



CITY OF CAMBRIDGE

CITY COUNCIL AGENDA • APRIL 3, 2023

Regular Meeting

Sullivan Chamber 5:30 PM

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

I. CITY MANAGER'S AGENDA

1. A communication transmitted from Yi-An Huang, City Manager, relative to the appointment of the following persons as Constables With Power for a term effective January, 2023: Omar Mejia.
CMA 2023 #87

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

2. A communication transmitted from Yi-An Huang, City Manager, relative to a Revised Response to Proposed Amendments to Ch. 2.78, Art. III.
CMA 2023 #88

This communication is in response to this [policy order](#) filed by Councillor McGovern, Councillor Simmons, and myself in February of 2022. The order refers to a citizen's petition to amend Chapter 2.78 of the Cambridge Code of Ordinance, entitled "Historical Buildings and Landmarks" (Ordinance #2021-12). That citizen's petition expired at the end of the 2021 City Council term, so this policy order was filed in 2022 to take up those same proposed amendments. On March 7 of this year, the petition was heard in the Ordinance committee, and is now before the Ordinance Committee. The amendments from the Executive Director of the Historical Commission offer alternative changes to several sections of the ordinance including the purpose, powers and duties, review procedures and more. These amendments will be added to the original amendments in one document, as per the Ordinance Committee chairs, so we can review the amendments together and discuss them at the next Ordinance meeting on this topic.

To read more about the amendments, read the full [report](#).

This item was referred to the petition.

3. A communication transmitted from Yi-An Huang, City Manager, relative to Awaiting Report Item Number 22-79, regarding Garden Street Safety Improvement Project local traffic analysis.
CMA 2023 #89

This communication is in response to this [policy order](#) filed by Councillor Toner, Councillor Carlone, and Councillor Simmons in November 2022 requesting the City Manager and relevant departments meet with the residents and community members of the Garden Street neighborhood to discuss the impacts of the traffic change and possibly come up with solutions to mitigate the new traffic patterns.

The Traffic, Parking & Transportation Department returned a 54-page [report](#) that outlines what data they collected in October 2022 (before the installation of quick-build bike lanes and changing the traffic pattern) as well as monthly since the installation (October – March), how the data informed their decisions, and what recommendations they suggest based on the findings. Ultimately, TP&T determined that a change in the signal timing at Garden, Huron, and Sherman streets as well as a warning sign for large trucks on Walker Street (which have both already been implemented) were two of the best ways to remedy the new traffic concerns in the neighborhood. The report also concluded that returning Garden Street to a two way between Linnean and Concord, and creating bi-directional bike lanes on the north side of Garden would not bring about the level of safety for cyclists and pedestrians needed to be effective. In addition, the report suggests possible changes to the neighborhood to further mitigate difficulty such as: No Left Turn Sign on Walker Street at Linnaean Street for Peak Hours, Parking Chicane on Raymond Street, All-way Stop at Raymond Street and Huron Avenue Intersection, and Fernald Drive and Robinson Street One-way Pair.

Read the full report [here](#).

The rules were suspended to bring Charter Right Item #1 forward for discussion with this item.

The original policy order (Charter Right #1) was submitted at the March 20, 2023 Council meeting by Councillor Toner, Councillor Nolan, Councillor Simmons, and Councillor Carlone. The order included feedback from residents of the impacted neighborhood and requested that the City Manager work with the Traffic, Parking & Transportation Department as well as the Department of Public Works to consider the aforementioned improvements in the order. There was discussion about the proposed amendments in this order, and whether or not they were feasible since the TP&T report declared they were not. Councillor Zondervan offered additional amendments to this order:

WHEREAS:	The recent changes of part of Garden Street from a two-way to a one-way for automobile traffic has created a safe experience for all road users and caused concerns in the community about overflow traffic and safety on neighboring side streets; and
WHEREAS:	On November 14th 2022 the Council voted 9-0 to have the Traffic, Parking and Transportation Department continue to monitor the situation via traffic counting and other methods and to conduct additional listening sessions in December, 2022 and January, 2023 and return with recommendations to the City Council by March 27, 2023; and

