

MEMORANDUM

APRIL 14, 2016

TO: BOSTON REDEVELOPMENT AUTHORITY AND
BRIAN P. GOLDEN, DIRECTOR

FROM: MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
KRISTIN KARA, DEPUTY DIRECTOR FOR SPECIAL PROJECTS
COREY ZEHNGEBOT, SENIOR ARCHITECT/URBAN DESIGNER

SUBJECT: ADOPTION OF NEW PROCEDURES RELATIVE TO BOSTON
REDEVELOPMENT AUTHORITY URBAN RENEWAL ACTIONS AND
ADOPTION OF THE RESOLUTION ENTITLED “RESOLUTION OF
BOSTON REDEVELOPMENT AUTHORITY RE: MODIFICATION TO
CERTAIN URBAN RENEWAL PLANS OF THE CITY OF BOSTON,
APRIL 14, 2016”

SUMMARY: This Memorandum requests authorization for Boston Redevelopment Authority (“BRA”) to: (1) adopt certain procedural changes relative to the BRA’s exercise of its urban renewal powers; (2) rescind the Resolution that was adopted by the BRA Board on December 10, 2015 related to modifications to certain urban renewal plans to extend said plans in order to continue Boston’s community development; and (3) adopt a new Resolution, dated April 14, 2016, related to modifications to certain urban renewal plans to extend said plans in order to continue Boston’s community development activities.

BACKGROUND

Today, the City of Boston (“City”) has sixteen (16) remaining urban renewal plans and associated areas wherein the Boston Redevelopment Authority (“BRA”) holds certain powers and responsibilities to effect change. Over the past year, the BRA has gone to great lengths to foster a robust public conversation about urban renewal. The BRA has sought feedback directly from community members about how urban renewal can best be used in the future. Highlights of the BRA’s community process include: twelve (12) large public meetings in different neighborhoods since March 2015; five (5) neighborhood Q&A sessions in partnership with the City Hall To Go truck in May 2015; an exhibition about past, present, and future of urban renewal in conjunction with West End Museum; and nearly 100 opportunities for engagement. Members of an Urban

Renewal Task Force representing the neighborhoods where urban renewal plans are active were also involved at multiple points throughout the public outreach process.

Following the year-long public process, on December 10, 2015, a public hearing before the BRA Board was held and the BRA Board adopted a Resolution to extend fourteen (14) of the City's urban renewal plans to April 30, 2026. In connection with the extension of the plans, the BRA has, in consultation with the Mayor's Office, engaged in a lengthy dialogue with the Boston City Council. The BRA presented at an information session, two briefings, and one hearing of a committee of the Boston City Council. These sessions were open to the public. Additionally, on March 3, 2016, the Boston City Council held a public hearing regarding the proposed extension of the urban renewal plans. To continue the discussion of the proposed extension, on March 8, 2016 the Boston City Council held a working session. Subsequently, the Boston City Council, by vote duly taken and recorded on March 23, 2016, approved the extension of fourteen (14) of Boston's urban renewal plans for a period of six (6) years, with a termination date of April 30, 2022. Subsequently, Mayor Martin J. Walsh approved the extension of the urban plans on March 28, 2016.

Because the Boston City Council's approval of the extension was for six (6) years, and not for ten (10) years, the Resolution entitled "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: MODIFICATION TO CERTAIN URBAN RENEWAL PLANS OF THE CITY OF BOSTON", that was adopted by the BRA Board on December 10, 2015, must be rescinded. It is necessary for the BRA Board to adopt a new Resolution that (1) reflects the reduced timeframe of the extension and new termination date that were approved by the Boston City Council, and (2) that includes a sixty (60) day, short-term extension. The short-term extension is being requested to provide additional time for the BRA to work with the Commonwealth's Department of Housing and Community Development regarding the six (6) year extension. Without the short-term extension, the urban renewal plans are set to expire on April 30, 2016.

PROCEDURAL CHANGES AND OVERSIGHT

Furthermore, as part of the process with the Boston City Council, the BRA is examining ways to strengthen communications between the BRA and the Boston City Council around the BRA's exercise of its renewal powers pursuant to Chapter 121B of the Massachusetts General Laws. The BRA is committed to openness, transparency, and accountability with respect to the use of our urban renewal tools.

The BRA proposes to adopt certain procedural changes in order to provide the Boston City Council with timely communications regarding proposed urban renewal actions and clearer oversight of minor modifications to the urban renewal plans. These proposed changes would supplement the procedural changes that were adopted by the BRA Board on December 21, 2004 in connection with the initial extension of the urban

renewal plans in 2004/2005. An Action Plan is outlined below that is the outcome of the public process and feedback that was we received throughout the public process and working with the Boston City Council. The Action Plan further demonstrates the BRA's continued transparency related to its urban renewal actions.

