



CITY OF CAMBRIDGE

CITY COUNCIL AGENDA • JANUARY 23, 2023

Regular Meeting

Sullivan Chamber 5:30 PM

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

I. CITY MANAGER'S AGENDA

1. Transmitting Communication from Yi-An Huang, City Manager, relative to the appropriation of \$500,000, from the Mitigation Revenue Stabilization Fund, to the Grant Fund Public Celebrations Other Ordinary Maintenance account. The funds are part of the commitments that New England Development made related to zoning ordinance amendments and special permit conditions.
CMA 2023 #15

This [communication](#) is an appropriation request of \$500,000 from New England Development as part of zoning ordinance amendments and special permit conditions. These funds will be used to help fulfill an artist-in-residence program, an initiative that came out of the Mayor's Arts Task Force that I chaired in 2019. This program will have between 3-4 artists, depending on how many City departments choose to participate. So far, the Community Development Department, Cambridge Public Library, and Cambridge Public Health Department have all expressed interest in hosting an artist-in-residence. The rest of the funds will be used to put on a week-long festival in East Cambridge this summer. This festival is in collaboration with Global Arts Live, the Central Square Theater, the Dance Complex, and Jean Appolon Expressions.

This communication was placed on file.

2. A communication transmitted from Yi-An Huang, City Manager, relative to Policy Order 2022 #283, regarding the feasibility of banning turns on red signal indications.
CMA 2023 #16

This communication is in response to a [policy order](#) I filed alongside Councillor Azeem, Councillor Zondervan, Councillor Nolan, Councillor McGovern, Councillor Carlone in November of last year asking the City to look into the possibility of banning turns on red citywide. This report from the Department of Public Works outlines the DPW's agreement that turns on red pose a significant safety risk for all road users and will identify all intersections where turns on red are not already banned by the end of 2023, and also reach out to the DCR and Mass DOT to add signs on state-controlled roads throughout the City. Lastly, the DPW will change the Cambridge Traffic Regulations to include a provision for a no left turn on red regulation by removing the "right" turn specificity in the existing regulation:

Section 4.5 Traffic Control Legend: (c) Steady Red Signal

(2) No driver of a vehicle facing a red indication shall make [any] a right turn where official "No Turn on Red" traffic signs are installed and maintained prohibiting such turn.

I am proud to have introduced this policy order with the help of my colleagues and am not only pleased by the DPW's quick response, but also excited to see a dangerous road regulation be done away with. I also want to thank Petru Sofio, an Arlington High School student who helped bring this idea to our attention and advocated for this change.

This communication was placed on file.

3. A communication transmitted from Yi-An Huang, City Manager, relative to the appointment of the following persons as a members of the newly formed Cambridge Cemetery Master Plan Advisory Committee: Henrietta Davis; Sophia Emperador; Robert J. Hutchins; Pastor Dr. Paul Kim; Anthony J. Spears; Reverend Thomas St Louis ; Michael A. Sullivan, Esq.; Members of the Islamic Society of Boston (to be determined).

CMA 2023 #17

This item was adopted on the consent agenda. No discussion took place.

4. A communication transmitted from Yi-An Huang, City Manager, relative to Policy Order #312, regarding the feasibility of conducting street cleaning without towing.

CMA 2023 #18

This communication is in response to this [policy order](#) filed by Councillor Zondervan, Councillor Nolan, Councillor Azeem, and Mayor Siddiqui asking the City to determine the feasibility of conducting street cleaning without towing. The [report](#) outlines a pilot program that will run during the 2023 street cleaning season (April-December). The pilot will be announced to residents in March, and will encourage residents to sign up for [street cleaning alerts](#). During the pilot, towing will not be enforced, the maximum violation for leaving your car parked on a street cleaning day will increase from \$30 – \$50, and additional hand leaf blowers will be used to remove debris around parked cars. There was discussion about introducing a tiered ticketing program, and Brooke McKenna, Acting Director of Traffic, Parking, and Transportation shared that the handheld devices for issuing tickets are not technically equipped for tiered violations. There was also discussion about hiring within the City to help the DPW meet the staffing needs of additional leaf blowers and street cleaning staff.

The rules were suspended to bring a late policy order from Councillor Toner forward for discussion and possible adoption.

Councillor Zondervan exercised his Charter Right on this policy order, halting all discussion and action on the item until the next Council meeting.

This communication was placed on file by a vote of 5-1-3. Councillor Carlone, Councillor McGovern, and Councillor Toner voted no. Councillor Simmons was marked present.

5. Transmitting Communication from Yi-An Huang, City Manager, relative to the appropriation of \$390,000 from the Mitigation Revenue Stabilization Fund to the Public Investment Fund Public Works Extraordinary Expenditures account. These mitigation funds have been received from the sources below and will be used for the design of a transportation connection between Terminal

Road and Wheeler Street.

CMA 2023 #19

This appropriation is for the construction of a connecting road between Terminal Road and Wheeler Street in North Cambridge by Alewife T station. There was discussion about the importance of creating transportation access and the need for this road to be accessible to all.

