

Medford City Council Medford, Massachusetts

Administration and Finance Committee, February 27, 2024

Voting Members

Isaac B. "Zac" Bears, Chair Kit Collins, Vice Chair Emily Lazzaro Matt Leming Justin Tseng

This meeting will take place at 6:00 P.M. in the City Council Chamber, 2nd Floor, Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom.

Chief of Staff Nina Nazarian and Finance Director Bob Dickinson are invited to attend this meeting.

Zoom

Link: https://us06web.zoom.us/j/87232364809?pwd=X0iGxZAI7VbTWpB0UGrdpQShp2iEGd.1

Call-in Number:+19292056099,,87232364809#,,,,*133004#

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

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

CALL TO ORDER & ROLL CALL

ACTION AND DISCUSSION ITEMS

22-494 Resolution to Draft a Budget Ordinance for the City of Medford

IN CITY COUNCIL 09/13/2022

IN COMMITTEE 02/07/2023, 03/21/2023, 10/10/2023, 11/28/2023, 12/20/2023

PAPERS IN COMMITTEE

<u>17-378</u> Municipal Mini Bonds Program

IN CITY COUNCIL 04/25/2017

19-025 Recommendation to Accept Provisions of G.L. 71§ 37M

IN CITY COUNCIL 01/15/2019
IN COMMITTEE 01/29/2019

20-047 Resolution that the City Council Hire Additional Legal Services

IN CITY COUNCIL 01/28/2020

20-021 Draft Ordinance for a PILOT Commission

IN CITY COUNCIL 01/14/2020
IN COMMITTEE 02/04/2020

20-090 Ordinance Establishing An Extended Illness Leave Bank

IN CITY COUNCIL 03/10/2020
IN COMMITTEE 11/17/2020

20-515 Resolution to Discuss Percent for Art Program

IN CITY COUNCIL 08/25/2020

22-014 Resolution to Join the State Paid Family and Medical Leave

Program for Employees

IN CITY COUNCIL 01/04/2022 IN COMMITTEE 11/16/2022

24-010 Good Landlord Tax Credit

IN CITY COUNCIL 01/09/2024

24-025 Commercial Vacancy Tax

IN CITY COUNCIL 02/06/2024

<u>Adjournment</u>

Budget Ordinance Response

Nina Nazarian <nnazarian@medford-ma.gov>

Fri 2/9/2024 12:38 PM

To:lsaac 'Zac' Bears <ibears@medford-ma.gov>
Cc:Breanna Lungo-Koehn <blungokoehn@medford-ma.gov>;Bob Dickinson <bdickinson@medford-ma.gov>

Dear President Bears,

First, thank you for your patience with me on the Administration's and Finance Department's response to the draft Budget Ordinance.

We have reviewed and generally believe that we are very close to being in agreement with the current draft. Our main remaining concern is Section 3-105, which discusses an annual report and review of progress to inclusion of capital improvement plans, revolving funds and grant funds in the comprehensive budget proposal and Section 3-152, which discusses an annual report and review on operating and capital expense needs. As I believe we have stated in past meetings, we are not equipped to take on this responsibility presently and we strongly recommend that the committee defer discussion on these items until after at least a year, so we can assess how things are going with the agreed upon items. As I believe you know, the City has several resource constraints (e.g. staffing, systems, software, etc.) that are going to get tested this budget season, given the things we agree on as first steps for this budget ordinance. Again, we simply do not have the capability at this time to commit to those sections. To hopefully further drive this point home, the capital improvement planning process takes over a year to complete, start to finish. We have since the start of the Mayor's administration, committed to updating the plan regularly and have been successful on that.

We hope the committee will be amenable to these exclusions as we are all trying to work together to better processes when attainable. The Mayor and I do not want to set up our departments for failure and given our role in the organization, we believe we have the best understanding of their resource constraints.

Sincerely,

this email.*

Nina

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Nina Nazarian
Chief of Staff | Office of Mayor Breanna Lungo-Koehn
City of Medford
85 George P. Hassett Drive, Medford, MA 02155
781-393-2408
nnazarian@medford-ma.gov
she/her/hers

Please note: The Commonwealth of Massachusetts considers most electronic communications to and from public employees to be public records and disclosable under the Massachusetts Public Records Law and its regulations. *Please consider the environment before printing

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CHAPTER 3 - FINANCE

ARTICLE I. - GENERALLY

Sec. 3-1. - Purpose and intent. (NEW)

The purpose and intent of this article is to define, by ordinance, the requirements of a transparent, collaborative, and accountable budgeting process for the City of Medford and provision of financial information to Medford residents.

Secs. 3-2—3-49. - Reserved.

ARTICLE II. - BUDGET AND PROCUREMENT

Sec. 3-50. - Chief budget and procurement officer; appointment; term; authority.

Sec. 3-51. - Duty for the procurement of all supplies, services, or real property and disposing of supplies or real property.

Sec. 3-52. - Annual report.

Sec. 3-53. - Responsible employer requirements.

Secs. 3-54—3-59. - Reserved.

ARTICLE III. - TAX DELINQUENCY

Sec. 3-60. - Tax delinquency.

Secs. 3-61-3-79. - Reserved.

ARTICLE IV. - DEPARTMENTAL REVOLVING FUNDS

Sec. 3-80. - Purpose.

Sec. 3-81. - Expenditure limitations.

Sec. 3-82. - Interest.

Sec. 3-83. - Procedures and reports.

Sec. 3-84. - Authorized revolving funds.

Secs. 3-85-3-99. - Reserved.

ARTICLE V. - ANNUAL BUDGET PROCESS (NEW)

Sec. 3-100. - Purpose and intent.

The purpose and intent of this article is to outline an annual budgeting process for the city's funds that is transparent, responsibly-paced, and collaborative. This process will create clear expectations for all stakeholders and involved parties, encourage input by residents, and ensure that the city council and Medford residents have comprehensive and accurate information regarding the budget and the city's finances.