The BRA proposes the following procedural changes:

1. Committing to the Action Plan that is outlined below;
2. Notifying the City Council via a filing of the minor modification notice by the BRA to the City Clerk in addition to the notifications that currently are in place;
3. Providing the City Council with a digital copy of the minor modification notice via email transmission;
4. A commitment to testify at any hearing the City Council chooses to hold regarding a proposed minor modification to an urban renewal plan within the thirty day (30) notice period, with the protocol outlined below;
5. Providing the City Council with at thirty (30) day notice of any proposed eminent domain taking of city-owned land in excess of 5,000 square feet;
6. Providing the City Council with a thirty (30) day notice of any proposed eminent domain taking of properties occupied by private residents or private businesses;
7. Meeting with the City Council to provide annual updates on urban renewal activity; and
8. Submitting an annual report of urban renewal activity to all members of the City Council; and

Action Plan items:

1. Extend the life of the notice and information page on the BRA website or related website beyond any approval of urban renewal extension as an information conduit for urban renewal activities by the BRA, including notice of all minor and major modifications.
2. Compile an inventory of all land disposition agreements ("LDAs") within urban renewal areas and make the same publicly available. The BRA's priority for the LDA inventory is the South End and Charlestown. The new digital database of LDAs will be organized in such a way to complement the

BRA's ongoing efforts to modernize its ongoing management of property leases and land assets.

3. The BRA will evaluate and organize BRA-owned land.
4. The BRA will review the boundaries of plan areas to determine where modifications may be warranted, prioritizing the South End and Charlestown.
5. The BRA commits to exploring the creation of new urban renewal plan areas, including Mattapan.
6. The BRA will review the existing procedures surrounding disposition of BRA-owned land and revise protocols for land disposition accordingly, in such a manner that reflects community planning goals and priorities.
7. As part of the annual update, the BRA will continue to provide updates on progress of the completion of the urban renewal plans.

Outline of minor modification hearing protocol:

1. The BRA will file any minor modification notice with the City Clerk to be read into the agenda of the next City Council meeting. In accordance with the Rules of the City Council, the President can refer the matter to the appropriate committee which may hold a hearing on the notice and issue a non-binding report (the "Committee Report") to be included in the packet submitted to the BRA Board on the minor modification. Said report, if any, must be received within thirty (30) days of the time the notice is filed with the City Clerk.
2. Upon adoption of the Committee Report, the President of the City Council may file the Committee Report with the Executive Secretary of the BRA for transmittal to BRA Board members prior to any vote on the minor modification notice.

In this proposed minor modification hearing protocol process, the Boston City Council would play the role of facilitating public engagement and engagement with the project team, on a particular modification, similar to the way in which the Zoning Board of Appeal provides the forum for public discussion on zoning code variances and conditional use permits. The Boston City Council's role is advisory, and the purpose of the report would be to advise the BRA Board in advance of their vote of the minor modification application, and ultimate decision-making authority remains with the BRA Board.

This provides the Boston City Council, and the public, with the ability to play an active and direct role in the minor modification process, providing an additional mechanism for oversight of the BRA while simultaneously promoting increased transparency.

RECOMMENDATION

BRA staff recommends adoption of the new procedures set forth above.

After careful consideration of all of the comments received and discussion over the past year of the proposed year extension, BRA staff feel it would be prudent to extend certain urban renewal plans until April 30, 2022. These plans include:

1. Brunswick-King Urban Renewal Plan,
2. Campus High School Urban Renewal Plan,
3. Central Business District Boylston-Essex Plan,
4. Central Business District School-Franklin Plan,
5. Central Business District South Station Urban Renewal Plan,
6. Charlestown Urban Renewal Plan,
7. Downtown Waterfront-Faneuil Hall Urban Renewal Plan,
8. Fenway Urban Renewal Plan,
9. Government Center Urban Renewal Plan,
10. Kittredge Square Urban Renewal Plan,
11. Park Plaza Urban Renewal Plan,
12. South Cove Urban Renewal Plan,
13. South End Urban Renewal Plan; and
14. Washington Park Urban Renewal Plan.

The six (6) year extension would allow additional time to complete the commitments set forth by the BRA and the City since the late 1950s. The plans would again be reviewed prior to 2022 to determine progress and the ongoing necessity of the urban renewal plans.

Significant extension of the urban renewal projects requires modifications to each affected urban renewal plan. The modification process followed by the BRA for such extensions includes the approval of the BRA, the City, the Mayor and the Commonwealth.

Appropriate votes follow:

VOTED: That the Boston Redevelopment Authority (“BRA”) adopts the following new procedures to guide the BRA’s exercise of its urban renewal powers under Chapter 121B of Massachusetts General Laws:

The BRA proposes the following procedural changes:

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3. The BRA will evaluate and organize BRA-owned land.
4. The BRA will review the boundaries of plan areas to determine where modifications may be warranted, prioritizing the South End and Charlestown.
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7. As part of the annual update, the BRA will continue to provide updates on progress of the completion of the urban renewal plans.

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2. Upon adoption of the Committee Report, the President of the City Council may file the Committee Report with the Executive Secretary of the BRA for transmittal to BRA Board members prior to any vote on the minor modification notice; and

FURTHER

VOTED: The Director or his/her designee is hereby authorized to submit to the Boston City Council all of the above-referenced actions, as he/she deems appropriate; and

FURTHER

VOTED: That the Boston Redevelopment Authority hereby rescinds the Resolution entitled "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: MODIFICATION TO CERTAIN URBAN RENEWAL PLANS OF THE CITY OF BOSTON," adopted by the BRA Board on December 10, 2015; and

FURTHER

VOTED: That the Boston Redevelopment Authority hereby adopts the Resolution entitled "RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY RE: MODIFICATION TO CERTAIN URBAN RENEWAL PLANS OF THE CITY OF BOSTON, APRIL 14, 2016."