



City of Somerville, Massachusetts

City Council Legislative Matters Committee

Meeting Minutes

Tuesday, February 14, 2023

6:00 PM

This meeting was held via GoToWebinar and was called to order by Chair Davis at 6:03 pm and adjourned at 8:15 pm with a roll call vote of all 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, Brendan Salisbury – City Clerk's Office, Alexander Chen – Harvard Law School, Michael Feloney – Housing, Kelly Donato – Housing, Suzanne Rinfret – Parking, Cindy Amara – Solicitor’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

Code of Ordinances amendments re: "Relationship Status"

1. Order
(ID # [22-1991](#))

By Councilor Burnley Jr. and Councilor Scott

That the City Solicitor work with this Council to amend the Code of Ordinances to include nondiscrimination provisions based on relationship status.

Taken together with items 22-1992, 22-1993, 22-1994, 22-1995, and 22-1996. Councilor Burnley explained that the city passed an ordinance in 2020 allowing more than two members in a domestic partnership, but did not codify non-discrimination ordinances to match. He sponsored Alexander Chen, founding director of the Harvard Law School LGBTQ+ Advocacy Clinic, to elaborate on the discrimination or fear thereof that non-monogamous face regularly. Mr. Chen highlighted a change that he and Councilor Burnley are requesting to the proposed amendments: to substitute the phrase “family and relationship structure” for the term “relationship status”. Councilor Burnley added that these protections go beyond polyamory, as people in Somerville buy homes together for many reasons, including economic. This language protects them as well.

Chair Davis suggested moving the definition of “intimate personal relationship” under the definition for “family and relationship structure”. He then reviewed each of the proposed amendments. He expressed concern that by adding “domestic partner” to Sec. 15-31 of the Code of Ordinances, it may be construed as excluding the term elsewhere, and said he would like the City Solicitor’s opinion there.

Liaison Singh and Dir. Feloney spoke to the Administration’s ongoing conversations about enforcement regarding housing, as the Fair Housing

Commission does not yet have the capacity to investigate complaints not covered by the Massachusetts Commission Against Discrimination (MCAD). Councilor Kelly asked Dir. Feloney to outline the process for investigating fair housing complaints. In his response, Dir. Feloney noted that this new protected class would likely not be covered by MCAD, but Councilor Kelly added that many existing protected classes under Somerville ordinance are not covered by MCAD either. She requested the yearly number of complaints filed to the Commission, sorted by those that are MCAD-protected and those that are not. Councilor Scott added a request for the resolutions of each complaint.

Councilor Burnley requested that if there are any questions or comments from departments, that those be submitted in writing before the next Legislative Matters Committee meeting. *He made motions to change all instances of "relationship status" to "family and relationship structure" in the proposed amendments to sections 1-4, 2-326, 7-41, 7-43, 7-44, 7-47, 15-31, and 10-102 of the Code of Ordinances.* These motions were tabled, taken up together, and approved by a roll call vote of all in favor (Councilor Scott, Councilor McLaughlin, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and none absent.

RESULT: KEPT IN COMMITTEE

2. Ordinance
(ID # [22-1992](#))

By Councilor Burnley Jr. and Councilor Scott
Amending Section 1-4 of the Code of Ordinance to add definitions for relationship status and intimate personal relationship.

RESULT: KEPT IN COMMITTEE

3. Ordinance
(ID # [22-1993](#))

By Councilor Burnley Jr. and Councilor Scott
Amending Section 2-326 of the Code of Ordinances, related to the Personnel program.

RESULT: KEPT IN COMMITTEE

4. Ordinance
(ID # [22-1994](#))

By Councilor Burnley Jr. and Councilor Scott
Amending Sections 7-41, 7-43, 7-44, and 7-47 of the Code of Ordinances, related to Fair Housing.

RESULT: KEPT IN COMMITTEE

5. Ordinance
(ID # [22-1995](#))

By Councilor Burnley Jr. and Councilor Scott
Amending Section 15-31 of the Code of Ordinances, related to the Code of Conduct, Ethics, and Financial Disclosure.

RESULT: KEPT IN COMMITTEE

6. Ordinance (ID # [22-1996](#)) By Councilor Burnley Jr. and Councilor Scott Amending Section 10-102 of the Code of Ordinances, regarding the definition of biased based policing.

RESULT: KEPT IN COMMITTEE

STIR for "Parking Sticks" Camera Parking Enforcement

7. Mayor's Request (ID # [23-0234](#)) Requesting approval of the Surveillance Technology Impact Report for Camera Ticket Enforcement.

Councilor Scott commented that section 3e of the report would affect how the city enters into agreements and expressed concern about not knowing how the vendor of the solar-powered parking enforcement sticks would use the data they collect. Chair Davis said he felt that the report blurred lines between the ticket processing system, the city's database, and third-party databases. Dir. Rinfret replied that the vendor has said they do not share the data, but they do store it until the ticket is adjudicated, appealed or paid. She said no formal agreement has been reached yet and she can propose terms forbidding data sharing for any future agreement with this vendor. Councilor Burnley asked if the Administration will share the text of any such provision with the Council, to which Dir. Rinfret and Chair Davis said that is not typical. Chair Davis requested instead more detail and specificity on certain responses in the report.

Councilor McLaughlin commented that there was no notice of surveillance on the camera sticks at Davis Square when he was there recently, and Dir. Rinfret replied that the notices are not up yet because the report has not officially been adopted yet, and no license plates have been taken. There was a discussion over the reason a Council decided originally to exclude certain tech from the surveillance ordinance.

Chair Davis said he would keep this item in committee as a reminder while the Administration revises the report. When that revision is submitted, this item will be placed on file.

RESULT: KEPT IN COMMITTEE

Parking Fines Ordinance

8. Mayor's Request (ID # [23-0087](#)) Requesting ordainment of an amendment to the Code of Ordinances, Section 1-11 (Penalties and violations), to codify Traffic & Parking fines.

Dir. Rinfret explained that the fines listed in the attachment are consistent with the Council's intent for the fines decided upon previously and that this item is largely housekeeping. Councilor Burnley commented that the fee for obstructing bike lanes and crosswalks is on the lower end of the spectrum, and Dir. Rinfret explained that the fee schedules follow historical trends. Chair Davis requested that the committee act on this item quickly and follow up later with specific fees if needed.

RESULT:

RECOMMENDED TO BE APPROVED

AYE:

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