This appropriation was approved.

This communication was placed on file.

6. A communication transmitted from Yi-An Huang, City Manager, relative to a Planning Board report recommending that the City Council adopt the Climate Resilience Zoning Petition.

CMA 2023 #20

This item was adopted on the consent agenda. No discussion took place.

II. CALENDAR

CHARTER RIGHT

1. An application was received from Deborah Fawcett, requesting permission for a curb cut at the premises numbered 17 Fresh Pond Parkway; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical Commission and Public Works. Response has been received from the neighborhood association.

**CHARTER RIGHT EXERCISED BY COUNCILLOR ZONDERVAN IN COUNCIL
JANUARY 9, 2023**

APP 2023 #4

Additional information on this property and the proposed curb cut was received.

This application was approved.

2. That the Council adopt the Specialized Stretch Code, as outlined in 225 CMR 22.00 and 225 CMR 23.00, with an effective date of July 1, 2023.

**CHARTER RIGHT EXERCISED BY COUNCILLOR TONER
IN COUNCIL JANUARY 9, 2023**

POR 2023 #4

This [policy order](#) asks the City to adopt the Specialized Stretch Code, an important piece in the fight against climate change, that will help Cambridge reach its aggressive climate goals. There was discussion about placing this item on the table to allow the Community Development Department to hold public forums and send out additional information about the Specialized Stretch Code before the Council officially votes on the matter. Assistant City Manager for Community Development Iram Farooq shared that CDD is currently planning a community forum for February, and has a robust community engagement process outlined.

The rules were suspended to bring a [late communication](#) from other officers from Councillor Zondervan forward for discussion with this item.

There was also discussion about the ramifications of delaying this adoption: increased cost to retrofit buildings that aren't within the Stretch Code.

There was a motion to place this item on the table. This motion failed by a vote of 2-7. Councillors Toner and Simmons voted yes.

This policy order was adopted 7-1-1. Councillor Simmons was marked present and Councillor Toner voted no.

ON THE TABLE

UNFINISHED BUSINESS

3. That the Ordinance Committee refer Categories M (Shared Vehicle) and N (Publicly-accessible, Privately-owned Electric Vehicle Charging System) of the Cambridge Transportation Decarbonization and Congestion Mitigation Bill, along with definitions, to the full City Council with a favorable recommendation. Ordinance #2022-13 as Amended
EXPIRED ON SEPTEMBER 27, 2022 POR 2022 #150

No action was taken.

4. An Ordinance has been received from Diane P. LeBlanc City Clerk, relative to Emissions Accounting Zoning Petition (Ordinance #2022-20)
**PASSED TO A SECOND READING IN COUNCIL DECEMBER 19, 2022
TO BE ORDAINED ON OR AFTER JANUARY 9, 2023
EXPIRES ON MARCH 6, 2023 ORD 2022 # 20**

No action was taken.

5. An Ordinance has been received from Diane P. LeBlanc City Clerk, relative to Ordinance #2022-23 Removing the Limit on BZA Compensation.
**PASSED TO A SECOND READING IN COUNCIL JANUARY 9, 2023
TO BE ORDAINED ON OR AFTER JANUARY 30, 2023
EXPIRES ON MARCH 14, 2023 ORD 2022 # 23**

No action was taken.

V. POLICY ORDER AND RESOLUTION LIST

1. That the City Manager ask the City Solicitor to provide a legal opinion concerning (1) whether there is a two-year bar on considering repetitive zoning petitions that have been unfavorably acted upon by the Council, (2) if so, whether that bar on repetitive petitions would prohibit the Council from moving forward with a Council initiated lab use zoning petition if there is unfavorable

action on the pending Callender, et al. Petition, and (3) if so, what types of changes to zoning petition would be necessary for it to no longer be considered a repetitive petition.

Councillor McGovern

POR 2023 #8

The rules were suspended to bring Committee Report #6 forward with this item for discussion.

This policy order came out of the January 4th Ordinance Committee meeting where it was determined that the Council should seek a legal opinion from the City Solicitor to see if there is a 2-year ban on petitions that weren't adopted by the Council, if the ban could prevent the Council from moving forward with a lab use zoning petition that was initiated by the Council, and if so, what changed would be necessary to no longer consider it repetitive.

The word "bar" was replaced with "ban."

This policy order was adopted.

The petition was referred to the Economic Development and Neighborhood and Long Term Planning Committees.

2. That the Executive Assistant to the City Council confer with the Dedication Committee to consider the request from the McKinnon family for a bench dedication in honor of Richard McKinnon

Councillor McGovern, Councillor Simmons

POR 2023 #9

This policy order was adopted.

3. That the City Manager is requested to direct the appropriate City personnel to explore the special permitting fees and bicycle parking requirements that are required of local recreational cannabis dispensaries, to provide a report on how these requirements may impact these businesses, and to determine whether these requirements may need to be modified or eliminated.

