



Medford City Council
Medford, Massachusetts

The Sixth Regular Meeting, March 19, 2024

City Council

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

Zoom Link: <https://us06web.zoom.us/j/85984559938>

Call-in Number: +13092053325,,85984559938#

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

City Council President Isaac “Zac” Bears called the meeting to order at 7:12 p.m. in the Medford City Council Chamber and via Zoom. The start of the meeting was delayed by a committee meeting immediately beforehand.

ROLL CALL

Present: Councillor Callahan; Councillor Lazzaro; Councillor Leming; Councillor Scarpelli; Councillor Tseng; President Bears. Inside the Rail: City Clerk Adam Hurtubise; City Messenger Lawrence Lepore. Absent: Vice President Collins.

SALUTE TO THE FLAG

ANNOUNCEMENTS, ACCOLADES, REMEMBRANCES, REPORTS, AND RECORDS

Records

The Records of the Meeting of March 12th, 2024 were passed to Councillor Leming. Councillor Leming moved for approval (Councillor Callahan second)—approved.

Reports of Committees

23-449 – Offered by Councillor Lazzaro

Public Health and Community Safety Committee Report, March 12, 2024.

23-449

PUBLIC HEALTH AND COMMUNITY SAFETY COMMITTEE

MEETING REPORT
TUESDAY, MARCH 12, 2024 @ 6:00 P.M.

Attendees: Councillor Emily Lazzaro, Committee Chair; Councillor Justin Tseng, Committee Vice-Chair; Councillor Anna Callahan; Council Vice President Kit Collins; Councillor Matt Leming; City Clerk Adam Hurtubise; other participants as noted in the body of this report.

Chair Lazzaro called the meeting to order at 6:00 p.m. on March 12, 2024 in the Medford City Council Chambers and via Zoom. The purpose of the meeting was to address a resolution to draft a wildlife feeding ordinance (Paper 23-449).

Chair Lazzaro thanked participants for attending. The item on the agenda is a proposed wildlife feeding ordinance offered by Vice President Collins.

Vice President Collins said that the idea for the ordinance resulted from some outreach with constituents about overfeeding of wildlife in some of Medford's more densely populated areas.

She said the intent is to give the Board of Health and Code Enforcement some tools and potential fines as enforcement mechanisms. She said that the language is based on several other communities' ordinances. She read definitions, purpose, and intent. She said that the emphasis is on feeding that has an adverse effect on neighbors. She detailed prohibitions on feeding wildlife on public property and on certain private property. She said nothing in the ordinance would prohibit feeding of pets, but pet food would need to be stored so it cannot be accessed by wildlife. Enforcement would range from a written warning to a fine of \$100.00. She said that the goal is to provide a recourse for when things are going wrong. She said that this is supposed to be a deterrent.

Chair Lazzaro said that a person could lose a cat or dog and try to lure the pet back. She suggested adding language about this and whether cats and dogs are considered wildlife. She said she would also like to hear from the Animal Control Officer about feral cats in the city, and we might want to include language to consider on this.

Councillor Tseng thanked Vice President Collins. He said that the ordinance doesn't say how soon seed debris must be collected. He said it is not clear for code enforcement. He said that the Board of Health could create a standard for this. He said it would also be helpful to disseminate best practices.

Councillor Callahan said she thinks that the idea of a lost cat is already accounted for as an exception for the feeding of pets. Only if the pet food is determined to be the source of wildlife feeding might there be an issue.

Vice President Collins said her initial reaction is that as Councillor Callahan said, this might be covered, but she would like to have the Animal Control Officer and legal counsel take a look at this. She said she would also like to see the Medford-based Kitty Connection get a copy of this.

Vice President Collins moved to refer this version of the ordinance to KP Law for legal review prior to our next meeting on the topic (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Vice President Collins moved to have the City Clerk recirculate this document to the relevant city staff along with the relevant questions, and further moved to keep this paper in committee (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Councillor Tseng moved to adjourn at 6:24 p.m. (Councillor Callahan second)--approved on a roll call vote of five in favor and zero opposed.

Chair Lazzaro adjourned the meeting at 6:24 p.m.

[End of Public Health & Community Safety Committee Report.]

Councillor Lazzaro moved for approval (Councillor Tseng second)—approved.

24-033 – Offered by Vice President Collins

Planning and Permitting Committee Report, March 13, 2024.

