



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

February 3, 2021

REPORT OF THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Attendee Name	Title	Status	Arrived
Kristen Strezo	Chair	Present	
Ben Ewen-Campen	Vice Chair	Present	
Wilfred N. Mbah	City Councilor at Large	Present	

Others present: Lauren Racaniello-Mayor's Office, Ellen Shachter-OSPCD, George Proakis-OSPCD, Tom Galligani-OSPCD, Dan Bartman-OSPCD, Nick Antanavica-ISD, David Shapiro-City Solicitor's office, Captain James Donovan-Police, Russell Koty-OSPCD and Courtney Brunson and Morgan Benson from the Kennedy School of Government. T

The meeting was held virtually and was called to order at 6:06 p.m. by Chairperson Strezo and adjourned at 9:15 p.m.

Approval of the December 16, 2020 Minutes

The minutes were accepted on a roll call vote of 3 in favor (Councilors Ewen-Campen, Mbah and Strezo), none against and none absent.

RESULT:	ACCEPTED
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210380: That the Directors of SPCD, Housing Stability, and Inspectional Services discuss with the Housing and Community Development Committee the anticipated impact and possible responses when the MA Eviction Moratorium expires on August 18.

Ms. Schachter provided an update that the legislation coalition is working with the state house legislation again. Additionally, there is a senate sponsor who will be filing the bill in the senate. The bill will allow Somerville real estate transfer fees to be used for some transaction towards funding affordable housing. The Right to Purchase program to allow tenants to purchase own home when building is being sold, was vetoed by governor. They are hoping to bring this legislation back. The mayor and city council had been working with tenants to them the right to an attorney. Eviction diversion initiative received a number of additional staffs to help out with the eviction during The Coronavirus. There have been a series of meetings with the larger landlords, including Somerville Community Corporation and Clarendon Towers. Some agreements achieved were achieved from the meetings. The eviction prevention network is working hard to prevent eviction from happening and working in a very united fashion to prevent

evictions. They are setting up meetings with Somerville housing authority to make sure cases are not filed in court. There is \$25B allocated nationwide for rental assistance of which \$500M is allocated for Massachusetts and some funds could come to the municipalities. Ms. Schachter advocated that some of the money should be delivered locally to make sure it goes where it's needed, some tenants are working for cash and cannot document their income and still need rental assistance. It was stated that five additional multilinguals contractors were hired to help with the intake. Ms. Schachter gathered some data that they have received almost \$900k towards the rental assistance program.

Councilor Mbah asked questions about resources. Ms. Schachter stated they can work immediately with anyone who is at risk. There is still somewhat of a wait list and doing much better with the contractors, extended contractors until May. For the most part, people are being served before eviction state. Councilor Mbah inquired about possible overlapping with mental health. Ms. Schachter stated she works with the social worker with HHS and are collaborating efforts for the city.

Councilor Ewen-Campen asked if the eviction moratorium at the federal level, was continued until end of March for certain tenants who are at risk for non-payment. Ms. Schachter stated that tenants have to file a moratorium declaration to show they are unable to pay. The landlord would appear in court stating they have received the declaration. The advocacy community are calling on the Biden administration that no eviction process can start until the end of March.

RESULT:

KEPT IN COMMITTEE

210636: That the City Solicitor provide the Committee on Housing and Community Development with an opinion on whether the Tenant Notification Act could lead to a fine, indefinitely, following a first offense.

Councilor Ewen-Campen referenced the ordinance passed last year with notice to quit and tenants' rights that landlords could be fined \$300. Mr. Shapiro stated that under the Section 1-11 each calendar year there is a reset for the number of offenses. Councilor Ewen-Campen asked if there a reason to reset. Mr. Shapiro stated the city could change the language on the ordinance.

Councilor Ewen-Campen will follow up with the legal counsel.

RESULT:

WORK COMPLETED

210987: That the Director of SPCD update this Council's Committee on Housing and Community Development on the Encore Casino's efforts to support Somerville small businesses per their Community Agreement.

Mr. Galligani gave a summary of this item. The city and Wynn entered into a surrounding community agreement. Items related to business development and 3 sets of commitments that Encore would make to the City of Somerville. The first was for sending \$150k each year for the purposes to support small business to prepare to do business with Encore casino. Since COVID-19, the funds have been used to set up a business relief program. In the future, the city will still receive \$150k a year to support small businesses. Additionally, to make best effort to spend \$10M with Somerville small businesses. There was also a commitment of \$25k worth of gifts

cards and certificates to use be with employees as incentives or with high rollers as complimentary gifts.

Councilor Mbah asked if the city gets data on how the casino is spending the money. Mr. Galligani stated there is data thus far on how much money is spent in Somerville. They have been working with the casino fairly closely on jobs for residents in Somerville. They are talking to them on how close they are to spending \$10M in Somerville. No data about the gift cards or how much spent in Somerville. Councilor Mbah asked what are the next steps. Mr. Galligani hopes to have some data in a month since he is scheduled to have a phone call with the casino this week. The casino has gone through changes with new management.

