



# City of Somerville, Massachusetts

## City Council Legislative Matters Committee

### Meeting Minutes

Tuesday, March 28, 2023

6:00 PM

This meeting was held via GoToWebinar and was called to order by Chair Davis at 6:04 pm and adjourned at 8:25 pm with a roll call vote of 4 in favor (Councilor Scott, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and 1 absent (Councilor McLaughlin).

Technical difficulties with the meeting software caused Councilor McLaughlin to join late.

Others present: Neha Singh – Mayor’s Office, Brendan Salisbury – City Clerk’s Office, Catherine Lester Salchert – Law Office, Ellen Shachter – OSPCD, 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

Committee Minutes  
(ID # [23-0445](#))

Approval of the Minutes of the Legislative Matters Committee Meeting of March 14, 2023.

**RESULT:** ACCEPTED  
**AYE:** Chairperson Davis, Vice Chair Kelly, City Councilor At Large Burnley Jr. and Ward Two City Councilor Scott  
**ABSENT:** Ward One City Councilor McLaughlin

Ordinance  
(ID # [22-1293](#))

By Councilor Ewen-Campen, Councilor Clingan, Councilor Wilson, Councilor Burnley Jr. and Councilor Kelly  
Proposing Amendments to the Neighborhood Council Designation Ordinance (Chapter 7, Article IX) to encourage the formation of such neighborhood councils.

Legislative Policy Analyst Salisbury reviewed the changes in the item attachment titled “03.28.23 LM Amendment Chapter VII Article IX Neighborhood Council Recognition” made after the previous Legislative Matters discussion. *Chair Davis moved to adopt the changes in the document, and the motion passed with a roll call vote of all in favor (Councilor Scott, Councilor McLaughlin, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and none against.* After adopting that language, the Committee reviewed revisions from the Solicitor’s Office.

Topics discussed include allowing boundary overlap between recognized neighborhood councils, whether requiring a two-thirds majority for

recognition and/or revocation is appropriate, the timeline of submission deadlines for the annual report and other required submissions, and the scope of Community Benefits Agreements as supported by ordinance.

*Councilor Scott moved to replace Sec. 7-221(1)(A)(I) with the following text: "The boundaries of separate neighborhood councils should not encompass materially the same area, provided however, that some overlap of boundaries between separate neighborhood councils may exist. The creation of distinct neighborhood councils for sub-regions of an existing recognized Neighborhood Council may be appropriate, at the discretion of the City Council." The motion passed with 4 in favor (Councilor Scott, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and 1 absent (Councilor McLaughlin).*

*Chair Davis moved to replace the language in Sec. 7-221(4)(B) with the following text: "Two designated individuals who shall receive notices from the city, with at least two methods of contact for each including e-mail address, phone number, or mailing address." The motion passed with 4 in favor (Councilor Scott, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and 1 absent (Councilor McLaughlin).*

Analyst Salisbury flagged where language had been changed after a previous discussion of the phrase "commonly held ethical standards". *Chair Davis moved to replace "commonly held ethical standards" with "ethical standards adopted by the neighborhood council" in Sec. 7-221(3). The motion passed with 4 in favor (Councilor Scott, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and 1 absent (Councilor McLaughlin).*

*A series of motions were made, tabled and taken up together for a single roll call vote, which passed with 4 in favor (Councilor Scott, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and 1 absent (Councilor McLaughlin):*

- *Chair Davis moved to change "after their" to "subsequent to" in Sec. 7-221(4);*
- *Chair Davis moved to replace the text of 7-221(4)(D) with the following: "A current copy of the bylaws or statement confirming there have been no changes in the bylaws since the last annual report"*
- *Chair Davis moved to delete the words "the mayor and" in the first paragraph of Sec. 7-222 and change "The city council shall approve" to "The city council may approve" in the penultimate sentence in the last paragraph of Sec. 7-222;*
- *Chair Davis moved to delete "including without limitation" and "at the public hearing that may include", and insert the phrase "including, without limitation," after "based upon evidence presented" in Sec. 7-223;*
- *Chair Davis moved to revise Sec. 7-224(A)(1) to read: "Establish*

and follow clear methods to prepare and communicate the neighborhood council position on pertinent issues of concern. When a recognized neighborhood council presents its official position on an issue, it shall be prepared to identify the methods used to prepare the position, such as a poll or vote of the general membership, or a decision by the elected board of the council ratified by the members.”;

- Chair Davis moved to revise Sec. 7-224(A)(3) to read: “Encourage their members, local residents, businesses and stakeholders to engage in the land use planning and public decision making process that impact the environment and community welfare.”;
- Chair Davis moved to remove the section “including, but not limited to, through the negotiation of community benefits agreements” from Sec. 7-224(A)(6);
- Councilor Scott moved to revise Sec. 7-225(A) to read: “A recognized neighborhood council may negotiate a community benefits agreement with a developer whose project, or combination or series of projects, significantly impacts the area within the council’s boundaries”; and
- Councilor Scott moved to add the phrase “establishment and sustainment of community centers” after “public health” in the definition of community benefits in Sec. 7-220(B).