24-033
PLANNING AND PERMITTING COMMITTEE
MEETING REPORT
WEDNESDAY, MARCH 13, 2024 @ 6:00 P.M.

Attendees: Council Vice President Kit Collins, Committee Chair; Councillor Matt Leming, Committee Vice-Chair; Council President Isaac “Zac” Bears; Councillor Anna Callahan; Councillor George Scarpelli; Councillor Emily Lazzaro (non-voting); City Clerk Adam Hurtubise; zoning consultant Emily Innes; Alicia Hunt, Director of Planning, Development, and Sustainability; Building Commissioner Scott Vandewalle; other participants as noted in the body of this report.

Vice-Chair Leming called the meeting to order at 6:00 p.m. on March 13, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall and via Zoom. The purpose of the meeting was to address upcoming zoning ordinance updates with the Innes Associates team.

Vice-Chair Leming thanked participants for attending.

Vice President Collins said that this is an important day because the Council has been advocating this zoning reform effort for several terms. She gave an overview of work to be done in committee and also be the Council.

Ms. Innes thanked the Committee and said she is excited to be working with the Council on this project. She introduced her team, and also introduced Attorney Jonathan Silverstain, from Blatman, Bobrowski, Haverty, & Silverstein, LLC. She worked through a rough timeline for the first year of the project. She said it would take two fiscal years, with the first year ending June 30, 2024 and the second ending June 30, 2025. She said she would be soliciting planning staff recommendations and recommendations from the ZBA, CD Board, and Building Department this fiscal year. She laid out a variety of potential meeting topics, meeting twice per month through June.

President Bears gave some context to the timeline. He said he hears from everyone that we need more economic development and business growth. He said it is one of the pillars of this project and it is a pillar of the work of this Council. He said it is smart to set a June 30, 2025 goal for the project, and he said that also gives the Council the last six months of the term. He said that this is a really strong start.

Councillor Callahan said she is excited to be working on this. Vice President Collins said one great use of our time would be to make this concrete for ourselves. She said we have a lot we are trying to do by the end of June, 2025.

President Bears said he would like to hear from planning staff and the Building Commissioner. Director Hunt said that the Planning staff has been compiling a list of things that are inconsistent, unclear, or have unintended consequences. She said she shared this with Ms. Innes and with President Bears and Vice President Collins, and also shared it with the Mayor. She said some of these things are simple, some are language, some are unintended and just need to be fixed and cleaned up. She said that there are a lot of interesting old uses. She said that there are two definitions for

restaurants: eating establishments and eating establishments with drive-through. She said we might want to consider different rules for coffee shops and fast food. She said she would like to be able to make this more flexible for businesses. She said the use table predates the recodification. She explained dimensions for various zoning districts. She said we don't have all the solutions right now.

Director Hunt said that in order to change the zoning, there needs to be a couple of public hearings. The exact language to be changed has to go before the Council, be referred to the Community Development Board for a public hearing, and then the CD Board has to make recommendations to the Council for another public hearing. She said that she is working with the Donoghue Institute at UMass Amherst. She said that there is also a Climate Policy Planner onboard.

Commissioner Vandewalle said that zoning is a daily issue in his office. He said his team understands the minutiae of it and the enforcement of it. He said he enjoys zoning. He said he looks forward to working on this.

Councillor Callahan said that folks working from home would appreciate having a mini office space or micro office available near their homes, perhaps combined with a coffee shop or lunch place.

Vice-Chair Leming asked about projects brought forth by individual Councillors such as auxiliary dwelling units. Director Hunt said that if items clearly fit in zoning, we should move items through staff members.

President Bears said that we need input from a lot of people. He said people should communicate back through Director Hunt and through Danielle Evans in PDS. He said he would be making motions to send items to PDS and the Building Department. He said that this is similar to the way the Council worked with Attorney Mark Bobrowski on the zoning recodification. She said she gets a lot of requests for people who want to turn their homes into two-family houses.

President Bears said that a lot of these areas are coming from extensive planning process with a great deal of public input. He said that there are several plans over several decades for Medford Square. He said we are outlining an extensive public process with dozens of meetings ahead, on top of dozens if not hundreds of prior public meetings. He said that this is the culmination of extensive engagement in this community.

Director Hunt said that these plans are available on the City's website.

