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

REGULAR MEETING AGENDA

NOTICE: Pursuant to Chapter 22 of the Acts of 2022, this meeting of the City Council may 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 testify remotely at any public hearing: <u>https://attendee.gotowebinar.com/register/6796143366429872655</u>. You may also testify in person in the City Council Chamber.

OPENING CEREMONIES

- 1. Roll Call Call of the Roll. (ID # 28657)
- 2. Remembrances Remembrances. (ID # 28658)
- 3. Minutes Approval of the Minutes of the Regular Meeting, March (ID # 28660) 24, 2022.

CITATIONS

PUBLIC HEARINGS

- Grant of Submitted by Eversource to install 85 feet of conduit in Location (ID # 28603)
 Submitted by Eversource to install 85 feet of conduit in Ivaloo Street, from Utility Pole 179/6 to a point of pickup at the rear of 205 Beacon Street.
- 5. Grant of Location (ID # 28604)
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 5. Grant of Submitted by Eversource to install 114 feet of conduit in the intersection of Bow Street and Somerville Avenue, from Manhole 25443 to a point of pickup at 379 Somerville Avenue.
- 6.Grant of
Location
(ID # 28605)Submitted by Eversource to install 1,050 feet of conduit
along Mystic Avenue from Medford, MA to Boston, MA
as part of the Woburn Transmission Line project.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

7.	Order (ID # 28549)	By City Councilor Scott Requesting that this Council meet in Executive Session for the purposes of discussing strategy with respect to anticipated litigation related to Items #213393, #213395, and #213396 with legal counsel.
8.	Resolution (ID # 28609)	By City Councilor Ewen-Campen That the Directors of Infrastructure and Asset Management, Engineering, Public Works, and the Office of Strategic Planning and Community Development, along with any other appropriate departments, work to develop a binding, equitable, citywide Electrical Infrastructure Master Plan to guide the location and design of electrical substations and other infrastructure.
9.	Resolution (ID # 28610)	By City Councilor Ewen-Campen That the Administration create an interdepartmental oversight process to address the increasingly dangerous issue of overlapping street closures on Spring Hill.
10.	Communication (ID # 28611)	By City Councilor Ewen-Campen, Pineda Neufeld Updating this Council on recent meetings of the Fair Housing and Anti-Displacement (FHAD) Task Force.
11.	Ordinance (ID # 28617)	By City Councilor Wilson Proposing an amendment to the Zoning Ordinances, Section 3.1.6.d, Residence District, to permit the Backyard Cottage accessory building type by right.
12.	Order (ID # 28634)	By City Councilor Wilson That the Commissioner of Public Works update this Council on current processes to ensure safe and accessible pedestrian routes around work zones.
13.	Order (ID # 28635)	By City Councilor Wilson, Clingan That the Director of Parking instruct Parking Control Officers to enforce the ban on license plate covers, in accordance with MGL c.90, §6.
14.	Order (ID # 28636)	By City Councilor Wilson, McLaughlin, Clingan That the Director of Public Space and Urban Forestry update this Council on plans to dramatically increase the number of trees in Foss Park.
15.	Order (ID # 28625)	By City Councilor Gomez Mouakad That the Chief of Police provide the Ward Councilors monthly motor vehicle accident reports, detailing pedestrian and bicycle accidents.

16.	Order (ID # 28626)	By City Councilor Gomez Mouakad That the Director of Engineering construct a curb cut and crosswalk at the intersection of Highland Road and Boston Avenue.
17.	Order (ID # 28627)	By City Councilor Gomez Mouakad That the Director of Engineering improve the accessibility of the crosswalk at the intersection of Boston Avenue and Broadway.
18.	Order (ID # 28628)	By City Councilor Gomez Mouakad That the Director of Engineering report on all traffic calming improvements and their scheduled implementation at all intersections for the new Community Path Extension.
19.	Resolution (ID # 28629)	By City Councilor Kelly, Gomez Mouakad That this Council support the effort to stop the displacement of the tenant(s) of 109 Walnut Street.
20.	Communication (ID # 28630)	By City Councilor Pineda Neufeld Conveying an update on the Parking Study Task Force.
21.	Ordinance (ID # 28653)	By City Councilor Strezo Amending Sec. 11-63 of the Code of Ordinances regarding the removal of poles, conduits and wires.
22.	Resolution (ID # 28633)	By City Councilor Strezo Encouraging this Council to communicate to constituents on the potential impacts of the Federal Communications Commission's February 15, 2022 declaratory ruling.
23.	Order (ID # 28620)	By City Councilor Burnley, Jr. That this Council's Committee on Licenses and Permits schedule a Show Cause hearing to determine why any business licenses issued to Elliot's House Pet Care and More by this body should not be suspended or revoked for violations of the conditions of the license amendment, approved on April 14, 2022.
24.	Order (ID # 28640)	By City Councilor Burnley, Jr. That the City Solicitor discuss this Council's ability to ban landlords from passing real estate agent fees onto tenants.

