budget Process for FY2026

FULL TEXT AND DESCRIPTION

Be it Resolved by the Medford City Council that the Council President requests City Councilors submit individual budget recommendations to the City Clerk by Thursday, March 13, 2025 for consideration in a Committee of the Whole meeting on Tuesday, March 18, 2025 at 6PM.

Be it Further Resolved that, based on Budget Ordinance and discussions with the administration, the City Council and City Administration will follow the following budget schedule for the FY2026 City Budget:

- By March 13, 2025 - City Councilors Submit Individual Budget Recommendations for Consideration in Committee of the Whole
- March 18, 2025 at 6PM - City Council Committee of the Whole Meeting to Discuss Council Budget Recommendations
- March 19, 2025 at 6PM - Joint Meeting of the City Council and School Committee to Receive a Financial Update and Discuss the FY26 Budget Process
- Tuesday, March 25, 2025 - City Council Regular Meeting to Submit Collective Budget Recommendation to the Mayor
- From April 15th, 2025 to May 21st, 2025 - City Council Holds Preliminary Budget Meetings with Department Heads
- By Friday, May 31st, 2025 - Mayor Submits Comprehensive Budget Proposal to the City Council

Be it Further Resolved that the Draft Schedule of Preliminary Budget Meetings in Committee of the Whole is as follows:

- Tuesday, April 15th, 2025 at 6:00 P.M.
- Tuesday, April 29th, 2025 at 6:00 P.M.
- Wednesday, April 30th, 2025 at 7:00 P.M.
- Tuesday, May 13th, 2025 at 6:00 P.M.

- Tuesday, May 20th, 2025 at 6:00 P.M.
- Wednesday, May 21st, 2025 at 6:00 P.M.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

March 11, 2025

SPONSORED BY

Kit Collins, Council Vice President

AGENDA ITEM

25-040 - Resolution in Support of a Fair Contract for Tufts University's Full-Time Lecturers

FULL TEXT AND DESCRIPTION

Whereas, the 125 Full-Time Lecturers (FTLs) in the School of Arts and Sciences at Tufts have been unionized with SEIU 509 since 2016 and have been bargaining for their 3rd contract since April 2024, seeking a fair contract that allows for both livable salaries and manageable workloads; and

Whereas, FTLs at Tufts create and teach classes, grade exams, advise and mentor students, and perform essential services that keep Tufts running, including in the case of many FTLs coordinating academic programs, directing graduate admissions and degrees, and supporting extra- and co-curricular activities; and

Whereas, Tufts University prides itself on the high-quality educational experience provided to students, and valuing a quality educational experience means investing in teachers; and

Whereas, Lecturers' working conditions are students' learning environments; and

Whereas, cost of living has increased 21% since 2020 while the average FTL salary has increased only 13.1%, and salaries for FTLs at Tufts rank 12th out of the 13 universities among its institutional peers in the Integrated Postsecondary Education Data System (IPEDS); and

Whereas, from 2019-2023, undergraduate enrollment in the School of Arts and sciences grew by 12.4%, while full time faculty growth was only 6.4%, leading to FTLs increasingly being overworked; and

Whereas, Tufts promises a student-faculty ratio of 9:1 and an average class size of approximately 20, while in reality many entry-level courses taught by FTLs have enrollments between 100 and 400 students, in which FTLs often serve as formal and informal advisors; and

Whereas, Tufts University charges undergraduates the highest college tuition in Massachusetts and fifth-highest in the country, and reported a \$34 million surplus in the School of Arts and Sciences in

AY2023-24; and

Whereas, Tufts leadership has continued to offer bargaining proposals that prioritize budget austerity over workers' health and livelihoods, and has continued to reject proposals to increase salaries and make modest improvements in the direction of a living wage without adding to the burden of already-unmanageable workloads; now, therefore:

Be it Resolved by the Medford City Council that we support the Tufts University Full Time Lecturers Union, SEIU 509, and call upon Tufts University to prioritize investing in teachers, because both livable wages and sustainable workloads are essential to workers and to the University more broadly.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

March 11, 2025

SPONSORED BY

Justin Tseng, City Councilor

AGENDA ITEM

25-041 - Resolution for Public Engagement Plan for FY26 Budget

FULL TEXT AND DESCRIPTION

Be it Resolved that the Resident Services and Public Engagement Committee design and implement a public engagement plan for the upcoming FY2026 budget.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Medford City Council
Medford, Massachusetts

MEETING DATE

March 11, 2025

SPONSORED BY

AGENDA ITEM

25-042 - MSBA Accelerated Repair Statements of Interest (SOI) for Roof and HVAC Systems at the Roberts, Missituk, and Brooks Elementary Schools

FULL TEXT AND DESCRIPTION

Brooks Elementary School - Medford City Council

Resolved: Having convened in an open meeting on March 11, 2025, prior to the SOI submission closing date, the Medford City Council of the City of Medford, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 2025 for the Brooks Elementary School located at 388 High Street, Medford MA 02155 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future Priority 5 - Replacement, renovation or modernization of school facility systems including the roof which is approaching 25 years old and the HVAC systems with Heat Pump technology. This work is being undertaken by the school district in partnership with the city of Medford as both the heating and cooling systems are in various states of failure. In particular, the cooling systems are unable to maintain a comfortable temperature for staff and students to function at maximum learning capacity. The roof is showing signs of deterioration and wetness; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Medford Public Schools of the City of Medford to filing an application for funding with the Massachusetts School Building Authority.

