

## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into this \_\_\_ day of \_\_\_\_\_ 2021 between the SOMERVILLE CITY COUNCIL (“Council”) and SOMERVILLE REDEVELOPMENT AUTHORITY (“SRA”). Collectively, the Council and SRA shall be referred to herein as the “parties”.

Whereas, the SRA was organized in 1956 pursuant to the authority granted by G.L. c. 121B, sec. 4 as “a public body politic and corporate”;

Whereas, G.L.c. 121B, sec. 5 establishes a redevelopment authority as a five member board, four members of which are appointed by the mayor subject to confirmation by the city council, and one member by the governor, but every member is a fiduciary of the redevelopment authority;

Whereas, the City Council by Home Rule petition, which became c. 364 of St. 2018, effective January 2, 2019, expanded the SRA to include two additional members, one of which “shall be an alderman appointed by the president of the Board of Aldermen [now City Council], to serve coterminous with the term of the president”, while the second additional member is appointed by the Mayor subject to confirmation by the City Council;

Whereas, the SRA is governed by G.L. c. 121B and regulations promulgated thereunder at 760 C.M.R. 12.00 et seq., and is principally under the jurisdiction and review of the Commonwealth of Massachusetts Department of Housing and Community Development (“DHCD”);

Whereas, the implementation of an urban renewal plan requires that the City Council and SRA coordinate efforts since the City Council must approve an urban renewal plan in which properties may be designated to be taken by eminent domain, and approve financial measures to fund the purchase of any such properties taken by eminent domain;

Whereas, the parties are desirous of clarifying the relationship between the City Council and the SRA;

Now, therefore, the parties agree as follows:

1. City Council Liaison. The SRA member appointed by the City Council president shall serve as liaison to the City Council. The City Council Liaison shall:
  - a. Serve in an *ex officio* capacity;

- b. Periodically update the City Council in general, and ward Councilor in particular on SRA matters which may be of interest;
- c. Provide Council input on SRA matters;
- d. Serve as the conduit for questions that a Councilor may have for the SRA if the Councilor is unable to attend an SRA meeting;
- e. Convey concerns articulated by the Council regarding SRA matters or practices;
- f. Convey concerns articulated by the SRA regarding Council matters or practices.

2. Councilors Welcome to Participate or Appear at SRA Meetings. The SRA posts all agendas and detailed minutes of the Authority's meetings on the City's website in accordance with the Open Meeting Law. The SRA staff will also email SRA meeting agendas directly to all Councilors. As of April 25, 2019, the SRA includes a public comment period at every meeting; the SRA will now incorporate a public comment period at the start of each meeting and as appropriate throughout the meeting to allow comments to be heard relevant to Authority business on the agenda. Councilors are always welcome to review the agenda and provide comments on agenda topics during a public comment period. If a Councilor would like to appear before the SRA to speak on an item appearing on an SRA agenda or to place an item on an agenda for an SRA meeting, the Council member should contact SRA staff three days prior to an SRA meeting so that the item may be included on the posted meeting agenda in accordance with the requirements of the Open Meeting Law. The Councilor making such a request shall be provided a reasonable opportunity to speak on any such agenda item at the SRA meeting in question.

3. Coordination between City Council and SRA in Implementation of an Urban Renewal Plan When the SRA submits an urban renewal plan ("Redevelopment Plan") to the City Council for approval, but such plan does not include the request for proposals or request for qualifications that the SRA agrees to use in the solicitation of developers to be selected as discussed below, then the following process may be utilized by the City Council:

(a). In the event that the City Council approves the Redevelopment Plan, before the City Council approves the funding for any takings of property identified in the Redevelopment Plan, then

(b). The SRA shall provide the City Council with the SRA's request for proposals or request for qualifications that the SRA intends to use in its solicitation process to select developers, and

(c) The City Council shall inform the SRA of any changes that the City Council requests be made to the request for qualifications or request for

proposals within thirty (30) days of receipt of such document(s) but in any event before the Council votes on any orders related to the funding for any takings of property in connection with the Redevelopment Plan.