Sec. 3-102101. - Quarterly Financial Reports and Meetings

- The finance director will provide a written report regarding the city's finances to the city council on a quarterly basis no later than 3060 days after the end of each quarter of the fiscal year. The report shall contain the following information:
 - Previous quarter's year-to-date budget to actuals report for each month in the quarter
 - Previous quarter's <u>accounts payable</u> warrant articles-by month for each month in the quarter
 - Year-to-date budget to actuals report, <u>unaudited</u>, as of the last day of the previous quarter for each department
 - Comparison of year-to-date revenue and year-to-date expenses with figures from the previous fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
 - UpdatesWhere available updates on state certifications, revenue forecasts, spending forecasts, and any other information the finance director deems relevant
- The city council will hold a committee or subcommittee meeting to review eachthe 2nd
 and 3rd quarterly financial reportreports no later than 60 days after the end of each
 quarter of the fiscal year. The The city council will coordinate the date/time of the meeting
 with the finance director will to be able to attend that meeting, present the report, and
 answer questions pursuant to the rules of the city council.

Sec. 3-103102. - Preliminary Budget Meetings

- ◆1. The city council will hold preliminary budget meetings between January 15th and April 1st15 to May 15 of each year. These meetings will include the mayor or designee, finance director or designee, and relevant department heads. The city council understands that in order for the mayor and finance director to be prepared to meet as early as April 15th on the following fiscal year budgets, mayor or finance director shall provide an estimated budget allocation for the Medford Public Schools must be provided to thefor the following fiscal year to the school committee -school department/committee. Said allocation shall be provided to the school department/committee by the mayor or finance director by March 1 of each year.
- •2. No later than 72 hours prior to the first preliminary budget meeting scheduled by the city council each year, the mayor, finance director, or designeedesignees will provide the

- total preliminary expected general fund revenue for the upcoming fiscal year following information to the city councils:
- 1. Total expected general fund revenue for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
- 2. Total expected enterprise fund revenue for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
- Total expected fixed cost growth for annual operating budget expenses for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
- •3. No later than 72 hours prior to any preliminary budget meeting scheduled by the city council, the mayor, finance director, or designee and department headdesignees shall provide the following information to the city council for each department budget being discussed at said meeting: It shall be the mayor, finance director, or designees shall provide a schedule that contains who selects the order in which budgets will be discussed based on availability of relevant staff and administration priorities.
 - 4. Annual operating budget for the previous year (and inflation-adjusted figures for the previous five fiscal years, if possible)
 - 2-e Relevant Department Head's annual operating budget request for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
 - Expected fixed cost growth for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
 - 3.• Requested new staff, programs, or services for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)

Sec. 3-104103. - City Council Budget Recommendations to Mayor

- Members of the city council will submit proposed budget recommendations for consideration by the full city council no later than <u>April 1stMarch 1</u> of each year.
- The city council will create a standard format for the submission of proposed budget recommendations and annually determine which council committee or subcommittee will review proposed recommendations made by members of the city council.
- The city council will consider proposed budget recommendations made by members of the city council and vote to submit them to the mayor by April 15th March 1522 of each year.
- The mayor will review budget recommendations made by the city council and respond in writing prior to the presentation of the comprehensive budget proposal for the fiscal year.

Sec. 3-105104. - Presentation and Review of Comprehensive Budget Proposal

- The mayor will submit the comprehensive budget proposal to the city council no later than May 31st of each year. The mayor, finance director, or their designees will make a presentation of the comprehensive budget proposal at the meeting of the city council at which the comprehensive budget proposal is first considered.
- The city council may request additional budget meetings in general or for the review of specific proposed department budgets.

- The mayor, finance director, or department headsdesignees may request additional budget meetings to review specific proposed department budgets after the submission and presentation of the comprehensive budget proposal.
- 4. The comprehensive budget proposal will contain the following information:
 - 4.1. Total expected amount of general fund revenue
 - 4.1.1. Total expected property tax revenue
 - 4.1.2. Expected net state aid
 - 4.1.3. Other expected local receipts
 - 4.2. Proposed annual operating budget for each department-and disaggregate the total proposed expenses into the categories of (1) fixed cost growth and (2) new expenses
 - 4.2.4.2.1. Disaggregate the total proposed expenses into the categories of (1) fixed cost growth and (2) new expenses.

Sec. 3-105. - Annual Review of Progress to Inclusion of Enterprise Funds, Capital Improvement Plans, Revolving Funds, and Grant Funds in Comprehensive Budget Proposal

- Annually no later than October 15, the mayor, finance director, or designee shall submit a report to the council regarding progress towards and resources necessary to include enterprise funds, capital improvement plans, revolving funds, and grant funds as part of the comprehensive budget proposal.
- 2. The city council shall schedule a meeting no later than November 30 and coordinate the date/time of the meeting with the mayor, finance director, or designee to be able to attend that meeting, present the report, answer questions, and consider updates to this ordinance to reflect new procedures.

Sec. 3-106. - No Conflict with State Law

Nothing in this ordinance is intended to conflict with Massachusetts General Laws relating to the municipal budget process, including but not limited to Chapter 44, Section 32 of the General Laws.

Sec. 3-107. - Severability

Each separate provision of this article shall be deemed independent of all other provisions herein. If a court of competent jurisdiction declares that any provision of this article is invalid, then the remaining provisions of this article shall remain valid and enforceable.

Sec. 3-108. - Effective date.

This article shall become effective on January 1, 2024.

Secs. 3-109-3-149. - Reserved.

ARTICLE VI. - ANNUAL BUDGET NEEDS ASSESSMENTS (NEW)

Sec. 3-150. - Purpose and Intent

The purpose and intent of this article is to outline an annual budget needs assessment process that is transparent, responsibly-paced, and collaborative. This process will create annual reports that provide a comprehensive understanding of the short and long-term needs of the city regarding operating and capital expenses and dynamic analyses of the changes to these needs over time. These annual reports will set clear expectations for all stakeholders and involved parties and help the mayor and city council in addressing the city's operating and capital expense needs through the city's budgeting process.