Councillor Simmons, Councillor Toner

POR 2023 #10

This policy order seeks to remove the current requirement of providing bicycle parking in front of stores from Economic Empowerment Cannabis businesses. The order also asks for a report to be conducted detailing how the parking requirement impacts these businesses and whether or not the requirement should be modified to be more accommodating. I proposed the following friendly amendments which help make the policy order more expansive and have us look at whether or not we even need for a special permitting process:

ORDERED: That the City Manager be and hereby is requested to direct the appropriate City personnel to explore the need for a special permitting process for cannabis dispensaries special permitting fees and bicycle parking requirements that are required of local recreational cannabis dispensaries, to provide a report on how the special permit

process, and these requirements may impact these businesses, to determine whether these requirement may need to be modified or eliminated, and to report back to the City Council on this matter in a timely manner.

These amendments were adopted.

This policy order was adopted as amended.

4. That the City Manager is requested to direct the appropriate City staff to determine the feasibility of purchasing the property located at 37 Brookline Street, former home of Peter Valentine, with the intent of utilizing this as a community arts space.

Councillor Simmons, Councillor Zondervan, Councillor McGovern, Councillor Azeem
POR 2023 #11

This policy order asks the City Manager to direct the relevant City staff to look into the possibility of purchasing 37 Brookline Street to be used as a community art space. This address is the former home of Peter Valentine, a beloved Cambridge resident who passed away last summer, and dedicated not only his life, but also his home to art. I have long been a fierce advocate for art space throughout the City and do hope Peter's home can be transformed into a welcome space for all who are looking to create and indulge in art. I expressed concern about the City purchasing the home, as we have seen the City miss out on purchasing opportunities many times before and eventually lose property to private entities. I raised the idea of calling on a non-profit organization such as the Cambridge Redevelopment Authority to save this property.

This policy order was adopted by a vote of 8-1. Councillor Toner voted no.

VI. COMMITTEE REPORTS

1. The Ordinance Committee conducted a hearing on September 10, 2019 at 12:00 PM regarding APP 2019 #75 : Refilled Zoning Petition - Grand Junction Pathway Overlay District.

This report was accepted and placed on file.

2. The Ordinance Committee conducted a hearing on September 26, 2019 at 2:00 PM regarding POR 2019 #206 : Zoning Petition on Special Permit Criteria.

This report was accepted and placed on file.

3. The Ordinance Committee conducted a hearing on November 12, 2019 at 12:00 PM, regarding a proposed amendment to Article 22 of the Zoning Ordinance – Green Building Requirements.

This report was accepted and placed on file.

4. The Finance Committee met to conduct a public meeting on December 15, 2022 to discuss the City Council's budget priorities and to discuss how to incorporate those priorities into the FY24 budget ahead of the FY24 budget cycle.

This report was accepted and placed on file.

5. The Ordinance Committee held a public hearing on January 3, 2023 regarding Citizens Zoning Petition from Patrick Barrett et al. North Mass Ave BA-5 Zoning District Petition – APP 2022 #52.

This report was accepted and placed on file.

6. The Ordinance Committee held a public hearing on January 4, 2023 regarding the Citizens Zoning Petition from Duane Callender, et al. Cambridge Lab Regulation Zoning Amendment – APP 2022 #53.

The Committee voted favorably to forward Citizens Zoning Petition from Duane Callender, et al. Cambridge Lab Regulation Zoning Amendment – APP 2022 #53 to the full City Council with a recommendation to forward to the Economic Development and University Relations Committee and to the Neighborhood and Long-Term Planning, Public Facilities, Arts and Celebration Committee.

The Committee voted favorably to request a legal opinion concerning (1) whether there is a two-year bar on considering repetitive zoning petitions that have been unfavorably acted upon by the Council, (2) if so, whether that bar on repetitive petitions would prohibit the Council from moving forward with a Council initiated lab use zoning petition if there is unfavorable action on the pending Callender, et al. Petition, and (3) if so, what types of changes to zoning petition would be necessary for it to no longer be considered a repetitive petition.

Note: This request appears on this agenda as a policy order.

The rules were suspended to bring this item forward with policy order #4.

This report was amended to replace the word “bar” with “ban.”

This report was placed on file, and the petition was referred to the Economic Development and Neighborhood and Long Term Planning Committees for a legal opinion from the City Solicitor.

7. The Housing Committee held a public meeting on January 10, 2023 to get an update from the Community Development Department on planning underway to develop changes in the City's affordable homeownership programs.

This report was accepted and placed on file.

VII. COMMUNICATIONS AND REPORTS FROM OTHER CITY OFFICERS

1. A communication was received from Diane P. LeBlanc, City Clerk, transmitting an update regarding legislative activity.

COF 2023 #15

This communication was placed on file.

2. A communication was received from Mayor Siddiqui, transmitting information from the School Committee.

Mayor Siddiqui

COF 2023 #16

This communication was placed on file.