



City of Somerville, Massachusetts

City Council

Regular Meeting Agenda

Thursday, February 23, 2023

7:00 PM

City Council Chamber and Remote
Participation

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NOTICE: Pursuant to Chapter 107 of the Acts of 2022, this meeting of the City Council may be conducted and via remote participation. We will post an audio recording, audiovideo recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting on the City of Somerville website and local cable access government channels.

Register at the following website to view this meeting live or to testify at any public hearing:
<https://attendee.gotowebinar.com/register/6080907760685371479>.

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1. OPENING CEREMONIES

- 1.1. Roll Call Call of the Roll.
(ID # [23-0200](#))
- 1.2. Remembrances Remembrances.
(ID # [23-0287](#))
- 1.3. Minutes Approval of the Minutes of the Regular Meeting, January 26,
(ID # [23-0288](#)) 2023.

2. CITATIONS

3. PUBLIC HEARINGS

4. ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

- 4.1. Resolution By Councilor Ewen-Campen and Councilor Davis
(ID # [23-0267](#)) Celebrating the work of the Somerville Bike Kitchen and
 supporting their efforts to find a new home in Somerville.

- 4.2. Order (ID # [23-0274](#)) By Councilor Strezo
That the Director of Health and Human Services create and distribute an outgoing participation survey for participants of the Teen Snow Shoveling program.
- 4.3. Order (ID # [23-0275](#)) Withdrawn.
- 4.4. Order (ID # [23-0281](#)) By Councilor Strezo
That the Director of Human Resources provide a written demographic breakdown, including the age, gender, and race/ethnicity of Customer Service Representatives in the Constituent Services Department (311).
- 4.5. Communication (ID # [23-0276](#)) By Councilor Strezo
Conveying a report of the Children's Cabinet meeting of February 14, 2023.
- 4.6. Order (ID # [23-0278](#)) By Councilor Kelly
That this Council discuss alternative emergency response methods with local mental health care providers.
- 4.7. Order (ID # [23-0279](#)) By Councilor Kelly
That this Council discuss alternative emergency response and/or other non-police emergency response methods that other municipalities have pursued.
- 4.8. Order (ID # [23-0280](#)) By Councilor Kelly
That the Director of Finance provide a written report detailing all Stabilization Funds and the current balance in each fund.
- 4.9. Resolution (ID # [23-0277](#)) By Councilor Clingan
Supporting the Somerville Municipal Employees Association (SMEA) in its efforts to bring the 311 Operators into SMEA Unit B.

5. UNFINISHED BUSINESS

6. REPORTS OF COMMITTEES

6.A. CHARTER REVIEW SPECIAL COMMITTEE

- 6.A.1. Committee Report (ID # [23-0262](#)) Report of the Charter Review Special Committee, meeting on February 22, 2023.

6.A.2. Resolution
(ID # [23-0291](#)) By Councilor Ewen-Campen
Supporting the recommended language by the Charter Review Committee to change the appointment of the independent auditor to the City Council and mandate the appointment.
RECOMMENDED: Recommended to be approved.

6.A.3. Resolution
(ID # [23-0292](#)) By Councilor Strezo and Councilor Scott
Supporting the recommended language by the Charter Review Committee to implement a Capital Improvement Plan, amended to add “or reject” after “shall by resolution adopt” in Section 6-6.
RECOMMENDED: Recommended to be approved.

6.B. CONFIRMATION OF APPOINTMENTS AND PERSONNEL MATTERS COMMITTEE

6.B.1. Committee Report
(ID # [23-0254](#)) Report of the Committee on Confirmation of Appointments and Personnel Matters, meeting on February 15, 2023.

6.B.2. Mayor's Request
(ID # [22-2125](#)) Requesting confirmation of the re-appointment of Alan Bishop as Constable.
RECOMMENDED: Recommended to be approved.

6.B.3. Mayor's Request
(ID # [22-2126](#)) Requesting confirmation of the re-appointment of Catello Battinelli II as Constable.
RECOMMENDED: Recommended to be approved.

6.B.4. Mayor's Request
(ID # [22-2128](#)) Requesting confirmation of the re-appointment of Mary Battinelli as Constable.
RECOMMENDED: Recommended to be approved.

6.B.5. Mayor's Request
(ID # [22-2135](#)) Requesting confirmation of the appointment of Deborah Haber to the Commission for Persons with Disabilities.
RECOMMENDED: Recommended to be approved.