Sec. 3-151. - Definitions

- Operating expense needs means the necessary funding amount needed to be spent
 annually on personnel and ordinary expenses to provide all city services effectively.
- Capital expense needs means the necessary funding amount needed to be spent on city-owned capital assets to maintain a state of good repair or restore a state of good repair.
- State of good repair means a condition sufficient for a capital asset to operate at a full level of performance, both individually and as a system.

Sec. 3-152. - Annual Review of Progress to Development of Reports on Operating and Capital Expense NeedsAnnual Report on Operating Expense Needs

- Annually no later than October 15, the mayor, finance director, or designee shall submit
 a report to the council regarding progress towards the development of a regular
 assessment and report of the city's operating and capital expense needs.
- 2. The city council shall schedule a meeting no later than November 30 and coordinate the date/time of the meeting with the mayor, finance director, or designee to be able to attend that meeting, present the report, answer questions, and consider updates to this ordinance to reflect new procedures.
- The finance director will provide a written report regarding the city's long-term operating
 expense needs to the city council on an annual basis no later than April 1st of each
 calendar year. The report shall contain the following information:
 - 1.1. A list of all services and programs run by each city department.
 - 1.2. Number of staff positions, and proposed salary and wage amounts for those positions, necessary for each department to provide timely and effective services and programs, as determined by the relevant department head
 - 1.3. Other operating expenses and amounts necessary for each department to provide timely and effective services and programs, as determined by the relevant department head

Commented [1]:

https://www.law.cornell.edu/cfr/text/49/625.17

- 1.4. The report will provide separate sections for general fund operating expense needs, enterprise fund operating expense needs, and operating expense needs for any other funds.
- 2. If the finance director is unable to produce said written report, the finance director will notify the city council by February 1st of each calendar year and provide the city council with a memorandum about what resources are necessary to create the report and the timeline for acquiring those resources.

Sec. 3-153. - Annual Report on Capital Expense Needs

- 3. The finance director will provide a written report regarding the city's long-term capital expense needs to the city council on an annual basis no later than April 1st of each calendar year. The report shall contain the following:
 - 3.1. A list of all capital assets owned and/or maintained by each city department.
 - 3.2. One-time expense amount necessary to restore each capital asset to a state of good repair, as determined by the relevant department head or a comprehensive analysis of capital assets
 - 3.3. Recurring-expense amount necessary to maintain each capital asset in a state of good repair once restored to that state, as determined by the relevant department head or a comprehensive analysis of capital assets
 - 3.4. The report will provide separate sections for general fund capital expense needs, enterprise fund capital expense needs, and capital expense needs for any other funds.
- The finance director will request that the Medford School Committee or administrators
 provide any relevant information or reports on buildings and capital assets controlled by
 Medford Public Schools that would inform this report.
- 5. If the finance director is unable to produce said written report, the finance director will notify the city council by February 1st of each calendar year and provide the city council with a memorandum about what resources are necessary to create the report and the timeline for acquiring those resources.

Sec. 3-1534. - No Conflict with State Law

Nothing in this ordinance is intended to conflict with Massachusetts General Laws relating to the municipal budget process, including but not limited to Chapter 44, Section 32 of the General Laws.

Sec. 3-1545. - Severability

Each separate provision of this article shall be deemed independent of all other provisions herein. If a court of competent jurisdiction declares that any provision of this article is invalid, then the remaining provisions of this article shall remain valid and enforceable.

Sec. 3-1556. - Effective date.

This article shall become effective on January 1, 20242025.

Secs. 3-15567—3-199. - Reserved.

22-494

SUBCOMMITTEE ON ORDINANCES AND RULES MEETING REPORT WEDNESDAY, DECEMBER 20, 2023 @ 5:30 P.M.

This meeting will take place in the Howard F. Alden Memorial Chambers on the second floor of Medford City Hall, and via Zoom.

Join Zoom Meeting https://us06web.zoom.us/j/85225878645 Meeting ID: 852 2587 8645

One tap mobile

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- +16469313860,,85225878645# US

Dial by your location

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- +1 301 715 8592 US (Washington DC)
- +1 669 900 6833 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 852 2587 8645

Find your local number: https://us06web.zoom.us/u/kel5c0oweO

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

Attendees: Council Vice President Isaac "Zac" Bears, Subcommittee Chair; Councillor Kit Collins; Annie Kelly, City Clerk's Office; Finance Director Bob Dickinson; Chief of Staff Nina Nazarian.

Vice President Bears called the meeting to order at 5:30 p.m. in the Medford City Council Chamber and via Zoom. Immediate technical difficulties with the audiovisual system necessitated a recess, which Vice President Bears declared. Vice President Bears reconvened the meeting at 6:05 p.m. The purpose of the meeting was to discuss the proposed Budget Ordinance (Paper **22-494**).

Vice President Bears thanked participants for attending.

Councillor Collins said that 3-101, the Quarterly Financial Reports, the change from a 30-day reporting requirement to a 60-day reporting requirement was reasonable. She said she would like to see an annual report with an annual budget needs assessment. She said she would like to hear the rational behind reviewing only the second and third and guarter reports. She said she had a strong preference for the budget meetings to

happen earlier in the year. Councillor Collins said that the Council and the public would benefit from having the preliminary budget meetings earlier in the year. She said she is comfortable with preliminary hearings being less formal. She said that the suggestion to put the School Committee allocation in by March 1 is something she would like to see feedback from the School Committee. She also said she would like to see information about fixed cost increases sooner rather than later. On the section regarding Council budget recommendations to the Mayor, she said she would like to see the timeline changed from April to March. She said she'd be happy to see submissions considered earlier in the budget process if there's a greater chance of incorporating Council recommendations into the budget.

Councillor Collins said she also has concerns that the Council budget recommendations would be due before the preliminary budget meetings with Department Heads. She said she was happy, with 3-104, to see alignment between the earlier draft and the Administration's proposal. She said she would like to consider phase-in dates for certain provisions.

On the Annual Budget Needs Assessment, Councillor Collins said she hopes to discuss this further. She said the operating budget is a snapshot. She said she would like a more longitudinal road map to compare against the operating budget. She asked if there is a way to operationalize parts of the annual budget needs assessment.

