



Medford City Council
Medford, Massachusetts

MEETING DATE

March 19, 2024

SPONSORED BY

Matt Leming, City Councilor

AGENDA ITEM

24-047 - A Resolution to Request Linkage Fee Updates in Medford

FULL TEXT AND DESCRIPTION

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

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

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

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

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

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

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Linkage Fees - Request for Study
2. Linkage Fees - Adding Affordable Housing Bucket
3. Medford Linkage Fee Schedule_Apr 1990
4. 1989acts0488-Established Linkage Medford
5. KP Law Opinion - Linkage Fee