

City of Somerville, Massachusetts
Matters of Business of the City Council

REGULAR MEETING AGENDA

June 11, 2020, 7:00 PM
Meeting by Remote Participation

NOTICE

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, G.L. C. 30A, s. 18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, as well as Mayor Curtatone's Declaration of Emergency, dated March 15, 2020, this meeting of the City Council will be conducted via remote participation. We will post an audio recording, audio-video 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.

Go to the following website and register to view this meeting live or to testify at any public hearing: <https://attendee.gotowebinar.com/register/6500907986524570891>.

OPENING CEREMONIES

1. Roll Call Call of the Roll.
(ID # 23152)

2. Remembrances Remembrances.
(ID # 23153)

3. Minutes Approval of the Minutes of the Regular Meeting, May
(ID # 23154) 14, 2020.

CITATIONS

PUBLIC HEARINGS

4. Grant of Submitted by Eversource to install 64 feet of conduit in
Location Heath Street, from utility pole 165/15 to a point of
(ID # 23090) pickup at 128 Heath Street.

5. Grant of Submitted by Eversource to install 42 feet of conduit in
Location Heath Street, from utility pole 165/15 to a point of
(ID # 23091) pickup at 126 Heath Street.

6. Grant of Submitted by Eversource to install 43 feet of conduit in
Location Murdock Street, from utility pole 246/4 to a point of
(ID # 23089) pickup at 32 Murdock Street.

ORDERS, ORDINANCES, RESOLUTIONS AND MOTIONS OF MEMBERS

7. Resolution (ID # 23109) By City Councilor McLaughlin, and the Mayor Supporting full implementation of body worn cameras by sworn personnel in the Police Department.
8. Order (ID # 23140) By City Councilor McLaughlin, Ewen-Campen, Clingan That the Chief of Police prohibit the purchase and use of military technology and eliminate any military stockpiles the department currently has.
9. Resolution (ID # 23081) By City Councilor McLaughlin Supporting an application to create a state-authorized Cultural District in East Somerville.
10. Order (ID # 23141) By City Councilor McLaughlin That the Director of SPCD utilize short-term traffic safety measures at the corner of Washington and Tufts Streets until the GLX construction is finalized.
11. Order (ID # 23142) By City Councilor McLaughlin That the Director of SPCD expand the Safer Streets initiative to the Ward 1 side of Washington, Myrtle and Mt. Vernon Streets, and Assembly Row, to increase pedestrian safety and reduce through traffic.
12. Order (ID # 23128) By City Councilor Davis That this Council draft an ordinance to establish a Use of Force Policy applicable to municipal law enforcement agencies.
13. Withdrawn (ID # 23082) Withdrawn.
14. Resolution (ID # 23129) By City Councilor Mbah, Scott, Davis Calling upon this Council to create a Police Commission and a Community Police Review Agency.
15. Resolution (ID # 23137) By City Councilor Mbah, McLaughlin, Clingan That this Council supports the Just Us Somerville organization of local residents of color and considers their demands regarding policing.
16. Resolution (ID # 23146) By City Councilor Mbah, McLaughlin That the Administration re-assess its hiring policies to include people of color in leadership positions and update this Council on efforts to promote equity across all departments.

17. Order (ID # 23147) By City Councilor Mbah
That the Director of SPCD update this Council on the minority-owned business initiative and provide data on the number of businesses that have been helped from being gentrified.
18. Resolution (ID # 23138) By City Councilor Clingan, McLaughlin
That the Mayor work with the Director of the Somerville Housing Authority to abolish the Housing Authority Police Department and reallocate the funds for social services for Housing Authority residents.
19. Resolution (ID # 23139) By City Councilor Clingan, McLaughlin
That the Director of the Somerville Housing Authority (SHA) develop a formal process for SHA residents to report SHA Police misconduct, in lieu of an outright abolition.
20. Order (ID # 23148) By City Councilor Clingan
That the Chief of Police expand the Community Outreach, Help and Recovery program.
21. Order (ID # 23149) By City Councilor Clingan
That the Chief of Police convene a summit to discuss any changes in policies and procedures that have been enacted to improve policing by taking on more of a harm-reduction approach to policing.
22. Order (ID # 23150) By City Councilor Clingan
That the Chief of Police and the Director of Personnel establish an Officer Wellness Program for physical fitness and other mental wellness programs, that most importantly includes a mandatory annual mental wellness evaluation by a mental health professional to address any potential mental health issues.
23. Order (ID # 23151) By City Councilor Clingan
That the Chief of Police establish a Superior Officer Training Program to ensure that superior officers communicate clear expectations of performance and conduct of those officers under their command and include a system of accountability when expectations are not met.
24. Resolution (ID # 23131) By City Councilor Ewen-Campen, Mbah, Ballantyne
Supporting Congresswoman Pressley's Congressional Resolution against "police brutality, racial profiling, and the use of excessive and militarized force throughout the country."

