City of Somerville, Massachusetts Matters of Business of the City Council

REGULAR MEETING AGENDA

NOTICE

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. C. 30A, s. 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, as well as Mayor Curtatone's Declaration of Emergency, dated March 15, 2020, this meeting of the City Council will be conducted via remote participation. We will post an audio recording, audio-video recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting on the City of Somerville website and local cable access government channels.

Register at the following website to view this meeting live or to testify at any public hearing: https://attendee.gotowebinar.com/register/7222340453147126542.

OPENING CEREMONIES

- 1. Roll Call Call of the Roll. (ID # 24515)
- 2. Remembrances Remembrances. (ID # 24516)
- 3. Minutes Approval of the Minutes of the Regular Meeting, March (ID # 24517) 11, 2021.

CITATIONS

PUBLIC HEARINGS

4. Grant of Location CID # 24573) Submitted by TC Systems Inc to install 112 feet of conduit on Glen Street, from Utility Pole 219/10 to an existing Comcast manhole near the intersection of Pearl and Glen Streets.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

5. Order (ID # 24489) By City Councilor Strezo
That the Committee on Housing and Community
Development address the prevalence of toxic stress and
trauma emanating from the pandemic that has
disproportionately affected women and communities of
color.

6. Order By City Councilor Strezo

(ID # 24491) That the Committee on Housing and Community

Development consider whether a community-wide trauma response, such as the Baltimore Partnership for Family and Trauma-Informed Care, could work here to aid post-Covid-19 recovery and reconstruction.

7. Order By City Councilor Strezo

(ID # 24488) That the Director of Personnel update this Council on the

Economic Development Division's staffing and how the city can best support the shortage of staff while

preparing to assist residents and businesses in the

pandemic recovery process.

8. Order By City Councilor Strezo, Clingan

(ID # 24490) That the Director of Mobility install bump outs and other

traffic calming measures on Sycamore Street between

Medford Street and Broadway.

9. Order By City Councilor Ballantyne

(ID # 24497) That the Director of Personnel implement Vision Zero

training for all staff who drive city vehicles.

10. Order By City Councilor Ballantyne

(ID # 24498) That the Director of Health and Human Services discuss

how much planned funding will be allocated toward trauma training initiatives for youth in the coming years.

11. Order By City Councilor Ballantyne

(ID # 24508) That the Director of Mobility and the Commissioner of

Public Works work with the State Delegation to remove the hostile architecture public benches from the Davis

Square station.

12. Order By City Councilor Ballantyne

(ID # 24509) That the Commissioner of Public Works ensure that no

hostile architecture public benches are installed in the

city.

13. Resolution By City Councilor Ballantyne

(ID # 24510) That Tufts submit an institutional master plan, and not

expand its housing beyond the campus University zone, so residents know about any planned long-term changes and understand the impacts to their neighborhoods.

14. Ordinance By City Councilor Ewen-Campen, Davis

(ID # 24499) Submitting an Ordinance to regulate chemical crowd

control agents and kinetic impact projectiles, as approved

by the Legislative Matters Committee on 4/1/21.

April 8, 2021 15. Order By City Councilor Ewen-Campen, McLaughlin (ID # 24500) That the Chief of Police update this Council on Somerville's Restorative Justice program, including a description of what sorts of cases are referred for restorative justice and how those decisions are made. 16. Resolution By City Councilor Ewen-Campen, Niedergang, Clingan (ID # 24501) That the Administration include a sidewalk snow shoveling program in the FY22 budget focused on pedestrian streets, major north-south and east-west routes, sidewalk corners and crosswalks with piles of snow, MBTA bus stops, and senior buildings. 17. Order By City Councilor McLaughlin, Clingan That the City Solicitor and the Chief of Police discuss (ID # 24502) with the Committee on Legislative Matters a formal policy or ordinance to decriminalize or deprioritize arrests for drug possession, and prioritize treatment over incarceration. 18. Resolution By City Councilor McLaughlin, Clingan Requesting Federal funds for ultra-fine particle (ID # 24503) mitigation. 19. Order By City Councilor McLaughlin (ID # 24504) That the Arborist inspect the tree in front of the Edgerly School on Otis Street and remove it if it is dead.

