



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

March 29, 2018

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Mark Niedergang	Chair	Present	
Lance L. Davis	Vice Chair	Present	
Mary Jo Rossetti	Alderman at Large	Present	
Matthew McLaughlin	Ward One Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two Alderman	Present	
Ben Ewen-Campen	Ward Three Alderman	Present	
Jesse Clingan	Ward Four Alderman	Present	
William A. White Jr.	Alderman At Large	Present	
Wilfred N. Mbah	Alderman at Large	Present	
Stephanie Hirsch	Alderman At Large	Present	

Others present: Michael Glavin - OSPCD, Tom Galligani - OSPCD, Michael Feloney - OSPCD, David Shapiro - Law, Eileen McGettigan - Law, Jason Grossfield - Law, Tim Snyder - Mayor's Office, Annie Connor - Legislative Liaison, Rositha Durham - Clerk of Committees.

The meeting took place in the Aldermen's Chamber and was called to order at 6:00 PM by Chairman Niedergang and adjourned at 9:02 PM.

Approval of the March 15, 2018 Minutes

RESULT:	ACCEPTED
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205201: That the Administration work with US2 to amend the Development Covenant to allow this Board to recognize a Neighborhood Council to negotiate a CBA and discuss the amendment with this Board prior to execution.

They Mayor's office has been in discussions with US2 about amending the Covenant and getting the negotiations for a Community Benefits Agreement (CBA) started. It was discussed how to designate the Neighborhood Council. The Covenant was discussed with US2 coming back with modifications to the language. It was noted that a mutual agreement is needed to move forward. US2 came to the podium to address some concerns from the BOA. There are four parties involved in an amendment to the Covenant and they are: the Administration, US2, BOA and the

Neighborhood Council. It was noted that the Neighborhood Council can only serve in an advisory capacity. US2 is concerned with the flow of the funds and the lack of a Community Benefits Ordinance that sets the rules for where their community benefits contributions under the Covenant would go. The Chair also said that it was his intention to work on and adopt a Community Benefits Ordinance as quickly as possible. US2 was asked to drop paragraph D in their proposed revised language by the Chair, but they did not seem willing to do so. Many board members disapproved of this language. Many BOA members expressed that they would like to get the CBA negotiations going as quickly as possible.

Ald. Davis motioned and it was accepted *that the Administration work vigorously to renegotiate the Development Covenant on behalf of the City consistent with the request of the Board of Aldermen and without additional material provisions that favor US2.* This motion was passed unanimously.

Mr. Galligani answered questions on Schedule 1, Anticipated Public and Community Benefit Payments with projected total \$3.9M of which \$1M will likely be received this year.

Jacob Kramer from the Union Square Neighborhood Council appeared before the committee and talked about having met with someone from the Attorney General's office to discuss their adherence to the Open Meeting Law. He said that they were informed that they did not need legally to go by the Open Meeting Law, but that the Neighborhood Council has decided that while they will adhere to the spirit of the Open Meeting Law, they will not abide by it in all respects. The Neighborhood Council will be filing for non-profit status with the Secretary of State's office.

The BOA agreed that it was unlikely that the attempt to renegotiate the Development Covenant to designate a Union Square Neighborhood Council so that CBA negotiations could begin would succeed.

Ald. Rossetti motioned and it was accepted *to draft an ordinance as soon as possible on the Neighborhood Council designation.*

Mr. Snyder indicated on behalf of the Administration that they would draft an ordinance to designate a Neighborhood Council that could be passed quickly by the BOA so that the CBA negotiations could begin.

RESULT:	KEPT IN COMMITTEE
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203098: Assistant City Solicitor submitting an Ordinance to create a Community Benefits Committee.

First payment was made to the City by US2 and is being held in escrow. The funds are not available until the building permit is granted which could happen in the fall of this year. This Community Benefits Ordinance item has been before the Committee for almost a year. There was a discussion about the two alternative approaches that the Administration has presented to a Community Benefits Ordinance. The goal is to get the ordinance passed so that discussions can begin on how the funds will be distributed.

RESULT:	KEPT IN COMMITTEE
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203555: The Chamber of Commerce, Union Square Main Streets, and Somerville Local First submitting comments re: the Union Sq proposed zoning, the US2 Covenant, and the Community Benefits Ordinance.