25.	Order (ID # 28642)	By City Councilor Burnley, Jr. That the Director of Health and Human Services update this Council on any attempt to track rising rates of COVID-19 locally via wastewater data.
26.	Resolution (ID # 28638)	By City Councilor Burnley, Jr. That the Administration update this Council on the rescission of the police and fire reserve lists.
27.	Resolution (ID # 28637)	By City Councilor Burnley, Jr. In support of drive-share workers.
28.	Resolution (ID # 28639)	By City Councilor Burnley, Jr. In support of tattoo equity.
29.	Resolution (ID # 28641)	By City Councilor Burnley, Jr. In support of the ACES bill (H.2519/S.1552).

UNFINISHED BUSINESS

REPORTS OF COMMITTEES

30. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

A.	Committee	Report of the Committee on Housing and Community
	Report	Development, meeting on April 20, 2022.
	(ID # 28612)	

B.	Order 212862	By City Councilor Strezo That the Director of Somerville Cares About Prevention appear before the Housing and Community Development Committee to discuss the increased constituent reports of teens vaping in the high school during school hours and what is being done to address this. RECOMMENDED: Work Completed
C.	Order 213056	By City Councilor Pineda Neufeld, Kelly That the Director of Housing Stability appear to discuss

- 213056 That the Director of Housing Stability appear to discuss how to prevent evictions, support residents facing eviction, and the ability to extend the eviction moratorium. RECOMMENDED: Work Completed
- D. Officer's Director of Housing conveying the 2021 Housing Needs Communication Assessment. 213322 RECOMMENDED: Work Completed

<u>31.</u>	LAND USE COM	<u>IMITTEE</u>
A.	Committee Report (ID # 28613)	Report of the Committee on Land Use, meeting on April 21, 2022.
B.	Mayor's Request 212871	Requesting approval of amendments to Sections 3.1.14.a and 3.2.13.a Contextual Front Setbacks of the Neighborhood Residence and Urban Residence zoning districts of the Somerville Zoning Ordinance. RECOMMENDED: Approved as Amended.
C.	Public Communication 213007	Vivaldo Meneses Sr. requesting the adoption of an amendment to the Zoning Ordinance Map to change the zoning district of 86 Prospect Street from UR to MR5. RECOMMENDED: Not Approved.
32.	TRAFFIC AND	PARKING COMMITTEE
A.	Committee Report (ID # 28614)	Report of the Committee on Traffic and Parking, meeting on April 25, 2022.
B.	Order 212800	By City Councilor Clingan, Kelly, Strezo That the Director of Mobility and the Commissioner of Public Works install permanent speed bumps on Sycamore Street between Medford Street and Evergreen Avenue. RECOMMENDED: Work Completed
C.	Order 212802	By City Councilor Clingan, Wilson, Kelly That the Director of Mobility and the Commissioner of Public Works install speed bumps on Jacques Street, between Temple Street and Edgar Avenue. RECOMMENDED: Work Completed
D.	Order 212803	By City Councilor Clingan That the Director of Mobility daylight the intersections noted within. RECOMMENDED: Work Completed
E.	Order 212868	By City Councilor Wilson That the Director of Mobility employ quick-build daylighting and traffic calming measures to improve visibility and compliance with the STOP sign on Jacques Street at its intersection with Edgar Avenue. RECOMMENDED: Work Completed
F.	Order 212973	By City Councilor Wilson That the Director of Parking update this Council on the suitability of existing parking for seniors and explore additional options for selected street parking in central business districts. RECOMMENDED: Work Completed