WHEREAS:	<p>Many residents throughout the winter months at the feedback meetings and through emails have continued to express concerns to the City Council about the Garden Street installation and the negative impact it has had on neighboring side streets, but have also offered reasonable solutions including, but not limited to:</p> <ul style="list-style-type: none"> · restoring the section of Garden Street from Linnaean to Huron as two ways for automobile traffic · making a bidirectional bike lane on the north/Harvard side from Huron Avenue to Chauncy Street · moving all parking to the north/Harvard side of Garden Street from Linnean to Chauncy Street · install street signs on the corner of Raymond Street restricting traffic to abutters only between 7-9 and 4-6 along with other traffic calming measures · continue to make adjustments to Walker Street to address the concerns of residents regarding cut-through traffic, excessive noise, and dangerous buses, trucks/large vehicles by improving traffic calming and signage; and
WHEREAS:	<u>TPT Department and the City Manager released the Garden Street Safety Improvement Project Local Traffic Analysis on March 30, 2023; and</u>
WHEREAS:	<u>The city’s analysis includes an impact evaluation based on extensive data collection, a consideration of the potential impact of returning part of Garden Street to two-way traffic, responses to comments from the public, and recommendations that the city could take to further address resident concerns; and</u>
WHEREAS:	These changes will maintain separated bike lanes as required by the Cambridge Cycling Safety Ordinance, will improve safety and navigation for all, reduce cut-through traffic in the neighborhood, and would make neighborhood residents feel heard and understood; now therefore be it
ORDERED:	That the City Manager be and hereby is requested to direct the Traffic, Parking, and Transportation Department and the Department of Public Works to implement their <u>above-listed</u> recommendations <u>from the report</u> as soon as possible but no later than May 30, 2023.

The first amendment passed by a vote of 6-3. Councillor Nolan, Councillor Simmons, and Councillor Toner voted no.

The second amendment passed by a vote of 7-2. Councillor Simmons and Councillor Toner voted no.

The third amendment passed by a vote of 6-3. Councillor Carlone, Councillor Simmons, and Councillor Toner voted no.

The fourth amendment failed by a vote of 3-1-5. Councillor Carlone was marked present. Councillor McGovern, Councillor Toner, Councillor Nolan, Councillor Simmons, and Mayor Siddiqui voted no.

There was a final amendment to replace the word “implement” with “consider”. This amendment passed by a vote of 6-3. Councillor Nolan, Councillor Simmons, and Councillor Toner voted no.

This policy order was adopted as amended by a vote of 5-1-3. Councillor Azeem was marked present. Councillor Simmons, Councillor Zondervan, and myself voted no.

II. CALENDAR

CHARTER RIGHT

1. Policy Order for Garden Street Accommodations
**CHARTER RIGHT EXERCISED BY COUNCILLOR ZONDERVAN IN COUNCIL
MARCH 20, 2023
POR 2023 #52**

The rules were suspended to bring this item forward for discussion with City Manager Agenda Item #3.

The amended policy order was adopted by a vote of 5-1-3. Councillor Azeem was marked present. Councillor Simmons, Councillor Zondervan, and myself voted no.

2. That the City Council authorize an extension of time for the Special Committee/Charter Review Committee to file its report on suggested Charter changes with the City Council until December 31, 2023.
**CHARTER RIGHT EXERCISED BY COUNCILLOR ZONDERVAN
IN COUNCIL MARCH 22, 2023 POR 2023 #55**

This policy order was submitted by Councillor Nolan during the March 22 Special Meeting of the City Council to hear the findings from the Charter Review Committee. The order asks for an extension for the Charter Review Committee to complete their work to recommend changes to the City Charter that can be voted on during the next Election. There was discussion about the effect of a delay, since the proposed changes would not be able to be voted on until 2025 and wouldn't go into effect until 2027. It was ultimately decided that the Charter Review Committee deserves the proper amount of time to complete this work in order to yield the best results.

