



CITY OF CAMBRIDGE

CITY COUNCIL AGENDA • JUNE 26, 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 a public health update.

CMA 2023 #174

This is a public health update pertaining to the wildfire smoke in Canada that traveled to the New York City and Philadelphia areas. While the smoke did not reach Cambridge, the Public Health Department has created a contingency plan just in case another wildfire does reach our area. This plan contains both immediate and long-term steps to minimize exposure to dangerous smoke.

Immediate steps: share guidance for individuals/families, properties, and Cambridge Public Schools

Long Term: evaluate HVAC systems in City buildings, identify safe public spaces for people to gather in the wake of smoke, apply for air filter grants, and establish cooling shelters with high quality air filters

In addition to wildfires, the Cambridge Public Health Department shared a Covid19 update. The entire Middlesex county as well as Cambridge is in a low-transmission range, and has been for a few months. In an abundance of caution, an additional 20,000 rapid test kits were ordered and are on hand at City Hall, the Health Alliance, and the Cambridge Public Libraries. Additionally, if you or someone you know tests positive for Covid19, you can call the Covid19 hotline at 617-933-0797.

This communication was placed on file.

2. A communication transmitted from Yi-An Huang, City Manager, relative to Proposed Clarifications to Building Energy Use Disclosure Ordinance Amendments discussed at the June 12, 2023 Council Meeting.

CMA 2023 #191

This communication contains proposed [amendments](#) and clarifications to the Building Energy Use Disclosure Ordinance from the Community Development Department as requested at the June 12 Council meeting.

The rules were suspended to bring Unfinished Business Item #6 and Communications from Other Officers Item #3 forward for discussion.

Unfinished Business Item #6 (final draft language of BEUDO) was amended with the proposed language clarifications from CDD.

I, alongside Councillor McGovern, Councillor Toner, and Councillor Simmons proposed further amendments to include houses of worship and healthcare facilities in hardship exemptions:

8.67.10 DEFINITIONS

(20) "Hardship Compliance Plan" shall mean a detailed compliance plan to reduce Greenhouse Gas Emissions, based on an energy audit or similar assessment, that a Covered Property Owner may propose for approval by the Review Board to address hardship at a Covered Property. Such hardship may include, but not be limited to, financial distress, ownership structure consisting of individual nonresidential Condominiums, hospitals and large health/elder care facilities, houses of worship, limitations in securing sufficient grid electrical service when it is needed, and limitations due to historic designation or other regulatory designation of the Covered Property that hinders it from compliance with 8.67.100. The Assistant City Manager for Community Development shall promulgate regulations pursuant to 8.67.130 that establish minimum requirements for the emissions reductions achieved by Hardship Compliance Plans and the length of time for which they may be approved.

This amendment **did not pass** by a vote of 4-5. Councillor Azeem, Councillor Carlone, Councillor Nolan, Councillor Zondervan, and Mayor Siddiqui voted no.

Councillor Toner, Councillor McGovern, and Councillor Simmons presented an amendment that would exclude large residential apartment buildings:

In Section 8.67.100(2) by striking out subparagraph (c); and

In Section 8.67.100(3)(b) by striking out the words “, and residential New Covered Properties that are not fully held in Condominium or Cooperative ownership”.

There was discussion about CDD proposing an amendment to the definition of “campus” that would include the ability to voluntarily include large residential buildings on campuses such as dorms:

8.67.100(10)

An Owner may include in a Campus one or more properties under 25,000 Covered Square Feet or any residential building; such properties shall be subject to the requirements for Covered Properties of 25,000 to 99,999 Covered Square Feet.

This amendment from CDD passed unanimously.

Councillor Toner’s amendment passed by a vote of 5-4. Councillor Carlone, Councillor Nolan, Councillor Zondervan, and Mayor Siddiqui voted no.

Councillor Zondervan presented an amendment that would move the date of compliance for New Covered Properties from 2050 to 2030, and motioned for it to be referred to Ordinance for further discussion.

8.67.100 EMISSION REDUCTION REQUIREMENTS

(3) New Covered Properties: The Baseline for a New Covered Property shall be the average Greenhouse Gas Emissions of the first two calendar years following issuance of the Certificate of Occupancy. New Covered Properties shall comply with the following performance requirements on annual basis:

(a) For non-residential New Covered Properties that receive their Certificate of Occupancy prior to January 1, 2025 of 100,000 Covered Square Feet or greater, Greenhouse Gas Emissions shall not exceed 80% of the Baseline in the fourth year after the Baseline period or 2026, whichever is later. Thereafter, the New Covered Property shall reduce Greenhouse Gas Emissions in three-year Compliance Periods that achieve a linear reduction to zero Greenhouse Gas Emissions in 2035, except no such New Covered Property shall exceed zero Greenhouse Gas Emissions in 2035 and onwards.