Vice President Bears noted that Councillor Tseng provided written comments similar to Councillor Collins's comments, including the same question on reviewing the second and third quarter reports. He said Councillor Tseng raised similar questions about other parts of the draft ordinance, including informal meetings. Councillor Tseng also wanted to see a timeline for items like Enterprise Revolving Funds. Vice President Bears said Councillor Tseng had similar questions on fixed cost increases.

Vice President Bears said he took the Administration's draft and then tracked changes. He put it back into the framework originally proposed by the Subcommittee. He said he had an opportunity to speak with the Chair and Vice Chair of the School Committee and the Chief of Staff, and the March 1 date seemed to have consensus.

Vice President Bears said he adjusted the phrasing of the section on preliminary budget meetings. Vice President Bears suggested a March 22 submission of priorities. He said he also had questions about personnel costs or increases, and increases in various costs. He said right now this would just look at the general fund. He said right now the capacity is not there to go beyond that. He suggested sitting down once a year to review this particular process of implementing this ordinance about the budget process.

Chief of Staff Nazarian said that at a high level, this was a lot to process here, and that she would like to take some time to process it. She said she would work through what she could but that there might be questions. She said she needed to look at it in a way that also takes into account her resources and Department Heads' resources. She said it is not an issue of whether the Administration wants to provide the information but

whether how it can provide it and if it can provide it. She said she didn't want to make a commitment to the Council and then fail. She said she needs more time to look at this.

Vice President Bears said he had a version with changes tracked and would look at some clarifying questions.

Director Dickinson said he would look at all this with an eye toward what he can prepare. He said spending is not linear. He said he is not clear on what information this would really provide. He said he spends the summer on various tasks including trying to close the prior fiscal year. He said trying to compare current spending to inflationadjusted spending from five years ago gets him to an apples-to-oranges comparison.

Vice President Bears asked for the actual third quarter numbers and Director Dickinson said he could provide them. Vice President Bears asked about breaking down the change in department budgets from year to year. Director Dickinson said that this is part of what we do anyway as part of the budget process. He said he doesn't see a problem with this.

Vice President Bears said we should stick to the general fund just for now. He said that this is really just a problem with how the information is presented. He said we know the information is in there but that this would simplify it. He said that this is really just a way of displaying it in the document.

Chief of Staff Nazarian said that she doesn't know if the current improvement on the Administration's own process is going to resolve the problem. She said that the budget will highlight where there are increases beyond a certain percentage and a certain dollar. She said we need to be careful what steps we commit to.

Vice President Bears said that this is essentially what we have now. He said that this would be for the whole department. He said he was thinking about increases and what percentages of each increase were attributable to what various causes.

Councillor Collins said that the departmental budget summaries accomplish some of this information in the current budget process.

Vice President Bears said that there were some additional questions that needed some digestion. First were Councillors Collins and Tseng's concerns about the order of operations with the Council recommendations coming before the budget meetings. He said that there were other questions about the general fund and about enterprise funds. He said he would like to maintain the incorporation of the intent of the Council.

Councillor Collins said that in a perfect world, everybody has plenty of time to put a budget together. She said that meeting earlier in the year can get us to identify needs and wants and get those to the Administration before the budget is put together. She said we should be able to have some version of those budget hearings earlier in the

process because recommendations are in part derived from what the Council hears from Department Heads and residents.

Chief of Staff Nazarian said that this is all a bit of a chicken and egg situation. She said one reason we presented language on setting some level of expectation on submission of numbers to the School Committee or School Administration is because we have to figure out what share of the pie we have to manage. She said having that information as early as possible would help the process.

Councillor Collins said that the intent is to move Council input earlier into the budget process, and she said she appreciates that. She asked if there's a way to have a version of the budget hearings that are a lighter lift so we could get that information sooner.

Vice President Bears said that he would still prefer the word preliminary, but that if Councillors want to have informal meetings, or send questions to Department Heads by e-mail, that's a way to engage Department Heads in advance without having additional formal meetings. He said we need to be as judicious as we can with this.

Councillor Collins said she'd be happy to be convinced on that point. She said she wasn't sure how the order of operations would work.

He said that many municipalities never get answers to any of these questions because they are hard to answer, but he said he would still like to try to find answers to them while realizing that it is tough for the Finance Department and Department Heads. He asked if there was a way to get to a point where these questions are part of all future discussions on the budget. He said that discussion of enterprise funds would also be helpful to the process. He said that once a year, some group of Councillors, the Mayor, the Chief of Staff, and the Finance Director should sit down and see how close we are to achieving the goals of this ordinance.

Chief of Staff Nazarian said she would be happy to have a conversation on this. She said her hesitancy is wanting to try what we have here first. She said she would like to move forward with what we have outlined. She said she is happy to think through it.

Director Dickinson said that we look at the general fund budget and this is something we've done many times in estimating budgets. He said that the enterprise funds would require additional details from consultants and becomes a little bit more complex. He said we have a framework for capital spending. He said it would be helpful to go through the general fund materials with what the Council is requesting. He said he would think of a way to provide the Council with this information.

Councillor Collins said that a key feature of this is that it is not something that we can bring online. She said she was curious to see what happens with a clause that deals with the non-general fund buckets. She said that hearing from the Finance Director is always a situation that leads to good information to have.

Chief of Staff Nazarian said that expectations automatically get set. She said she is certainly willing to rethink this matter. She said that there are so many unintended things that just come up. She said that this doesn't seem to fit logistically. She said she doesn't want an unintended consequence down the road. She said she thinks it's simple to modify the ordinance down the road. She said we never predicted a pandemic and we can't predict what the future holds.

Vice President Bears said he understands. He said we'll never be able to mitigate the possibility that a future Council will interpret the ordinance differently than this Council does. He said some section that joins the realities of future Council questions and expectations and the Administration's response that we can't answer these questions now because we haven't done it this way for many decades and we don't have the tools right now.