25. Order (ID # 23132) By City Councilor Ewen-Campen
That the Director of Health and Human Services work with City Council to create and fund an unarmed agency that responds to mental health emergencies, addiction and substance-abuse emergencies, and other non-violent crises.
26. Resolution (ID # 23133) By City Councilor Ewen-Campen
That the Administration provide an update on the Disparity Study regarding racial equity in city spending submitted as #208809 on September 12, 2019.
27. Resolution (ID # 23134) By City Councilor Ewen-Campen
That this City support the "Stop The Money Pipeline" movement by calling on the insurance industry to end its insurance for and investments in fossil fuels.
28. Order (ID # 23135) By City Councilor Ewen-Campen
That the Commissioner of Public Works replace the public recycling bins at the locations specified within.
29. Order (ID # 23136) By City Councilor Ewen-Campen
That this Council's Special Committee on Rodent Issues discuss ways for renters to address rodent issues at their residences without fear of retribution from their landlords.
30. Resolution (ID # 23145) By City Councilor Ballantyne
That the Mayor, the Chief of Police and the Director of Health and Human Services discuss with this Council, at its June 11, 2020 meeting, their declaration of Systemic Racism as a Public Safety and Health Emergency.
31. Order (ID # 23143) By City Councilor Ballantyne, McLaughlin
That the Director of Finance submit to this Council by June 17, 2020, an updated FY21 Capital Projects Plan, taking into account the Administration's freeze on all capital projects during the COVID-19 health emergency.
32. Order (ID # 23144) By City Councilor Ballantyne, Scott, McLaughlin
That the Director of Finance submit to this Council, a list of all anticipated new and renewal contracts to be signed in July 2020.
33. Resolution (ID # 23130) By City Councilor Niedergang
That the Administration provide this Council with an updated list of all Home Rule Petitions before the State Legislature and a brief summary of their status.

UNFINISHED BUSINESS

- 34. Resolution 209284 By City Councilor Scott Supporting House Resolution 702, The People's Justice Guarantee.

- 35. Grant of Location 210174 Submitted by Eversource to install 452 feet of conduit in Washington St from manhole 15059 at the intersection of Washington and Franklin Sts, to a point of pickup at 130 Washington St. (Interim approval granted.)

- 36. Grant of Location 210175 Submitted by Eversource to install a total of 804 feet of conduit as follows: Starting from manhole 25391 at the intersection of Prospect St and Webster Ave and running 363 feet to manhole 4118 on Webster Ave, then 276 feet to a new manhole 30846 on Columbia St, and then another 165 feet to manhole 26723 on Windsor Pl.

- 37. Grant of Location 210176 Submitted by Eversource to install a total of 207 feet of conduit in Earle St, with 69 feet running from manhole 26730 in Earle St to a point of pickup at the rear of 153 South St, and 138 feet running from that same manhole to a point of pickup at the intersection of Earle St and Windsor Pl.

- 38. Grant of Location 210177 Submitted by Eversource to install 70 feet of conduit in Irving St, from pole 178/8 to a point of pickup at 39 Irving St.

- 39. Grant of Location 210178 Submitted by Eversource to install 25 feet of conduit in Broadway, from Manhole 12854 to a point of pickup at 112 Broadway.

- 40. Grant of Location 210179 Submitted by Level 3 Communications to install 22 feet of conduit in Holland St from existing Level 3 manhole #0515-3107 to a new handhole, then continuing another 43 feet from that handhole to existing manhole #8247 near 37 Holland St.

- 41. Grant of Location 210180 Submitted by Level 3 Communications to install 15 feet of conduit in Highland Ave from manhole #8237 to a new handhole, then another 5 feet of conduit from that handhole to a point of pickup at 403 Highland Ave.

- 42. License/Permit 210205 Renewing Dog Kennel License, Elliots House Pet Care and More, 230 Somerville Avenue, to board 10 dogs overnight only.

REPORTS OF COMMITTEES

43. FINANCE COMMITTEE

- A. Committee Report (ID # 23084) Report of the Committee on Finance, meeting on June 1, 2020.

