



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

September 16, 2020

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: Annie Connor-Mayor's Office, Sara Lewis-OSPCD, Melissa Woods-OSPCD, Michael Feloney-OSPCD, Ellen Shachter-OSPCD, Susan Chimene-OSPCD, Linda Dubuque-Treasury, David Shapiro-City Solicitor's Office and Nick Antanavica-ISD.

The meeting was held virtually and was called to order at 6:00 p.m. by Chairperson Strezo and adjourned at 8:13 p.m.

Approval of the June 3, 2020 Minutes

RESULT:	ACCEPTED
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209565: That the Director of SPCD help ensure the effectiveness of the Tenant Notification Act via a citywide mailer, and by ensuring that the Director of 311 and the Director of Inspectional Services inform all city employees of the enforcement of this policy.

Ms. Schacter stated that housing notification act passed in 2019. She stated she is anticipating another round of eviction act. Councilor Ewen-Campen asked for update on city wide mailing. Housing is working with the communication department on two mailers to send out to most owners and will have information about what's happening with the courts system before the mailing. The mailing will go out the first week in October and will have information about rental system and status of moratorium and with access to resources in the city to avoid eviction.

Councilor Mbah asked Ms. Schacter if the mailing will be available in multiple languages. He also inquired about where residents need to go to translation services. Ms. Schacter stated there will be a one-page flyer available and information will also be available on the city's website in multiple languages. Additionally, Ms. Schacter stated that 72% of residents that come their offices are non-English speakers.

RESULT:	WORK COMPLETED
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210379: That the Director of Inspectional Services report to the Housing and Community Development Committee its implementation plans for the 2019 Tenant Notification Act.

Mr. Antanavica from ISD reviewed the process stating that someone calls the number to reports their issues and apply the appropriate assistance. Mr. Antanavica also stated that everyone in ISD is aware of tenant notification act and the process. Councilor Ewen-Campen asked about the process and if the complaint goes directly to ISD, and if there will be a warning and later a fine for the 2nd offense. Question was asked if the entire apartment building does not receive the information to the tenant, landlord would receive if the landlord receives a warning and followed by fines. Councilor Ewen-Campen had questions about the process and will follow up with the city solicitor's office.

It was suggested that ISD may need annual inspections for some locations and leave pamphlets in lobby for tenants to learn about tenant notification act.

Chair Strezo asked how ISD handles translations services. Mr. Antanavica stated the system is already set up for all inspectors know to contact Ms. Schacter's office to get help with translations.

Councilor Ewen-Campen motioned and was accepted *that the City solicitor's office provide an opinion to this committee on whether the tenant notification act can lead to a fine indefinitely following first offense.*

RESULT:

KEPT IN COMMITTEE

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. Schacter stated the eviction moratorium ends October 17th and federal moratorium ends in December. There were some questions about the action during this time and it was stated that people cannot be evicted relating to COVID-19. Ms. Schacter also stated that legislation pending and trying to insert that tenants needs access to counsel. She also stated that there are negotiations going on with the administration regarding COVID for low income tenants and small landlords. It was stated there is also a need for attorneys and case managers to help with applications. Ms. Schacter states the CARES money can pay for rental assistance and legal services. Ms. Schacter stated that just 8% of tenants have representation whereas 70% landlords have access to representation.

Ms. Schacter stated there is a Somerville health moratorium and that order came from ISD. No one can be removed from their home while the moratorium is in place. There were discussions about what enforcement issues will come up once the moratorium is over.

Ms. Schacter expressed concerns about constables' actions once the moratorium ends. She also stated that 40% or 50% who are evicted end up doubling up with each other which could be an issue relating to COVID.

Councilor Ewen-Campen asked about constables and if the city has authority over their actions. Ms. Schacter stated there is legislation pending to extend moratorium for 12 months. It was stated that Councilor Clingan had put through an order to halt any evictions. Mr. Shapiro agreed to look into the question about constables.

RESULT:**KEPT IN COMMITTEE**

209681: That the Administration develop with this Council's Committee on Housing and Community Development a plan to achieve 30% deed restricted units as a percent of all housing.

Ms. Connor had asked Director Lewis to speak to this item. Ms. Lewis asked Councilor Ewen-Campen to speak to this due to the work in land use. It was stated that 30% is higher than the goal SomerVision could set. It was also stated that what was presented to the land use committee, in order to get to 20% would need be on new development. It will take extreme measures to get to 20%. It's probably a stretch goal to try to get to 30% and really challenging in reality.