Vice President Bears said that the Council would have to call future meetings for this ordinance. He said it's important to him that in ten years that if he and none of the other Councillors are here, that the budget process says that these are important questions to ask. He said what we are trying to do and what the Administration is trying to do is to solve the same problem.

Chief of Staff Nazarian asked how we incorporate language that surpasses time. She said she would be happy to hear thoughts about further collaboration. She said that it would be great if the ordinance laid out that this is a trial path. She said whatever passes and is codified would be law and we would have an obligation to comply with that law.

Vice President Bears said the language could be changed to reflect what he intended if that is not clear. He said he could propose taking out language that is any kind of pigeonholing approach.

Councillor Collins moved to have the Administration and Subcommittee Members to review current ordinance drafts, and to further consider questions and decision points on the general fund framework in Article V; to consider and formulate suggestions around how to incorporate the intent of Article VI into a reasonable framework; and to circulate any written responses or proposals ahead of the next Subcommittee meeting on this topic (Vice President Bears second)—approved, with an amendment from Vice President Bears to send the committee report along with the motion language, to the Administration for review.

Councillor Collins moved to adjourn at 7:12 p.m. (Vice President Bears second)—approved.

Vice President Bears adjourned the meeting at 7:12 p.m.

Updated ARTICLE II. - BUDGET AND PROCUREMENT

Sec. 3-102101. - Quarterly Financial Reports and Meetings

- 1. The finance director will provide a written report regarding the city's finances to the city council on a quarterly basis no later than 3060 days after the end of each quarter of the fiscal year. The report shall contain the following information:
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 - Previous quarter's <u>accounts payable</u> warrant articles by month for each month in the quarter
 - Year-to-date budget to actuals report, <u>unaudited</u>, as of the last day of the previous quarter for each department
 - Comparison of year-to-date revenue and year-to-date expenses with figures from the previous fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
 - UpdatesWhere available updates on state certifications, revenue forecasts, spending forecasts, and any other information the finance director deems relevant
- The city council will hold a committee or subcommittee meeting to review eachthe 2nd and 3rd quarterly financial reports no later than 60 days after the end of each quarter of the fiscal year. The The city council will coordinate the date/time of the meeting with the finance director will to be able to attend that meeting, present the report, and answer questions pursuant to the rules of the city council.

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 year budgets, an allocation must be provided to the school department/committee. Said
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 - Total expected fixed cost growth for annual operating budget expenses for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)

Commented [1]: do we want it to be "relevant invited department heads"?

Commented [2]: That makes sense to me!

- 3. No later than 72 hours prior to any preliminary budget meeting scheduled by the city council, the mayor, finance director, or designee and department headdesignees shall provide the following information to the city council for each department budget being discussed at said meeting: It shall be the mayor, finance director, or designees who selects the order in which budgets will be discussed.
 - Annual operating budget for the previous year (and inflation-adjusted figures for the previous five fiscal years, if possible)
 - Relevant Department Head's annual operating budget request for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
 - Expected fixed cost growth for the upcoming fiscal year (and inflation-adjusted figures for the previous five fiscal years, if possible)
 - Requested new staff, programs, or services for the upcoming fiscal year (and inflationadjusted figures for the previous five fiscal years, if possible)

Sec. 3-104103. - City Council Budget Recommendations to Mayor

- Members of the city council will submit proposed budget recommendations for consideration by the full city council no later than <u>April 1stMarch 1</u> of each year.
- 2. The city council will create a standard format for the submission of proposed budget recommendations and annually determine which council committee or subcommittee will review proposed recommendations made by members of the city council.
- 3. The city council will consider proposed budget recommendations made by members of the city council and vote to submit them to the mayor by April 15thMarch 15 of each year.
- 4. The mayor will review budget recommendations made by the city council and respond in writing prior to the presentation of the comprehensive budget proposal for the fiscal year.

Sec. 3-105104. - Presentation and Review of Comprehensive Budget Proposal

- The mayor will submit the comprehensive budget proposal to the city council no later than May 31st of each year. The mayor, finance director, or their designees will make a presentation of the comprehensive budget proposal at the meeting of the city council at which the comprehensive budget proposal is first considered.
- The city council may request additional budget meetings in general or for the review of specific proposed department budgets.
- The mayor, finance director, or department headsdesignees may request additional budget
 meetings to review specific proposed department budgets after the submission and
 presentation of the comprehensive budget proposal.
- 4. The comprehensive budget proposal will contain the following information:
 - 4.1. Total expected amount of general fund revenue
 - 4.1.1. Total expected property tax revenue
 - 4.1.2. Expected net state aid
 - 4.1.3. Other expected local receipts
 - 4.2. Proposed annual operating budget for each department-and disaggregate the total proposed expenses into the categories of (1) fixed cost growth and (2) new expenses
 - 4.3. Total expected amount of revenue for enterprise funds

- 4.4. Proposed annual operating budget for enterprise funds and disaggregate the total proposed expenses into the categories of (1) fixed cost growth and (2) new expenses for each enterprise fund.
- 4.5. A suggested five-year capital improvements program to be undertaken by the city, the first year of said period being the current year of the submission thereof, together with the estimated costs of carrying out such program. The estimated cost of the projects to be undertaken or continued during the first year of said period, and to be paid out of appropriations, shall be included in the budget for the then current year.
 - 4.5.1. The proposed capital outlay program shall specify the proposed projects in an expenditure schedule and shall be accompanied by a financial program which shall clearly outline any bond issues relating thereto, as well as the amount of money proposed to be made available for the program from the annual tax levy.
 - 4.5.2. The Community Development Board and the several department heads of the city government shall cooperate with and assist the mayor in the preparation, development and implementation of said capital outlay program.
- 4.6. Any expected revenue and proposed operating expenses for revolving funds.
- 4.7. Any expected grant revenue and proposed grant-funded expenses for any city departments.

22-494

SUBCOMMITTEE ON ORDINANCES AND RULES MEETING REPORT TUESDAY, NOVEMBER 28, 2023 @ 6:00 P.M.

Join Zoom Meeting

https://us06web.zoom.us/j/85239553806

Meeting ID: 852 3955 3806

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To participate remotely outside of Zoom, please e-mail <u>AHurtubise@medford-ma.gov</u>.