Ms. Innes discussed the Comprehensive Plan, which includes land use and zoning. She said that this very much is a public process.

Councillor Scarpelli said that he thinks the most important thing is community input and community-based meetings.

Vice President Collins said she appreciates Councillor Scarpelli's thoughts and said she thinks it might be appropriate to have Committee of the Whole meetings on these topics. She said ideas from community members should be put into our zoning ordinances. She said that there will be additional meetings on this on April 10 and 24, and it would be great to have a better idea for the 10th to have an idea of what some of the smaller tweaks to the zoning ordinance would be, and she said she would support a motion to have committee members submit ideas on this to PDS.

Councillor Callahan said it would be helpful to see the list of minor changes that have been asked for by the Zoning Board. Director Hunt said that it is messy and it has commentary on it. She said she could send the list to Councillors and they could bring comments to a public meeting rather than commenting on a shared document.

President Bears said that community meetings should involve not just the major squares and corridors. He said that this is a great way to continue to be out in the community. He said we have occasionally been able to have on-site meetings.

Patty Caya, 1 Monument Street, said she would like to be here to advocate for the Council and consultants to have in mind that ease of consumption is critical to facilitating public participation. She said she would like to see the old documents and the proposed changes side by side. She said ease of access is important for public participation. Vice-Chair Leming said he fully agrees on the transparency goals.

President Bears said we could look at some of the climate resiliency items for the April 24 meeting.

Vice President Collins said that there are several options here. She said she would like to have a more granular discussion on the tenth of April. She said she thinks we could be ambitious on this and perhaps begin speaking about some of this on the 10th.

President Bears moved to request that the Building Commissioner, the Chair of the Zoning Board of Appeals, and Chair of the Community Development Board submit comments on issues they are seeing with the Zoning Ordinance and any proposed amendments they would like to see by Friday, April 5 to Director Hunt and Vice President Collins (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

President Bears moved to have Councillors submit policy issues that they would like to see addressed under each major topic area for the zoning project included in the presentation by Innes Associates by Friday, April 5 to Director Hunt and Vice President Collins (Councillor Callahan second)—approved on a roll call vote of five in favor and zero opposed.

Vice President Collins thanked Innes Associates. She said she looks forward to working with that team on a lot of public meetings moving forward.

Vice President Collins moved to keep the paper in committee, and to adjourn, at 7:06 p.m. (Councillor Callahan second)--approved on a roll call vote of five in favor and zero opposed.

Vice-Chair Leming adjourned the meeting at 7:06 p.m.

[End of Planning and Permitting Committee Report.]

Councillor Tseng moved for approval (Councillor Callahan second)—approved.

24-015 – Offered by Councillor Leming

Resident Services and Public Engagement Committee Report, March 13, 2024.

24-015
RESIDENT SERVICES AND PUBLIC ENGAGEMENT COMMITTEE
MEETING REPORT
WEDNESDAY, MARCH 13, 2024 @ 7:00 P.M.

Attendees: Councillor Matt Leming, Committee Chair; Councillor Anna Callahan; Councillor Emily Lazzaro; Councillor Justin Tseng; City Clerk Adam Hurtubise; Communications Director Steve Smirti; other participants as noted in the body of this report.

Chair Leming called the meeting to order at 7:11 p.m. on March 13, 2024 in the Medford City Council Chamber and via Zoom. The start was delayed by a committee meeting immediately beforehand. The purpose of the meeting was to address Paper **24-015**, a resolution to discuss modernizing Council communications and outreach strategy.

Chair Leming thanked participants for attending. Councillor Tseng said that Communications Director Smirti said he could help with some of these communications needs. He said that the Council could vote monthly on a newsletter to be sent out.

Councillor Tseng said it is often easier to engage residents with a short-form video. He said it would behoove us to create short-form videos. He said that Kevin Harrington explained how this can be done.

Councillor Tseng said that there was continuous work to be done on the idea of distribution. Councillor Callahan cautioned about opt-in rules for e-mail distribution lists. Councillor Tseng said that the question of distribution is important. He said we need to distribute in a way that folks prefer, that is more casual and accessible. He said he wanted to get feedback from the Committee first.

Director Smirti said that the actual distribution should be coming from the City Council side but that he could help with other parts of this. Councillor Tseng said that creating our own distribution systems is also important.

