



City of Somerville, Massachusetts

City Council Legislative Matters Committee

Meeting Minutes

Tuesday, October 3, 2023

6:00 PM

This meeting was held via Zoom and was called to order by Chair Davis at 6:04 pm and adjourned at 6:52 pm with a roll call vote of all in favor (Councilor Scott, Councilor McLaughlin, Councilor Burnley, Councilor Kelly, and Chair Davis), none opposed, and none absent.

Others present: Neha Singh – Mayor’s Office, Brendan Salisbury – City Clerk’s Office, David Shapiro – Solicitor’s Office, 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

1. Committee Minutes (ID # [23-1415](#)) Approval of the Minutes of the Legislative Matters Committee Meeting of September 19, 2023.

RESULT: ACCEPTED

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

ABSENT: Vice Chair Kelly and Ward One City Councilor McLaughlin

2. Ordinance (ID # [23-0076](#)) By Councilor Burnley Jr., Councilor Kelly, Councilor Wilson, Councilor Clingan, Councilor Gomez Mouakad and Councilor Scott Amending Chapter 8, Article I of the Code of Ordinances by adding a new section regarding Closed Captioning Accessibility.

Legislative Policy Analyst Salisbury said that the Licensing Commission met last Thursday and changed closed captioning rules for businesses that serve food or drink and have public TVs. Deputy Solicitor Shapiro said that the ordinance before the Committee would be broader than what the Licensing Commission could regulate, applying to gyms, nail salons, and more. Councilor Burnley spoke to the exception in the proposed ordinance for “public entertainment venues” - essentially, the ordinance is intended for businesses with regular hours with TVs capable of closed captioning, not special events such as concerts.

Councilor Burnley moved to recommend approval, and the vote was taken. Dir. Singh added that she had wanted more time to get feedback from staff on implementation. Chair Davis asked if there would be enough time before the next City Council meeting to gather feedback, to which Dir. Singh said yes.

RESULT: **RECOMMENDED TO BE APPROVED**
AYE: Chairperson Davis, Vice Chair Kelly, City Councilor At Large Burnley Jr., Ward One City Councilor McLaughlin and Ward Two City Councilor Scott

- 3. Ordinance
 (ID # [22-0168](#))

By Councilor Strezo and Councilor Ewen-Campen
Amendment to Ordinance 2-221, regarding adult use marijuana licenses, as described within.

Chair Davis summarized the changes to the ordinance as requiring a Labor Peace Agreement and a Project Labor Agreement. Analyst Salisbury said they reached out to advocates and were not able to talk much with them, but from what they did discuss, there did not seem to be a new legal basis for advocacy. Their research found a precedent for states passing similar legislation, but no municipalities. Deputy Solicitor Shapiro said that there was a federal preemption issue under the National Labor Relations Act (NLRA). Chair Davis asked why the city cannot put more protections in place here, which led to a discussion of preemption and under which circumstances it occurs.

RESULT: **RECOMMENDED TO BE PLACED ON FILE**

- 4. Order
 (ID # [22-0035](#))

By Councilor Davis
That the City Solicitor draft language to change all pronouns in the city’s ordinances to gender-neutral.

Legislative Policy Analyst Salisbury explained that changing pronouns in the current ordinance management system, Municode, would be difficult and that it would be more feasible after transferring to a new system. They talked with the Intergovernmental Affairs team and decided that, rather than having the Solicitor’s Office work on this immediately, staff would bring the issue to the City Council once the technology is updated. Chair Davis said that if it would be more appropriate for the City Clerk’s Office to change the text when the time comes, he will submit an order for that.

Councilor Burnley asked about the direction the city will go with the new system and how it will be more versatile. Analyst Salisbury said that the new system will make it much faster to update multiple instances of changes. Moreover, the historical record in Municode will be maintained.

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

5. Order
(ID # [22-0278](#))

By Councilor Gomez Mouakad and Councilor Wilson

That the Director of Mobility review the attached draft Act Relative to the Operation and Regulation of Electric Bicycles in the City of Salem and consider supporting similar legislation.

Legislative Policy Analyst Salisbury said that Salem's draft legislation predates the Massachusetts Legislature's action on regulation of e-bikes in August 2022 that added definitions and gave municipalities limited powers to regulate. He said that there are ongoing discussions with Mobility for what options could be taken. Councilor Kelly asked why the regulation for helmets specified riders 16 or younger. Analyst Salisbury said that e-bikes were treated like regular bicycles under state law before getting their own definition, which also specified 16 or younger. He added that studies have suggested that laws requiring universal helmet use backfire, causing either lower helmet use or bicycle use overall.

RESULT: RECOMMENDED TO BE MARKED WORK COMPLETED