

RULES OF THE MEDFORD COMMUNITY DEVELOPMENT BOARD GOVERNING ORGANIZATION AND PROCEDURE

As adopted on July 14, 2022

1.0 Authority. Medford Community Development Board (the “Board”) is charged with those powers, duties, rights, and responsibilities assigned to it by Chapter 839 of the Acts of 1974, General Laws, Chapters 40A and 41, as amended, and any other duties and rights as may be directly, or indirectly, assigned to it by General Laws, by the action of the General Court (such Acts, Laws, and action collectively, “Governing State Law”), or as specified in the Revised Ordinances of the City of Medford (the “Ordinance”, and collectively with Governing State Law, “applicable law”).

1.1 Administrative and Parliamentary Rules. The Board may adopt and amend procedural and administrative rules from time to time by a majority vote of the Board (as adopted and amended from time to time, the “Rules”). In procedural matters not covered by these Rules, the Board is guided by "Roberts' Rules of Parliamentary Practice" and by customary usage in the City of Medford, with all discrepancies resolved by the Chair. These Rules shall be subordinate to any city ordinance or any act of the General Court in the event of any present or future conflict between the provisions of these Rules and any such ordinance or law.

2.0 Organization. The Board’s membership and the terms of its members shall be as directed by applicable law. Except for the member appointed by the Department of Community Affairs or its successor executive agency, (i) members of the Board must be residents of the City of Medford, and (ii) vacancies occurring in the Board shall be filled by appointment by the Mayor for the unexpired term.

Any member of the Board may be removed for cause in accordance with General Laws, Chapter 41, Section 81A.

2.1 Officers.

2.1.1 General Provisions.

- A. Officers of the Board shall consist of a Chair, a Vice Chair, and a Clerk.
- B. Officers shall be Board members elected by a majority of the members annually for a term of one year at the first regular meeting after the first Monday in July.
- C. In the event of a vacancy in any office, that office shall be filled in the same manner at the next regular meeting after the Board is informed of the vacancy, and an officer so elected shall serve in that capacity for the remainder of the unexpired term.
- D. In the absence of the Chair at any meeting, the Vice Chair shall perform all regular duties of the Chair for that meeting.
- E. In the absence of the Chair and Vice Chair at any meeting, the Clerk shall perform all regular duties of the Chair for that meeting.
- F. The Board, subject to appropriation and the approval of the Mayor, may employ such technical and other assistants as may be necessary to perform its duties.

2.1.2 Duties of Officers.

Chair

- a. presides at all Board meetings
- b. calls special meetings of the Board
- c. appoints study committees and appoints members to same
- d. makes oral or written statements and agreements on behalf of the Board, as authorized by and within the limits of a vote or a decision of the Board
- e. approves the agenda for all meetings of the Board
- f. appoints members of the Board to serve in other capacities within the City, such as civic working groups, committees, and boards
- g. directs the Board to perform such other acts as deemed reasonably necessary, convenient, or prudent to fulfill the purposes of applicable law

Vice Chair

- a. performs the duties of the Chair in his/her absence with full authority of the Chair during such time
- b. presides at all Board meetings in the absence of the Chair
- c. performs other duties as may be designated by the Chair

Clerk

- A. certifies the minutes of the meetings of the Board
- B. performs the duties of the Chair in the absence of both the Chair and Vice Chair
- C. performs other duties as may be designated by the Chair

Associate Member -

1. If an Associate Member(s) is authorized by applicable law, then each Associate Member of the Board shall be charged with those powers, duties, and responsibilities specified therein.

2.2 Special Study Committees.

2.2.1 Appointments. Special study committees of the Board are appointed by the Chair. Their rosters, which must be filed with the city clerk, may consist of members of the Board and/or other citizens willing to serve on such committees.

2.2.2 Term. Each committee remains in existence until it completes its task and submits a report or recommendation to the Board, but no committee shall continue longer than one year, unless the committee's tenure is affirmatively extended by the Board.

2.2.3 Dissolution. Upon dissolution of a committee, its records must be deposited with the Board and the city clerk must be notified of its termination.

2.3 Office of Planning, Development, and Sustainability a/k/a Office of Community Development (the "Office").

1. The Director of the Office (the "Director") shall ensure that the Office:
 - a. Prepares an agenda for all meetings of the Board including identification of issues to be acted upon within each item, subject to approval of the Chair.
 - b. Notifies members of the time and place of meetings, the agenda items to be addressed, and specific issues to be acted upon within each agenda item.