Patty Caya, 1 Monument Street, said that this is a great idea and a great way to reach constituents where they live. She said she appreciates the initiative to expand communications. She said she would like to understand the boundaries of official communication and if there is any policing of official communication. She said she is concerned that this could go from simple fact-based reporting that could devolve into opinion or spin. She said she would like to understand this better to understand the difference between official communication and a Councillor's opinion.

Director Smirti said that there are differences between official communications and campaign communications. He said that there is an agency that monitors these activities. He said as a government employee, he cannot put out campaign communications, only official communications. He said that the same rules would apply to Council communications.

Ms. Caya said she wasn't talking about pure campaigning. She asked how you would enforce news versus an opinion. She said she attended last night's meeting and she thought it was a massacre.

Director Smirti said he does not want to speak for the Council but that the Mayor puts out her own statements on policy. He said that elected officials are in a position to advocate for their stances, and that is part of their government jobs.

Councillor Lazzaro said that every elected official has an obligation to inform constituents when they are doing their job, and that they have been kind of remiss in that at some times. She said that last night, the Council voted to send discussion about a potential transfer tax to the Planning and Permitting Committee. She said that Councillors need to share their work, and constituents can be in favor of that work or not in favor of that work. She said that one reason to have a rotating group of Councillors participating is so people can explain how things went and how people voted.

Councillor Tseng said that he wanted to have Councillor Scarpelli on this committee. Councillor Callahan said she is more excited about things that are upcoming rather than things that have already happened.

Councillor Lazzaro said that there was a lot of misinformation going around about last night's meeting and that we could have avoided that if we had had this kind of system in place already. She said that the short video format will be really good for that.

Chair Leming said he maintains his own blog and uses it to communicate. He said that the goal is to keep people informed on Council activities.

Councillor Callahan said she needed some clarification on what Councillor Tseng wanted to offer in the form of motions. She said she wasn't sure "newsletter" would be

the best word to use. Chair Leming said that he thought “newsletter” is the best word for the communication. The City Clerk detailed his opt-in e-mail list.

Director Smirti said that there is a direct link to the City Council page. Councillor Tseng asked if there is a fee to use the City system. Director Smirti said he is not sure how many accounts are allowed on the system, but that he would check into all of that. Director Smirti also said it would be helpful to develop a policy around social media.

Councillor Tseng said that there are multiple ways to use social media, but the most important part is to decide which platforms to use, and then what the policy would look like, and that perhaps the Committee could move to have Councillor Tseng draft a social media policy.

Chair Leming said each social media platform should be treated as a separate entity. Councillor Callahan said that if we want to get to as many people as possible, we need to get on all of these platforms. She said we should at least consider texting, WhatsApp, and Discourse. She said we should at least consider those or we might be blocking off certain people and certain forms of engagement.

Chair Leming said he supports multiple platforms and Councillor Lazzaro said she agreed. She said that if content will be similar, we should start with content and come back to social media next time. Director Smirti said it might be helpful to put out a survey to the constituencies to see where they get their content and messages. He said he would also recommend setting up a calendar. She said you don’t want to drop off in content because you will lose followers.

Councillor Tseng moved to start City Council Newsletter content to summarize important City Council meetings and discussions, as well as inform the public as to upcoming meetings, to be distributed to committee members prior to and approved at each meeting of the Committee on Resident Services and Public Engagement (Councillor Lazzaro second)—

Councillor Tseng moved for the Chair of the Committee on Resident Services and Public Engagement to create and distribute a sign-up form of Councilors who will rotate responsibilities in writing the City Council Newsletter content and/or making short form video summaries in collaboration with Medford Community media and to authorize the Chair to create a calendar for these responsibilities (Councillor Callahan second)—

Councillor Tseng moved for the Chair of the Committee on Resident Services and Public Engagement and/or his designee to work with our Communications Director and other city staff to distribute the City Council Newsletter content and create an email list for the City Council to use (Councillor Callahan second)—

Councillor Lazzaro moved to draft a social media policy for review (Councillor Tseng second)—

Councillor Tseng said it would be powerful to act as a committee.

Councillor Tseng moved to present a draft of a budget input survey at the next meeting (Councillor Lazzaro) second—

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

Councillor Tseng said that he had spoken with Director Smirti with the website and in signing up for an e-mail list. He said that there is a paper in committee to discuss reforming the City website. He said he would like to meet in the future and publicize this meeting widely. He said that we should create another paper about meeting with under-represented groups. He suggested a listening tour with under-represented groups.