Chair Davis then moved to recommend approval of the item as amended.

**RESULT:** RECOMMENDED TO BE APPROVED AS AMENDED

**AYE:** Chairperson Davis, Vice Chair Kelly, City Councilor At Large Burnley Jr. and Ward Two City Councilor Scott

**ABSENT:** Ward One City Councilor McLaughlin

Mayor's Request  
(ID # [23-0323](#))

Requesting the acceptance of Massachusetts General Laws, Chapter 138, Section 33B, to confirm the authorization of licensees under section twelve to sell alcoholic beverages between the hours of 10:00 AM and 12:00 noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday.

**RESULT:** RECOMMENDED TO BE APPROVED

**AYE:** Chairperson Davis, Vice Chair Kelly, City Councilor At Large Burnley Jr. and Ward Two City Councilor Scott

**ABSENT:** Ward One City Councilor McLaughlin

Mayor's Request  
(ID # [23-0455](#))

Requesting approval of a Home Rule Petition authorizing the City of Somerville to enact Right to Purchase legislation.

**RESULT:** RECOMMENDED TO BE APPROVED

**AYE:** Chairperson Davis, Vice Chair Kelly, City Councilor At Large Burnley Jr. and Ward Two City Councilor Scott

**ABSENT:** Ward One City Councilor McLaughlin

Ordinance  
(ID # [22-1994](#))

By Councilor Burnley Jr. and Councilor Scott  
Amending Sections 7-41, 7-43, 7-44, and 7-47 of the Code of Ordinances, related to Fair Housing.

Liaison Singh described the work that the newly hired fair housing program specialist is doing, including comparing classes with and without MCAD protection and investigating the nature and resolution of fair housing complaints over the last several years. Chair Davis requested to have a response to these inquiries ready for committee discussion by April 18.

**RESULT:** **KEPT IN COMMITTEE**

Mayor's Request  
(ID # [23-0454](#))

Requesting approval of a Home Rule Petition authorizing the City of Somerville to impose a real estate transfer fee.

Taken together with item 23-0455. Dir. Shachter explained that the Home Rule Petition authorization lasts for a specific period of time and must be refiled to stay in effect, and that there is also an opportunity to support campaigns for enabling legislation on the transfer fee and Right to Purchase. She said that while the Home Rule Petitions differ from the enabling legislation put forward by Local Options for Housing Affordability (LOHA), her recommendation is to move these items forward now and submit revisions later if needed.

Councilor Scott noted that the Right to Purchase legislation reads similarly to the condo conversion ordinance. Dir. Shachter said that the Right to Purchase legislation is much broader, but it does have a provision to yield to the condo conversion ordinance in the event of a conflict.

*Chair Davis moved to amend the proposed Home Rule Petition, pursuant to the suggestions provided by the administration in the document titled "03-28-2023-Transfer Fee Admin Edits" as follows:*

*"Whereas, housing costs in and around Somerville have increased consistently and dramatically over the last 10+ years, and;*

*Whereas, there is a significant need for more affordable and workforce housing as evidenced by the 34.5 % of Somerville renters and over 50% of low income renters who are currently considered rent burdened by paying at least 30% of their income on rent, and the multi-year long waitlists that exist for affordable housing opportunity currently available in Somerville;*

*Whereas, these circumstances are further compounded by a combination of*

*regional housing demand and constrained supply as documented in the Metropolitan Area Planning Council's projection of regional housing demand for the metro north Boston area and the 2022 Housing Report Card;"*

*The motion passed with 4 in favor (Councilor Scott, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and 1 absent (Councilor McLaughlin).*

**RESULT:**        **RECOMMENDED TO BE APPROVED AS AMENDED**

**AYE:**            Chairperson Davis, Vice Chair Kelly, City Councilor At Large Burnley Jr. and Ward Two City Councilor Scott

**ABSENT:**        Ward One City Councilor McLaughlin