



City of Somerville, Massachusetts

City Council Legislative Matters Committee

Meeting Minutes

Tuesday, January 17, 2023

6:00 PM

This meeting was held via GoToWebinar and was called to order by Chair Davis at 6:03 pm and adjourned at 8:58 pm with a roll call vote of all in favor, none opposed.

Others present: Aneesh Sahni – Mayor’s Office, Neha Singh – Mayor’s Office, Suzanne Rinfret – Traffic and Parking, David Shapiro – Solicitor’s Office, Nicholas Antanavica – ISD, Meredith Willis – SPD, Christine Blais – OSE, Dan Bartman – OSPCD, Rachel Nadkarni – OSPCD, Paul Goldstein – OSPCD, Stephanie Widzowski – Clerk of Committees.

Roll Call

Present: Ward Six City Councilor Lance L. Davis, City Councilor At Large Charlotte Kelly, Willie Burnley Jr., Matthew McLaughlin and Jefferson Thomas (J.T.) Scott

1. Committee Minutes (ID # [22-2073](#)) Approval of the Minutes of the Regular Meeting on November 29, 2022.

RESULT: APPROVED

AYE: Ward Six City Councilor Davis, City Councilor At Large Kelly, Ward One City Councilor McLaughlin and Ward Two City Councilor Scott

ABSENT: City Councilor At Large Burnley Jr.

2. Order (ID # [22-1453](#)) By Councilor Burnley Jr. That the City hereby adopts the provisions of Chapter 90, Section 20A of the Massachusetts General Laws.

Taken together with item 22-1452. Dir. Sahni explained that adopting Section 20A and rescinding Section 20A½ would allow for automated parking enforcement. Dir. Rinfret presented on the attached slides and spoke to the advantage of installing automated sensors in problem areas, such as the bus stop outside of the Bfresh in Davis Square.

Councilor McLaughlin had questions about whether the automated technology could use the license plate information it gathers for other means, and whether adopting Section 20A over 20A½ would have other implications. Councilor Scott raised a question about the timeline and costs of installation, which led to a discussion about potential ticketing processes and staffing logistics. Dir. Rinfret stressed that the city will not pay a price per unit for the parking devices, but that the company will take a percentage of each ticket paid. Moreover, the devices are expected to catch more

violations than a patrolling officer could, which will generate revenue for the city. A point of concern for multiple councilors was how the automated technology would interact with the Surveillance Technology Ordinance.

Chair Davis made a motion that the Council amend the Surveillance Technology Ordinance to clarify that it covers cameras used for traffic or parking enforcement. Councilor Scott suggested amending the motion to specify automated enforcement, which Chair Davis accepted. The final motion text is: "That the Council amend the Surveillance Technology Ordinance to clarify that it covers cameras used for automated traffic or parking enforcement."

RESULT: RECOMMENDED TO BE APPROVED

AYE: Ward Six City Councilor Davis, City Councilor At Large Kelly, Ward One City Councilor McLaughlin and Ward Two City Councilor Scott

ABSENT: City Councilor At Large Burnley Jr.

- 3. Order (ID # [22-1452](#))

By Councilor Burnley Jr.
That the City hereby rescinds its adoption of the provisions of Chapter 90, Section 20A½ of the Massachusetts General Laws.

RESULT: RECOMMENDED TO BE APPROVED

AYE: Ward Six City Councilor Davis, City Councilor At Large Kelly, Ward One City Councilor McLaughlin and Ward Two City Councilor Scott

ABSENT: City Councilor At Large Burnley Jr.

- 4. Order (ID # [22-1057](#))

By Councilor Burnley Jr. and Councilor Ewen-Campen
That the Chief of Police report to this Council, any communications between the Police Department and ShotSpotter regarding ambiguous or contested detections.

Taken together with 22-1056 and 23-0085. Ms. Willis gave an overview of Shots Fired calls for service and data. There were 19 confirmed Shots Fired calls citywide in 2022; the same in 2021. Further analysis from Ms. Willis shows that over 2.5 years, 25% of confirmed Shots Fired calls were reported only by ShotSpotter and not 911. Councilor Scott noted the number of times ShotSpotter activated for shots not confirmed by SPD, but Ms. Willis clarified that unconfirmed shots could still be live gunfire.

Councilor McLaughlin asked about shooting trends in recent years. Ms. Willis said that there was a spike starting in 2020, but the rates are starting to decline again. Chair Davis suggested making this request for data annual.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED

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

5. Order
(ID # [22-1056](#))

By Councilor Burnley Jr. and Councilor Ewen-Campen
That the Chief of Police report to this Council, any verified or suspected false reports of gunshots by ShotSpotter.