Councillor Callahan said she can create a paper to put on the agenda.

Councillor Callahan moved to adjourn at 8:11 p.m. (Councillor Lazzaro second)—approved.

Chair Leming adjourned the meeting at 8:11 p.m.

[End of Resident Services and Public Engagement Committee Report.]

Councillor Leming moved for approval (Councillor Callahan second)—approved.

HEARINGS
24-058
Public Hearing Notice
Medford City Council
1 Cabot Road
March 19, 2024

The Medford City Council shall conduct a public hearing on March 19, 2024 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. The Zoom link to the public hearing will be posted no later than 48 hours prior to the meeting.

The applicant, Cambridge Health Alliance, is seeking a Special Permit subject to Site Plan Review to establish a Medical Office use within an existing building at 1 Cabot Road located in the Office (O) zoning district.

Plans for this project may be viewed in the Office of Planning, Development, and Sustainability, City Hall Room 308 or on the City's website at <https://www.medfordma.org/boards-commissions/community-development-board> by clicking on 'Current CD Board Filings'.

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

Addressing the Council:

Andrew Fuqua, CHA General Counsel
Senior Planner Danielle Evans
Paul Feldman, Attorney for the Petitioner

President Bears declared the public hearing open at 7:42 p.m.

Addressing the Council:

Andrew Fuqua, who said he was in favor of the petition

President Bears declared the public hearing closed at 7:42 p.m.



Councillor Tseng moved to grant the special permit and approve the site plan review, with the conditions recommended by the Community Development Board (Councillor Scarpelli second)—approved, with the conditions recommended by the Community Development Board, on a roll call vote of six in favor, zero opposed, and Vice President Collins absent.

The conditions recommended by the Community Development Board are pasted above as a pdf and also included at the end of this set of records.

At 7:43 p.m. Councillor Scarpelli moved to suspend the rules to take Paper **24-053** (Councillor Tseng second)—approved.

24-053 – Offered by Councillor Scarpelli

Be it Resolved that the Medford City Council invite the leadership team from Medford Fire Department to discuss the well-being of our Fire personnel during a difficult few weeks of major fires and other outside distractions.

- a) Councillor Scarpelli offered an amendment requesting that Councillors and all elected officials in our City visit our firehouses for a walking tour on a Saturday and meet with our firefighters.

Addressing the Council:

Walter Buckley, President, Local 1032
Sharon Deyeso, Circuit Road and Mass. Ave.
David McKillop, 94 Rock Glen Road
Nicole Branley, 54 Norwich Circle
Gerald Burns, 44 South Border Road
Angela Murphy, 16 Cotting Street

Councillor Scarpelli moved for approval as amended (Councillor Tseng second)—approved as amended.

At 8:12 p.m., Councillor Scarpelli moved to suspend the rules to take Paper **24-054** (Councillor Callahan second)—approved.

24-054 – Offered by Councillor Scarpelli

Be it Resolved that the Medford City Council move to schedule a Committee of the Whole meeting dealing with the Civil Service appointment process for the Medford Fire Chief position.

- a) Councillor Scarpelli offered an amendment requesting that the Mayor move up this timeline, with the recommendation that we reach out to the Mayor requesting an immediate meeting.

Councillor Scarpelli moved for approval as amended (Councillor Tseng second)—approved as amended.

At 8:18 p.m., without objection, the Council reverted to the regular order of business.

MOTIONS, ORDERS, AND RESOLUTIONS

22-494 – Offered by President Bears

CHAPTER 3 – FINANCE

ARTICLE I. - GENERALLY

Sec. 3-1. - Purpose and intent.

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

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. 3-101. - 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 60 days after the end of each quarter of the fiscal year. The report shall contain the following information:
 - Previous quarter's accounts payable warrant by month for each month in the quarter
 - Year-to-date budget to actuals report, unaudited, as of the last day of the previous quarter for each department

- Where available updates on state certifications, revenue forecasts, spending forecasts, and any other information the finance director deems relevant
- 2. The city council will hold a committee or subcommittee meeting to review the 2nd and 3rd quarterly financial reports no later than 60 days after the end of each quarter of the fiscal year. The city council will coordinate the date/time of the meeting with the finance director to be able to attend that meeting, present the report, and answer questions.