G.	Order 212982	By City Councilor Pineda Neufeld, Kelly, Wilson, Clingan, Burnley, Jr. That the Director of Mobility install traffic calming in the crosswalk in front of 1370 Broadway. RECOMMENDED: Work Completed
H.	Order 213042	By City Councilor Scott, Wilson, Kelly That the Director of Mobility install a speed hump at the base of Somerville Avenue Extension where it intersects with Linwood and Fitchburg Streets. RECOMMENDED: Work Completed
I.	Order 213046	By City Councilor Gomez Mouakad, Kelly That the Director of Mobility implement traffic calming measures on Cedar Street. RECOMMENDED: Work Completed
J.	Order 213117	By City Councilor Ewen-Campen, Kelly, Burnley, Jr. That the Director of Mobility urgently prioritize the re- paving of the dangerously damaged stretch of Bow Street, from Summer Street to Somerville Avenue, and respond to the Ward 3 Councilor with a timeline for completion. RECOMMENDED: Work Completed
K.	Order 213251	By City Councilor Strezo, Pineda Neufeld, Davis That the Director of Mobility take immediate action to increase pedestrian safety measures on crosswalks at Day Street, Dover Street, Elm Street and College Avenue intersections. RECOMMENDED: Work Completed
L.	Order 213261	By City Councilor Gomez Mouakad That the Director of Mobility provide an update on work done or projected projects around all school zones. RECOMMENDED: Work Completed
M.	Order 213287	By City Councilor Wilson That the Director of Mobility update this Council on partnerships with third-party software companies providing reports on traffic and road hazards. RECOMMENDED: Work Completed
N.	Order 213288	By City Councilor Wilson That the Director of Mobility update this Council on any plans to change the direction of neighborhood residential streets to thwart cut-through traffic. RECOMMENDED: Work Completed
О.	Order 213371	By City Councilor Wilson That the Director of Mobility update this Council on plans to install a contraflow bike lane on White Street. RECOMMENDED: Work Completed

COMMUNICATIONS OF THE MAYOR

33. Mayor's Request Requesting the appropriation and transfer of (ID # 28618) \$10,827,440.61 from various available proceeds to the Somerville High School Construction Project thereby reducing the amount authorized to be borrowed for the project by a like amount. 34. Mayor's Request Requesting approval to appropriate and transfer (ID # 28621) \$8,964,735 from the Facility Construction Stabilization Fund to the Somerville High School Construction fund to pay costs of the construction of Somerville High School, thereby reducing the amount authorized to be borrowed for the project by a like amount. 35. Mayor's Request Requesting the appropriation of \$7,080,519 from the (ID # 28624) Unreserved Fund Balance ("Free Cash") to the Somerville High School Construction Fund in order to pay costs of the construction of Somerville High School, thereby reducing the amount authorized to be borrowed for the project by a like amount. 36. Mayor's Request Requesting approval to appropriate and transfer (ID # 28623) \$5,335,164 in unallocated COVID-19 monies from the COVID-19 Stabilization Fund to the Somerville High School Construction Fund to pay costs of the construction of the Somerville High School, thereby reducing the amount authorized to be borrowed for the project by a like amount. Mayor's Request Requesting the appropriation of \$500,000 from the 37. (ID # 28550) Unreserved Fund Balance Account ("Free Cash") to the Fire Department Overtime Account to cover a shortfall. 38. Mayor's Request Requesting approval to appropriate \$162,896.02 from the (ID # 28616) Street Tree Stabilization Fund for the Spring/Fall 2022 seasons. 39. Mayor's Request Requesting the appropriation of \$7,704 from the Salary (ID # 28632) & Wage Stabilization Fund to the Police Department Other Lump Sum Benefits Account to fund the FY 2021 portion of the Memorandum of Agreement between the City and SEIU/ Local 888, Crossing Guard Unit. 40. Mayor's Request Requesting the appropriation of \$6,205 from the Salary (ID # 28631) Contingency to the Police Department Crossing Guards Salaries Account in order to fund the retroactive FY 2022 portion of the Memorandum of Agreement between the City and SEIU/ Local 888, Crossing Guard Unit.