RESULT:	KEPT IN COMMITTEE
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203556: The Maurice and Jane Sugar Law Center for Economic and Social Justice submitting comments re: #203098, the Community Benefits Ordinance.

RESULT:	KEPT IN COMMITTEE
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205420: Assistant City Solicitor submitting an updated Condominium/Cooperative Conversion Ordinance.

The City Solicitor's office distributed two documents with legal opinions that were handed out in the past on Condo Conversion from March 30, 2016 and October 5, 2016. A Special Act in Somerville passed in 1985 on condo conversion as Chapter 218 remains valid. There were discussions about the fact that currently 1, 2, 3-family homes are regulated by this ordinance and any property owner who wants to convert into a condo must go before the Condo Review Board.

The Assistant Solicitor summarized the big issues, the law was passed in the 1980's. Some key points were reviewed at the meeting such as written notice to existing tenants a year before going to the Condo Review Board. The Assistant Solicitor will send a chart to the Board showing the differences between the current and new Condo Conversion ordinance.

RESULT:	KEPT IN COMMITTEE
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202523: That the City Solicitor prepare a draft ordinance to amend or replace the current Condominium Conversion Ordinance, and incorporate the strongest parts of relevant state law.

RESULT:	KEPT IN COMMITTEE
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205118: Requesting approval of a Home Rule Petition to preserve affordable housing through a tenant's right to purchase.

It was noted that the Administration's original draft is a great start, but has some significant problems and drawbacks, and needs clarification in some areas. An informal taskforce may be formed with the Assistant City Solicitor to work on this item over the next 3 to 4 months.

Ald. Ewen-Campen motioned and it was accepted to replace the current working draft with a revised draft developed by himself, Ald. Scott, and community members David Tisel and Fred Berman, and put draft watermark across each page. Committee members were in support of posting the draft provided by Ald. Ewen-Campen and Scott on the City's website.

RESULT:	KEPT IN COMMITTEE
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204875: That the City Solicitor prepare a Home Rule Petition regarding a Right of First Refusal to allow tenants to have the first option to purchase their homes if they are going to be sold.

RESULT: WORK COMPLETED

205343: That the Director of SPCD contact local mortgage lenders to determine how the proposed "Tenants Right to Purchase" policy might affect the ability of home-buyers to secure financing, and report back to this Board in writing.

RESULT: KEPT IN COMMITTEE

205344: That the Director of SPCD contact several Title Insurance brokers and ascertain their views on whether the proposed "Tenants Right to Purchase" policy would affect their ability to provide title insurance, and report back to this Board in writing.

RESULT: KEPT IN COMMITTEE

205404: Jacob Kramer submitting comments re: #204954, the proposed Transfer Fee Home Rule Petition, and #205118, the proposed Tenant's Right to Purchase Home Rule Petition.

RESULT: WORK COMPLETED

205405: Ronald Cavallo submitting comments re: #205118, the proposed Tenant's Right to Purchase Home Rule Petition.

RESULT: WORK COMPLETED

204793: That Ordinance 9-116(3) be amended as described within with respect to activities restricted under the Noise Ordinance.

RESULT: KEPT IN COMMITTEE

204238: That the City Solicitor draft an amendment to the ordinance regarding construction, so that rodent eradication is required on all construction, not just demolition.

RESULT: WORK COMPLETED

205044: SomerStat Analyst responding to a Legislative Matters Committee query related to #203839 re: an update on Rodent Action Team meetings.

RESULT: WORK COMPLETED

Handouts:

- Proposed Development Covenant Changes (with 205201)
- Proposed Development Covenant Changes -2 (with 205201)
- CBO - Marked Up Copy (with 203098)
- Misc Docs re CBO (with 203098)
- Proposed CBO Summary (with 203098)
- Law Dept. Letters (with 205420)
- Sec 7-61 Code of Ordinances (with 205420)
- Key Changes (with 205118)
- DRAFT 3.29.18 Tenant Opportunity to Purchase (with 205118)
- Email re attachmnts (with 204875)
- Demographic Groups
- Income, Housing needs
- Survey Summary