

CITY COUNCIL MEETING OF SEPTEMBER 21, 2020



CITY OF CAMBRIDGE

CITY COUNCIL
AGENDA • SEPTEMBER 21, 2020

Regular Meeting

Sullivan Chamber

5:30 PM

Cambridge City Hall, 795 Massachusetts Ave, Cambridge, MA 02139

I. RECONSIDERATION LIST

1. That the city council extend the current contract with city manager Louis DePasquale for a period of 18 months.

POR 2020 #198

Last week, the City Council voted to extend City Manager DePasquale's contract through July 2022. Shortly after that, Councillor Nolan filed for reconsideration of the vote, so it appeared on this week's agenda. I, and the majority of my colleagues on the City Council, voted against reconsideration.

Although the process that led us to arrive at the contract extension terms, an 18 month extension with a 2.5% renewal salary increase, was messy, it was public and transparent. Last week, I voted in good faith to extend the City Manager's contract under those terms, and reconsideration wouldn't change my vote. There are some areas where the City Manager has gone above and beyond, and other areas where he needs improvement, but the stability and strong financial background he offers is invaluable in these uncertain times. We're rapidly approaching a presidential election and the filling of a Supreme Court seat, and with the pandemic COVID numbers increasing across the country, we need steady leadership at the local level. I was glad to see the City Council move forward with the City Manager's contract extension, allowing us to refocus on addressing the pandemic and filling in critical gaps in our community.

Reconsideration failed.

II. CITY MANAGER'S AGENDA

1. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the appropriation of the Fair Housing Assistance Program Grant from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$25,784 to the Grant Fund Human Rights Salary and Wages Account (\$25,034) and the Grant Fund Human Rights Travel and Training Account (\$750) which will cover a portion of the salary of an Attorney-Investigator, who works on cases from the Fair Housing Assistance Program (FHAP).

CMA 2020 #206

This allocation will help support [the Human Rights Commission's](#) work in fighting housing discrimination and promoting fair housing.

This item was adopted.

2. A communication transmitted from Louis A. DePasquale, City Manager, relative to a recommendation in accordance with the requirement of the Massachusetts Executive Office of Health and Human Services; the Department of Elementary and Secondary Education; and the Department of Children and Families for reimbursement under the Federal Every Student Succeeds Act through Title IV-E of the Social Security Act for a portion of the cost associated with transporting children in foster care to and from their school of origin.

CMA 2020 #207

This item was adopted on the consent agenda (no discussion).

3. A communication transmitted from Louis A. DePasquale, City Manager, relative to the appointment of the following person as a member of the Cambridge Health Alliance Board of Trustees: 3-year term, Ben Echavarria.

CMA 2020 #208

Ben Echavarria is an effective community leader who serves as the Executive Director of Somerville's Welcome Project, which engages immigrants throughout the Greater Boston Area in a variety of programs and trainings. He has earned a graduate certificate in nonprofit management and leadership from Tufts University's Institute of Nonprofit Practice, and has previously worked as a guest lecturer and speaker at several local universities including MIT, Tufts, and Harvard Medical School.

This item was placed on file.

4. A communication transmitted from Louis A. DePasquale, City Manager, relative to a Surveillance Technology Impact Report describing a Wet-Vacuum Forensic DNA Collection System, requested by the Police Department.

CMA 2020 #209

This communication shares a Surveillance Technology Impact Report, as required by the City's [Surveillance Technology Ordinance](#), on a Wet-Vacuum Forensic DNA Collection System, an advanced DNA trace collection tool the Police Department hopes to use. This tool would be especially helpful in solving cold cases and sexual assault cases, so I hope we can gather more information on the number of those cases we have in Cambridge to better understand the impact this technology could have on our community.

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This report was accepted and placed on file.

5. A communication transmitted from Louis A. DePasquale, City Manager, relative to a summary report of all requests for approval of Surveillance Technology Impact Reports.

CMA 2020 #210

During discussion, Councillor Zondervan shared that he plans to schedule a Public Safety Committee hearing on the use of two of these technologies, the Securly for Chromebooks Web Filter used by CPSD, and Shotspotter used by the Police Department.

This report was accepted and placed on file.

III. CALENDAR

CHARTER RIGHT

1. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 20-39 and 20-40, regarding contacting the new owners of Jerry's Pond and discussing next steps in the potential restoration and improvements to Jerry's Pond and its surrounding areas.