41.	Mayor's Request (ID # 28543)	Requesting acceptance of, and approval to expend, a \$3,600 grant with no new match required, from the Mass Cultural Council to the Arts Council for the Local Cultural Council grant program.
42.	Mayor's Request (ID # 28544)	Requesting acceptance of, and approval to expend, a \$3,000 grant with no new match required, from the Somerville Housing Authority to the Arts Council for the Mystic Mural project.
43.	Mayor's Request (ID # 28547)	Requesting confirmation of the promotion of Antonio Cicolini to the position of Fire Lieutenant.
44.	Mayor's Request (ID # 28619)	Requesting confirmation of the appointment of Kathleen Byrne to the Condominium Review Board.
45.	Mayor's Communication (ID # 28664)	Submitting an updated third version of the 2021 Surveillance Technology Annual Report.
	COMMUNICAT	TIONS OF CITY OFFICERS
46.	Officer's Communication (ID # 28551)	City Solicitor requesting approval to retain Greenberg Traurig as outside legal counsel to represent the City in the matter of AMLEG, LLC v. City of Somerville.

47. Officer's Deputy Director of Planning, Preservation and Zoning Communication (ID # 28622) MBTA Communities.

NEW BUSINESS

- 48. License/Permit Renewing Billiards and Bowling License, Diesel Cafe, (ID # 28553) 257 Elm St.
- 49. License/Permit New Drainlayer's License, Vincent Mofford Excavation (ID # 28552) LLC.
- 50. License/Permit Renewing Drainlayer's License, AP Flowers and Son. (ID # 28554)
- 51. License/Permit Renewing Drainlayer's License, CJ Doherty. (ID # 28555)
- 52. License/Permit Renewing Drainlayer's License, Capitol Services. (ID # 28556)

53.	License/Permit (ID # 28557)	Renewing Drainlayer's License, Caruso Corp.
54.	License/Permit (ID # 28558)	Renewing Drainlayer's License, Caruso and McGovern Construction.
55.	License/Permit (ID # 28559)	Renewing Drainlayer's License, J Marchese and Sons.
56.	License/Permit (ID # 28560)	Renewing Drainlayer's License, JR and Sons Construction.
57.	License/Permit (ID # 28561)	Renewing Drainlayer's License, Jason Anthony.
58.	License/Permit (ID # 28562)	Renewing Drainlayer's License, LVMJ Corporation.
59.	License/Permit (ID # 28563)	Renewing Drainlayer's License, Legacy Building and Development.
60.	License/Permit (ID # 28646)	Renewing Drainlayer's License, Milltown Plumbing and Heating.
61.	License/Permit (ID # 28647)	Renewing Drainlayer's License, W.L. French Excavating.
62.	License/Permit (ID # 28567)	Renewing Extended Operating Hours License, Cataldo Ambulance Service, 137 Washington St.
63.	License/Permit (ID # 28564)	Renewing Extended Operating Hours License, Domino's Pizza, 201 Elm St.
64.	License/Permit (ID # 28566)	Renewing Extended Hours License, Dunkin Donuts, 282 Somerville Avenue.
65.	License/Permit (ID # 28565)	Renewing Extended Operating Hours License, Pepi's Pizzeria, 516B Medford St.
66.	License/Permit (ID # 28571)	Renewing Flammables License, BBS Services, 45 Broadway.
67.	License/Permit (ID # 28574)	Renewing Flammables License, Boston Closet, 229 Lowell St.
68.	License/Permit (ID # 28655)	Renewing Flammables License, DW Propco JK LLC, 0 Dawes Street.