(b) For non-residential New Covered Properties that receive their Certificate of Occupancy prior to January 1, 2025 of less than 100,000 Covered Square Feet, and residential New Covered Properties that are not fully held in Condominium or Cooperative ownership, Greenhouse Gas Emissions shall not exceed 80% of the Baseline in the years 2030 to 2034, 60% of the Baseline in the years 2035 to 2039, 40% of the Baseline in the years 2040 to 2044, 20% of the Baseline in the years 2045 to 2049, and zero in 2050 and onwards.

(c) ~~Such~~ All non-residential New Covered Properties that receive their Certificate of Occupancy in ~~2030~~2025 or onwards shall reduce Greenhouse Gas Emissions in ~~five~~one-year Compliance Periods that achieve a linear reduction to zero Greenhouse Gas Emissions in ~~2050~~2030, except no such New Covered Property shall exceed zero Greenhouse Gas Emissions in ~~2050~~2030 and onwards.

That motion passed by a vote of 5-4. Councillor McGovern, Councillor Simmons, Councillor Toner, and myself voted **no**.

There was a motion to ordain BEUDO as amended. That motion passed by a vote of 8-1. Councillor Simmons was recorded as present.

Reconsideration failed on this item, making all votes final.

The communication and Communication from Other Officers was placed on file.

3. A communication transmitted from Yi-An Huang, City Manager, relative to a Fossil Fuel Free Demonstration pilot.
CMA 2023 #190

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

This [communication](#) contains a memo from the Community Development Department that outlines the application requirements and process for the Fossil Fuel Free Demonstration pilot program. Participation in this pilot program would help Cambridge advance its aggressive climate goals, as set in the Net Zero Action Plan. There was discussion about what outreach is being done to share this information with businesses and building owners, and the Council was assured by Susan Rasmussen from CDD that emails and postcards will be sent out over the summer. The

Council was also reminded that the Fossil Fuel Free pilot program only applies to new construction and major renovation projects in commercial buildings.

A motion was made to substitute the language in the original policy order with the new language from CDD's memo. That motion passed by a vote of 7-2. Councillor Simmons and Councillor Toner voted no.

The motion to pass this item to a second reading passed by a vote of 7-1-1. Councillor Simmons was present and Councillor Toner voted no.

The motion to pass this item to a second reading passed by a vote of 7-1-1. Councillor Simmons was marked present, and Councillor Toner voted no.

4. A communication transmitted from Yi-An Huang, City Manager, relative to the appointment of the following person as a member of the Foundry Advisory Committee (FAC). This appointment is for a term of three years; Jameson Johnson.

CMA 2023 #177

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

5. A communication transmitted from Yi-An Huang, City Manager, relative to the appointment of the following persons as members of the Community Preservation Act (CPA) Committee. These appointments are for five years: Elaine DeRosa, Kathy Watkins, Taha Jennings, and David Lyons.

CMA 2023 #178

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

6. A communication transmitted from Yi-An Huang, City Manager, relative to an order requesting the rescission of the remaining amount of the loan order authorized by the City Council on May 23, 2016 for the construction of the King Open/Cambridge Street Schools & Community Complex.

CMA 2023 #179

This [communication](#) shares an update on the cost of constructing the King Open/Cambridge Street Schools & Community Complex. The final price came in under budget, so the City is able to recoup the cost of the project for a total of \$2.6 million.

The motion to rescind the remainder of the loan passed 8-1. Councillor Simmons was marked present.

7. Transmitting Communication from Yi-An Huang, City Manager, relative to the appropriation of \$4,000.00 to the Grant Fund Human Services Other Ordinary Maintenance account. These funds were awarded to the Summer Food Program by Project Bread and will be used to enhance promotion and outreach, support activities, and for program related supplies.

CMA 2023 #180

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

8. Transmitting Communication from Yi-An Huang, City Manager, relative to the appropriation of \$89,700, received from the Cambridge Housing Authority for the Cambridge Employment Program, to the Grant Fund Human Service Department Programs Salary and Wages account. These funds will be used to maintain the capacity of the Cambridge Employment Program.
CMA 2023 #181

The [Cambridge Employment Program](#) assists Cambridge residents over 18 with career resources such as job training courses, resume help, and interview skill courses. The funds in this appropriation request will be used to continue the work of the CEP.

This appropriation was approved.

This communication was placed on file.