Chair Strezo asked about the recourse of them not paying the city. Mr. Galligani wants to know how many vendors they have in Somerville and the status. He's trying to build a relationship with the casino.

Ms. Racaniello was asked by Chair Strezo what actions can we do to find out if they we are getting \$10M that was committed to our community, what happens if they violate the agreement and what does best efforts mean? Ms. Racaniello will speak to the law office get back to the chair. Mr. Proakis stated the agreement with Wynn with best efforts was the outcome of the binding arbitration process.

RESULT:	KEPT IN COMMITTEE
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209140: That the Director of SPCD develop with the Ward 6 Councilor language in the zoning ordinance to require that developers provide affordable commercial spaces.

Councilor Mbah stated it's a concept to help small businesses with zoning for affordable commercial spaces. Mr. Bartman has been working with Councilor Davis on a potential density bonus program in exchange for affordable commercial space. The language is in draft form to talk about the backend rather the zoning portion. Councilor Ewen-Campen stated this is also in the land use committee. He does think this item can be discussed in two different committees. The issue raised for this program could be quite complex and as with housing there is a wait list. He asked if the administration has given any thought to this item. Mr. Proakis talked about staffing impacts to keep in mind moving forward. On the business side, they will have to match the rules as with affordable housing. Mr. Proakis does not think they have the bandwidth to run this program which would be out of economic development. He would like to hear from the councilors on how this would work such as: what type of business that would be qualified. Mr. Proakis also stated that there needs to have a strategy in place and ongoing compliance monitoring on an annual basis.

Councilor Mbah asked how to establish policies to rescue these small businesses. Councilor Ewen-Campen asked what can be done at the municipal level to make a difference and suggested Councilor Davis attend a future meeting on this item.

RESULT:	KEPT IN COMMITTEE
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209649: That the Director of SPCD provide this Council with a prioritized list of the various neighborhood plans that the Administration has committed to or has proposed, with a timeline and work plan.

Councilor Mbah questioned how many wards currently have a neighborhood plan. Mr. Proakis stated there are completed neighborhood plans for Gilman Square, Magoun Square, Union Square and Winter Hill. They are working on completing a document for Davis Square. They are also doing a series of refinement of public realm updates. There are a number of other areas but no schedule yet. Councilor Mbah stated that each neighborhood plan builds off of SomerVision. Chair Strezo invited Councilor Niedergang who could not make it tonight. Councilor Ewen-Campen asked questions regarding parking. There are a number of projects in Boynton Yards and other areas that are large projects with parking associated. There is not yet a comprehensive parking analysis for these projects. What is the strategy to address the traffic concerns? Proakis stated the parking strategy has been embedded into the large-scale plans.

RESULT:

WORK COMPLETED

209566: That the SomerVision 2040 Steering Committee consider adding two additional indicators to be explicitly measured as part of Commercial Development, Business & Arts: income equality, and number of worker-owned co-ops.

Mr. Proakis stated they have a completed draft of SomerVision with a primary numbers of items to be measured.

Councilor Ewen-Campen stated the things we measure and publicize have a strong impact. It holds the city accountable. There would be improvements to the SomerVision to call out what Somerville is going through. Mr. Proakis stated the plans are with the planning board right now and he will suggest measures to be added.

RESULT:

WORK COMPLETED

209289: That the Director of Inspectional Services provide preliminary feedback on how the zoning overhaul, if passed, will affect ISD staffing needs, practices, and systems.

Mr. Antanavica stated they are more than a year in since the new zoning was passed. The pandemic has slightly disrupted the roll out. They have begun weekly meetings with the planning staff and others to make sure everyone's questions are being answered. There are two zoning review planners and planning planners working with both groups so that everyone is looking at the same thing in the same way. There were different interpretations, depending on the planner you spoke to on items. They are creating standard conditions for the variants and finalizing a checklist for the building department when applying for permits. Also, during the pandemic, there are still different departments that need a sign off and there is not a front facing program for the homeowners. They are trying to develop as a role in the department an ISD liaison as a single point person for homeowners or contractors to point them in the right direction.

Councilor Mbah asked how the pandemic impacted ISD in doing their job? Mr. Anatanavica stated it has impacted them, but they are more efficient in responding to complaints. They are down a couple of inspectors, not due to the pandemic. The department has responded well to the pandemic and are working offline and remotely.

Councilor Ewen-Campen asked about hiring a second zoning review planner who started November 2nd. He also asked what the average turnaround time for homeowners, assuming they

have full information requested from the homeowners or contractor. He asked if there has been category of information that is not provided repeatedly. They are trying to create a liaison position to help answer questions.

RESULT:	WORK COMPLETED
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208820: That the Director of Inspectional Services discuss the reasoning for and methods of enforcing the ordinance requiring landlords to post their contact information.

Mr. Antanavica stated they are doing annual inspection and creating their list which is a safety item. This will be part of their list for building inspections.

