



City of Somerville, Massachusetts

City Council Legislative Matters Committee

Meeting Minutes

Tuesday, December 5, 2023

6:00 PM

This meeting was held via Zoom and was called to order by Chair Davis at 6:02 pm and adjourned at 6:37 pm with a roll call vote of 5 in favor (Councilor Scott, Councilor McLaughlin, Councilor Burnley, Councilor Kelly and Chair Davis), none opposed, and none absent.

Others present: Neha Singh – Mayor’s Office, Cindy Amara – Law Office, Brendan Salisbury – City Clerk’s Office, Stephanie Widzowski – Clerk of Committees.

Roll Call

Present: Chairperson Lance L. Davis, Vice Chair Charlotte Kelly, Willie Burnley Jr., Matthew McLaughlin and Jefferson Thomas (J.T.) Scott

1. Committee Minutes (ID # [23-1708](#)) Approval of the Minutes of the Legislative Matters Committee Meeting of November 14, 2023.

RESULT: ACCEPTED
AYE: Chairperson Davis, Vice Chair Kelly, City Councilor At Large Burnley Jr., Ward One City Councilor McLaughlin and Ward Two City Councilor Scott

2. Committee Minutes (ID # [23-1781](#)) Approval of the Minutes of the Legislative Matters Committee Meeting of November 28, 2023.

RESULT: KEPT IN COMMITTEE

3. Order (ID # [22-0838](#)) By Councilor Burnley Jr., Councilor Strezo, Councilor Kelly and Councilor Pineda Neufeld
That the City Solicitor discuss this Council’s ability to ban landlords from passing real estate agent fees onto tenants.

Solicitor Amara said that the Council would not be able to ban landlords from passing real estate agent fees onto tenants by ordinance; it would require a Home Rule Petition. She said that there is a pending state statute that is trying to do the same thing, though, and stressed that there would be issues of monitoring and enforcement even if Somerville were able to pass legislation. Councilor Burnley asked for more details on the pending state legislation, and Solicitor Amara said that she could follow up.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED

- 4. Order (ID # [23-0622](#))

By Councilor Burnley Jr.

That the City Solicitor work with this Council to determine the legality of requiring businesses of a certain size to post in clearly visible spaces, Worker's Rights Bills, which shall include the right to form a union without retaliation and consequences for violating workers' rights.

Solicitor Amara said that the National Labor Relations Board (NLRB) has this provision in place and requires most businesses, with a few exceptions, to post employee rights such as the ability to organize. She said that she had not had conversations on what the Council would want to do beyond the NLRB's provisions. Chair Davis mentioned that the fact of whether a set of regulations was considered "comprehensive" had been discussed before as a factor in preemption, and he asked about the possibility of extending beyond what the NLRB requires. Solicitor Amara said that she would need more details on the applications. There was discussion on the role of franchises in the NLRB. Councilor Burnley asked if the city would be able to levy additional fines for NLRB violations, but Solicitor Amara said she was not aware of any place where "parallel enforcement" is allowed.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED

- 5. Order (ID # [23-0461](#))

By Councilor Strezo

That the City Solicitor draft an Ordinance to protect homeowners from developer and realtor mail, phone and email harassment.

Legislative & Policy Analyst Salisbury said that at the request of the Deputy City Solicitor, they contacted staff in Chicago, on whose legislation the drafted ordinance was based. Ultimately, this conversation led to the conclusion that Chicago's ordinance would not be viable in Somerville. This is because of the level of enforcement required and departmental capacity.

Councilor Scott expressed interest in continuing the conversation on this issue and investigating how the city could license realtors. Analyst Salisbury said that they would coordinate with Intergovernmental Affairs and the Solicitor's Office after conducting some research.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED

- 6. Order (ID # [22-0036](#))

By Councilor Davis and Councilor McLaughlin

That the City Solicitor draft an ordinance requiring pollution mitigation for new housing built along high transit roads and highways.

Councilor McLaughlin said that he and local stakeholders would find a different venue for this issue.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED

Referenced Documents:

- Legislative Matters - 2023-12-05 Gilman Model Flood Results 2022Jun23 (with 22-0336)