CHARTER RIGHT EXERCISED BY MAYOR SIDDIQUI IN COUNCIL SEPTEMBER 14, 2020

CMA 2020 #200

Mayor Siddiqui exercised her charter-right (no vote was taken, discussion ended, and it appears on the next week's agenda) on this communication last week to gather more information. This communication shares that Jerry's Pond has been acquired by new owners, and that the City is working with them to develop next steps on potential restoration and improvements to the area. However, as there are health and environmental concerns about the site, it's crucial that stakeholder groups are actively included in these conversations. The City Council voted to refer this to the Neighborhood & Long Term Planning, Public Facilities, Arts & Celebration Committee for further discussion, and to develop a process for convening a stakeholder group.

This item was referred to the Neighborhood & Long Term Planning, Public Facilities, Arts & Celebration Committee for further discussion.

2. That the City Manager be and hereby is requested to confer with the Traffic, Parking and Transportation Department, the Economic Development Department, the Harvard Square Business Association, the Harvard Square Neighborhood Association and Harvard University on the implementation of closing several blocks of streets in Harvard Square as soon as possible to vehicular traffic, with the exception of deliveries, using the attached map as one possible vision.

CHARTER RIGHT EXERCISED BY COUNCILLOR SIMMONS IN COUNCIL SEPTEMBER 14, 2020

POR 2020 #188

This policy order, sponsored by Councillors Nolan, Sobrinho-Wheeler, Carlone, and I, corresponds with a broad effort to uplift struggling small businesses and promote pedestrian and cyclist safety in Harvard Square. Councillor Simmons exercised her charter-right to this order at last week's meeting, and she and Councillor Nolan offered new amendments this week. These amendments ask for a pilot of pedestrianizing Harvard Square on weekends and weeknights, and ask that a formal stakeholder committee charged with studying traffic impacts be established. This stakeholder committee would include representatives from the Community Development Department, the City's Pedestrian and Bicycles Committees, the Mid-Cambridge Neighborhood Association, Cambridge Bike Safety, amongst others. These amendments ensure Harvard Square's business community is involved in these conversations, while still taking bold action to make Harvard Square a safer place. After a pedestrian death and a cyclist death in Harvard Square less than a year apart, it's clear we need to act quickly and move forward with exploring options for pedestrianizing the area.

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This order was adopted as amended.

ON THE TABLE

3. That the City Manager is requested to direct the City Solicitor, Community Development, Public Works, Inspectional Services and any other related departments to review the proposed amendments regarding the prohibition of Natural Gas Infrastructure in New Buildings.

TABLED ON JANUARY 27, 2020

POR 2019 #339

This policy order, sponsored by Councillor Zondervan, Councillor Carlone, Mayor Siddiqui, and former Vice Mayor Devereux, would have banned natural gas infrastructure in new building projects. However, Massachusetts Attorney General Maura Healey recently ruled that Brookline's own natural gas ban, which this policy order was modeled on, conflicts with state law. As this policy would likely be struck down in court, the City Council chose to place it on file and explore other options to protect the environment, rather than to move forward with ordination. During discussion, Councillor Zondervan announced his plans to create a Cambridge Green New Deal Task Force with a focus on labor and shifting to greener jobs.

This order was placed on file.

4. An application was received from David Biancaville, requesting permission for a curb cut at the premises numbered 10 Acorn Park Drive; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical Commission and Public Works. No response has been received from the neighborhood association.

**CHARTER RIGHT EXERCISED BY COUNCILLOR ZONDERVAN IN COUNCIL
JULY 27, 2020**

APP 2020 #28

Councillor Zondervan previously exercised his charter-right on this application to give time to address abutters' concerns. The developer is working with the local neighborhood association to create and submit a new and improved proposal in the coming weeks.

This application was left on the table.

UNFINISHED BUSINESS

5. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 18-108, regarding a report on offering early voting in City Council and School Committee Elections.

PENDING RESPONSE FROM LEGISLATURE

CMA 2018 #286

No action was taken.

6. That the "2020 Cycling Safety Ordinance" be forwarded to the Ordinance Committee for discussion and recommendation.

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**PASSED TO A SECOND READING IN COUNCIL SEPTEMBER 14, 2020. TO BE
ORDAINED ON OR AFTER OCTOBER 5, 2020**

POR 2020 #50

No action was taken.

7. 100% Affordable Housing Overlay Zoning Petition 2020.

PASSED TO A SECOND READING IN COUNCIL SEPTEMBER 14, 2020.

TO BE ORDAINED ON OR AFTER OCTOBER 5, 2020

POR 2020 #129

No action was taken.

