



CITY OF SOMERVILLE, MASSACHUSETTS  
CLERK OF COMMITTEES

April 20, 2017

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Mary Jo Rossetti	Chair	Present	
Mark Niedergang	Vice Chair	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	
John M. Connolly	Alderman At Large	Absent	
William A. White Jr.	Alderman At Large	Present	

Others present: Alderman Maryann Heuston, Goran Smiljic - ISD, Ade Solarin - ISD, David Shapiro - Law, Eileen McGettigan - Law, Frank Wright - Law, Shannon Phillips - Law, Michael Glavin - OSPCD, Sue Thomas - OSPCD, Kristen Stelljes - CPA, Tim Snyder - Mayor's Office, Annie Connor - Legislative Liaison, Peter Forcellese - Legislative Clerk.

The meeting took place in the Committee Room and was called to order at 6:0 PM by Alderman Rossetti and adjourned at 7:35 PM.

**Approval of the April 6, 2017 Minutes**

<b>RESULT:</b>	<b>ACCEPTED</b>
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**202626: Proposing an Ordinance to safeguard vulnerable road users.**

Ms. Connor told the committee that work is continuing on amendments to the draft, but that it is not ready yet due to the amount of details that need to be clarified. Language has been added to deal with waivers and exemptions. The draft is being developed with language that will allow for flexibility as technology advances. Ms. Connor said that the draft would be ready in time for the Legislative Matters Committee meeting on May 4th. Chairman Rossetti expressed concern with a part of section 2 of the draft and Ms. Connor will address it.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**202122: That the Administration present its recommendations and a draft ordinance for the proposed Rental Registration Program (#199934) to the Committee on Legislative Matters at its meeting on October 20, 2016.**

Alderman Heuston spoke about the draft notice distributed this evening and inquired how property owners would be made aware that they have to comply with this. She wants to make sure that property owners to have enough time to comply in order to avoid any fines being imposed. Mr. Snyder stated that, due to the importance of this issue, a separate mailing to notify property owners is warranted. Alderman Heuston suggested including a note to advise seniors that assistance might be available to help them with posting the notice.

The fine structure was discussed with Mr. Smiljic and the committee approved the following:

first offense will receive a warning

second offense will receive a \$100 fine

third (and subsequent) offenses(s) will receive a \$300 fine

The interval between issuing successive fines will be one week.

Mr. Shapiro informed the members that this ordinance would apply to all non-owner occupied property. The effective date of the ordinance will be 60 days after its passage.

There was a brief discussion about whether the form provided by the city is the one to be used or if another form may be used in its place, so long as the pertinent information is displayed.

Alderman White appointed Alderman Heuston to the Legislative Matters Committee for the purpose of allowing her to make the motion to approve this item. Alderman Heuston's motion to approve the ordinance was unanimously approved.

<b>RESULT:</b>	<b>APPROVED</b>
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**202457: Assistant City Solicitor responding to #201905 with a draft ordinance to extend protections for trees on city-owned property.**

The handout provided at tonight's meeting includes all of the requested changes. Alderman White's motion to amend the ordinance by deleting the word "undergo" from the last sentence and replacing it with the words "have undergone" was approved.

<b>RESULT:</b>	<b>APPROVED AS AMENDED</b>
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**203097: Assistant City Solicitor submitting the US2-City Development Covenant.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**203098: Assistant City Solicitor submitting an Ordinance to create a Community Benefits Committee.**

Mr. Glavin explained that the proposed ordinance is an attempt to create the capacity to have dialogs with developers coming to the city and added that he is hopeful that this approach may be used for future developments. The Community Preservation Act (CPA) has created a credible process for hearing communities' needs and including those needs in agreements.

Ms. McGettigan told the members that the proposed ordinance was crafted from Somerville's CPA ordinance and an ordinance in the City of Cambridge. Ms Stelljes stated that she believes the mayor has the authority to reject any part of a community benefits agreement however; she will look into

this further for a definitive answer. Alderman Niedergang believes that neighborhood councils should have more power in decision making.

The committee reviewed the document and made the following changes:

- Capitalize throughout, where appropriate, e.g., Board of Aldermen, Committee, etc.
- I (a) - define “small business” and “members of nonprofit organization”
  - Mr. Glavin will research to see if there is a comfortable way to capture the intent of the word "member"
- Alderman Niedergang suggested that at least 1 tenant and 1 homeowner also be part of the Community Benefits Committee (CBC)
- Alderman Ballantyne suggested that small business owners must live in Somerville
- II - change the word "citizens" to "residents" in third sentence
- III (b) - change the words "open space/sustainability" to "open space, sustainability"
- V - Alderman Niedergang questioned why "Community Based Organization" is defined as a 501(c)(3) and Mr. Glavin asked the Law Department to research this and provide a response
- V - change the words “applying to the city” to "applying to the Community Benefits Committee" in the definition of “*Applicant*”
- V - Mr. Glavin will provide clearer language for neighborhood-specific deposits and community benefits stabilization fund sub-accounts
- V - Alderman White requested that the language in the definition of *Funding Priorities* be changed to make it clear that the funding goals are being approved, not the periodic assessments.

Chairman Rossetti will include this item on the Legislative Matters Committee’s May 4th meeting for further review. Alderman Niedergang recommended that this item be completed prior to the upcoming vote on zoning.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**203192: Union United submitting comments re: the Union Square Development Covenant.**

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**Handouts:**

- Draft of Property Owner Notice (with 202122)
- Draft Tree Ordinance (with 202457)
- CPC Ordinance (with 203098)