

**DRAFT**

**CITY OF SOMERVILLE**

**ORDINANCE NO. 2020-\_\_\_**

**IN THE CITY COUNCIL: \_\_\_\_\_**

**COMMUNITY BENEFITS**

Be it ordained by the City Council, in session assembled, that Article IX, Section 7-220 et seq. of the Code of Ordinances of the City of Somerville, is hereby amended by insertion of the following:

Add the following to *Sec. 7-220, Definitions*

“Applicant” shall mean an association, group, community based organization, or other entity applying to the Committee to provide or undertake a program of community benefits subject to a grant agreement or contract. For purposes of this chapter, the city may join with one or more applicants in submitting a funding request hereunder; provided, however, that the city may not join with a for profit entity in submitting a funding request.

“Community Based Organization” shall mean a non-profit entity registered pursuant to 26 U.S.C 501(c)(3) organized to undertake, administer, provide or perform one or more community benefits.

“Community Benefits Committee” or “Committee” shall mean the Committee established by this chapter to identify community benefits needs of the residents of Somerville and each of its neighborhoods. The Committee shall also solicit and evaluate applications for the provision of said services by qualified applicants in order to make recommendations to the Mayor for submission to the City Council for the allocation of Community Benefits Stabilization Funds for the provision of said services.

“Funding Priorities” shall mean funding goals influenced by periodic city-wide and neighborhood specific needs assessments to be conducted by the Committee. Such funding goals shall be approved by the City Council for the expenditure of community benefits funds in Somerville.

“Funding Request” shall mean a proposal by an Applicant to enter into a grant agreement or contract to provide or undertake a program of community benefits consistent with or in furtherance of the Funding

Priorities. A funding request shall not seek community benefits funds for an Applicant's capital or infrastructure projects or general operational expenses except as otherwise provided herein.

"Funding Recommendation" shall mean the recommendations of the Community Benefits Committee for appropriations of specific amounts from the Community Benefits Stabilization fund or applicable Neighborhood-Specific Fund to implement a Funding Request(s). Funding recommendation(s) shall be submitted to the Mayor.

"Neighborhood-Specific Fund" a sub-account of the Community Benefits Stabilization Fund containing monies allocated as mitigation for development in a specific neighborhood.

Add the following new sections:

*Sect. 7-225 Community Benefits Committee*

- (a) There is hereby established a Community Benefits Committee ("Committee"), consisting of nine voting members who are residents of Somerville. Of the nine members, at least one member shall own a small business in Somerville with less than 50 employees, at least two members shall be residential tenants, at least one member shall be a homeowner, and at least two members shall be board members or in senior leadership positions of a nonprofit organization. At least one of the Committee members shall also be a member of a protected class as defined by Chapter 151B of the Massachusetts General Laws.
- (b) No member shall serve more than two consecutive three year terms. In order to stagger the terms of the members, the initial appointment of one-third of the members shall be for one year; one-third shall be for two years; and one-third for three years.
- (c) Members of the Committee shall serve without compensation and shall be classified as special municipal employees for the purposes of Chapter 268A of the Massachusetts General Laws.

*Sec. 7-226 Announcement of Open Positions*

There shall be a public announcement of any open positions, with at least a three week period for submittal of an application to the Mayor. The names and a brief summary describing each candidate's qualifications shall be posted on the city website for at least two weeks to solicit comments. The members of the Committee should include residents who have demonstrated interest in economic development and workforce development, preventing and mitigating displacement of residents and businesses, empowering residents to create and sustain community, and ensuring that developments deliver benefits to the community.

*Sec. 7-227 Election of Chairperson*

The Committee shall annually elect one of its members to serve as chairperson and may elect such other officers, adopt procedural rules and regulations and establish any subcommittees as it deems appropriate. A Committee member may serve as chairperson for no more than two consecutive years.

*Sec. 7-228 Powers and Duties of the Community Benefits Committee*

- (a) To carry out its responsibilities under this chapter, the Committee shall:
  - (1) Conduct an annual public hearing and additional public hearings as needed to identify community benefits needs:
    - (i) of the residents of Somerville;
    - (ii) of the residents of each neighborhood impacted by development projects.
  - (2) Develop a standard form of application for Funding Requests.
  - (3) Consider the following guiding principles in evaluating and prioritizing Funding Requests:
    - (i) Fund programs or services that directly benefit Somerville residents citywide.
    - (ii) Consider neighborhood(s) impacted by development projects.
    - (iii) Consider other public resources allocated to a neighborhood in order to better understand unmet needs.
    - (iv) Prioritize funding for Applicants with a history of promoting collaboration, partnership and collective impact.
    - (v) Establish a transparent, inclusive, and collaborative process.
  - (4) Evaluate and make recommendations to the Mayor for the award of grant agreements or contracts for the provision or undertaking of community benefits to be paid for from the Community Benefits Stabilization Fund.
  - (5) Establish rules, regulations and guidelines to provide for the proper administration and implementation of the Committee's responsibilities.
- (b) No less than sixty (60%) percent of any funds paid to mitigate development in a specific neighborhood shall be allocated to benefit that neighborhood; provided, however, that the Committee may vote to allocate a higher percentage of such monies to such neighborhood, with the balance to be allocated city-wide.
  - (1.) The Committee shall accept Funding Requests from neighborhood Applicants for disbursements from the neighborhood-specific fund.
  - (2.) The Committee shall prioritize Funding Recommendations from each neighborhood-specific fund in accordance with the Funding Priorities established in the neighborhood-specific needs assessment.
  - (3.) The Committee shall accept Funding Requests from city-wide applicants for disbursements from the city-wide fund.

- (4.) The Committee shall prioritize Funding Recommendations from the city-wide fund in accordance with the Funding Priorities established by the city-wide needs assessment.
- (5.) The committee shall reject Funding Requests submitted for an Applicant's capital or infrastructure projects or general operational expenses, unless such operational funding directly provides for an expansion of the Applicant's initiatives. Notwithstanding the foregoing, an applicant's Funding Request budget may include reasonable overhead attributable to the provision of the program services to be funded.
- (6.) In subsequent years, if initial community benefits Funding Priorities have been met, the committee may elect to allow Funding Requests for renewable grants to returning nonprofit providers that have an excellent performance evaluation record and programmatic success.

*Sec. 7-229 Council Approval of Funding Recommendations*

- (a) In order to identify Somerville's most pressing community benefits needs, the City Council shall periodically assess the Committee's Funding Priorities based in part on a needs assessment conducted every five years by the Committee.
- (b) In each fiscal year, the City Council shall make such appropriations from the Community Benefits Stabilization Fund as it deems necessary for the administrative and operating expenses of the Committee, including funds necessary for the city-wide needs assessment to be undertaken by the Committee.
- (c) After receiving the Committee's funding recommendations from the Mayor, the City Council shall take such action and authorize such appropriations from the Community Benefits Stabilization Fund.
- (d) In the event that the Committee initially proposes that a project be funded by the Community Benefits Stabilization Fund and that initial proposal is rejected or reduced by the City Council, the Committee shall be given one opportunity to respond to such actions by the City Council and/or to adjust the scope and terms of any proposed project prior to a final decision by the City Council as to the allocation of Community Benefits Stabilization Fund for the given year.

*Sec. 7-230 Effective Date*

This chapter shall take effect upon its passage.

Approved:

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President  
City Council