



# CITY OF CAMBRIDGE

CITY COUNCIL  
AGENDA • JUNE 28, 2021

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**Regular Meeting**

**Sullivan Chamber**

**5:30 PM**

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

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## **SUBMISSION OF THE RECORD**

Submission of the record for the Regular City Council Meeting held on May 3, 2021

**This item was accepted and placed on file.**

## CITY COUNCIL MEETING OF JUNE 28, 2021

### I. CITY MANAGER'S AGENDA

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1. A communication transmitted from Louis A. DePasquale, City Manager, relative to the reappointments of the following persons as a members of the Family Policy Council: Kimberly Goldstein, Tagesech Wabeto, Tina Alu, Ben Clark and Michael Johnston.

***CMA 2021 #173***

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

2. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the appropriation of a donation in the amount of \$1,000.00 from the Carl Barron Family to the Grant Fund Department of Public Works Other Ordinary Maintenance account which will be used for plaques, printing materials and providing light refreshments at the semi-annual awards ceremony to recognize employees who exhibit excellent job performance.

***CMA 2021 #174***

This item was adopted on the consent agenda.

3. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 21-34, regarding potential parking solutions for residents living in vicinity of Concord Avenue, Smith Place.

***CMA 2021 #175***

This item was placed on file on the consent agenda.

4. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 21-41, regarding a report on closing Mass Ave from Prospect Street to Sydney Street on Friday and Saturday evenings.

***CMA 2021 #176***

This communication reports back on [a policy order](#) asking the City to work with the Central Square Business Improvement District and the MBTA to close Mass Ave. from Prospect Street to Sydney Street on Fridays and Saturdays from 7pm to 1am through September. Economic recovery will happen outdoors, and as we enter into the warmer months and as more sectors reopen, temporarily closing this street section will ensure outdoor diners and shoppers have the space they need to safely support our small business community. Our squares are also in desperate need of reactivation, so I was disappointed to see this response, stating that the City won't move forward with these street closures. As Councillor McGovern wanted additional time to discuss this response, he exercised his charter right (discussion ended, no vote was taken, and it appears on the next agenda).

Councillor McGovern exercised his charter right.

5. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 21-44, regarding determining what the safest and most effective mosquito management program is for Cambridge.

***CMA 2021 #177***

This item was placed on file.

6. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 21-7, regarding whether random check-ins and assessments of public and private

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affordable housing sites that were undergoing renovations were done for regular COVID-19 protocol safety checks.

***CMA 2021 #178***

This communication reports back on [a February policy order](#) that asked the City to conduct random public health checks at housing buildings being renovated to ensure that workers' and residents' safety is being prioritized amid the pandemic. In this report, the City Manager explains that the Inspectional Services Department and Public Health Department performed check-ins at these sites before the state of emergency was lifted, and they stay ready to respond to any concerns from residents.

This item was placed on file.

7. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the appropriation of an FY22 State 911 Department Emergency Medical Dispatch (EMD) Grant in the amount of \$23,939 to the Grant Fund Emergency Communications Other Ordinary Maintenance Account which will be used for quality assurance (call review) for the emergency medical protocol used by staff to provide pre- and post-dispatch instructions for medical emergencies.

***CMA 2021 #179***

This item was adopted on the consent agenda.

8. A communication transmitted from Louis A. DePasquale, City Manager, relative to recommendation from the Planning Board and communication from Community Development Department and Law Department staff related to the Cannabis Delivery Zoning Petition.

***CMA 2021 #180***

See Calendar Item #7 for further discussion.

This item was placed on file.

## II. CALENDAR

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### CHARTER RIGHT

1. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the appropriation of \$65,019,211, received from the U.S. Department of Treasury through the new Coronavirus Local Fiscal Recovery Fund (CLFRF) established by the American Rescue Plan Act (ARPA), to the Grant Fund Finance Department Other Ordinary Maintenance account which will be used to.

**CHARTER RIGHT EXERCISED BY COUNCILLOR ZONDERVAN IN  
COUNCIL JUNE 21, 2021  
CMA 2021 #172**

Last week, Councillor Zondervan exercised his charter right on this communication, which requests the appropriation of federal funds from the American Rescue Plan Act to support public health and economic revitalization efforts. While this communication contains potential projects and ideas that speak to a lot of City Council priorities, we've scheduled [a Finance Committee meeting](#) on July 27th at 10am to have a baseline conversation on how these funds can be used, and to bring in community members to share their ideas. This vote was just to accept the federal funds, and we'll be holding further conversations to determine how the money should be spent. Typically, any City Council member voting in the affirmative can move for reconsideration of a vote within 48 hours, but we rejected reconsideration at the meeting so we wouldn't have to wait to start this process.