- c. Posts all necessary meeting notices in accordance with applicable law.
 - d. Receives submissions and correspondence to the Board on behalf of the Board and distributes the same to the Chair for resolution.
 - e. Distributes to Board members copies of the agenda, together with correspondence or other material relevant to the agenda, and explanatory notes and/or recommendations as may be appropriate. This should occur no later than the Friday preceding each regular meeting of the Board.
 - f. Prepares minutes of meetings of the Board and records of recommendations for review and approval of the Board.
 - g. Prepares legal advertisements and authorized official reports and recommendations or summaries of decisions reached after public hearings for the Chair's signature, including on such documents the names of all members, and subsequently distributes them as required by applicable law to interested parties.
 - h. Acts as custodian of the Board's plans and records.
 - i. Promulgates and implements the decisions of the Board.
 - j. Carries out other specific tasks assigned by the Chair.
2. The Director may make recommendations to the Board on any matter to come before the Board for action or decision, including, where appropriate, the preparation of proposed correspondence, resolutions, and votes to be taken by the Board.
 3. If so voted by the Board, and the vote recorded in the Middlesex Registry of Deeds, the Director is authorized to sign plans and instruments to certify action taken by the Board relative to such plans and instruments in accordance with applicable law.

2.4 Other Rules. The Board may adopt other rules of procedure and policy as it deems necessary to conduct its affairs, including but not limited to rules and procedures governing applications and fees, including required written and graphical information; rules and procedures pertaining to the development review process; rules and procedures for site plan approval; rules and procedures for the engagement of outside consultants in connection with proposed projects; and rules and procedures for any other matters regularly before the Board.

3.0 Meetings.

3.1 Regular Meetings. Regular meetings of the Board are typically held monthly on a weekday and at a time no earlier than 6:00 p.m., whenever possible, at a public meeting held either, at the discretion of the Board, in a conference room or other larger venue at Medford City Hall or other suitable public space or through remote participation by members of the Board (in whole or in part), to the extent remote participation is authorized by Governing State Law.

3.2 Special Meetings. Special meetings may be called by the Chair, who must notify all members in person or in writing at least 48 hours in advance of any such meeting.

3.3 Closing of Agendas.

1. Except for emergencies (as determined by the Chair), compliance with legal requirements, and properly filed Approval Not Required plans, the agenda for each meeting will be closed at 4:00 p.m. on Thursday of the week preceding each meeting.

2. The Board will generally not take action on, or respond to, plans, proposals, or other material presented by applicants or others with business before the Board, which has not been filed with Office by the time the agenda closes and is not distributed to Board members in advance of the meeting.
3. Action or discussion of previously unseen material will be deferred to a subsequent Board meeting.

3.4 Meeting Procedure.

1. The business of the Board shall only be conducted by members in the presence of a quorum at an authorized meeting.
2. A quorum shall consist of a majority of the members of the Board. If applicable, the Chair shall designate the participation of Associate Member(s) prior to the commencement of any particular proceeding
3. The business of a regular meeting shall be confined to the items identified on the agenda, except that an agenda may be suspended or amended by a majority vote of the members present.
4. The business of any special meeting shall be limited to the purpose(s) for which the meeting was called.
5. The concurring vote, upon a motion duly made and seconded, of a majority of the members present and voting is required for any decision or action of the Board, unless otherwise specified by applicable law or these Rules.
6. If not unanimous, the vote of each member must be recorded in the minutes of the meeting, or by means of a specific instrument or plan endorsed by vote, decision, action or intention to act, or policy of the Board.
7. The presiding officer may vote on all questions.
8. Any plans or documents required to be endorsed by the Board shall be endorsed by a majority of the members.
9. The Chair has discretion to restrict remote participation by members of the Board at any Board meeting when in-person attendance is expected or required of members of the Board.
10. Public hearings for special permits and/or site plan review are conducted formally under the direction of the Chair, generally following the following sequence:
 - a. Opening of hearing
 - b. Presentation by applicant
 - c. Comments from City staff and other boards
 - d. Public comment period
 - e. Written communications from public
 - f. Board discussion
 - g. Determination of need of consultants
 - h. Questions of the applicant
 - i. Determination of continuation of hearing

- j. Closing of public comment period
 - k. Board deliberation
 - l. Board vote
11. Notwithstanding the foregoing, the Chair retains discretion over the specific procedures and order to be followed at each meeting. Anyone wishing to speak must be recognized by the Chair and all remarks must be addressed to the Chair, although the Chair may permit others to answer questions. Members of the Board may, once recognized by the Chair, ask questions or seek clarifying information, at any time during a meeting designated by the Chair.
12. Customary parliamentary procedures will normally be followed, except where the number of people attending a hearing is so small as to permit a less formal procedure.

4.0 Speaking for the Board.

- 1. No Board member may represent, act, speak for, or express the opinion of the Board, except in accordance with a general or specific vote or decision of the Board.
- 2. To avoid confusion with any official position of the Board, members must clearly identify personal opinions as their own.
- 3. Reports and recommendations of study committees do not represent the position of the Board unless specifically voted by the Board.

5.0 Previous Board Actions. Changes in the membership of the Board do not affect the validity and the effect of any previous decision, action, or policy of the Board, nor its right to amend or rescind any such previous decision, action, or policy consistent with the provisions of any applicable laws and with due regard for the rights of those affected by such amendment or rescission.