Attendees: Council Vice President Isaac "Zac" Bears, Subcommittee Chair; Councillor Kit Collins; Councillor Justin Tseng; City Clerk Adam Hurtubise; Finance Director Bob Dickinson; Chief of Staff Nina Nazarian.

Vice President Bears called the meeting to order on Tuesday, November 28, 2023, at 6:15 p.m. in the Medford City Council Chamber on the second floor of Medford City Hall, and via Zoom. The start of the meeting was delayed because an outside group was setting up the room for an event. The purpose of the meeting was to discuss the proposed Budget Ordinance (Paper **22-494**).

Vice President Bears thanked participants for attending. He gave a summary of progress on this proposed ordinance so far. The Chief of Staff and the Finance Director prepared a document in response to the Subcommittee's document discussed at the last meeting.

Councillor Tseng said we just got this document and asked for a presentation.

Chief of Staff Nazarian thanked the Subcommittee. She apologized for the timing of the presentation of the draft. She said that the Subcommittee said that there were certain things that were priorities of the Council. She summarized those items, which included more frequent meetings and more input on the budget before it is presented to the Council. She said that there were a number of items that needed to be discussed before certain items could progress and would need more review from people in the Administration. She said she wanted to focus first on items she knew we could accomplish and then augment the ordinance later. She specifically referenced the water and sewer enterprise fund.

Vice President Bears asked about grant funding, revolving funds, and other special funds. He asked about other funds and the general fund. Chief of Staff Nazarian said that with revolving funds, those are dynamic. She called them a dynamic funding bucket. She said revenue comes in as revenue goes out. She said she works with departments to ensure that they are not overspending. She said she understands that the Council is looking for more of a conversation on this matter and that is where she is trying to go.

Director Dickinson said that grant money can usually only be spent on specific items. He said his department is trying to look at every special revenue fund to ensure compliance.

Vice President Bears said that we triage certain financial items and are consistently looking at those. He said we need to keep looking at all of these things, particularly ARPA and funds that will expire. Chief of Staff Nazarian said that ARPA funds will expire on December 31 of next year. She said she and the Administration are looking at ways to maximize the impacts of that funding.

Councillor Tseng asked if it is possible to take grant-funded positions out of special funds or ensure that they might continue to exist. Chief of Staff Nazarian said that there is constant monitoring to ensure that expenses do not exceed revenues. She said that on staffing, this largely becomes moot soon. She said that casino mitigation funds are part of the budget process. She said that generally we want to be flexible and she recommended that there are things that are fluid that are going to change. She said ARPA is going to change.

Councillor Tseng said that this doesn't seem like a huge lift to include some of this information in the report. He said he would defer to the rest of the Council. Vice President Bears asked if the various org charts included grant-funded positions. Director Dickinson said that they do.

Vice President Bears said it would be great for people to see all that City Government does without having to wait. He said right now, the budget doesn't present all those elements.

Chief of Staff Nazarian said that there is a quarterly financial report section, a City Council meeting section, and multiple other components as requested by the Council. She said that once an ordinance is passed, this will be a good test. She said that there are things that are out of our control. She said that April 15 is the earliest she thinks the Administration could present budget information to the Council. She said she did not want to end up in a position where we are overstating revenue. She said that going earlier might force the Administration to be more conservative. She said we do not want to overstate revenue. She said that the City can't build a budget unless the School Department's budget is somewhat known. She said that the Schools are one of the largest elements of the budget.

Vice President Bears said he didn't know whether he wanted to legislate the school budget because he didn't know whether we should do that. He said he didn't want to legislate on the school budget because the School Committee is separate from the City Council. Chief of Staff Nazarian said she wasn't sure we could separate them and that we would be remiss in acknowledging that important element of this process. She said we might have to notify the School Committee on this topic. She said that in order to present these things by April 15, we also have to be able to prescribe which budgets will come before the Council first. She said April is relatively early.

Vice President Bears said he thought the Council could work with the Administration on when to set out certain budgets.

Councillor Collins thanked Chief of Staff and Director Dickinson for the work they put into this document. She said she had some questions around the allocation of budgets. She said she is excited to review this further.

Councillor Tseng said that his biggest question is on the Council budget recommendations. He said that making recommendations before the first budget meeting is something to be discussed. He said we need to look at fixed costs versus new expenses. He said he would support Councillor Collins's statement that we should refer the portion relative to the School Committee to the School Committee.

Vice President Bears said it would be nice to know how much is fixed cost versus new program. He said that this will allow us to account for inflation. Councillor Tseng said he would agree with this.

Councillor Collins moved to refer the relevant section regarding the allocation to the School Committee to School Committee Members, and further moved that we will provide both drafts of the ordinance as well as the Committee Reports (Councillor Tseng second)—

Councillor Tseng moved that Councillors submit written comments on this draft of the ordinance to the Clerk by next Tuesday (Councillor Collins second)—

Councillor Collins moved to keep the paper in Committee, and further moved to adjourn, at 7:00 p.m. (Councillor Tseng second)—

Councillor Collins moved to join and approve all motions (Councillor Tseng second)—approved.

Vice President Bears adjourned the meeting at 7:00 p.m.

22-494

SUBCOMMITTEE ON ORDINANCES AND RULES MEETING NOTICE TUESDAY, OCTOBER 10, 2023 @ 6:00 P.M.

Join Zoom Meeting https://us06web.zoom.us/j/83631280814

Meeting ID: 836 3128 0814

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Meeting ID: 836 3128 0814

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

Attendees: Council Vice President Isaac "Zac" Bears, Subcommittee Chair; Councillor Kit Collins; Councillor Justin Tseng; City Clerk Adam Hurtubise; Finance Director Bob Dickinson; Chief of Staff Nina Nazarian; other participants as noted in the body of this report.

Vice President Bears called the meeting to order on Tuesday, October 10, 2023, at 6:08 p.m. in the Medford City Council Chamber on the second floor of Medford City Hall, and via Zoom. The purpose of the meeting was to discuss the proposed Budget Ordinance (Paper **22-494**).