This item was adopted and reconsideration failed.

2. That the City Manager is requested to direct the appropriate City staff to determine the feasibility of establishing a pilot reparations program that would take a to-be-determined percentage of revenue from local cannabis sales and distribute these monies to local Black-owned businesses and to economic empowerment applicants.

**CHARTER RIGHT EXERCISED BY COUNCILLOR ZONDERVAN IN  
COUNCIL JUNE 21, 2021  
POR 2021 #141**

This order asks the City Manager to determine the feasibility of establishing a racial reparations pilot program using revenue from local cannabis sales or other funds, to be distributed to black-owned businesses and Economic Empowerment applicants (in 2019, Cambridge introduced a moratorium that only allows Economic Empowerment applicants to open cannabis retail stores for two years to mitigate the impact that the War on Drugs has had on black and brown communities). As he wanted to discuss this order with the co-sponsors, Councillor Zondervan exercised his charter-right last week. This week, this order was placed on the table to give Councillors time to develop amendments.

This order was placed on the table.

3. That the City Council go on record in favor of filing of the attached Home Rule Petition entitled: AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO INCLUDE A BALLOT QUESTION ON THE NOVEMBER 2, 2021 MUNICIPAL BALLOT RELATIVE TO THE HOME RULE CHARTER.

**CHARTER RIGHT EXERCISED BY COUNCILLOR TOOMEY**

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### IN COUNCIL JUNE 21, 2021

#### **POR 2021 #142**

Last week, Councillor Toomey exercised his charter right on this order asking the City Council for approval in filing a Home Rule Petition that, if adopted by the State Legislature, would include questions on changing the City's charter on this year's municipal ballot. Cambridge's charter, or the document laying out our structure of government, has not been formally reviewed since it was instituted nearly eighty years ago, and these questions are part of an ongoing process to examine our charter and ensure it aligns with our values and our collective vision for the future. Specifically, if approved by voters, these changes would require the City Manager get approval from the City Council on commission and board appointees, create a mandatory annual City Council review of the City Manager's performance, and institute mandatory charter review every ten years. This week, the sponsors brought forward amendments that address concerns and clarify the process for selecting board and commission members. As there is some disagreement on whether the City Council should pursue a home rule petition, or whether this is a question that the City Council can present to voters with approval from the Attorney General, this order was further amended to send a home rule petition to the legislature, while asking the Attorney General's Office to opine.

This order was adopted as amended and reconsideration failed.

4. That the City Manager is hereby requested to work with the appropriate departments and building contractors to reconsider the current plan which eliminates many trees including large old growth trees that are not part of the new building footprint and specifically do everything possible to save the three Oak trees on the west side of the property and any other large trees on the site.

#### **CHARTER RIGHT EXERCISED BY COUNCILLOR SIMMONS**

### IN COUNCIL JUNE 21, 2021

#### **POR 2021 #143**

A recent report on the Tobin Montessori and Vassal Lane Upper Schools reconstruction plan states that 94 of the site's existing 129 trees will be removed. While these plans include provisions for replacement trees as required under City law, the site's tree canopy will be reduced by 79%. Maintaining and expanding our tree canopy is a powerful tool in mitigating the urban heat island effect, so this order asks the City Manager to work to reconsider this plan, and to prioritize saving large, significant trees. Last week, Councillor Simmons exercised her charter-right on this order last week due to concerns about potential project costs and delays that could result from this order, so Councillor Nolan brought forward new language to clarify that this is a request, and if it's isn't feasible to save these trees, the project will move forward as planned.

This order was adopted as amended.

### ON THE TABLE

5. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 21-13, regarding next steps on implementation of Universal Pre-K.

#### **PLACED ON THE TABLE IN COUNCIL MAY 17, 2021**

#### **CMA 2021 #123**

No action was taken.

### UNFINISHED BUSINESS

## CITY COUNCIL MEETING OF JUNE 28, 2021

6. A communication transmitted from Louis A. DePasquale, City Manager, relative to proposed amendments to the Tree Protection Ordinance.