44. FINANCE COMMITTEE

- A. Committee Report (ID # 23088) Report of the Committee on Finance, meeting on June 4, 2020.

45. FINANCE COMMITTEE

- A. Committee Report (ID # 23113) Report of the Committee on Finance, meeting as a Committee of the Whole on June 10, 2020.

46. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- A. Committee Report (ID # 23086) Report of the Committee on Housing and Community Development, meeting on June 3, 2020.

- B. Resolution 208986 By City Councilor Ewen-Campen, Hirsch, Mbah, Clingan
That the Administration update this Council on plans to preserve onsite affordable senior housing and care for the current and future residents of the Little Sisters of the Poor facility.
RECOMMENDED: Work Completed.

47. LAND USE COMMITTEE

- A. Committee Report (ID # 23085) Report of the Committee on Land Use, meeting on June 2, 2020.

48. LEGISLATIVE MATTERS COMMITTEE

- A. Committee Report (ID # 23087) Report of the Committee on Legislative Matters, meeting on June 4, 2020.

- B. Order 209762 By City Councilor Niedergang, Hirsch
That the City Solicitor draft language to amend the Adult Use Marijuana Ordinance to require full disclosure of all ownership interests, including names and percentage interest of all owners or shareholders.
RECOMMENDED: Work Completed
- C. Order 209763 By City Councilor Niedergang
That this Council consider amending the Adult Use Marijuana Ordinance to remove Somerville residency as a qualifier for being a priority applicant in Group A, in order to prioritize Economic Empowerment applicants.
RECOMMENDED: Work Completed

49. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. Committee Report (ID # 23083) Report of the Committee on Public Health and Public Safety, meeting as a Committee of the Whole on June 1, 2020.

50. PUBLIC HEALTH AND PUBLIC SAFETY COMMITTEE

- A. Committee Report (ID # 23099) Report of the Committee on Public Health and Public Safety, meeting as a Committee of the Whole on June 8, 2020.

COMMUNICATIONS OF THE MAYOR

51. Mayor's Request (ID # 23117) Requesting the adoption of MGL Chapter 59, Section 5, Clause 54, to exempt small personal property accounts from taxation.
52. Mayor's Request (ID # 23114) Requesting approval of an Order to not require this Council's authorization pursuant to Ordinance 12-14 for businesses seeking outdoor food and beverage service on the public way through November 1, 2020.
53. Mayor's Request (ID # 23105) Requesting a transfer of \$500,000 from the Engineering Capital Outlay Street Repairs Account to the Street Reconstruction and Resurfacing Stabilization Fund to preserve funds for needed street repairs.
54. Mayor's Request (ID # 23108) Requesting the appropriation of \$80,000 from the Snow Removal Account to the Sanitation Recycling Account to fund the May/June recycling invoice.
55. Mayor's Request (ID # 23112) Requesting approval of a transfer of \$40,000 from the DPW Snow Removal Account to the Sanitation Rubbish Removal Account to fund the June Waste Management rubbish removal invoice.

56. Mayor's Request (ID # 23103) Requesting a transfer of \$3,900 from various City Clerk's Office Accounts to the Clerk of Committees Salaries Monthly Account to fund an FY20 deficit.
57. Mayor's Request (ID # 23110) Requesting a transfer of \$1,000 from the Economic Development Personal Services Account to the Redevelopment Authority Personal Services Account to cover a year-end deficit.
58. Mayor's Request (ID # 22896) Requesting approval to pay prior year invoices totaling \$31,291.50 using available funds in the DPW's Lights and Lines Account.
59. Mayor's Request (ID # 22895) Requesting approval to pay prior year invoices totaling \$10,975.06 using available funds in various DPW General Fund Accounts.
60. Mayor's Request (ID # 23116) Requesting acceptance of a \$54,538 grant with no new match required, from the Department of Justice to the Fire Department for overtime costs related to the COVID-19 pandemic.
61. Mayor's Request (ID # 22878) Requesting acceptance of a \$43,700 grant with no new match required, from Commonwealth Corporation (formerly Metro North Regional Employment Board) to the Health and Human Services Department for summer youth employment.
62. Mayor's Request (ID # 23075) Requesting acceptance of a grant of \$3,110 with no new match required from the MA Council on Aging to the Council of Aging for Care Givers and Memory Cafe support.
63. Mayor's Request (ID # 23078) Requesting acceptance of a \$2,500 grant with no new match required, from the MA Department of Public Health - The 84 Movement to the Health and Human Services Department for youth substance use prevention effort.
64. Mayor's Request (ID # 23079) Requesting acceptance of a \$730.60 grant with no new match required, from the MA Dept of Health to the Health and Human Services Department for a youth photo voice gallery on gambling prevention.
65. Mayor's Request (ID # 22888) Requesting approval of a time-only contract extension for the street resurfacing contract with D&R General Contracting Inc.

