

Summary of An Act Relative to Urban Redevelopment in the City of Quincy

Set forth below is a section-by-section description of the provisions that are contained in the proposed special legislation which is part of the Land Disposition Agreement (LDA) for Quincy Center approved by Quincy City Council on December 20, 2010.

The special legislation has the following main goals:

- To facilitate the City's collection and application of payments paid under chapter 121A agreements and the refinancing of the bond anticipation notes used to finance the costs of the City's redevelopment efforts.
- To administer the chapter 121A program in Quincy in a manner similar to its administration in Boston. In Boston, with the participation of the Mayor, the Boston Redevelopment Authority (BRA) reviews and approves chapter 121A applications and the projects which they represent. The BRA also supervises their construction. Outside of Boston, these functions are performed by the Department of Housing and Community Development (DHCD). Given the fact that the Planning Director and the Mayor have roles under the LDA (following its approval by DHCD) akin to those of the BRA and the Mayor in Boston, a number of the provisions of the special legislation are intended to provide the chapter 121A process in Quincy with an administrative structure similar to that used in Boston.
- Certain provisions of state law have procedural requirements affecting subdivisions, the transfer of municipal property and the organization of condominiums under chapter 121A that create unnecessary, technical impediments to the execution of the Development Plan envisioned in the LDA. The special legislation removes these impediments.
- To clarify the application of the exemption from public bidding afforded to municipalities under chapter 121A and the scope of prevailing wages payable under construction contracts for public components of chapter 121A projects.

SECTION 1.

This section states the general purpose of the Act.

SECTION 2.

This section defines the key provisions used in the special legislation, including the LDA.

SECTIONS 3, 4, 5, 6, 7, 8 AND 9.

These sections recognize that the intensive public review process recently completed by the Quincy City Council as part of its approval of the LDA, certain substantive provisions of the LDA, and the approval of the LDA by DHCD, together satisfy the goals and purposes of certain

sections of chapter 121A related to local approval, required statutory findings, and payments to be made to the City of Quincy.

SECTION 10.

This section adds several provisions which are consistent with the LDA and similar to the special legislation previously enacted for Boston which vests the administrative and decision-making power concerning a 121A project in the BRA (rather than DHCD) under chapter 121A. These powers would be exercised by the Quincy Planning Department and the Mayor.

This provisions includes a paragraph dealing with condominiums to bring the operative provisions of chapter 121A, as they relate to condominiums, into conformity with the market conditions that will apply to development of condominiums under the LDA.

This section also clarifies (a) the priority of the City's lien to assure the payments to be made to the City under the 121A agreements, and (b) that the payments made to the City of Quincy Affordable Housing Trust shall be paid to and applied by the City.

These changes are being made to the existing 1973 Quincy special act authorizing the City to undertake urban renewal projects.

SECTION 11.

This section extends the dates by which the bond anticipation rates that previously have been issued for the redevelopment of the downtown must be refinanced.

SECTION 12.

This section allows chapter 121A payments to be made directly to the City, rather than to the Commonwealth and then paid over to the City. This payment mechanism will enable the City to pay the quarterly debt service on the municipal bonds eventually to be issued by the City under the LDA. This section also provides that (a) the City can terminate a 121A agreement after 15 years if the City would receive higher payments under ad valorem real estate taxes, and (b) personal property taxes are still payable.

SECTION 13.

This section allows the City to apply parking receipts to the payments specified in the LDA and clarifies that the City can sell or lease air rights above City-owned land and roads.

SECTION 14.

This section modifies the definition of lot within the subdivision control law so as to facilitate the development of air rights parcels.

SECTION 15.

This section is intended to clarify the applicability of section 14 of chapter 121A that otherwise exempts contracts for the construction of public improvements under chapter 121A from the public bidding laws as long as prevailing wage is paid. This section would also expand the definition of prevailing wage to include pension and other benefits included in the definition under section 26 of chapter 149 of the general laws.

SECTION 16.

This section eliminates the need for a separate process under section 15 of chapter 40 for the disposition of City land, including that under discontinued roads and ways, in order to accomplish the goals of the urban renewal plan.

SECTION 17.

This section clarifies the obligations of successor parties under the chapter 121A agreements with the City.

SECTION 18.

This section recognizes that, in anticipation of the completion of the public parking garages and their turnover to the City, the City and the redeveloper will execute a parking management agreement to ensure that parking rates and maintenance of the garages will be consistent with the City's goals under the urban renewal plan.

SECTION 19.

This section merely confirms that the legislation, once adopted, shall become effective upon its passage.