Councilor Ewen-Campen responded to Chair Strezo's question about whether a developer can build an extra floor on a building and if a developer can build 100% affordable housing. It was stated that market rate builders will make more money instead of building affordable housing. It was stated that the overlay item is currently before the land use committee and cannot be in two committees at once.

RESULT:**KEPT IN COMMITTEE**

207505: That the Director of SPCD work with this Council towards establishing a goal for the target number of deed-restricted units, so that a path to that goal can be analyzed as part of the next Housing Needs Assessment and discussed as part of the SomerVision 2040 process.

Ms. Woods and Ms. Lewis stated the Land Use committee has been working hard with the affordable housing overlay. Ms. Woods is the planning lead for SomerVision and has been working to update the housing demand in Somerville. The goal is to create an inclusionary place to live in Somerville in every income bracket. She has had two meetings with the SomerVision committee on what the number should be for deed-restricted units and the number of new market rate and housing that will be created. There will be a need to track the number of housing units being created. It was stated that Somerville is 10% inclusionary affordable housing, with 15% in Cambridge and Boston is 20%. Most aggressive number is 20% is in SomerVision currently with some people would like to see it higher. Even 15% or 17% is very cost burdensome. Councilor Ewen-Campen wants to identify the specifics to build as much affordable housing as possible. Ms. Lewis talked about doing a public hearing to get the SomerVision 20% of all housing unit's goal for the city. It was referenced that Councilor Ballantyne noted that SomerVision have no direct attention to the challenges facing senior citizens. It was stated that senior citizens are restricted due to retirement or can have physical restrictions which should be addressed and brought to forefront. Ms. Lewis and Ms. Woods will be providing an update on SomerVision 2040 at a later date.

RESULT:**KEPT IN COMMITTEE**

210471: That the Superintendent of Inspectional Services, the City Treasurer and the City Solicitor appear before this Council, or appropriate committee, to discuss the

implementation of Ordinance 8.3 as to the denial of building permits to those who have failed to pay City-imposed fines.

Mr. Antanavica has reviewed this with city solicitor's office and the staff are enforcing the ordinance. If there a number of violations with the developer and after 12 months, the city puts a lien on the property. Councilor Ewen-Campen stated he believes that some councilors may want to amend the ordinance.

Ms. Dubuque talked about the small business owner being denied a license due to not paying taxes or water bill and how her team spends lots of time arguing with small business owners. Additionally, she stated it did not make sense since the city's tax collection rate is over 99%. If tax bill is unpaid, the property owners is charged 14% interest, tax title charged 16% and the city will not lose out on dollars. Ms. Dubuque stated the ordinance is working to collect fees and fines on the parcels. There were discussions about the importance to hold up permits for a specific owner because of a parcel and how time intensive it is involving title searches across the board and hard to research an address.

Councilor White talked about cost benefit analysis, asking to adopt the provisions to lien properties and to place liens on properties where the violation occurred.

Councilor Ewen-Campen stated the law department feels the city is enforcing as per the ordinance. Councilor White stated that the ordinance authorizing the City to withhold the issuance of permits does not require the recording of liens first. Mr. Shapiro stated that the Ordinance that the City of Somerville had adopted was based on a state statute that required that a fine be unpaid for 12 months or more before a permit could be denied. In 2016, that statute removed the language that required that the fine had to be unpaid for 12 months. Councilor White stated that he would like to see the City amend the current ordinance to follow the current state's statute.

RESULT:

KEPT IN COMMITTEE

210247: That the Administration provide an update on the Disparity Study regarding racial equity in city spending submitted as #208809 on September 12, 2019.

Councilor Ewen-Campen asked if city of Somerville wanted to set a goal on how much money is spent with minorities and women businesses. Ms. Connor stated the city would need the disparity study to help establish this type of policy. Additionally, Ms. Webber and Ms. Allen have been working to gather cost estimates for a consultant to work on the disparity study and will have information in the coming months. The Request for Proposal will get a consultant on board to get the study going. Ms. Connor stated Ms. Allen will come before the board to request funding. Ms. Connor will follow up with Ms. Allen on setting goals.

Chair Strezo made a resolution **that the administration commits to setting goals for city contracting with minority and women-owned businesses.** A roll call vote was called with Councilor Mbah absent and all others voted in favor.

RESULT:

KEPT IN COMMITTEE