Missituk Elementary School - Medford City Council

Resolved: Having convened in an open meeting on March 11, 2025, prior to the SOI submission closing date, the Medford City Council of the City of Medford, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 2025 for the Missituk Elementary School located at 37 Hicks Ave, Medford, MA 02155 which describes and explains the following

deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future Priority 5 - Replacement, renovation or modernization of school facility systems including the roof which is approaching 25 years old and the HVAC systems with Heat Pump technology. This work is being undertaken by the school district in partnership with the City of Medford as both the heating and cooling systems are in various states of failure. In particular, the cooling systems are unable to maintain a comfortable temperature for staff and students to function at maximum learning capacity. The roof is showing signs of deterioration and wetness; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Medford Public Schools of the City of Medford to filing an application for funding with the Massachusetts School Building Authority.

Roberts Elementary School - Medford City Council

Resolved: Having convened in an open meeting on March 11, 2025, prior to the SOI submission closing date, the Medford City Council of the City of Medford, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 2025 for the Roberts Elementary School located at 35 Court Street, Medford, MA 02155 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future Priority 5 - Replacement, renovation or modernization of school facility systems including the roof which is approaching 25 years old and the HVAC systems with Heat Pump technology. This work is being undertaken by the school district in partnership with the City of Medford as both the heating and cooling systems are in various states of failure. In particular, the cooling systems are unable to maintain a comfortable temperature for staff and students to function at maximum learning capacity. The roof is showing signs of deterioration and wetness; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Medford Public Schools of the City of Medford to filing an application for funding with the Massachusetts School Building Authority.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. SOI to City Council - March 11, 2025



Medford Public Schools

489 Winthrop Street, Medford, Massachusetts 02155

Request of the Medford City Council to Approve Statements of Interest Submittals to the Massachusetts School Building Association

The City of Medford and the Medford Public Schools completed five school building projects between 2001 and 2003. The Andrews Middle School and the McGlynn Complex represent the Phase One schools completed at Freedom Way in 2001. The Brooks, Missituk, and Roberts Elementary Schools represent the Phase Two schools completed in 2003. While the perception of many appears to be that these are still new schools, the reality is that these buildings are approaching 25 years old.

The Medford Public Schools in partnership with the City of Medford and with the full support of the Medford School Committee and the Medford City Council are currently rebuilding the majority of the HVAC systems at the Phase One schools and refurbishing the roof at the McGlynn Complex. This work will also require upgrades to fully comply with the Americans With Disabilities Act and any relevant Amendments. These building systems are at the end of their expected life. Combined with deferred maintenance and the normal life span of such equipment, the equipment is in varying states of failure and significant disrepair necessitating such work. Funding for this work was not available from the Massachusetts School Building Authority (MSBA).

The MSBA has opened an Accelerated Repair Statement of Interest period for school districts to submit projects focused in three areas. The Medford Public Schools is seeking to submit three separate Statements of Interest for the roof replacement or refurbishment and energy efficiency upgrades using heat pump technology at the Phase Two Schools. A Facilities Condition Assessment is ongoing on all schools with the exceptions of Medford High School and Curtis Tufts High School.

The Medford Public Schools, as a result of the supplemental funds appropriated through the support of Medford's citizenry passing an override in November 2024, is conducting a Facilities Condition Assessment of the five schools completed in 2001 and 2003. This assessment is being conducted by Habeeb Associates who is an approved on-call house doctor for the city and therefore the school district. This assessment, while ongoing, has revealed significant

deficiencies in the HVAC systems at the Phase Two schools as well as wetness in roofing. Infrared Scans are scheduled to be conducted on the school roofs prior to submission to fully understand the extent of deterioration.

The Medford Public Schools is requesting the Medford City Council to authorize the Medford Public Schools to submit three separate Statements of Interest. Acceptance into the Accelerated Repair Program will allow for a significant portion of the work to be supported through MSBA funding. The Medford School Committee voted unanimously to support the three Statements of Interest at the March 5, 2025 Special Meeting. The Statements of Interest will be specifically for Roof work and Heat Pump work at all three schools. If we do not submit this year the MSBA will more than likely not reopen this program for another two years which will delay actual work for potentially five years.