6.B.6. Mayor's Request
(ID # [22-2137](#)) Requesting confirmation of the appointment of Pauline Downing to the Commission for Persons with Disabilities.
RECOMMENDED: Recommended to be approved.

6.B.7. Mayor's Request
(ID # [22-2138](#)) Requesting confirmation of the appointment of Harriotte Ranvig to the Commission for Person with Disabilities.
RECOMMENDED: Recommended to be approved.

6.B.8. Officer's
Communication
(ID # [23-0040](#)) City Clerk requesting confirmation of the appointment of F. Kelley Landolphi to the position of Assistant Clerk of Committees.
RECOMMENDED: Recommended to be withdrawn.

- 6.B.9. Officer's Communication (ID # [23-0041](#)) City Clerk requesting confirmation of the appointment of Michael Potere to the position of Assistant Clerk of Committees.
RECOMMENDED: Recommended to be approved.
- 6.B.10. Order (ID # [23-0072](#)) By Councilor Wilson, Councilor Pineda Neufeld and Councilor Kelly
That the Director of Human Resources update this Council on the number of current job vacancies and the number of positions filled in 2022.
RECOMMENDED: Recommended to be marked work completed.

6.C. FINANCE COMMITTEE

- 6.C.1. Committee Report (ID # [23-0261](#)) Report of the Committee on Finance, meeting on February 21, 2023.
- 6.C.2. Mayor's Request (ID # [22-2041](#)) Requesting approval of the Alternative Transportation Corridor Lease Agreement with the Massachusetts Bay Transportation Authority (MBTA).
RECOMMENDED: Recommended to be approved.
- 6.C.3. Mayor's Request (ID # [23-0110](#)) Requesting approval of the Urban Center Housing Tax Increment Financing (UCH-TIF) Zone, Plan, and Form of Agreement for Winter Hill.
RECOMMENDED: Recommended to be discharged with no recommendation.
- 6.C.4. Mayor's Request (ID # [23-0185](#)) Requesting approval to accept and expend a \$3,348.18 grant with no new match required, from the Urban Areas Security Initiative (UASI) to the Fire Department for the purchase of residential lock boxes.
RECOMMENDED: Recommended to be approved.
- 6.C.5. Mayor's Request (ID # [23-0186](#)) Requesting approval to accept and expend a \$45,406.77 grant with no new match required, from the Urban Areas Security Initiative (UASI) to the Fire Department for maritime related equipment.
RECOMMENDED: Recommended to be approved.

6.D. LAND USE COMMITTEE

- 6.D.1. Committee Report (ID # [23-0260](#)) Report of the Committee on Land Use, meeting on February 16, 2023.

- 6.D.2. Officer's Communication (ID # [22-1645](#)) Planning Board proposing an amendment to the Zoning Ordinances Section 15.1.3, Neighborhood Meeting. RECOMMENDED: Recommended to be approved as amended.
- 6.D.3. Mayor's Request (ID # [22-1771](#)) Requesting ordainment of an amendment to Section 6.1 Commercial Districts: Fabrication of the Somerville Zoning Ordinance to permit additional uses for ground story commercial spaces fronting a Pedestrian Street. RECOMMENDED: Recommended to be approved as amended.
- 6.D.4. Mayor's Request (ID # [23-0095](#)) Requesting ordainment of an amendment to Section 10.8 Commercial Signs, of the Zoning Ordinances, to permit commercial signs by right. RECOMMENDED: Recommended to be approved.
- 6.E. LEGISLATIVE MATTERS COMMITTEE
- 6.E.1. Committee Report (ID # [23-0252](#)) Report of the Committee on Legislative Matters, meeting on February 14, 2023.
- 6.E.2. Mayor's Request (ID # [23-0087](#)) Requesting ordainment of an amendment to the Code of Ordinances, Section 1-11 (Penalties and violations), to codify Traffic & Parking fines. RECOMMENDED: Recommended to be approved.
- 6.F. OPEN SPACE, ENVIRONMENT AND ENERGY COMMITTEE
- 6.F.1. Committee Report (ID # [23-0259](#)) Report of the Committee on Open Space, Environment and Energy, meeting on February 16, 2023.
- 6.G. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE
- 6.G.1. Committee Report (ID # [23-0246](#)) Report of the Committee on Public Health and Public Safety, meeting on February 13, 2023.
- 6.G.2. Order (ID # [22-1201](#)) By Councilor Strezo and Councilor Pineda Neufeld That the Director of Health and Human Services and the City Solicitor report to this Council on steps that may be taken to address the reports of spiked drinks in the region, including whether the city can require restaurants and bars to post warning signage, encourage vigilance, and detail the criminal consequences for tampering with another patron's beverage. RECOMMENDED: Recommended to be marked work completed.