**PASS TO A SECOND READING ON JUNE 14, 2021**

**TO BE ORDAINED ON OR AFTER JUNE 28, 2021**

**CMA 2021 #50**

This communication contains proposed amendments to the City's Tree Protection Ordinance, generated through the Urban Forestry Master Planning Process. These amendments propose:

- Redefining Significant Trees as trees at least six inches in diameter, rather than eight inches;
- Introduces the concept of Exceptional Trees, trees that are more than 30 inches in diameter;
- Requires permits for all Significant Trees removed; among other suggestions.

At a previous meeting, Councillor Zondervan introduced an amendment that would require the City to provide expertise and financial resources to ensure maximum canopy protection and expansion in affordable housing projects, but due to concerns that the amendment could leave affordable housing developers open to legal challenges, no action was taken on the proposed amendment to give the City Solicitor and the Commissioner of Public Works time to review it. This week, a new amendment was proposed instead that would make affordable housing developers eligible to apply for public funding to increase canopy protection. Our local affordable housing developers approved of this amendment, so it was adopted, and this item was ordained.

This item was ordained as amended.

7. ORDINANCE 2021-8 Cannabis Delivery Zoning Amendments

**PASS TO A SECOND READING ON JUNE 14, 2021**

**TO BE ORDAINED ON OR AFTER JUNE 28, 2021**

**POR 2021 #140**

The [City's Cannabis Business Permitting Ordinance](#) lays out local permitting requirements for cannabis businesses operating in Cambridge that don't include delivery-only options. This means that residents can receive cannabis deliveries, but that those deliveries can't come from Cambridge-based businesses, hurting local Economic Empowerment Applicants. These proposed amendments would allow cannabis microbusinesses and delivery-only retailers to operate. Zoning amendments would also, notably, define a "Cannabis Delivery-Only Retailer" and include this category in the zoning Table of Land Uses, which determines where certain kinds of businesses can operate. This item was amended to include clarifying changes recommended by the Planning Board (City Manager's Agenda Item #8), as well as to stipulate that these businesses should occupy as little ground-floor retail space as possible.

This item was ordained as amended.

### III. APPLICATIONS AND PETITIONS

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1. An application was received from Craig Murphy representing Hanaya floral, requesting permission for an awning at the premises numbered 350 Huron Avenue. Approval has been received from Inspectional Services, Department of Public Works, Community Development Department and proof of mailing for abutters.

*APP 2021 #34*

This application was approved.

## IV. POLICY ORDER AND RESOLUTION LIST

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1. That the Zoning Ordinance of the City of Cambridge be amended to insert a new row in section 4.31 “Residential Uses” regarding the service of post-operative care for a dog.

**Councillor McGovern, Vice Mayor Mallon**

***POR 2021 #147***

Councillor McGovern and I filed this policy order to amend our zoning ordinance to allow single-animal hospice care in residential areas. Recently, a resident went to the BZA requesting a variance so they could provide post-op care to a dog they didn’t own, but the BZA rejected the request because there isn’t a definition in the zoning Table of Land Uses allowing this service. Having these necessary support systems can make all the difference for recovering pets, so our amendment would fix this issue for future applicants.

This order was referred to the Ordinance Committee and the Planning Board for hearing and report.

2. City Council support of HD.3403 and SD.2340, An Act Relative to Fare Free Buses.

**Vice Mayor Mallon, Mayor Siddiqui, Councillor Sobrinho-Wheeler**

***POR 2021 #148***

I introduced this policy order with Mayor Siddiqui and Councillor Sobrinho-Wheeler to express the City Council's support for a potential state-run fare free bus pilot on at least twenty bus routes throughout Greater Boston, that's called for in HD.2403/SD.2340. As we approach the new normal, more residents will work, learn, shop, and socialize outside of the home, but after such severe economic devastation, the burdensome cost of taking public transit could prevent them from accessing this critical service. Since going fare free would also incentivize public transit use over driving, this pilot would also help slash carbon emissions. The City Council's already adopted [an order](#) I sponsored with Councillor Sobrinho-Wheeler and Mayor Siddiqui calling for a City-run fare free bus pilot, and if we want to meaningfully advance our climate, mobility, equity, and accessibility goals, we need to affirm our support for a state pilot as well.

This order was adopted on the consent agenda.