4. Community and City Council Participation and Input on Property Dispositions.

- a. *Commitment to Transparent Solicitation Process.* Although the SRA is exempted from the requirements of the G.L. c. 30B solicitation process when disposing of property, the SRA will agree to undertake such a process when disposing of property or properties within an urban renewal area, except when such property or properties are intended under the urban renewal plan to be conveyed to the City for the purpose set forth in the plan.
- b. *Dispositions to Non Profit Developers.* City staff from the Mayor's Office of Strategic Planning and Community Development shall formulate a request for proposals or request for qualifications, as appropriate, for any parcel designated by the plan to be conveyed to a mission-driven non-profit developer for the purpose set forth in the plan. The SRA shall select the developer from the evaluations and recommendations of appropriate City staff; for example, from the Director of Housing and/or the Director of the Office of Housing Stability for an affordable housing development; provided, however, that the recommended developer meets the requirements of DHCD and 760 C.M.R. 12.05.
- c. *Formation of Civic Advisory Committee for Dispositions to For Profit Private Developers.* When the SRA undertakes a public solicitation process for disposition of a property or properties to a for-profit private developer, the SRA will form a Civic Advisory Committee ("CAC") of not more than 17 members which will include community members with ties to the neighborhood including but not limited to residents, property owners, business owners, or other stakeholders, the ward Councilor, and an additional Councilor appointed by the City Council President. The CAC will be charged with establishing community priorities for the property to be included in a request for proposals or request for qualifications, as appropriate. In parallel with the SRA, the CAC will review developer submissions and presentations and shall make its recommendations on semi-finalists and finalists to the SRA, together with the reasons for such recommendations. For each solicitation, the CAC

shall provide the SRA with at least two developer recommendations, unless the CAC has determined that there are not a minimum of two developers that have met the criteria set forth in the solicitation. The City Council Liaison will convey the recommendations of the CAC to the Council. The SRA shall vote to select a developer from the CAC's recommendations and shall give its rationale for such selection; provided, however, that the recommended developer meets the requirements of DHCD and 760 C.M.R. 12.05.

5. Land Disposition Agreement Review and Comment. The SRA will provide any draft land disposition agreements to the City Council Liaison one month prior to any SRA discussion or vote. The City Council Liaison is encouraged to discuss the agreement with City Councilors and collect comments from the City Council for transmission to, and discussion by, the SRA. Final approval of any land disposition agreement is given by DHCD pursuant to 760 C.M.R. 12.05(3).

6. SRA Vacancies. SRA candidates appointed by the Mayor now undergo an additional vetting process prior to being submitted to the Council for confirmation. The protracted nature of the process in filling vacancies has resulted in occasional quorum issues which can frustrate and delay the work of the Authority. Accordingly, the City Council agrees to expedite, to the extent reasonably possible in conformance with its obligations under the City Charter and other applicable laws, the confirmation process for this position, as well as any future SRA vacancies. The parties recognize that in order to exercise its confirmation authority, the office of the Mayor should in a timely manner provide the City Council with a cover letter and resume of any such individual nominated for appointment to the SRA.

7. Facilitation of Public Input and Transparency Protocols. The SRA has implemented the following protocols and procedures in order to make it easier for members of the public and the community, as well as City Councilors, to participate in SRA meetings and contribute information, perspective and insight to the SRA decision-making process:

- a. Created an easy-to-remember and easy-to-communicate single email address for the SRA: [sra@somervillema.gov](mailto:sra@somervillema.gov);
- b. All emails sent to [sra@somervillema.gov](mailto:sra@somervillema.gov) intended for SRA members are passed along without alteration to SRA members in a timely manner in advance of a meeting. .

- c. All meeting materials and handouts are posted on the City website SRA page with the agenda for that particular meeting.
- d. Staff will work with the City Webmaster to post videos of each meeting on the City website SRA page with the agenda for that particular meeting. If, after returning to in-person meetings it is not possible to film and post video, audio recordings will be posted of each meeting.
- e. Created SRA project-specific email lists on the City's website for members of the public to sign up to be notified of SRA agendas, public hearings, and other meetings related to specific SRA projects.
- f. Posted the Winter Hill Urban Renewal documents and other SRA urban renewal project-related materials on the City website SRA page so members of the public can locate them quickly and easily.

8. Amendment. This MOA may only be amended by mutual agreement of the parties in writing signed by both parties. The parties recognize that that this agreement cannot abrogate any powers or authority given to the members of the City Council either collectively or individually under the Somerville City Charter or applicable law.

Witness our hands and seals on the day and year first above written.

**SOMERVILLE CITY COUNCIL**

**SOMERVILLE  
REDEVELOPMENT  
AUTHORITY**

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By: Matthew McLaughlin  
Its: President

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By: Philip Ercolini  
Its: Chair