Vice President Bears thanked participants for attending. He gave an overview of the proposed budget ordinance.

Councillor Tseng said that this is his first meeting as a member of the Subcommittee. He said that he thinks this is everything we should be doing as a City. He asked about 3-103, the preliminary budget meetings. Vice President Bears said that we could discuss everything related to the ordinance at this meeting.

Councillor Collins said it is great to see this draft fleshed out. She said this lays out a way of answering questions that Councillors hear from residents quite often. She said that this ordinance is a way of providing solutions that have not been available for some time.

Vice President Bears invited Chief of Staff Nazarian to present. Chief of Staff Nazarian said she appreciated the opportunity to speak on this issue. She said she has met with Director Dickinson on this ordinance, and has discussed it at a high level and in more detail. She said it seems like the ordinance is highly prescriptive and she does not think the City has the capacity to execute on this, and she thinks that if it is implemented, the City will be set up to fail. She said that there is a tremendous amount that is not achievable. She asked where the draft ordinance came from. She asked if there is a model out there that can help us.

Vice President Bears said that this came from meetings the Subcommittee has had up to this point, particularly in February and March. He said it is not copied from any other community and is crafted based on the preferences of the Council and the Subcommittee. Chief of Staff Nazarian said that there are multiple systems within City Government that would need to be resolved in order for parts of this ordinance to be implemented.

Vice President Bears said that the intent here is more procedural. He said that the intent is not to do the unachievable tomorrow but to make the reasonable achievable in a reasonable amount of time. He said he wants to know what the systems are so we can get to that point. He said that what Chief of Staff Nazarian said is why we need an ordinance.

Chief of Staff Nazarian said that this could set it up so that the Administration would be reporting on things it could not achieve. She said she commends the Subcommittee for drafting this ordinance. She said it is impressive. She said she has never seen a City or Town execute on this. She said it asks us to go from zero to 100 all at once. She said it is asking us to identify the 90 to 95 things we can't do rather than building on the progress we've made over the last several years. She said that there is no reason why future Councils couldn't keep these reports as guidance.

Councillor Collins said that there has been a great discussion on this ordinance already. She said she would like to know more about the specifics of what may need to be amended or negotiated. She said that there is no point in passing an ordinance that is undoable or unreasonable. She said we could make a list of what we can specifically target and what we can make more clear. She said that this is meant in good faith.

Councillor Tseng said we have made a lot of progress when it comes to creation of the budget. He said that there are still obstacles. He said some of them are institutional obstacles. He said that this draft comes from notes from the February and March meetings but we have also talked about this a lot on the Council in the last year and nine months. He said at the very least this should be a starting point. He said he believes that a budget ordinance should be a tool to move all of us in the right direction. He said we should be aiming for an ambitious enough number that we can achieve. He said a tool like this will help us rebuild our trust with our constituents.

Vice President Bears said that he understands that his draft is comprehensive. He said pieces came from Holyoke's financial manual. Other parts came from ordinances in Cambridge and Somerville, and some from Cornell Law School. He said he hears the Administration on what is possible, and eventually, what is possible is what will happen. He said we need to know what it means to have a fully funded budget. He said without the goal, we can't measure progress. He said we should set a goal of what 100% progress looks like. He said he wants to know what the process of getting there looks like.

Chief of Staff Nazarian said she wanted to clarify. She said she has worked in local government for her entire career. She said she has worked with really capable and intelligent professionals. She said government has its inherent challenges. She said that the private sector often has simpler scenarios. She said that if nobody has built something like this, she said we are aiming to a place that may not be reasonable for government. She said she works in government every day to make government better because she, like the Council, wants to make government better. She said she thinks this ordinance is something we can't build. She said it would create significant hardships for a number of offices, particularly the Finance office. She said that the timing at which the City receives information has the potential to hinder the Administration's responses under this ordinance. She said that there are a lot of moving parts.

Director Dickinson said that we want to get to 100 but we're on 10 right now. He said a needs assessment makes sense. He said he doesn't know what resources we would need to be able to answer that question. He said that there are very limited resources available to get us to 100 but we can make incremental improvements.

Vice President Bears said he understands this. He said the fundamental question is how much money it would take to get the roads into the condition that we need them to be. He said that if this ordinance helps us get there, it unlocks some of the other

potential in other departments. He said it is not sustainable to keep telling people that we don't know. He said he is not a civil engineer but we do build bridges. He said it is difficult to tell people that we don't know the answers to their questions and we don't have the resources to find out.

Councillor Collins said that we are going to discuss this many more times. She said that we need to set up a reliable structure for the budget. She said most of the friction seems to be in the capital planning.

Councillor Tseng said he would like to know what the Administration finds not to be feasible. He said he would like to see a counter-proposal with specifics. Chief of Staff Nazarian said she spent a lot of time going through Article 5. She said she spent about four hours in total discussing this. She said we all share the importance of the budget process.

Vice President Bears said he appreciates the amount of time that has been spent on this. He said that the bones of this are regular meetings with the Council, starting before the budget is submitted to the Council, allowing for Council recommendations to the Mayor, and timelines. He said that essentially, the Council is involved in meetings before we receive a proposal.

Chief of Staff Nazarian said that the Administration shares the Council's priorities on production of the budget, but that this is a very large document. She asked if it would make sense to take the framework and think about additional discussion points that might be relevant.

Director Dickinson said one of the first things he did was look at this document and see how his current practices fit into the document. He said he would like to see what we could really achieve.

Councillor Collins said she would like to know how early the Council can start talking about this.

Councillor Tseng said he is interested in a counter-proposal. He said it would work even better to use these questions and comments as a baseline.

Vice President Bears said that the real question is where this falls apart and he is hearing that this falls apart on several points and is not doable under current conditions. He said he is committed to finding a way to see where we need to go and how we can get there.

Councillor Collins moved to request from the Chief of Staff and the Finance Director a written response to the draft ordinance as proposed, to be discussed at the next subcommittee meeting (amended by Vice President Bears: with a very basic outline of what a reasonable timeline would look like for the budget process as discussed)(Councillor Tseng second)—approved as amended.