RESULT:	WORK COMPLETED
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209288: That the City Solicitor provide guidance on whether the City can take property by eminent domain to create affordable housing.

Mr. Shapiro stated he has no legal problem doing this and there is case law that supports this proposition.

RESULT:	WORK COMPLETED
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208985: That the Director of Sustainability and Environment and others in the Administration work with this Council to convene a task force to provide recommendations to eliminate the use of natural gas and other fossil fuels in new buildings.

Ms. Racaniello spoke with Mr. Sellers-Garcia stating that Councilor Ewen-Campen is part of the task force and could speak on this request. Councilor Ewen-Campen stated that one of the major uses of fossil fuels is heating and cooling buildings. The recommendation would replace anything with fossil fuel with electric. It was stated the issue with municipalities in Massachusetts are not allowed to ban fossil fuels and is against state laws. The gas ban was struck down. The new climate bill will allow the state to create a net zero building code and could become legal. They are trying to get labor to get on board with this request. Somerville actually did a huge step towards this with zoning overlay process and already requiring net zero.

RESULT:	WORK COMPLETED
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208828: That the Administration discuss the feasibility of including information about tax deferral programs in mailings about initiatives like lead paint abatement.

Mr. Koty stated the funding comes from the federal government. The income is set by the federal government to realistically align with market rates in Somerville. There were rental restrictions for multi-families. This program would be helpful for the house rich, cash poor residents like senior citizens. Mr. Koty responded to Councilor Mbah's question about the process of sending out a mailer in the next couple of weeks. It was stated that a \$1500 tax credit for owners who de-lead their properties. They advertise on social media and signage around the city.

Councilor Ewen-Campen believed this is to increase the advertisement of other tax deferral programs to the community.

RESULT:

WORK COMPLETED

209360: That the Director of SPCD provide this Council, in conjunction with its FY21 budget review, a list of upcoming commercial development, including the square footage and linkage payment projections with corresponding payment dates.

Mr. Proakis provided this information at the last meeting.

RESULT:

WORK COMPLETED

211130: That the team leader of the Somerville Trotter Collaborative Report discuss with this Council the findings of the report and how the study could be best used to benefit the community as a whole.

Courtney Brunson and Morgan Benson are students from Kennedy School of Government and team leaders of the Somerville Trotter Collaborative for racial and social justice provided recommendations for safety for the City of Somerville. Police Captain Donovan was also present at tonight's meeting.

The basis of the report was feedback from 13 service organizations, marginalized communities and others contributed to the report. Almost all respondents spoke about violence preventions for safety. There was feedback from two departments from the city that the impact from COVID 19 on the importance of having access to police services. Ms. Brunson discussed recommendations 1) incident prevention, to dedicate funding to areas needing safety, also talked about a peacemaker, 2) alternative response, what happens when 911 is being called, appropriate response such as for a mental health crisis. They discussed a holistic response working with Middlesex county, like the program that's in New Bedford, with data transparency for who is getting pulled over, who's getting contracts for the city and clarifying the authority for the new racial and social justice director.

Councilor Ewen-Campen stated the report maps onto a lot of discussions already happening in the City. He asked about how 911 should be used in the city. It was stated that Somerville Constituents have some issues with using 911 and wish there was some other way. Councilor Ewen-Campen asked why they felt it's important to have non-police response outside of the police dept? Ms. Brunson stated that 911 reflections were on environmental, crime, thefts with a vast majority of the calls not requiring police officers. It's important to ask the right questions that's suited to the caller to make sure the right person or service is provided to the caller. Captain Donovan read the report and it's a place to start. There are calls that police officers go to and may not be the best person to handle a call. The public may be better served by someone other than police officers. Traffic accidents require an officer to complete the report.

Councilor Mbah asked about next steps or actions for the city after reading the report. What should be the role of the racial and social justice director? Ms. Brunson stated members of the community asked the same questions and what would be the difference. Mr. Benson stated that racial and social justice impacts every department. Both students stated their classes ended last semester and they are happy to continue to support the city on this matter.

Ms. Brunson stated that some organizations advocated to defund the police. Part of the budget analysis is how much is being spent on public safety vs. to decreasing crime. Crime has been decreasing over the last few years. It was suggested to spend money on programs that could continue to decrease crime. Mr. Benson stated that some Community organizations 7 out of 13 did recommend limiting police.

Chair Strezo asked how they chose organizations to participate in the program. Mr. Benson stated they made a list of all major organizations in Somerville looking at safety and policing concerns. There was a list of 31 organizations involving policing and criminal justice. They only heard back from 13 out of the 31. Ms. Brunson stated they worked with SomerStat for city input. The city was also doing meetings of their own with constituents. There were a lot of overlap with what they were doing and the city meetings.

Chair Strezo asked about 911 calls. Captain Donovan stated he learned there are members of the community who do not want to interact with the police department.

RESULT:	KEPT IN COMMITTEE
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