

To: Charter Commission
From: Anne Larner
Re: Article 11, Section 8 Designer Selection & Design Review Committees
Date: September 26, 2016

Designer Selection and Design Review Committees - Article 11, Section 8.

1. The attached proposed new language addresses several issues. First, it ties Newton's Designer Selection Committee (DSC) to State requirements regarding selection of designers in Chapter 7C, Section 54 (a) of Massachusetts General Laws and makes language used in the Charter consistent with language used in the state statutes. This change clarifies the charge for the DSC and broadens the committee's scope in one way and narrows it in another. Under the proposed language the DSC would vet any outside designer hired whose fee was to exceed \$10,000 or who worked on a project whose value was \$100,000 or more, not just architects. This makes total sense since engineers or other design professionals are sometimes hired to oversee certain building projects. The current language focuses exclusively on the hiring of architects. The financial value of contract or of project is a new parameter for Newton (and is in the state statute). So far I've heard no objection to tying Newton to this threshold standard. It is seen as a reasonable threshold.

The changes for Design Review Committee are more simple. "Public building" which is defined in state statutes is substituted for public facility which is not a defined term and "design service professional" which is a more inclusive term is substituted at Ouida's suggestion for architect. The final sentence in the original charter language is eliminated because it has not been used or seriously considered in the last 45 years and seems an extraneous option.

Ordinances for Design Review and Designer Selection will need updating upon passage of a proposed new charter. Design Review ordinances already need updating even should a new charter not be approved. Current ordinances need to clarify roles and scope of work and be adjusted to take account of changes in state statutes regarding school projects that fall under MSBA. Delay in updating has caused frustration within both the City Council and the Design Review Committee.