3. City Council support of the Cambridge Transit Advisory Committee’s suggested configuration for the #47 Bus.

**Vice Mayor Mallon, Councillor Sobrinho-Wheeler**

***POR 2021 #149***

The reconfiguration of Carl Barron Plaza means that the #47 Bus route needs to be adjusted, but the MBTA’s proposed plan would take bus passengers farther away from their bus and subway transfers, while creating overcrowded sidewalks and safety risks for vulnerable passengers. That’s why I filed this order with Councillor Sobrinho-Wheeler to urge the MBTA to instead move forward with a proposal from the Cambridge Traffic Advisory Committee that would enhance bus service for transferring passengers, while improving current MBTA layover and supervision practices at an insignificant additional deadhead routing cost. As more and more residents begin to work, learn, and shop outside of their homes, we need to ensure public transit runs smoothly.

This order was adopted on the consent agenda.



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4. City Council endorsement of the Agassiz Neighborhood name being changed to the Baldwin Neighborhood in honor of Maria L. Baldwin.

**Councillor Simmons, Mayor Siddiqui**

***POR 2021 #150***

This order asks the City Council to endorse the idea of changing the name of the Agassiz Neighborhood to be renamed the Baldwin Neighborhood, after Maria L. Baldwin. The neighborhood's current namesake has connections to white supremacy, so [the Agassiz Neighborhood Council convened a series of discussions](#) on a possible name change, with the Baldwin Neighborhood being a popular choice. Councillor Nolan exercised her charter right to ensure more neighborhood residents can be reached.

Councillor Nolan exercised her charter right.

5. That the City Manager is requested to confer with the Personnel Department, and other relevant City departments to examine and implement a flexible, permanent remote work policy for City employees who can perform their tasks remotely.

**Vice Mayor Mallon, Mayor Siddiqui, Councillor Nolan**

***POR 2021 #151***

I filed this order with Mayor Siddiqui and Councillor Nolan to call for a flexible, permanent remote work option for City employees. There's been a complete shift in how we work this past year, and as remote work policies become the norm and as employees expect more flexibility, we need to ensure we follow other industries and implement this change to recruit and retain the best job candidates possible. The order also asks the City Manager to conduct an employee survey on a potential permanent remote work policy so we can make a data-driven policy that works for the employees who serve our City.

This order was adopted.

6. That the City Manager is requested to work with the DPW and the family to install a suitable memorial in a meaningful location, including a new tree planting, to honor the life of Luca Gibson.

**Councillor Zondervan, Mayor Siddiqui**

***POR 2021 #152***

This order was adopted.

7. That the City Manager is requested to instruct the City Solicitor to prepare an ordinance which allows individual condominium owners the ability to obtain a City construction permit to repair known structural and other safety violations even without a majority of the building's condominium owners' vote of approval.

**Councillor Carlone, Mayor Siddiqui, Councillor Nolan, Councillor Sobrinho-Wheeler**

***POR 2021 #153***

This order asks the City Solicitor to prepare draft ordinance language to allow individual condominium owners to repair safety and structural issues in their homes without needing other owners to approve. Condominium bylaws usually require that a majority of owners approve maintenance and renovations requests, but after a majority of owners recently refused to allow a resident to repair safety issues in a local condominium, even after being issued a Safety/Structural Violation Notice by the Inspectional Services Department, we need to move forward with this ordinance to ensure our residents can safely enjoy their homes.

This order was adopted.

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8. That the City Manager is requested to work with the Finance and Personnel Departments to examine stipend models for the City's multi-member bodies.

**Councillor Sobrinho-Wheeler, Vice Mayor Mallon, Mayor Siddiqui, Councillor Zondervan  
POR 2021 #154**

I joined Councillor Sobrinho-Wheeler, Mayor Siddiqui, and Councillor Zondervan in submitting this order to ask the City Manager to explore paying board and commission members for their service. A 2019 survey conducted among members of Cambridge's boards and commissions confirmed what we all anecdotally knew to be true: that the City's boards and commissions are disproportionately white, older, and coming from more affluent neighborhoods. Although some progress has been made since these survey results were released, there's still a strong, concerning disconnect between the diversity of our residents, and the diversity of our boards and commissions, which can only be remedied by making the recruitment and member experience more accessible. Especially with bodies that hold a substantial amount of power and require a large time commitment, we won't get a diverse group of applicants unless members are compensated for this work. I hope we can move forward with offering stipends to members, and add additional support like free childcare, remote participation, and more.