- 66. Mayor's Request Requesting the approval of FY21 expenditure limitations
(ID # 23107) for departmental Revolving Funds.
- 67. Mayor's Request Requesting confirmation of the appointment of Carla
(ID # 23100) Lillvik as a Trustee for the Board of Library Trustees.

COMMUNICATIONS OF CITY OFFICERS

- 68. Officer's Assistant City Solicitor submitting an amendment to
Communication Ordinance 2-221 regarding Adult Use Marijuana
(ID # 23102) Establishments, as approved by the Legislative Matters
Committee on 6/4/20.
- 69. Officer's Director of Parks and Recreation responding to #209814
Communication with the disposition of funds for the Boat House.
(ID # 23104)
- 70. Officer's Director of Parks and Recreation responding to #210208
Communication and #210209 on plans to re-open Dilboy Pool and
(ID # 23115) Summer Camps.

NEW BUSINESS

- 71. License/Permit Renewing Flammables License, Home Depot, 75 Mystic
(ID # 23097) Ave.
- 72. License/Permit Renewing Flammables License, Good Gas Somerville,
(ID # 23096) 343 Medford St.
- 73. License/Permit Renewing Garage License, Good Gas Somerville, 343
(ID # 23094) Medford St.
- 74. License/Permit Renewing Garage License, Mike's Auto Services, 6
(ID # 23095) Beach Ave.
- 75. License/Permit Renewing Extended Operating Hours License, Mayer
(ID # 23092) Campus Center, 44 Professors Row.
- 76. License/Permit Renewing Extended Operating Hours License, Tisch
(ID # 23093) Library Cafe, 35 Professors Row.
- 77. License/Permit Renewing Taxi Medallion License, J and J
(ID # 23155) Transportation, Med #74.
- 78. Public 3,380 citizens (approx.) submitting comments re:
Communication redistributing Police Department funding.
(ID # 23156)

SUPPLEMENTAL ITEMS

- 79. Order (ID # 23157) By City Councilor Mbah
That the City Solicitor draft an ordinance, prior to this Council's June 25 meeting, banning racial profiling.

- 80. Order (ID # 23163) By City Councilor Niedergang
That the Chief of Police or the Director of Personnel report to this Council, no later than June 18, the number and rank of all sworn officers and civilian employees (including job titles) in the Police Department, yearly from 1987 to 2020.

- 81. Order (ID # 23165) By City Councilor Niedergang
That the Chief of Police verify whether the Marshall Project website's report that the Police Department received 26 5.56 millimeter rifles worth \$4,257 from the federal government is accurate, whether those rifles are currently in the Department's possession, and what their purpose and potential use is.

- 82. Order (ID # 23166) By City Councilor White Jr.
That the Land Use Committee review the proposed amendment to Zoning Ordinance 15.4.2.b.iii when developing its own proposal to amend that ordinance.

- 83. Mayor's Request (ID # 23160) Requesting an appropriation of \$26,004,509 to fund the FY21 Sewer Enterprise Fund Budget.

- 84. Mayor's Request (ID # 23159) Requesting the appropriation of \$15,914,535 to fund the FY21 Water Enterprise Fund Budget.

- 85. Mayor's Request (ID # 23158) Requesting the appropriation of \$699,725 from the Water Enterprise Fund Retained Earnings Account to subsidize the FY21 Water Enterprise Fund Budget.

- 86. Mayor's Request (ID # 23168) Requesting the repurposing of \$300,000 in CPA funds awarded to the City's Public Space and Urban Forestry Division for the rehabilitation of the Central Hill Campus.

- 87. Mayor's Request (ID # 23169) Requesting the appropriation of \$206,080 from the CPA Fund Open Space/Recreational Land Reserve to the Public Space/Urban Forestry Division for the rehabilitation of the Central Hill Playground.

- 88. Mayor's Request (ID # 23167) Requesting approval to extend the contract for the Somerville Museum's FY16 CPA grant for an additional three years.

89. Mayor's Request (ID # 23127) Requesting the appropriation of \$91,324 from the Salary Contingency Salaries Account to the Fire Alarm Personal Services Account to fund the FY20 Agreement with the Firefighters Local 76 Fire Alarm Unit.

LATE ITEMS

ADJOURNMENT