69.	License/Permit (ID # 28575)	Renewing Flammables License, Dewire Family Trust, 387 Washington St.
70.	License/Permit (ID # 28577)	Renewing Flammables License, Good Gas Somerville, 343 Medford St.
71.	License/Permit (ID # 28572)	Renewing Flammables License, Hillside Auto Repair, 583 Broadway.
72.	License/Permit (ID # 28652)	Renewing Flammables License, Home Depot, 75 Mystic Ave.
73.	License/Permit (ID # 28568)	Renewing Flammables License, Mobil Mart Plus, 379 Alewife Brook Pkwy.
74.	License/Permit (ID # 28573)	Renewing Flammables License, Nissenbaum Auto Parts, 480 Columbia St.
75.	License/Permit (ID # 28570)	Renewing Flammables License, Simon's Auto Service, 166 Boston Ave.
76.	License/Permit (ID # 28578)	Renewing Flammables License, Somerville Mobil, 360 Medford St.
77.	License/Permit (ID # 28576)	Renewing Flammables License, Speedway, 709 McGrath Hwy.
78.	License/Permit (ID # 28648)	Renewing Flammables License, Union Gulf Service, 231 Washington St.
79.	License/Permit (ID # 28569)	Renewing Flammables License, Winter Hill Yacht Club, 500 Artisan Way.
80.	License/Permit (ID # 28580)	Renewing Garage License, 101 South Street Owner LLC, 101 South Street.
81.	License/Permit (ID # 28581)	Renewing Garage License, Arco Tire Auto Service Repair LLC, 18 Clarendon Avenue.
82.	License/Permit (ID # 28582)	Renewing Garage License, Auto Plus, 229 Lowell St.
83.	License/Permit (ID # 28650)	Renewing Garage License, Automotive Transport Service, 40 Joy St.

84.	License/Permit (ID # 28579)	Renewing Garage License, Boston Sand and Gravel, 492 Rutherford Ave.
85.	License/Permit (ID # 28583)	Renewing Garage License, Broadway Brake, 45 Broadway.
86.	License/Permit (ID # 28584)	Renewing Garage License, Cataldo Ambulance Service, 4 Joy St.
87.	License/Permit (ID # 28585)	Renewing Garage License, Dewire Family Trust, 141 Beacon St.
88.	License/Permit (ID # 28586)	Renewing Garage License, Dewire Family Trust, 381 Washington St.
89.	License/Permit (ID # 28587)	Renewing Garage License, Dewire Family Trust, 387 Washington St.
90.	License/Permit (ID # 28588)	Renewing Garage License, Drain Doctor, 612 Broadway.
91.	License/Permit (ID # 28589)	Renewing Garage License, Four Wheels Auto, 83 Albion St.
92.	License/Permit (ID # 28590)	Renewing Garage License, GE Auto Repair, 631 Somerville Ave.
93.	License/Permit (ID # 28591)	Renewing Garage License, Good Gas Somerville, 343 Medford St.
94.	License/Permit (ID # 28592)	Renewing Garage License, Goodyear Auto Service Center, 1 Bow St.
95.	License/Permit (ID # 28593)	Renewing Garage License, M. Korson and Company, 91 Washington St.
96.	License/Permit (ID # 28594)	Renewing Garage License, Mac's Auto Body, 53 Russell St.
97.	License/Permit (ID # 28595)	Renewing Garage License, Simon's Auto Service, 166 Boston Ave.
98.	License/Permit (ID # 28596)	Renewing Garage License, Sullivan Tire, 263 Beacon St.
99.	License/Permit (ID # 28651)	Renewing Garage License, Union Gulf Service, 231 Washington St.

100.	License/Permit (ID # 28599)	Renewing Junk Dealer's License, Atlas Metals, 475 Columbia St.
101.	License/Permit (ID # 28600)	Renewing Junk Dealer's License, Kay Jewelers, 360 Artisan Way.
102.	License/Permit (ID # 28601)	Renewing Junk Dealer's License, Nissenbaum Auto Parts, 480 Columbia St.
103.	License/Permit (ID # 28597)	Renewing Outdoor Parking License, Nissenbaum Auto Parts, 480 Columbia St.
104.	License/Permit (ID # 28598)	Renewing Outdoor Parking License, Simon's Auto Service, 166 Boston Ave.
105.	License/Permit (ID # 28606)	Public Event License, The Center for Teen Empowerment, Youth Peace March, Foss Park Parking Lot to City Hall, May 13, 4PM-9PM (raindate May 20).
106.	License/Permit (ID # 28654)	Public Event License, Brastow Ave Porchfest, Brastow Ave from Porter St to Lowell St, May 14, 1:30PM- 4:30PM (raindate May 15).
107.	License/Permit (ID # 28607)	Public Event License, Porchfest on Charnwood, from Hancock St to Willow Ave, May 14, 1:30PM-4:30PM (raindate May 15).
108.	License/Permit (ID # 28659)	Public Event License, Porchfest on Church St, from Somerville Ave to Summer St, May 14, 3:30PM-6:30PM (raindate May 15).
109.	License/Permit (ID # 28661)	Public Event License, Porchfest on Munroe, from Bigelow St to Prospect Hill Pkwy, May 14, 3:30PM- 6:30PM (raindate May 15).
110.	License/Permit (ID # 28663)	Public Event License, Porchfest on Prospect Hill Ave, from Boston St and Munroe St, May 14, 3:30PM- 6:30PM (raindate May 15).
111.	License/Permit (ID # 28656)	Public Event License, Flying Turtle at Porchfest, in front of Boston Burger, May 14, 11AM-3PM.
112.	License/Permit (ID # 28608)	Public Event License, Arts Council Big Gay Dance Party, Union Sq Plaza and parking lot, June 11, 2PM- 10:30PM (raindate June 18).