20. Order By City Councilor McLaughlin

(ID # 24505) That the Commissioner of Public Works repair the

cracked sidewalk on Otis Street from Cross Street to 15

Otis Street.

21. Order By City Councilor Clingan, White Jr.

> That the City Solicitor work with this Council on an (ID # 24506)

> > ordinance to deny, revoke or suspend permits to companies with a history of engaging in unsafe, hazardous or dangerous practices based on work safety

histories or concerns.

22. Resolution By City Councilor Clingan, White Jr.

> (ID # 24507) Supporting HD.1943 and SD.229, relative to workplace

> > safety and the disclosure of violations.

UNFINISHED BUSINESS

23. LEGISLATIVE MATTERS COMMITTEE

A. Committee Report of the Committee on Legislative Matters, meeting

Report on March 18, 2021.

211459

B. Resolution By City Councilor Davis

209639 That the Administration work with the Committee on

Legislative Matters to consider revisions to the

Surveillance Technology Ordinance.

24. LEGISLATIVE MATTERS COMMITTEE

A. Committee Report of the Committee on Legislative Matters, meeting

Report as a Committee of the Whole, on March 24, 2021.

211460

REPORTS OF COMMITTEES

25. FINANCE COMMITTEE

A. Committee Report of the Committee on Finance, meeting on April 6,

Report 2021.

(ID # 24514)

B. Order By City Councilor Scott

211427 That the Director of Personnel provide this Council with

a list of current full-time vacancies broken down by

union and non-union positions, and that the

Administration address this Council as to the reason for

the high number of vacancies.

RECOMMENDED: Work Completed

C. Mayor's Request Requesting approval to create the Energy Stabilization

Fund for the purpose of funding energy efficiency and

decarbonization projects in City buildings.

RECOMMENDED: Approved.

D. Mayor's Request Requesting the appropriation of \$294,399 from

211468 Unreserved Fund Balance ("Free Cash") to the Energy

Stabilization Fund.

RECOMMENDED: Approved.

E. Mayor's Request Requesting to re-purpose \$80,000 in the Covid-19

211470 Stabilization Fund to develop a Somerville Cultural Plan.

RECOMMENDED: Approved.

F. Mayor's Request Requesting the appropriation of \$8,865 from the Salary

211473 & Wage Stabilization Fund to the Somerstat Salaries

Account to fund a temporary salary adjustment.

RECOMMENDED: Approved.

G. Mayor's Request Requesting approval to pay prior year invoices totaling
 211475 \$15,931.99 from various DPW accounts using available
 FY21 funds.
 RECOMMENDED: Approved.

H. Mayor's Request Requesting approval to pay a prior year invoice totaling
 211476 \$2,672.30 using available funds in the Police Department
 Public Safety Supplies Account for Police Department issued firearms.

RECOMMENDED: Withdrawn

I. Officer's Acting Director of SomerStat requesting to present to
 Communication this Council a Capital Investment Plan process.
 211495

RECOMMENDED: Work Completed

Mayor's Request Requesting the use of \$5,200 in available funds in the
 211567 Communications Salaries Account to establish the position of Director of the SomerViva Office of Immigrant Affairs.
 RECOMMENDED: Approved.

K. Mayor's Request Requesting the appropriation of \$5,376 from Unreserved
 211568 Fund Balance ("Free Cash") to the Communications
 Salaries Account to fund the position of Director of the
 SomerViva Office of Immigrant Affairs.
 RECOMMENDED: Approved.

Mayor's Request Requesting the use of \$9,518 in available funds in the
 Engineering Salaries Account to establish the position of Senior Project Manager (Streetscapes).
 RECOMMENDED: Approved.

M. Mayor's Request Requesting the use of \$7,932 in available funds in the
 211570 SPCD Planning & Zoning Salaries Account to establish a new Planner position.
 RECOMMENDED: Approved.

Mayor's Request Requesting the use of \$6,346 in available funds in the
 Constituent Services Salaries Account to establish the position of Quality Manager.
 RECOMMENDED: Approved.