- 6.G.3. Resolution (ID # [23-0079](#)) By Councilor Burnley Jr., Councilor Kelly, Councilor Clingan, Councilor Davis, Councilor Ewen-Campen, Councilor McLaughlin, Councilor Pineda Neufeld, Councilor Scott, Councilor Strezo and Councilor Wilson
Supporting the Eradication of Medical Debt.
RECOMMENDED: Recommended to be marked work completed.
- 6.G.4. Order (ID # [23-0166](#)) By Councilor Burnley Jr., Councilor Wilson, Councilor Gomez Mouakad, Councilor Davis, Councilor Kelly, Councilor Pineda Neufeld and Councilor Clingan
That the Director of Health and Human Services update this Council on the progress toward a Safe Consumption Site and provide a timeline for establishment.
RECOMMENDED: Recommended to be marked work completed.
- 6.H. PUBLIC UTILITIES AND PUBLIC WORKS COMMITTEE
- 6.H.1. Committee Report (ID # [23-0245](#)) Report of the Committee on Public Utilities and Public Works, meeting on February 13, 2023.
- 6.H.2. Resolution (ID # [23-0056](#)) By Councilor Clingan, Councilor Burnley Jr., Councilor Davis, Councilor Ewen-Campen, Councilor Gomez Mouakad, Councilor Kelly, Councilor McLaughlin, Councilor Pineda Neufeld, Councilor Scott, Councilor Strezo and Councilor Wilson
That the Administration update this Council on the cable franchise contract negotiations with Comcast and explain what the process entails.
RECOMMENDED: Recommended to be marked work completed.
- 6.H.3. Order (ID # [23-0061](#)) By Councilor Strezo
That the Commissioner of Public Works report on the maintenance schedule of street and traffic lights, including the number damaged or burned out.
RECOMMENDED: Recommended to be marked work completed.
- 6.H.4. Order (ID # [23-0071](#)) By Councilor Wilson
That the Director of the Office of Sustainability and Environment and the Commissioner of Public Works update this Council on plans for household hazardous waste collection.
RECOMMENDED: Recommended to be marked work completed.

- 6.H.5. Resolution
(ID # [23-0138](#)) By Councilor Clingan and Councilor Strezo
That the Administration provide an update on contract negotiations with local cable providers at the February 13, 2023 meeting of this Council's Committee on Public Utilities and Public Works.
RECOMMENDED: Recommended to be marked work completed.
- 6.H.6. Order
(ID # [23-0142](#)) By Councilor Strezo and Councilor McLaughlin
That the Commissioner of Public Works immediately remove the wires hanging from the pole and tied to the porch railing at 9 Pearl Street Place, and report to this Council who owns the pole.
RECOMMENDED: Recommended to be marked work completed.
- 6.H.7. Order
(ID # [23-0143](#)) By Councilor Strezo
That the Commissioner of Public Works immediately remove the wires wrapped around a telephone pole and in the street in front of 19 Church Street, and report to this Council who owns the pole.
RECOMMENDED: Recommended to be marked work completed.
- 6.H.8. Order
(ID # [23-0149](#)) By Councilor Gomez Mouakad
That the Commissioner of Public Works provide an update on current and future maintenance plans for the Armory building.
RECOMMENDED: Recommended to be marked work completed.

7. COMMUNICATIONS OF THE MAYOR

- 7.1. Mayor's Request
(ID # [23-0256](#)) Requesting approval of a Home Rule Petition Authorizing the City to Appoint an Alternate Member to the Somerville Licensing Commission.
- 7.2. Mayor's Request
(ID # [23-0165](#)) Requesting approval of a multi-year lease agreement with Hanhal Realty for a West Somerville Police Substation.
- 7.3. Mayor's Request
(ID # [23-0268](#)) Requesting approval of a three-year extension to the lease with BwB-Square LLC for Nibble Community Kitchen.
- 7.4. Mayor's Request
(ID # [23-0272](#)) Requesting the appropriation of \$1,847,374 from the Unreserved Fund Balance ("Free Cash") to the Affordable Housing Trust Fund Account for supplemental funding for the Municipal Voucher Program.