8. The City Manager be and hereby is requested to confer with the City of Cambridge Law Department to review the above changes to the language of the Domestic Partnerships Ordinance and report back to the Council.

PASSED TO A SECOND READING IN COUNCIL JULY 27, 2020.

TO BE ORDAINED ON OR AFTER SEPTEMBER 14, 2020

POR 2020 #180

No action was taken.

IV. APPLICATIONS AND PETITIONS

1. A Zoning Petition Has been received from Cambridge Redevelopment Authority regarding a Zoning Ordinance to reflect the proposed changes to the KSURP

APP 2020 #35

Nearly a year and a half ago, Eversource announced plans to build an energy substation at 135 Fulkerson Street, across the Street from the Kennedy-Longfellow Elementary School, near Linden Park, and in a residential neighborhood. City leadership, the neighborhood, and local businesses emphasized the need to move the planned substation to an alternative site. This zoning amendment would allow Eversource to instead build the substation underground where the Blue Street Garage, owned by Boston Properties, currently sits. This application was referred to the Ordinance Committee and Planning Board, the way zoning amendment proposals are procedurally moved forward. I look forward to discussing this application further with my colleagues on the City Council during our Ordinance Committee meeting, and hearing the Planning Board's thoughts and expertise on the petition. Read the full proposal [here](#).

This application was referred to the Ordinance Committee and the Planning Board for further discussion.

V. POLICY ORDER AND RESOLUTION LIST

1. That the City Manager be and hereby is requested to confer with the Traffic, Parking and Transportation Department on the implementation of traffic calming measures on Concord Ave between Huron Ave and Garden Street

Councillor Nolan

POR 2020 #203

A number of pedestrian and cyclist accidents have occurred in the section of Concord Ave between Huron Ave and Garden Street, so this order asks that traffic calming measures be installed.

This order was adopted.

2. Support for Extended Outdoor Dining PO

Vice Mayor Mallon, Mayor Siddiqui, Councillor Simmons, Councillor Nolan
POR 2020 #204

The City recently announced that we're extending the outdoor dining season until sixty days past the end of the Commonwealth's state of emergency. We need to be ready as temperatures drop, so I filed this policy order with Mayor Siddiqui, Councillor Simmons, and Councillor Nolan asking the City Manager to create a free, expedited outdoor heat lamp permitting process, and to explore offering restaurants free access to propane heaters and a centralized location for pick ups, refills, and drop offs. In times when so many of our local small businesses are fighting just to survive, easing permitting barriers, removing financial roadblocks, and moving quickly on relief efforts is paramount. As outdoor dining will likely be a popular option next spring, the policy order also asks the City Manager to work with the Public Health Department to develop clear public health guidelines for outdoor dining. Having comprehensive protocols in place will help protect restaurant workers, and ensure diners feel safe when they're supporting the small businesses that make up our Main Street economy.

This order was adopted on the consent agenda.

3. That the City Manager be and hereby is requested to confer with Claude Jacob, Chief Public Health Officer, as to the feasibility of creating such a program and report back to the City Council on this matter by October 12, 2020.

Mayor Siddiqui, Vice Mayor Mallon, Councillor Carlone, Councillor McGovern
POR 2020 #205

This policy order, filed by Mayor Siddiqui, Councillor Carlone, Councillor McGovern, and I, asks the City Manager and the Public Health Department to explore the possibility of creating an antibody testing program. Antibodies are proteins in the blood that indicate whether or not someone has had COVID in the past, so performing antibody testing can help us track previous asymptomatic carriers, and fight further infection. Other municipalities such as Houston and Providence have already launched their own antibody testing programs, so I hope Cambridge can incorporate antibody testing into our holistic, strategic approach to addressing COVID.

This order was adopted on the consent agenda.

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4. That the City Council stand in solidarity with the SECSE workers striking at Good Vibrations
Councillor Sobrinho-Wheeler
POR 2020 #206

This order asks the City Council to go on record in support of the Solidarity with East Coast Sex Educators (SECSE) workers striking at the sex-positive retail chain Good Vibrations, which has a Cambridge location. These sex educators are fighting for an expanded Human Resources Department, cost of living wage adjustments, union recognition, and stricter public health guidelines in stores.

This order was adopted.