O. Mayor's Request Requesting the use of \$4,230 in available funds in the
211572 Engineering Salaries Account to establish the position of
Deputy Director of Engineering Projects.
RECOMMENDED: Approved

P. Mayor's Request Requesting the use of \$3,173 in available funds in the 211573 Sewer Enterprise Salaries Account to establish the position of Deputy Director of Engineering Projects. RECOMMENDED: Approved.

Q. Mayor's Request Requesting the use of \$3,173 in available funds in the 211574 Water Enterprise Salaries Account to establish the position of Deputy Director of Engineering Projects. RECOMMENDED: Approved.

<u> 26.</u>	HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE			
A.	Committee Report (ID # 24512)	Report of the Committee on Housing and Community Development, meeting on March 31, 2021.		
В.	Order 203222	By City Councilor Ballantyne That this Board's Committee on Housing and Community Development meet with representatives of Tufts University for an update on the conversion of wood frame office-houses into residential housing in Medford and Somerville. RECOMMENDED: Work Completed		
C.	Resolution 206823	By City Councilor Ballantyne, and the Entire Board That Tufts University engage the Somerville community in its public Master Planning process. RECOMMENDED: Work Completed		
D.	Order 211253	By City Councilor Clingan, Strezo That the Director of Public Space and Urban Forestry appear before this Council with an update on the delayed Healey Schoolyard master plan and the current implementation schedule. RECOMMENDED: Work Completed		
E.	Mayor's Communication 211328	Conveying an update on the Healey Schoolyard project.		
		RECOMMENDED: Work Completed		
F.	Resolution 211341	By City Councilor Ballantyne That Tufts update this Council on its student housing plans for the University district. RECOMMENDED: Work Completed		
G.	Resolution 211342	By City Councilor Ballantyne That Tufts reconfirm that it is not expanding beds in any of its buildings outside of the University district. RECOMMENDED: Work Completed		
H.	Order 211345	By City Councilor Strezo That this Council's Committee on Housing and Community Development review the findings of the Condo Conversion Annual Report. RECOMMENDED: Work Completed		
I.	Order 211370	By City Councilor Strezo, Niedergang, Ballantyne That the Director of Health and Human Services and the Director of the Human Rights Commission advise the Committee on Housing and Community Development how the City may address reported cases of suspected hate speech on public and private property. RECOMMENDED: Work Completed		
J.	Public Communication 211436	Tufts responding to #211341 and #211342 re: student housing.		

RECOMMENDED: Work Completed

27. LEGISLATIVE MATTERS COMMITTEE

A. Committee Report of the Committee on Legislative Matters, meeting on April 1, 2021.

(ID # 24513)

B. Order By City Councilor Ewen-Campen, Scott, Clingan,

210736 Strezo, Davis, Mbah

That the City Solicitor draft an Ordinance banning the use of tear gas by the Police Department and other law

enforcement agencies operating in Somerville.

RECOMMENDED: Work Completed

C. Order By City Councilor Davis

211003 That this Council consider an ordinance banning

chemical crowd control agents and kinetic impact

projectiles.

RECOMMENDED: Work Completed

28. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE

A. Committee Report of the Committee on Public Utilities and Public

Report Works, meeting on March 30, 2021.

(ID # 24511)

B. Order By City Councilor Clingan

210829 That the Commissioner of Public Works address the

streetlight outage on the entire length of Fellsway West, resulting from the work being done by DCR at Foss

Park.

RECOMMENDED: Work Completed

C. Order By City Councilor Ewen-Campen, Scott, Ballantyne,

211134 Mbah, Niedergang

That the Commissioner of Public Works present this Council with a detailed financial analysis of the cost for a municipal program to clear snow from sidewalks in

business districts and major thoroughfares. RECOMMENDED: Work Completed

D. Order By City Councilor Scott, Ewen-Campen, Ballantyne,

211259 Clingan, Davis

That this Council discuss the costs of placing overhead power and utility lines underground as part of any street reconstruction or resurfacing project, and consider requiring such placement by ordinance, in light of the risks and costs of proliferating utility connections and

leaning or doubled poles.