Chief of Staff Nazarian said the Administration would do its best and would be as efficient as possible.

Councillor Tseng moved to adjourn at 7:14 p.m. (Councillor Collins second)—approved.

Vice President Bears adjourned the meeting at 7:14 p.m.

22-494 SUBCOMMITTEE ON ORDINANCES AND RULES MEETING REPORT TUESDAY, MARCH 21, 2023 @ 6:00 P.M.

Join Zoom Meeting https://us06web.zoom.us/j/81969328791

Meeting ID: 819 6932 8791

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

Attendees: Council Vice President Isaac "Zac" Bears; Councillor Kit Collins; City Clerk Adam Hurtubise; Finance Director Bob Dickinson.

Vice President Bears called the meeting to order on Tuesday, March 21, 2023, at 6:00 p.m. in the Medford City Council Chamber on the second floor of Medford City Hall, and via Zoom. The purpose of the meeting was to discuss the creation of a Budget Needs Assessment Ordinance to provide accurate and actionable information on the City of Medford's operating and capital budget needs and the deficit between current revenues and needed expenditures (Paper **22-494**).

Vice President Bears thanked participants for attending. He provided a summary of work done to date. Councillor Collins thanked Vice President Bears. Vice President Bears shared a memo he drafted as a result of the last meeting. He said currently Chapter 2 Section 5 governs the budget. He recommended moving all the budget items to a new chapter in the ordinances. He said he hopes that the draft ordinance provides a framework so that the Council has enough information to make informed decisions.

He said right now we get a budget in late May or early June. He said that this ordinance would allow the Council to meet with department heads earlier. He said nothing in the

ordinance is intended to conflict with Massachusetts General Law and the proposed effective date would be September 1, 2023.

Councillor Collins said that this is a great start. She said that the memo encapsulates the previous discussions. She said that this provides a structure to which we can hold ourselves accountable. She said that quarterly meetings are important and improve transparency.

Councillor Collins said that section 107 would merit further discussion. She said that this is the Council's opportunity to set forth a best-case scenario on how this would go. She said that a couple of these dates could be bumped. She said she does not want a process that is not doable. She suggested submissions by the last week in March and a request for a comprehensive budget proposal in the first half of May.

Councillor Collins moved for a five-minute recess to address technical issues (Vice President Bears second)—approved.

Vice President Bears declared a recess at 6:24 p.m.

Vice President Bears called the meeting back to order at 6:26 p.m.

Director Dickinson said that as a framework, the ordinance looks quite reasonable. He said he would have to review it in more detail. He said he doesn't want to do what we did last June. He said he assumes that this is a working document and wants to review it with his team.

Vice President Bears said that there will be future meetings on this document and that he would move to send the document to Director Dickinson for his review.

Vice President Bears said that Article 6, the annual budget needs assessments, is important. He asked if it was feasible for the City to create an annual or other report that would provide an overview of short and long term financial needs. He said all of this would require further discussion for capital needs and operating needs. He said he looked for other processes in other cities and towns. He said he didn't find anything by way of an ordinance, but the framework is that at some regular interval, the City produces a document with operational and capital needs.

Councillor Collins said that we can look for a template. She said she thinks this is doable. She said it could be a tough thing to get exactly right. She said this strikes her as a top-heavy project. She said that this is driven by the exact under-resource issues that created the discussion about this ordinance. She said that in terms of immediate next steps, the hardest thing is to describe what these reports should look like.

Director Dickinson said this would be a big project but that it wouldn't be as heavy a lift once the structure is in place. He said extending road and sidewalk needs to needs of

other departments Citywide is a bit tough to do. He said it becomes more difficult to predict on the operating side what people we would need to get these projects done.

Vice President Bears said one result of the last meeting was to produce a memo on what could be done outside of the ordinance. He said he would like feedback from the full Council on this. He said the intent is to articulate the policies and procedures. He said that this could create a collaborative approach around budgeting. He said that generally, other comparable cities have more staff members. He said that an ordinance would give the Council more authority over the budget process. He said that a Charter Amendment might also be necessary. He said that the Boston City Council just changed the City Charter. He said it would be better for democracy if the Council had a voice in this. He said he would support circulating the documents again for more feedback from the Council.

Councillor Collins said that this is a summary of conversations that the full Council should have. She said all the newer Councillors have a view on the budget process. She said that there is so much to be said about the influence of the City Council on the process. She said that the Council is often more accessible.

Councillor Collins moved to send the documents to the subcommittee members for comments, and to Director Dickinson for comments, and then for a discussion of those comments at a future meeting (Vice President Bears second)—approved.

Councillor Collins moved to adjourn at 6:53 p.m. (Vice President Bears second)—approved.

Vice President Bears adjourned the meeting at 6:53 p.m.

22-494 SUBCOMMITTEE ON ORDINANCES AND RULES MEETING NOTICE TUESDAY, FEBRUARY 7, 2023 @ 6:00 P.M.

This meeting will take place in the Howard F. Alden Memorial Chambers on the second floor of Medford City Hall, and via Zoom.

Join Zoom Meeting https://us06web.zoom.us/j/81736461988

Meeting ID: 817 3646 1988

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Meeting ID: 817 3646 1988

Find your local number: https://us06web.zoom.us/u/kcEAPFjlhz

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

There will be a meeting of the Medford City Council Subcommittee on Ordinances and Rules on Tuesday, February 7, 2023, at 6:00 p.m. in the Medford City Council Chamber on the second floor of Medford City Hall, and via Zoom.

The purpose of the meeting is to discuss the creation of a Budget Needs Assessment Ordinance to provide accurate and actionable information on the City of Medford's operating and capital budget needs and the deficit between current revenues and needed expenditures (Paper 22-494).

For further information, aids, and accommodations, contact the City Clerk at 781-393-2425.

February 3, 2023

Sincerely yours,

Isaac "Zac" Bears (AH)

Isaac "Zac" Bears Subcommittee Chair