



# City of Somerville, Massachusetts

## City Council Legislative Matters Committee

### Meeting Minutes

**Monday, October 30, 2023**

**6:00 PM**

This meeting was held via Zoom and was called to order by Chair Davis at 6:02 pm and adjourned at 7:45 pm with a roll call vote of 4 in favor (Councilor McLaughlin, Councilor Burnley, Councilor Kelly and Chair Davis), none opposed, and 1 absent (Councilor Scott).

Others present: Neha Singh – Mayor’s Office, Brendan Salisbury – City Clerk’s Office, Christine Blais – OSE, Stephanie Widzowski – Clerk of Committees.

#### Roll Call

**Present:** Chairperson Lance L. Davis, Vice Chair Charlotte Kelly, Willie Burnley Jr., Matthew McLaughlin and Jefferson Thomas (J.T.) Scott

1. Committee Minutes (ID # [23-1569](#)) Approval of the Minutes of the Legislative Matters Committee Meeting of October 17, 2023.

*Chair Davis moved to amend the minutes of the Legislative Matters Committee Meeting of October 17, 2023 to add that Councilor Burnley moved to recommend approval of item 23-0076 as amended, as well as the ensuing vote. The motion was approved on a roll call vote of 4 in favor (Councilor Scott, Councilor McLaughlin, Councilor Kelly and Chair Davis), 1 absent (Councilor Burnley) and none opposed. Chair Davis then moved to recommend approval of the minutes as amended.*

**RESULT:** ACCEPTED AS AMENDED

**AYE:** Chairperson Davis, Vice Chair Kelly, Ward One City Councilor McLaughlin and Ward Two City Councilor Scott

**ABSENT:** City Councilor At Large Burnley Jr.

2. Order (ID # [23-0318](#)) By Councilor Ewen-Campen, Councilor Burnley Jr., Councilor Clingan, Councilor Davis, Councilor Gomez Mouakad, Councilor Kelly, Councilor McLaughlin, Councilor Pineda Neufeld, Councilor Scott, Councilor Strezo and Councilor Wilson

That this Council draft a Home Rule Petition to authorize Somerville to regulate against rent gouging by establishing Rent Stabilization.

Chair Davis said that city staff are working on a draft of the Home Rule Petition, and he kept the item in committee so that councilors would have more time to review the item attachments.

**RESULT:** KEPT IN COMMITTEE

3. Mayor's Request (ID # [23-1590](#)) Requesting ordainment of an amendment to the Code of Ordinances to add Chapter 6 Article VII to restrict and prohibit new building construction and major renovation projects that are not fossil fuel-free.

Dir. Blais gave background on the fossil fuel-free ordinance, discussed the contents of the ordinance, and then talked about the demonstration project. As part of the background, she explained that the opt-in program for municipalities filing Home Rule Petitions (HRPs) to restrict or prohibit fossil fuel infrastructure was restricted to 10 communities when finalized. There is one open slot left, for which Somerville is competing with others. Requirements for the program include passing an ordinance restricting or prohibiting fossil fuels in new construction or major renovations, showing how the ordinance deviates from the Department of Energy Resources model rule, and creating an implementation plan. Dir. Blais talked about Somerville's approach, focusing on efforts to include community members earlier in the ordinance drafting process. She said that the ordinance would need to be passed by February 11, 2024 to strengthen Somerville's application, but the case scenario would be to pass the ordinance sooner so it can be in effect by the time the application is submitted.

Councilor Kelly requested that letters of support from the community be attached to the agenda as a handout. The attachment is available online under the name "Legislative Matters - 2023-10-30 Letters of Support (with 23-1590)".

Dir. Blais went through highlighted sections line by line of the document "Legislative Matters - 2023-10-30 FFF-Ordinance-ModelRule-Highlighted (with 23-1590)", attached to the agenda. Chair Davis asked about Level 3 Alterations and the threshold for major renovation. Councilor Scott asked about section E of the Major Renovations definition, which covers change of use for over 1000 sq ft. of a residential building. They said that, though the section is intended to align with the specialized code, the related section in the specialized code depends on the square footage of the use area *and* whether the project exceeds 50% of the existing floor area. This led to a discussion of the reasoning behind, and implications of, using *and* or *or* with those two conditions. Cambridge legislation restricting fossil fuel infrastructure also influenced this ordinance, which was discussed. Councilor Scott said that the priority seems to be to have something passed soon, but that they want to make sure this outstanding question and others that may arise are scheduled to be addressed.

Councilor Burnley asked about an exemption in Sec. 6-94.c.i.4 for multifamily buildings over 12,000 sq ft. that file a permit before January 2027. Dir. Blais said that the language is based on the Department of Energy Resources model rule, and that the timing may be to ensure feasibility from a cost and technology perspective. Councilor Burnley also asked whether the language in this ordinance is consistent with the Code of Ordinances or is based on other sources, and whether additional action is expected for this

item in the future. Dir. Blais said that follow-ups are expected with both the fossil fuel-free ordinance and the specialized code. She added that community members requested financial incentives for divesting from fossil fuels, for which a separate piece is being drafted for the Zoning code.

**RESULT:**        **RECOMMENDED TO BE APPROVED**

**AYE:**            Chairperson Davis, City Councilor At Large Burnley Jr.,  
Ward One City Councilor McLaughlin and Ward Two City  
Councilor Scott

**ABSENT:**        Vice Chair Kelly

Referenced Documents:

- Legislative Matters - 2023-10-30 FFF-Ordinance-ModelRule-Highlighted (with 23-1590)
- Legislative Matters - 2023-10-30 Letters of Support (with 23-1590)