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

ON THE TABLE UNFINISHED BUSINESS

3. An Ordinance has been received from Diane P. LeBlanc City Clerk, relative to a Zoning Petition from Patrick Barrett et al. North Mass Ave BA-5 Zoning District Petition (Ordinance #2022-21).
**PASSED TO A SECOND READING IN CITY COUNCIL MARCH 6, 2023
TO BE ORDAINED APRIL 3, 2023 EXPIRES ON APRIL 3, 2023
ORD 2022 # 21**

A. A communication transmitted from Yi-An Huang, City Manager, relative to Policy Order 2023 #44 ,related to the Barrett, et al., Zoning Petition.

CMA 2023 #86

This ordinance seeks to make changes to the North Mass Ave BA-5 Zoning District to allow for an affordable housing site to be built. The petitioner met the additional asks, which required them to ensure the building would be within the character of the neighborhood.

A motion to amend the [original petition](#) with suggested language from the Community Development Department and the Law Department passed unanimously.

Councillor Nolan offered further amendments to the petition:

- On packet page 189 (2.a): striking out “4.0” and replacing it with “3.0”.
- On packet page 192 (2.a): in the Bus. A-5 section, striking out “4.0” and replacing it with “3.0”.

These amendments were adopted by a vote of 7-2. Councillor Zondervan and Mayor Siddiqui voted no.

Councillor Azeem offered additional amendments as well reducing the dwelling unit per lot size from 300 to 0. Those amendments were adopted by a vote of 5-1-3. Councillor Carlone, Mayor Siddiqui, and I voted no. Councillor Simmons was marked present.

This policy order was adopted as amended and the ordinance was ordained by a vote of 6-3. Councillor Carlone, Councillor Zondervan, and Mayor Siddiqui voted no.

III. APPLICATIONS AND PETITIONS

1. An application was received from John Peterson representing The Turing Tavern, requesting permission for an 3 awnings and 1 projecting sign at the premises numbered 1281 Cambridge Street. Approval has been received from Inspectional Services, Department of Public Works, Community Development Department and abutters.

APP 2023 #16

This application was approved.

2. An application was received from Heather Dudko representing Citizens Bank, requesting permission for a projecting blade sign at the premises numbered 616 Main Street approval has been received from Inspectional Services, Department of Public Works, Community Development Department and abutters proof of mailing had been provided.

APP 2023 #17

This application was approved.

VI. POLICY ORDER AND RESOLUTION LIST

1. That the City Manager is requested to work with the City Solicitor to provide a legal opinion which clarifies the state law on zoning petition signature requirements to ensure clarity and lawful deliberation in the future.

Councillor Nolan

POR 2023 #56

This [policy order](#) asks the City Manager to work with the City Solicitor to provide the Council with an official legal opinion that will help clarify the state law on the signature requirements for zoning petitions. This will help prevent future confusion on who can sign and how many signatures are required for zoning petitions.

This policy order was adopted.

2. That the City Manager is requested to work with the Department of Public Works, the Cambridge Public Libraries, the Department of Public Health, and all other relevant departments to provide free menstrual products in all gender bathrooms of the Cambridge Public Library branches.

Vice Mayor Mallon, Mayor Siddiqui, Councillor Nolan

POR 2023 #57

This [policy order](#) sponsored by Councillor Nolan, Mayor Siddiqui, and myself asks the City Manager to work with the necessary departments to place free menstrual products in the bathrooms at every Cambridge Public Library. The Cambridge Youth Council raised this concern, as the unhoused community in Cambridge grows, and many people do not have the means to purchase menstrual products, nor do they always have access to a place where free products are available. By placing products in a public restroom at a place like the library that is open to the public 7 days a week, many more people will be able to have fresh products in a clean space.

This policy order was amended to include the Fire Departments around the city as a location.

This policy order was further amended to add Councillor Simmons, Councillor Zondervan, and Councillor McGovern as cosponsors.

This policy order was adopted as amended.

3. City Council support of H.1312 and S.856, An Act Providing Upstream Homelessness Prevention Assistance to Families, Youth, and Adults.

Mayor Siddiqui, Vice Mayor Mallon, Councillor McGovern, Councillor Zondervan

POR 2023 #58

This [policy order](#) asks the City Council to support State Bill H.1312 and S.856, An Act Providing Upstream Homelessness Prevention Assistance to Families, Youth, and Adults. The bill seeks to permanently establish and improve the Residential Assistance for Families in Transition program (RAFT), which would directly improve housing stability issues in Massachusetts and Cambridge.

