



**CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES**

December 2, 2021
REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	
Mark Niedergang	Vice Chair	Present	
Ben Ewen-Campen	Ward Three City Councilor	Present	
Matthew McLaughlin	Ward One City Councilor	Present	
Jesse Clingan	Ward Four City Councilor	Present	

Others present: Lauren Racaniello-Mayor's Office, Hannah Carrillo-Mayor's Office, Doug Kress-HHS, David Shapiro-City Solicitor's Office and Jason Piques-City Solicitor's Office

The meeting was held virtually and was called to order at 6:03 p.m. by Chairperson Lance Davis and adjourned at 7:12 p.m.

Approval of the November 4, 2021 Minutes

RESULT:	ACCEPTED
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Approval of the October 21, 2021 Minutes

RESULT:	ACCEPTED
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211197: That the City Solicitor draft language to change all pronouns in the city's ordinances to gender-neutral.

The Council already sent a home rule petition to the state legislature on a related item to change the city charter to remove binary terms and change language to be more inclusive. The solicitor's office also suggested changes to the city ordinances, which are significantly longer. There are still some outstanding questions relating to older federal regulations, such as those relating to affirmative action, that contain language to be reviewed. Attorney Shapiro is looking into the old standards and to see if they can be updated.

RESULT:	KEPT IN COMMITTEE
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211260: That the City Solicitor prepare legislation revoking the enabling legislation for the

Police Reserve List.

Items 211260, 211261, 211318 & 211319 are related and have been discussed at length.

The councilors has previously expressed an interest to move away from the use of reserve lists. The mayor sent a letter to the City Council in response, stating that the administration will no longer use reserve lists in hiring police officers and fire fighters. This committee decided last spring to hold off on voting to end the use of reserve lists until there is no one left on either list. Director Racaniello stated the police list still has two individuals on it. There is now a permanent hiring list for additional positions and the police department intends to move the individuals off of the reserve list as part of that larger direct hiring process. There is also one individual on the fire reserve list.

Dir. Racaniello was asked when the lists will be cleared. The hiring process for the police will close out either by end of the year or in January. Dir. Racaniello did not know the timeframe for the individual on the fire reserve list.

Councilor Clingan stated the police individuals have already gone through the academy at their own expense and should be moved off of the list as soon as possible. Chair Davis and Councilor McLaughlin expressed frustration that the committee was previously told that both lists were likely to be cleared by this time and that has not yet happened. Councilor McLaughlin noted that he will oppose any additions to either list.

RESULT:	KEPT IN COMMITTEE
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211261: That the City Solicitor prepare legislation revoking the enabling legislation for the Fire Reserve List.

Items 211260, 211261, 211318 & 211319 are related and have been discussed at length.

RESULT:	KEPT IN COMMITTEE
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211318: Requesting rescission of the adoption of MGL Chapter 48 Sections 59B, 59C and 59D relative to a Reserve Fire Force.

Items 211260, 211261, 211318 & 211319 are related and have been discussed at length.

RESULT:	KEPT IN COMMITTEE
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211319: Requesting rescission of the adoption of MGL Chapter 147 Sections 11, 12 and 13 relative to a Reserve Police Force.

Items 211260, 211261, 211318 & 211319 are related and have been discussed at length.

RESULT:	KEPT IN COMMITTEE
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212544: That the City Solicitor draft a Home Rule Petition to exempt Somerville from MGL 135 Sec 8, and thus allow the City of Somerville to donate unclaimed bicycles to local non-profit organizations, rather than selling them at auction.

Councilor Ewen-Campen stated the bikes are stored in a police facility and then sold at auction, where bikes that are in the best condition are bought quickly by those in the business. His intent is to allow bikes to be donated to charitable organizations such as those who teach people to ride. Chief Femino has been extremely supportive of these efforts. Councilor Ewen-Campen stated a number of neighboring communities are donating bikes to charities. The intent is to donate to organizations in Somerville that can handle a number of donated bikes.

Assistant City Solicitor Piques stated he spoke with other communities and received a general sense of how to handle this request, and that there are ways to accomplish the intent without needing a home rule petition. There noted may be a question of risk with the abandoned bikes. He suggested a written notice to those who may be interested in the bikes.

Councilor Ewen-Campen motioned for the administration approve written procedures for the disposition of abandoned bicycles at less than fair market value to a charitable organization consistent with MGL c. 30B § 15.

There were no votes taken for this motion.

RESULT:

PLACED ON FILE

212697: Submitting proposed amendments to modernize the City's Biotechnology Ordinance.

Chair Davis shared the Summary of Proposed Changes to the Biotechnology Ordinance, which was provided by the Administration. The overall intent is to bring the ordinance up to date and make it more appropriate to address the current industry. Some of the changes now align with the City of Cambridge ordinance and Biosafety regulations. Director Racaniello stated that some changes are grammatical, updating some language and/or less substantive. Many of the changes were made at the suggestion of the Somerville Biosafety Committee, which is a body created under the existing ordinance. This item was introduced at the most recent City Council meeting and the summary and redline were provided to the committee members this week. The chair stated he has significant questions regarding the document and suggested that they likely are too numerous and too substantive to address in the committee meeting. At a high level he is concerned that the revised ordinance as drafted would not accomplish the stated intent and that there are many ambiguities that need to be addressed. Councilor Ewen-Campen agreed and asked questions about the intent of this document. He also asked how the city has been handling rDNA applications in the past and if there is some time sensitivity on this matter. Director Racaniello shared that, as biotechnology businesses look at locating in Somerville, there is a desire to have an ordinance that isn't out of date, but that the administration recognizes the need to address any concerns.

The chair asked Dir. Racaniello to send a version of the document to himself and Councilor Ewen-Campen to allow them to edit with comments. They will work with Director Racaniello on a revised proposal.

RESULT:

KEPT IN COMMITTEE

211417: City Solicitor responding to #211232 with an amendment to Ordinances 10-1 and 10-1.1, to eliminate specified levels of patrol and superior officers in the Police Department.

Councilor McLaughlin recused himself from this item.

The chair stated that Councilor Scott's stated intent for this item seems to contradict the proposed language change, which already establishes specific officer levels set by the Council. He suggested that a revised request could be resubmitted in the new year.

RESULT:

PLACED ON FILE

212572: That the City Solicitor work with this Council to amend the anti-nepotism ordinance to allow for more flexibility when the circumstances warrant.

RESULT:

WORK COMPLETED

Reference Material:

- Summary of Changes to Biotechnology Ordinance (with 212697)
- COMPARE of existing biosafety ordinance with proposed changes (with 212697)