This order was adopted.

9. That the City Manager is requested to work with the Traffic, Parking, and Transportation Department to examine safety improvements at the intersection of Ware and Harvard Streets.

**Councillor Sobrinho-Wheeler  
POR 2021 #155**

This order was adopted on the consent agenda.

10. That the City Manager is requested to confer with the Law Department, Cambridge Development Department, and the City Manager's Housing Liaison to discuss and advise on a condominium conversion ordinance.

**Mayor Siddiqui, Vice Mayor Mallon, Councillor Simmons, Councillor Sobrinho-Wheeler  
POR 2021 #156**

I joined Mayor Siddiqui, Councillor Simmons, and Councillor Sobrinho-Wheeler in submitting this order to call on the City to develop a condominium conversion ordinance. While state law already stipulates some protections for tenants, they fail to offer real housing stability, so this order proposes:

- Automatic five year notice requirements for low-to-moderate income, elderly, and/or disabled residents;
- A resident's right to purchase time frame of 180 days;
- If a tenant chooses not to buy, the landlord can't sell the converted condo at a lower price for 180 days;
- At least \$10,000 in relocation costs for residents.

These rules would help prevent displacement for so many tenants, and during a time when many residents are facing the impacts of housing instability, I'm looking forward to this critical conversation on how we can best support them with a condominium conversion ordinance.

This order was referred to the Housing Committee for hearing and report.

11. That the Chairs of the Ordinance Committee convene a hearing on amending the Cannabis Business Permitting Ordinance to extend the preference period.

**Councillor Zondervan, Mayor Siddiqui, Councillor Sobrinho-Wheeler, Councillor Carlone  
POR 2021 #157**

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In 2019, the City Council approved an ordinance that gives diverse cannabis entrepreneurs priority, so only state-certified Economic Empowerment Applicants are eligible to receive a Cannabis Business Permit for the first two years. This preferential period ends in September, and since it has largely overlapped with the pandemic, and a corresponding decline in business openings and increase in delays, this order asks the Ordinance Committee chairs to convene a hearing so we can have a fuller conversation on extending the preference period. This order was amended to additionally ask the City Manager to explore the possibility of offering Economic Empowerment Applicants financial assistance during any extended preference period.

This order was adopted.

12. That the Executive Assistant to the City Council confer with the Dedication Committee to consider the request from Kevin O'Keefe for a suitable dedication in the vicinity of Tremont Street and Gardner Road in Cambridge in honor of Thomas Peters.

**Councillor McGovern**

***POR 2021 #158***

This order was adopted on the consent agenda.

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V. COMMITTEE REPORTS

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1. The Neighborhood and Long Term Planning, Public Facilities, Arts and Celebrations Committee and the Housing Committee conducted a joint hearing on Wednesday, February 17, 2021 to discuss the elimination of single and two-family only zoning and restrictions on the type of housing that can be built city-wide.

This report contains meeting minutes from [the February 17th Neighborhood and Long Term Planning Committee meeting](#) on the possibility of eliminating single and two-family only zoning.

This report was accepted and placed on file.

2. The Economic Development and University Relations Committee conducted a public hearing on June 1, 2021 to discuss the small business grant and loan programs managed by the Economic Development Division of the Community Development Department throughout the COVID-19 pandemic.

This report contains meeting minutes from [the June 1st Economic Development Committee meeting I](#) chaired to discuss small business grant and loan programs that the City introduced during this pandemic.

This report was accepted and placed on file.

## VI. COMMUNICATIONS AND REPORTS FROM OTHER CITY OFFICERS

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1. A communication was received from Mayor Sumbul Siddiqui, communicating information from the School Committee.

***COF 2021 #68***

This communication from Mayor Siddiqui gives an update on the work she and the entire School Committee are doing to support CPS scholars, staff, and caregivers. [Click here](#) to read her full update.

This communication was placed on file.

2. A communication was received from Anthony Wilson, City Clerk, transmitting information regarding the Early Voting Home Rule Legislation.

***COF 2021 #69***

This communication from the City Clerk explains that a Home Rule Petition to allow early voting in municipal elections that was previously on the table, has expired with the end of the state's legislative session. It also contains a new home rule petition, which the City Council adopted after amending it to correct a date, and it will now move to our state delegation to be filed.

This item was adopted..