RESULT: **RECOMMENDED TO BE MARKED WORK COMPLETED**

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

6. Mayor's Request
(ID # [22-2050](#))

Requesting ordainment of an amendment to Chapter 7, Article X of the Code of Ordinances, to add a registry component to the short-term rentals ordinance.

Dir. Sahni and Dir. Antanavica gave an overview of the most recent draft of the amendment, noting that the effective date and registration fee fields were left blank for committee deliberation. Dir. Antanavica suggested a start date of April 1 and an annual registration fee of \$250.

Citing concerns that property owners could exploit the language around primary residences, Chair Davis moved to add renewal to the definition of Primary Residence to read: "...Primary residence shall be demonstrated by showing that as of the date of applying for registration *or renewal* as a short-term rental, the operator has resided in said residential unit for nine of the past 12 months or that the operator intends to reside in the residential unit for nine of the next 12 months, in accordance with the proof of primary residence requirements set forth below." *The motion was approved with a roll call vote of all in favor (Councilor Scott, Councilor McLaughlin, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, none absent.*

Concerns discussed during the meeting include enforcement of the ordinance, communication with property owners to ensure they are notified of the changes, and the potential of placing undue burden on residents with in-house inspections and other additions.

Chair Davis moved to set the effective date to April 1 and tabled the motion. Then, he moved to revise the proposed amendment to set a registration fee of \$250, and took the first motion off the table to vote together. *The motions were approved with a roll call vote of 4 in favor (Councilor Scott, Councilor Burnley, Councilor Kelly, and Chair Davis), 1 absent (Councilor McLaughlin), and none opposed.*

Dir. Sahni pointed out missing dates in Sec. 7-254, subsection i. Dir. Antanavica recommended allowing 90 days past the effective date to apply for a certificate, and an extra 90 days to obtain the certificate. *Chair Davis made a motion to replace the empty brackets in subsection i with 90 and 180, respectively, such that the new text reads: "Operators offering a Short-Term Rental that was lawfully operating in conformance with this article at time of passage of the registration requirements shall apply for a certificate of registration within 90 days and obtain a certificate within 180 days of the registration effective date."* The motion was approved with a roll call vote of all in favor (Councilor Scott, Councilor McLaughlin, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, none absent.

Chair Davis made a motion to recommend approval of the proposed ordinance as amended.

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

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

7. Mayor's Request
(ID # [23-0084](#))

Requesting the adoption of the Specialized Energy Code, 225 CMR, Sections 22 and 23, including Appendices RC and CC, in their entirety as the minimum energy code for the City.

Dir. Sahni said that the requested adoption date is July 1, and explained that the adoption would affect both residential and commercial codes and aid in meeting zero net energy goals. Dir. Blais shared plans to hire a consultant that will analyze potential impacts of the new code on Somerville development and the review process, recommend strategic changes, if any, to zoning, and develop materials and tools for public engagement. Dir. Bartman explained how the Specialized Energy Code asserts jurisdiction over some provisions in Somerville zoning meant to give incentives for energy efficiency and density.

Dir. Antanavica discussed the timelines for residential stretch code, which is already in effect, commercial code, which will start July 1, and the new building code, which will be discussed in a meeting this month. He suggested July 1 as well for the Specialized Energy Code to align with project timelines. He discussed the threshold at which residential renovations would be impacted by the new code at the request of Councilor Scott.

Multiple councilors expressed a desire to delay action on the item to read through the code more thoroughly. Dir. Sahni explained that the Administration wants to be aggressive in its adoption of the code, as other cities are.

Dir. Nadkarni said that there will be a larger impact on large buildings than smaller buildings, but developers should not see a major difference in costs between the current zoning and the special code.

RESULT: **KEPT IN COMMITTEE**

8. Officer's
Communication
(ID # [23-0085](#))

Chief of Police conveying a response to item 22-1056, an order that the Chief of Police report to this Council, any verified or suspected false reports of gunshots by ShotSpotter.

RESULT: **RECOMMENDED TO BE MARKED WORK COMPLETED**

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

9. Mayor's Request
(ID # [23-0101](#))

Requesting approval of a Home Rule Petition to require the adoption of Institutional Master Plans.

RESULT: **RECOMMENDED TO BE APPROVED**

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

10. Mayor's Request
(ID # [23-0103](#))

Requesting approval of a Home Rule Petition to provide legal voting rights in municipal elections for residents aged 16 and 17 years old.

RESULT: **RECOMMENDED TO BE APPROVED**

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

11. Mayor's Request
(ID # [23-0104](#))

Requesting approval of a Home Rule Petition further defining the purposes of the Affordable Housing Trust.

RESULT: **RECOMMENDED TO BE APPROVED**

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