Sec. 3-102. - City Council Budget Recommendations to Mayor

1. Members of the city council will submit proposed budget recommendations for consideration by the full city council no later than March 1 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 March 22 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. 3-103. - Preliminary Budget Meetings

1. The city council will hold preliminary budget meetings between April 15 to May 15 of each year. These meetings will include the mayor or designee, finance director or designee, and relevant department heads. The mayor or finance director shall provide an estimated budget allocation for the Medford Public Schools for the following fiscal year to the school committee 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 designees will provide the total preliminary expected general fund revenue for the upcoming fiscal year following information to the city council.
3. No later than 72 hours prior to any preliminary budget meeting scheduled by the city council, the mayor, finance director, or designees shall provide the following information to the city council for each department budget being discussed at said meeting. The mayor, finance director, or designees shall provide a schedule that contains the order in which budgets will be discussed based on availability of relevant staff and administration priorities.
 - Annual operating budget for the previous year
 - Relevant Department Head's annual operating budget request for the upcoming fiscal year
 - Requested new staff, programs, or services for the upcoming fiscal year

Sec. 3-104. - Presentation and Review of Comprehensive Budget Proposal

1. 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.
2. The city council may request additional budget meetings in general or for the review of specific proposed department budgets.

3. The mayor, finance director, or designees 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
 - 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

1. 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 passage.

Secs. 3-109—3-149. - Reserved.

ARTICLE VI. - ANNUAL BUDGET NEEDS ASSESSMENTS

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 Needs

1. 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.

Sec. 3-153. - 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. 3-154. - 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. 3-155. - Effective date.

This article shall become effective on January 1, 2025.

Secs. 3-156—3-199. - Reserved.

Councillor Tseng moved for approval for first reading (Councillor Lazzaro second)—approved for first reading on a roll call vote of six in favor, zero opposed, and Vice President Collins absent.

24-047 – Offered by Councillor Leming

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

WHEREAS Medford’s linkage fee structure were uniquely established via Home Rule Petition in 1989, Chapter 488 “An Act Establishing a Linkage Exaction Program in the City of Medford” (the “Act”), which states the following: *The level of any exaction shall*

be reviewed at least every three years and reset as required based upon the recommendation of the office of community development and the mayor of said city;

WHEREAS none of these fees have been updated by the Community Development Board since 1990, bringing Medford out of compliance with the Act;

WHEREAS the current linkage fee schedule, having not been updated since 1990, has been devalued by the effects of inflation;

WHEREAS the studies required to calculate these exactions are often expensive and infeasible to recalculate every three years, and an automatically escalating linkage fee schedule, subject to periodic review, could be preferable to recalculating linkage fees every three years via a new study;

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

BE IT THEREFORE RESOLVED that Medford City Council formally request that the Office of Planning, Development, and Sustainability and the Community Development Board update the formula for its linkage fees to an appropriate amount, and that the City Clerk send this request to members of the Community Development Board, with request for official confirmation of its receipt;

BE IT FURTHER RESOLVED that the Office of Planning, Development, and Sustainability and the Community Development Board provide a report to Medford City Council on their willingness and ability to comply with this request by May 2024 and, if so, their expected timeline to its completion;

BE IT FURTHER RESOLVED that Medford City Council requests that this study include a progressive formula for linkage fee updates, such that a new study every three years is not necessarily required for the review process.

- a) Councillor Scarpelli offered an amendment requesting that the Administration report to the Council on what the City has spent linkage fees for over the last four years.

Addressing the Council:

Andrew Castagnetti, 23 Cushing Street
Sharon Deyeso, Mass. Ave. and Circuit Road

Councillor Leming moved for approval as amended (Councillor Callahan second)
—approved as amended.

24-056—Offered by Councillor Leming

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

WHEREAS Medford’s linkage fee structure was uniquely established via Home Rule Petition in 1989, Chapter 488 “An Act Establishing a Linkage Exaction Program in the

City of Medford” (the “Act”), which states the following: The level of any exaction shall be reviewed at least every three years and reset as required based upon the recommendation of the office of community development and the mayor of said city;

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

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

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

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

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

Councillor Scarpelli moved to waive reading in lieu of a summary (Councillor Lazzaro second)—reading waived.

Councillor Leming moved to refer the paper to the Committee on Administration and Finance (Councillor Lazzaro second)—referred to the Committee on Administration and Finance.