RECOMMENDED: Work Completed

April 8, 2021 E. Order By City Councilor Ballantyne 211338 That the Director of Infrastructure and Asset Management discuss with this Council a maintenance plan for the city's school buildings, in light of the attached communication. **RECOMMENDED:** Work Completed F. Order By City Councilor White Jr., Scott, Strezo, Clingan, 211383 Mbah That the Director of Capital Projects appear before this Council to discuss whether the OSHA record of violations is used as a factor in determining the successful bidder for City contracts. **RECOMMENDED:** Work Completed G. Order By City Councilor White Jr., Scott, Strezo, Clingan, 211384 Mbah That the Director of Inspectional Services appear before this Council to discuss whether his Department does or may use the OHSA record of applicants for permits as a factor in determining whether to issue the permits. **RECOMMENDED:** Work Completed H. Order By City Councilor Niedergang, Ewen-Campen, Scott, Clingan, Ballantyne, Strezo, Davis, Rossetti, 211394

McLaughlin, Mbah, White Jr.

That the Mayor, Director of Infrastructure and Asset Management, Commissioner of Public Works, and Director of Health and Human Services respond to the attached questions regarding ventilation and school-building readiness from public school parents. RECOMMENDED: Work Completed

COMMUNICATIONS OF THE MAYOR

- 29. Mayor's Request Requesting approval of amendments to the Zoning (ID # 24484) Ordinance Body Art Services use standards and Table 9.1.1 Permitted Uses.
- 30. Mayor's Request Requesting approval of amendments to the Zoning (ID # 24485) Ordinance to regulate rooftop mechanical systems and mechanical penthouses.
- 31. Mayor's Request Requesting approval of the 2021-2022 HUD One Year (ID # 24487) Action Plan, for CDBG, HOME, and ESG Programming.
- 32. Mayor's Request Requesting acceptance of a \$129,475 grant from the (ID # 24481) Dept. of Environmental Protection and the MA Clean Water Trust as part of the City's Asset Management Program.

- 33. Mayor's Request Requesting acceptance of a \$65,496 grant with no new (ID # 24496) match required, from MassHire (Metro North Regional Employment Board) to the Health and Human Services Department for youth employment.
- 34. Mayor's Request Requesting acceptance of a \$24,960 grant with no new (ID # 24486) match required, from the MA Department of Fire Services to the Fire Department to purchase protective helmets and vests for firefighters responding to active shooter / active threat incidents.
- 35. Mayor's Request Requesting confirmation of the appointment of Anne (ID # 24563) Gill as Director of Personnel.

COMMUNICATIONS OF CITY OFFICERS

- 36. Officer's Director of Water and Sewer submitting the FY22 water Communication and sewer rate proposal. (ID # 24581)
- 37. Officer's Retirement Board notifying this Council of a vote at the Communication (ID # 24576) Retirement Board's May 27, 2021 meeting regarding a 2021 Cost of Living Adjustment for eligible retirees.

NEW BUSINESS

- 38. License/Permit Renewing Drainlayer's License, Caruso Corp. (ID # 24525)
- 39. License/Permit Renewing Drainlayer's License, CJ Doherty. (ID # 24527)
- 40. License/Permit Renewing Drainlayer's License, CM Conway (ID # 24519) Construction.
- 41. License/Permit Renewing Drainlayer's License, FE French Construction. (ID # 24524)
- 42. License/Permit Renewing Drainlayer's License, Ferrante Construction. (ID # 24521)
- 43. License/Permit Renewing Drainlayer's License, Galway Excavation. (ID # 24529)
- 44. License/Permit Renewing Drainlayer's License, Kealey Excavation. (ID # 24523)