This policy order was adopted.

4. That the City Manager is requested to direct the Department of Human Service Programs to develop a three-year plan to expand and improve After School Care for Cambridge children.

Councillor McGovern, Mayor Siddiqui, Councillor Azeem

POR 2023 #59

This [policy order](#) asks the City Manager to direct the Department of Human Service Programs to develop a three-year plan to expand and improve the After School Care options for Cambridge children. This order seeks to offer a solution for the many families who do not have ample childcare for their children after school, a problem that has been exacerbated by the ongoing effects of the pandemic. The order highlights that DHSP has only been able to accommodate roughly 20% of the CPS student population for after school, leaving many families in the gap. The order also asks the City Manager and DHSP to create a Parent/Caregiver Advocacy Council and for the reports that come back to the City Council to include metrics that show the efforts it is taking to meet the needs of caregivers and families impacted by racial and economic disparities, and by including in every report how policy and enrollment changes have addressed such racial and economic disparities.

This policy order was amended to include the entire Council as cosponsors.

This policy order was adopted as amended.

5. That the City Manager is hereby requested to direct the Community Development Department and the Law Department to review the Citizens Zoning Petition received from Michael Monestime et al. regarding Outdoor Use Zoning for the Central Square Cultural District (APP 2023 #12) for form and content.

Mayor Siddiqui, Councillor McGovern, Councillor Zondervan

POR 2023 #60

This [policy order](#) asks the City Manager to direct the Community Development Department and the Law Department to review the Citizen's Zoning Petition submitted by Michael Monestime et.al for form and content. This zoning petition seeks amendments to the Outdoor Use Zoning of the Central Square Cultural District.

This policy order was adopted.

6. City Council solidarity to the Mayor, Municipal Council, and Community Council of San José Las Flores in recognition of the successes and persistence of the community.

Councillor Carlone

POR 2023 #61

This [resolution](#) asks the City Council to send a strong message of solidarity to the Mayor, Municipal Council, and Community Council of San José Las Flores in recognition of the successes and persistence of the community, as well as to the Sister City staff and CRIPDES organizing support and to recognize the work of San José Las Flores in creative programming in caring for elders, as well as promoting health, education, and housing for all members of the community, the environmental innovations, and work to memorialize history. In April, a group of

delegates, including CRLS students, will travel to El Salvador to renew the Cambridge – San José Las Flores sister-city relationship that has been in effect since 1987.

This policy order was adopted.

7. Proclaim April 3–9, 2023 as Cambridge Public Health Week.

Mayor Siddiqui

POR 2023 #62

This [policy order](#) declares April 3-9 as Cambridge Public Health Week and proclaims a special thanks to the City government, community organizations, businesses, and residents who responded to COVID-19 for their longstanding commitment to building a more equitable and healthier city.

This policy order was amended to include the entire Council as cosponsors.

This policy order was adopted as amended.

VII. COMMITTEE REPORTS

1. The Transportation & Public Utilities Committee - Committee Meeting - April 3, 2019 1:00 PM

This report was accepted and placed on file.

2. The Transportation & Public Utilities Committee - Committee Meeting - May 22, 2019 2:00 PM

This report was accepted and placed on file.

3. The Transportation & Public Utilities Committee - Committee Meeting - October 2, 2019 12:00 PM

This report was accepted and placed on file.

4. The Transportation & Public Utilities Committee - Committee Meeting - October 15, 2019 3:30 PM

This report was accepted and placed on file.

5. The Transportation and Public Utilities Committee met on December 3, 2019 to discuss the City Manager's report on the Parking and Transportation Demand Management (PTDM) Ordinance.

This report was accepted and placed on file.

6. The Transportation and Public Utilities Committee will met on July 29, 2020 to discuss how transportation in Cambridge has been affected by the COVID-19 pandemic, including impacts and adaptations to streets and public transit.

This report was accepted and placed on file.

7. The Transportation and Public Utilities Committee met to conduct a public hearing on June 23, 2021 to discuss a communication transmitted from Louis A. DePasquale, City Manager, relative to the first Cycling Safety Ordinance report which analyzes the block-by-block impacts of installing quick-build separated bike lanes on four specific segments of Massachusetts Avenue, as identified in Section 12.22.040 (E) of the ordinance.