24-057 – Offered by Councillor Leming

Resolution to Add Affordable Housing to the Linkage Fee Structure

Whereas Medford’s linkage fee structure was uniquely established via a Home Rule Petition in 1989 - Chapter 0488, “An Act Establishing Linkage Exaction Program In The City Of Medford.”

Whereas “An Act Establishing Linkage Exaction Program In The City Of Medford” allows for the funding of affordable housing:

The linkage ordinance shall be used solely for the purposes of defraying the costs of capital improvements provided by the city caused by and necessary to support future development such as, but not limited to the following: capital improvements to school facilities, public facilities, roads, sewers, water supply lines, affordable housing, child care facilities, job training facilities, public safety service and facilities, and parks, playgrounds and other recreational facilities.

Whereas the implementation of this in Medford Municipal Code 94-10 only allocated linkage fees for parks and recreational facilities, police and fire facilities, roads and traffic facilities, and water and sewer facilities, and not for affordable housing;

Whereas, in 2023, pursuant to M.G.L. Ch. 44. Sec. 55C, Medford established an Affordable Housing Trust as a tool to combat the ongoing housing shortage, and there is a need to for long-term, sustainable revenue streams to fund this Trust;

Whereas on the topic of home prices, the Medford Housing Production Plan, published in September 2022 and prepared by the Office of Planning, Development, and Sustainability, makes the need for affordable housing very clear: “Medford has seen some of the highest price increases of any community in Massachusetts....There is currently a \$280,000 gap between what a household earning the median income could afford and the median sales price for a single-family home. Less than 5 percent of single-family homes are considered affordable to households earning Medford’s median income;

Be it therefore resolved that Medford City Council update Municipal Code 94-10 to establish a fifth linkage bucket for the Affordable Housing Trust;

Be it therefore Resolved this resolution be referred to committee for further discussion.

Addressing the Council:

Angela Murphy, 16 Cotting Street
Andrew Castagnetti, 23 Cushing Street
William Navarre, 108 Medford Street #1B

Councillor Leming moved to refer the paper to the Committee on Administration and Finance, and further moved that the study requested earlier from the Office of Planning, Development, and Sustainability also include an additional study about the addition of affordable housing to the linkage structure (Councillor Tseng second)—referred to the Committee on Administration and Finance.

24-052 – Offered by Councillor Scarpelli

Be it Resolved that the Medford City Council invite the Superintendent of Schools and the acting Finance Director from the School district to inform the Council on budget shortfalls for FY 2024.

Addressing the Council:

Juanita Waldrip, Sampson Road

Councillor Scarpelli moved to receive and place on file (Councillor Leming second)—received and placed on file.

PUBLIC PARTICIPATION

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

UNFINISHED BUSINESS

<u>23-412</u>	Petition to Amend Deed Restriction - 12 Dell Avenue
IN CITY COUNCIL	SEPTEMBER 19, 2023
TABLED	

<u>24-031</u>	Request a Representative from BJ's Wholesale Club
	Meet to Discuss Construction and Neighborhood
	Concerns
IN CITY COUNCIL	FEBRUARY 6, 2024
TABLED	

21-057
IN CITY COUNCIL
FIRST READING
SECOND READING
THIRD READING

Leaf Blower Ordinance
MARCH 12, 2024
APPROVED - MARCH 12, 2024
ADVERTISED - TBD
ELIGIBLE - TBD

23-319

IN CITY COUNCIL
PUBLIC HEARING
CONTINUED TO
DATE CERTAIN

**Raising Cane’s, 760 Fellsway, Special Permit for
Additional On Premises Signage**
MARCH 12, 2024

APRIL 2, 2024

Reports Due/Deadlines

16-574

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

17-606

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

20-086

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

22-007

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

22-009

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

22-026

Quarterly Presentation on City’s Financial Health by Chief Financial Officer/Auditor

22-027

Monthly Copy of Warrant Articles from Chief Financial Officer/Auditor

22-039

Report due in 30 days on draft ordinances requested by the Council during the 2020-2021 term

Adjournment:

Councillor Tseng moved to adjourn at 9:53 p.m. (Councillor Callahan second)—approved.

President Bears adjourned the meeting at 9:53 p.m.

A true copy, Attest

Adam L. Hurtubise
City Clerk