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4	15.	License/Permit (ID # 24520)	Renewing Drainlayer's License, Legacy Building and Development.
4	16.	License/Permit (ID # 24528)	Renewing Drainlayer's License, McGue Excavating.
4	17.	License/Permit (ID # 24522)	Renewing Drainlayer's License, Milltown Plumbing and Heating.
4	18.	License/Permit (ID # 24530)	Renewing Drainlayer's License, RM Pacella.
4	19.	License/Permit (ID # 24526)	Renewing Drainlayer's License, Tascon Corp.
5	50.	License/Permit (ID # 24541)	Renewing Flammables License, BBS Services, 45 Broadway.
5	51.	License/Permit (ID # 24542)	Renewing Flammables License, Broadway Gulf, 212 Broadway.
5	52.	License/Permit (ID # 24547)	Renewing Flammables License, Dewire Family Trust, 387 Washington St.
5	53.	License/Permit (ID # 24546)	Renewing Flammables License, Home Depot, 75 Mystic Ave.
5	54.	License/Permit (ID # 24545)	Renewing Flammables License, Keolis Commuter Services, 132 Washington St.
5	55.	License/Permit (ID # 24543)	Renewing Flammables License, Keolis Commuter Services, 23R Inner Belt Rd.
5	56.	License/Permit (ID # 24544)	Renewing Flammables License, Keolis Commuter Services, 70R Third Ave.
5	57.	License/Permit (ID # 24548)	Renewing Flammables License, Nissenbaum Auto Parts, 480 Columbia St.
5	58.	License/Permit (ID # 24549)	Renewing Flammables License, Trum Field Sunoco, 541 Broadway.
5	59.	License/Permit (ID # 24550)	Renewing Flammables License, U-Haul, 151 Linwood St.
6	50.	License/Permit (ID # 24551)	Renewing Flammables License, U-Haul, 600 Mystic Valley Pkwy.

61.	License/Permit (ID # 24553)	Renewing Garage License, Broadway Brake, 45 Broadway.
62.	License/Permit (ID # 24554)	Renewing Garage License, Cataldo Ambulance Service, 4 Joy St.
63.	License/Permit (ID # 24561)	Renewing Garage License, Dewire Family Trust, 141 Beacon St.
64.	License/Permit (ID # 24557)	Renewing Garage License, Dewire Family Trust, 381 Washington St.
65.	License/Permit (ID # 24558)	Renewing Garage License, Dewire Family Trust, 387 Washington St.
66.	License/Permit (ID # 24555)	Renewing Garage License, Dino's Auto Center, 308 McGrath.
67.	License/Permit (ID # 24579)	Renewing Garage License, DM Auto Services, 45 Webster Ave.
68.	License/Permit (ID # 24552)	Renewing Garage License, Drain Doctor, 612 Broadway.
69.	License/Permit (ID # 24580)	Renewing Garage License, Fred Susan Auto Body, 269 Somerville Ave.
70.	License/Permit (ID # 24562)	Renewing Garage License, Gene Automotive Repair, 56 Joy St.
71.	License/Permit (ID # 24560)	Renewing Garage License, Partners HealthCare System, 399 Revolution Dr.
72.	License/Permit (ID # 24566)	Renewing Garage License, Sullivan Tire, 263 Beacon St.
73.	License/Permit (ID # 24559)	Renewing Garage License, Tech Auto Body, 9 Union Sq.
74.	License/Permit (ID # 24556)	Renewing Garage License, Triumvirate Environmental, 191 Inner Belt Rd.
75.	License/Permit (ID # 24564)	Renewing Garage License, U-Haul, 151 Linwood St.