113.	License/Permit (ID # 28644)	Public Event License, Arts Council ArtBeat, Davis Sq Parks and Holland/Elm Sts from Buena Vista Rd to Summer St, Day St, College Ave, Highland Ave, Jul 16, 8AM-11PM (raindate Jul 17).		
114.	License/Permit (ID # 28602)	Renewing Taxi Medallion License, 32 Summer St Corp, Med #29.		
115.	Public Communication (ID # 28475)	Three owners requesting the adoption of an amendment to the Zoning Ordinance Map to change the zoning district of 129R Highland Ave from UR to NR.		
116.	Public Communication (ID # 28643)	Dr. Alison Perchuk submitting comments re: Item #213498, the designation of the First Universalist Church Local Historic District.		
117.	Public Communication (ID # 28645)	Dr. Cameron Macdonell submitting comments re: Item #213498, the designation of the First Universalist Church Local Historic District.		
118.	Public Communication (ID # 28649)	Eight residents and business owners submitting comments re: Item #213243, a zoning map amendment.		
	SUPPLEMENTAL ITEMS			
119.	Order (ID # 28668)	By City Councilor Clingan That the Commissioner of Public Works resume the rain barrel program that was halted during the pandemic.		
120.	Order (ID # 28669)	By City Councilor Clingan That the Commissioner of Public Works make rain barrels available, at no cost, to any properties within the city's flood zones.		
121.	Order (ID # 28670)	By City Councilor Clingan That the Director of Engineering add a delay to the signal light for traffic turning left on to Mystic Avenue at Wheatland Street.		
122.	Order (ID # 28671)	By City Councilor Clingan That the Director of Engineering explain the timeline for the installation of the proposed Gilman Square water retention tank, as it relates to the overall flood water management plan.		

123.	Order (ID # 28672)	By City Councilor Clingan That the Director of Infrastructure and Asset Management provide the Ward 4 Councilor with an estimated paving date for Douglas Street.
124.	Order (ID # 28673)	By City Councilor Clingan That the Director of the Office of Sustainability and Environment develop a citywide green infrastructure plan to be incorporated into every city project.
125.	Order (ID # 28676)	By City Councilor McLaughlin That the Commissioner of Public Works repair the fencing at 90 Washington Street and clear the area of all debris.
126.	Order (ID # 28677)	By City Councilor McLaughlin That the Director of Engineering work with the GLX liaison to install a crosswalk where the future community path meets Cross Street.
127.	Mayor's Request (ID # 28674)	Requesting a transfer of \$9,000 from the Health and Human Services Professional and Technical Services Account to the Inspectional Services Extermination Account for the printing and mailing of the Spring Rodent Control Program postcards.
128.	Mayor's Communication (ID # 28675)	Proclaiming the week of May 1st through May 7th, 2022 as Children's Mental Health Awareness Week.
129.	Officer's Communication (ID # 28662)	Planning Board conveying its recommendations for proposed amendments to the Somerville Zoning Ordinance (items #213007, #213243, and #213244).
130.	License/Permit (ID # 28665)	Public Event License, Arts Council Carnaval, Broadway from McGrath Hwy to Pennsylvania Ave, Jun 5, 12PM- 8PM (raindate Jun 12).

LATE ITEMS

ADJOURNMENT