- 7.5. Mayor's Request (ID # [23-0258](#)) Requesting the appropriation of \$805,000 from the Unreserved Fund Balance ("Free Cash") to the Capital Projects Stabilization Fund to purchase and install prefabricated standalone public toilets.
- 7.6. Mayor's Request (ID # [23-0285](#)) Requesting the appropriation of \$702,500 from the Unreserved Fund Balance ("Free Cash") to the Law Department's Damages to Persons and Property Account to fund the settlement of Kathryn McDaid v. City of Somerville, et al.
- 7.7. Mayor's Request (ID # [23-0284](#)) Requesting the appropriation of \$137,500 from the Unreserved Fund Balance ("Free Cash") to the Law Department's Damages to Persons and Property Account to fund the settlement of Carlos Melo v. City of Somerville.
- 7.8. Mayor's Request (ID # [23-0282](#)) Requesting the appropriation of \$805,675 from the Capital Stabilization Fund for the purchase and installation of outdoor prefabricated toilet facilities.
- 7.9. Mayor's Request (ID # [23-0243](#)) Requesting approval of a transfer of \$306.05 from the IAM-Engineering Personal Services-Overtime Account to the Department of Public Works Custodians Personal Services-Overtime Account for DPW staff time related to Engineering work.
- 7.10. Mayor's Request (ID # [23-0231](#)) Requesting approval of a time-only extension to the contract with Colliers Project Leaders USA NE LLC for Owner's Project Manager Services on the Public Safety Facility project.
- 7.11. Mayor's Request (ID # [23-0232](#)) Requesting approval of a time-only extension to the contract with Consigli Construction Co. Incorporated for Construction Manager At-Risk Services on the Public Safety Facility project.
- 7.12. Mayor's Request (ID # [23-0233](#)) Requesting approval of a time-only extension to the contract with Context Architecture Incorporated for Architectural & Engineering Services on the Public Safety Facility project.
- 7.13. Mayor's Request (ID # [23-0251](#)) Requesting approval to accept and expend a \$20,000 grant with no new match required, from the Fenway Community Health Center to the Police Department for staffing costs related to the post overdose support team program.

8. COMMUNICATIONS OF CITY OFFICERS

- 8.1. Officer's Communication (ID # [23-0269](#)) City Solicitor requesting to appear in Executive Session with attorneys from Brody, Hardoon, Perkins & Kesten, LLP, to discuss Carlos Melo v. City of Somerville.

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- 8.2. Officer's Communication (ID # [23-0270](#)) City Solicitor requesting to appear in Executive Session with attorneys from Brody, Hardoon, Perkins & Kesten, LLP, to discuss Kathryn McDaid v. City of Somerville, et al.
- 8.3. Officer's Communication (ID # [23-0271](#)) Director of Infrastructure & Asset Management presenting the FY2023 Capital Investment Plan update.
- 8.4. Officer's Communication (ID # [23-0273](#)) Planning Board conveying recommendations for items 22-1771, 22-1645, and 23-0095.
- 9. NEW BUSINESS**
- 9.1. Public Event (ID # [23-0257](#)) Union Square Main Streets applying for a Public Event License for Union Square Farmers Market on Wednesdays May 13-October 28 from 6:45am to 2pm.
- 9.2. Public Communication (ID # [23-0249](#)) Somerville Stands Together submitting comments re: 311 employees' request to join the Somerville Municipal Employees Association (SMEA).
- 9.3. Public Communication (ID # [23-0250](#)) Community Action Agency of Somerville (CAAS) submitting comments re: medical debt cancellation proposal.
- 10. SUPPLEMENTAL ITEMS**
- 10.1. Order (ID # [23-0289](#)) By Councilor Gomez Mouakad and Councilor Wilson That the Commissioner of Public Works install high visibility flexible bollards at all entrances to the Community Path from a vehicular road, to prevent the entry of non-authorized vehicles into the path.
- 10.2. Mayor's Request (ID # [23-0294](#)) Requesting approval of the Urban Center Housing Tax Increment Financing (UCH-TIF) Zone, Plan and Negotiated Agreement for Winter Hill.
- 10.3. Officer's Communication (ID # [23-0283](#)) Finance Director conveying the FY 2023 Mid-Year Financial Report in accordance with Section 2-48 of the Code of Ordinances.
- 10.4. Public Event (ID # [23-0286](#)) Paul Collyer applying for a Public Event License for Race of Ireland 5K on March 19 from 7am to 1pm.
- 11. LATE ITEMS**
- 12. ADJOURNMENT**
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