76.	License/Permit (ID # 24565)	Renewing Garage License, Webster Auto Body, 69 Webster Ave.
77.	License/Permit (ID # 24532)	Renewing Extended Hours License, Dunkin Donuts, 282 Somerville Avenue.
78.	License/Permit (ID # 24536)	Renewing Extended Operating Hours License, Cataldo Ambulance Service, 137 Washington St.
79.	License/Permit (ID # 24534)	Renewing Extended Operating Hours License, Dumpling Kitchen, 217 Highland Ave.
80.	License/Permit (ID # 24535)	Renewing Extended Operating Hours License, Dunkin Donuts, 504 Broadway.
81.	License/Permit (ID # 24533)	Renewing Extended Operating Hours License, Lemon Thai Cuisine, 215 Highland Ave.
82.	License/Permit (ID # 24537)	Renewing Extended Operating Hours License, Mayer Campus Center, 44 Professors Row.
83.	License/Permit (ID # 24539)	Renewing Extended Operating Hours License, Mr. B's, 142 Cross St.
84.	License/Permit (ID # 24540)	Renewing Extended Operating Hours License, Pepi's Pizzeria, 516B Medford St.
85.	License/Permit (ID # 24531)	Renewing Extended Operating Hours License, Tisch Library Cafe, 35 Professors Row.
86.	License/Permit (ID # 24570)	Renewing Junk Dealer's License, Kay Jewelers, 360 Artisan Way.
87.	License/Permit (ID # 24569)	Renewing Junk Dealer's License, Nissenbaum Auto Parts, 480 Columbia St.
88.	License/Permit (ID # 24568)	Renewing Junk Dealer's License, Talewsky Enterprises, 508 Columbia St.
89.	License/Permit (ID # 24571)	Renewing Junk Dealer's License, All Checks Cashed, 12 Union Sq.
90.	License/Permit (ID # 24567)	Renewing Hawker and Peddler License, Chiki Galvez.
91.	License/Permit (ID # 24518)	Renewing Billiards and Bowling License, Lucky Strike, 325 Revolution Dr.

92. License/Permit Renewing Mobile Food Vendor License, Wizard (ID # 24572) Catering.

93. Public Scott Zink proposing a zoning amendment to re-zone his Communication property at 471 Somerville Avenue from Urban

(ID # 24575) Residential to MR4.

94. Public Attorney General's Office submitting comments re: Communication #211343, calling for a better future for Somerville's

(ID # 24578) female workforce.

95. Public District Attorney responding to #196432 re: the Communication investigation of the murder of Deanna Cremin. (ID # 24577)

96. Public Jim Bossi submitting comments re: Tufts student Communication housing.
(ID # 24574)

SUPPLEMENTAL ITEMS

97. Ordinance By City Councilor Davis, Scott

(ID # 24582) Amending the Domestic Partnership Ordinance as

attached and as further necessary to address issues in the

existing version.

98. Order By City Councilor Davis, Scott

(ID # 24583) That the City Solicitor prepare a Home Rule Petition to

recognize any member of a domestic partnership as a "dependent" for Group Insurance Commission coverage, and as a "spouse" with respect to other applicable laws.

99. Resolution By City Councilor Davis, McLaughlin

(ID # 24584) That the Mayor include in the FY22 budget funding for

full-time staff reporting to this Council, potentially including a Legislative and Policy Analyst, a Public Outreach Coordinator, and other positions as the Council

President deems appropriate.

100. Order By City Councilor McLaughlin

(ID # 24585) That the Commissioner of Public Works work with

Eversource to address the double poles at the locations

listed within.

101. Order By City Councilor McLaughlin

(ID # 24586) That the Commissioner of Public Works address the

leaning electrical poles on Glen Street by the East Somerville Community School and by 48 Flint Street.

102. Order By City Councilor McLaughlin

(ID # 24587) That the Director of Parking replace the downed speed

limit sign on the Cross Street Bridge by Mr. B's

Restaurant.

103. Order By City Councilor Rossetti

(ID # 24594) That items #211483, #211484, #211485, #211486,

#211487, #211488, and #211489, all related to Police Officer appointments, be discharged from the Committee

on Confirmation of Appointments and Personnel

Matters.

104. Mayor's Request Requesting the adoption of an Order of Taking for 191

(ID # 24538) Highland Avenue for municipal historic and arts

purposes.

105. Mayor's Request Requesting an appropriation and authorization to borrow

(ID # 24592) \$5,000,575 in a bond for the cost of acquiring the

Armory Building at 191 Highland Avenue.

106. Mayor's Request Requesting confirmation of the appointment of Denise

(ID # 24591) Molina Capers as Director of Racial and Social Justice.

107. Officer's Sustainable Neighborhoods Initiative Coordinator

Communication responding to #211345 and conveying the Condominium

(ID # 24482) Review Board's FY20 Annual Report.

108. Public National Lawyers Guild MA Chapter submitting

Communication comments re: Agenda #14, the Chemical Crowd Control

(ID # 24590) Agents And Kinetic Impact Projectiles Ordinance.

LATE ITEMS

ADJOURNMENT