This report was accepted and placed on file.

8. The Ordinance Committee held a public hearing on Tuesday, March 7, 2023, on potential changes to Chapter 2.78 Historical Buildings and Landmarks, Proposed Ordinance #2022-11.

This report was accepted and placed on file.

9. The Housing Committee held a public meeting on March 8, 2023 to continue the recessed meeting from February 8, 2023 to continue discussing potential amendments to the Affordable Housing Overlay district as outlined in the November 21, 2022 policy order adopted by the City Council.

This report was accepted and placed on file.

VIII. COMMUNICATIONS AND REPORTS FROM OTHER CITY OFFICERS

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

COF 2023 #55

This communication was placed on file.

2. A communication was received from Councillor Zondervan, transmitting thoughts on the latest IPCC climate change report.

COF 2023 #56

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

COF 2023 #57

This communication was placed on file.

4. A communication was received from City Solicitor Nancy E. Glowa, transmitting Legal Opinion on Recent Supreme Judicial Court Case Regarding Public Comment.

COF 2023 #58

This [communication](#) outlines the details of a Supreme Court decision in the case of Barron v. Kolenda. The case revolves around public comment rules, so the City Solicitor shared suggested language with the Council in order to prevent a potential legal conflict.

The rules were suspended to bring a late policy order forward for discussion with this communication.

WHEREAS: In a communication received from the City Solicitor on April 3rd 2023, the law department has opined that to be consistent with the Supreme Judicial Court ruling in [Barron v. Kolenda](#) that the City Council rule 38-6 be amended as follows:

Rule 38.

6. All persons shall confine their remarks to the question under debate ~~and avoid personalities.~~ The following will not be tolerated: uttering fighting words, slander, ~~speeches invasive of the privacy of individuals,~~ unreasonably loud or repetitive speech, and/or speech so disruptive of City Council proceedings that the legislative process is substantially interrupted. Any person engaging in behavior that disrupts the proceedings such that the legislative process is substantially interrupted will be warned once by the chair that if his or her disruptive behavior continues he or she will be requested to withdraw from the meeting, and if the behavior continues, the speaker will be asked to withdraw from the meeting. If the speaker does not withdraw from the meeting as requested by the chair, the chair may authorize a constable or other officer to remove the person from the meeting.

WHEREAS: Upon further discussion, it was advised that under the *Hearings* section of the City Council rules, section 32B should also be changed to comport with the ruling in Barron v. Kolenda, with the following amendment:

Rule 32B.

The time devoted to public hearings shall not be more than two (2) hours at any one sitting. Any hearing not completed within the specified time may be continued to another meeting.

Any individual appearing before the City Council at a public hearing and claiming to represent another as agent or otherwise in the matter of being

heard shall file with the City Council a written authorization signed by the individual, organization or corporation whose interests such individual represents.

There shall be a three (3) to five (5) minute time limit for each speaker or, at the discretion of the chair where because the number of speakers or other circumstances would cause difficulty in completing the agenda for the hearing for each speaker to express her or his views on the matter being heard by the City Council. Speakers will be required to address themselves solely to the issue which is before the City Council for discussion ~~and shall not engage in personal or rude remarks.~~

In all hearings before the City Council, the case of the petitioner shall be submitted first, except in matters affecting acceptance of highways or taking by right of eminent domain.

WHEREAS: Rule 12 also references public comment, and should be amended as follows:

Rule 12.

Every member, when about to speak shall respectfully address the chair, and wait to be recognized. The member shall confine their remarks to the question under debate ~~and avoid personalities.~~ During debate each Councillor will state their comments clearly and concisely with the understanding that other members are waiting to present their comments.

~~This change will allow for alignment with the outcome of that case; now therefore be it~~

ORDERED: That the City Council amend rules 38.6 and 32B and rule 12., to align the City Council rules with the decision made in Barron v. Kolenda.

~~This policy order addresses the necessary changes based on the Supreme Court decision of Barron v. Kolenda and better aligns the City Council with up to date rules and practices.~~

~~This policy order was adopted.~~