5. That the City Council support RISE and their crucial campaigns for racial, economic, and social justice at MIT
Councillor Sobrinho-Wheeler, Mayor Siddiqui, Councillor Zondervan, Vice Mayor Mallon
POR 2020 #207

This policy order asks the City Council to go on record in support of the Reject Injustice through Student Empowerment (RISE) campaign, which hopes to fight racial and gender injustice at MIT. After meeting with RISE and hearing heartbreaking stories from their members, it's clear there needs to be a major culture shift at MIT. These graduate students have put forward a comprehensive, impressive list of demands that show promise of impacting meaningful change, which you can read more about [here](#). As the Chair of the Economic Development and University Relations Committee, I was proud to co-sponsor this order, and I hope you will join the City Council in supporting RISE's critical goals.

This order was adopted.

6. That the City Manager be and hereby is requested to notify all tenants of abutting properties whenever property owners are notified, addressing them by name if known or as "RESIDENT" if not
Councillor Zondervan, Councillor McGovern, Mayor Siddiqui, Councillor Nolan
POR 2020 #208

Currently, abutting homeowners are notified of nearby proceedings by the Planning Board, the Board of Zoning Appeals, the Historical Commission, and other City bodies, but abutting tenants aren't. This policy order asks that tenants be notified as well, to give them a seat at the table when decisions are being made about their neighborhood. For far too long, the false narrative that renters are transient and not true members of our community have prevented them from being included in critical conversations that impact their daily lives. Excluding tenants shuts out the voices of over 60% of Cambridge residents in City planning and policy decisions. This policy order relates to broader issues arising from the East Cambridge Neighborhood Conservation District Study, which I hope to address in a follow-up policy order soon. This order was amended to add the full City Council as co-sponsors.

This order was adopted as amended.

7. That the City Council go on record in support for requiring large sources of stormwater pollution to obtain permits under the Clean Water Act
Councillor Sobrinho-Wheeler, Councillor Nolan, Councillor Zondervan, Councillor McGovern
POR 2020 #209

This policy order asks the City Council to support requiring large sources of stormwater pollution in the Charles River to obtain permits under the Clean Water Act. Stormwater runoff, which contains phosphorus pollution, degrades water quality and can cause cyanobacteria blooms, presenting a health risk to the countless Cambridge residents who rely on the Charles River for swimming, rowing,

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boating, fishing, and more. Stakeholder groups petitioned the EPA to regulate the Charles River under the Clean Water Act in 2019, and, as the EPA is now exploring permitting options and soliciting feedback from municipalities, it's crucial that Cambridge stand in strong support for regulation.

This order was adopted.

VI. COMMUNICATIONS AND REPORTS FROM OTHER CITY OFFICERS

1. A communication was received from Mayor Siddiqui, transmitting information from the Regular School Committee Meeting.

COF 2020 #51

This communication from Mayor Siddiqui outlines the work she and the School Committee are doing to prepare for CPSD reopening. Read her full letter [here](#).

This communication was placed on file.

2. A communication was received from Councillor Nolan, transmitting a memorandum on Filing for Reconsideration.

COF 2020 #52

This communication was placed on file on the consent agenda.

3. A communication was received from Anthony I. Wilson, City Clerk, transmitting a communication from the City Solicitor with a redlined corrected version and a clean corrected version of the proposed contract that was before the City Council at its meeting of Monday, September 14, 2020.

COF 2020 #53

See Reconsideration List Item #1 for discussion.

This communication was placed on file.

4. A communication was received from Councillor Zondervan, transmitting policy briefs on natural gas by Jessica Wright, BU URBAN Graduate Student.

COF 2020 #50

See Calendar Item #3 for discussion.

This communication was placed on file.

5. A communication was received from Vice Mayor Mallon, transmitting a memorandum regarding COVID Testing Return to Campus.

Vice Mayor Mallon

COF 2020 #54

Although Cambridge would normally be welcoming thousands of college students at this time in the fall, this year looks different than most. To learn more about how MIT, Harvard University, and Lesley University are adapting, I chaired an Economic Development and University Relations Committee meeting on August 11th. Since then, each university has allowed a small, select number of students to return to the area for on-campus learning, living, or research experiences. These students are required to adhere to stringent public health guidelines, and be tested regularly. It's clear that these protocols are paying off, since [MIT's testing dashboard](#) shows that, out of 65,346 tests taken, only 28 have come back positive; this .043% positivity rate is lower than Cambridge's own .16% positivity rate. Of the 60,769 tests administered by [Harvard](#), only 43, or .071%, have returned positive. Although Lesley

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doesn't yet have public data available yet, they're working closely with the City's Public Health Department to track and respond to any cases. [Click here](#) to read my full communication.

This communication was placed on file.