9. Transmitting Communication from Yi-An Huang, City Manager, relative to the appropriation of \$6,014,872, to the Grant Fund Human Services Salary and Wages account (\$327,044.00), to the Grant Fund Human Services Other Ordinary Maintenance account (\$5,679,828.00), and to the Grant Fund Human Services Travel and Training account (\$8,000.00). The Continuum of Care Program funds will be contracted with homeless services providers and cover the costs related to serving homeless persons in Cambridge.
CMA 2023 #182

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

10. Transmitting Communication from Yi-An Huang, City Manager, relative to the appropriation of \$229,862.00 to the Grant Fund Human Services Salary and Wages account (\$38,458.00) and to the Grant Fund Human Services Other Ordinary Maintenance account (\$191,404.00). The funds will be used for shelter operating costs, providing essential services to homeless persons outside of the shelter setting, rapid re-housing and homelessness prevention case management services.
CMA 2023 #183

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

11. A communication transmitted from Yi-An Huang, City Manager, relative to the appointment of the following persons as members of the Community Benefits Advisory Committee. These appointments are for three years; Anya Baer and Elena Sokolow Kaufman.
CMA 2023 #184

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

12. A communication transmitted from Yi-An Huang, City Manager, relative to Awaiting Report Item Number 21-60, regarding the review of the Parking Permit Program.
CMA 2023 #185

This [communication](#) is in response to this [policy order](#) submitted by Councillor Simmons in September of 2021 asking the City to investigate what changes need to be made to the residential parking permit program in order to accommodate peer-to-peer car sharing services such as Turo. The report from Solicitor Glowa shares that the use of a residential parking permit for commercial vehicles is not allowed under the current City Ordinance. Traffic, Parking & Transportation Commissioner Brooke McKenna also shared that the TP&T Department will also post the ordinance language on the permit website so residents are informed. There was discussion about holding a Transportation Committee hearing soon to discuss the matter in further detail.

This communication was placed on file.

13. A communication transmitted from Yi-An Huang, City Manager, relative to Awaiting Report #23-29, regarding the legal opinion for issuing bonds for affordable housing.
CMA 2023 #186

This communication is in response to this [policy order](#) filed by Councillor Zondervan and Councillor Azeem in May asking the City Manager to work with the Law Department to provide a legal opinion on whether the City could fund affordable housing construction through a bond issue. This [response](#) from the Law Department outlines that the City is not permitted to issue bonds for the purpose of purchasing affordable housing without a home rule petition.

This communication was placed on file.

14. A communication transmitted from Yi-An Huang, City Manager, relative to the appointments of the following persons as a members of the Planning Board. These appointments are for five years; Mary Lydecker, Ashley Tan, Tom Sieniewicz, Adam Westbrook, and Diego Macias.
CMA 2023 #187

All members were appointed.

This communication was placed on file.

15. A communication transmitted from Yi-An Huang, City Manager, relative to a Planning Board report recommending that the City Council not adopt the Franklin, et al., Zoning Petition.
CMA 2023 #188

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

16. A communication transmitted from Yi-An Huang, City Manager, relative to Policy Order 2023 #49, regarding the review of multi-family properties on the market for potential affordable housing acquisitions.
CMA 2023 #189

This communication is in response to this [policy order](#) sponsored by Councillor Nolan, Mayor Siddiqui, Councillor McGovern, Councillor Carlone, and myself asking the City Manager to confer with the appropriate City departments and affordable housing providers to determine the

feasibility and efficacy of creating a program that would ensure multi-family properties on the market are reviewed as quickly as possible as potential affordable housing acquisitions. The [report](#) from the Community Development Department shared that although the CDD does its best to review multi-family properties that come on the market, there are times when the City is either outbid or simply not able to acquire a property.

This communication was placed on file.

17. A communication transmitted from Yi-An Huang, City Manager, relative to an update on Summer Programs.

CMA 2023 #176

This communication from the City Manager shares the expanded list of summer programs available to youth of all ages in the City. This list includes basketball leagues, Cambridge Youth Programs at Youth Centers, the Mayor's Summer Youth Employment Program, other employment opportunities, and anti-violence initiatives through the Community Safety Department. For the full list of programs and information on them, click [here](#).

There was discussion about what programming is available specifically for young adults over the age of 21 and girls. Assistant City Manager for Human Services Ellen Semenoff and Director of Community Safety Liz Speakman shared that DHSP has expanded many of their programs for middle and high school girls, and NextUp caters to 18-24 year olds.

This communication was placed on file.

18. A communication transmitted from Yi-An Huang, City Manager, relative to Awaiting Report Item Number 23-37, regarding a Policy of Releasing Names of Officers and Use of Force.

CMA 2023 #175

This communication is in response to this [policy order](#) filed by Councillor Zondervan requesting the City Manager to work with PERF and the relevant departments to establish a practice of releasing the names of officers involved in use of force incidents that results in death or injury. The response from the Police Commissioner Christine Elow shares that the presiding judge over the January 4th case issued an inquest, and releasing the name of the officer involved would be in violation of the inquest. She also shared that the CPD is only looking to release the names of officers involved in deadly use of force incidents, should another one occur.

This communication was placed on file.

19. A communication transmitted from Yi-An Huang, City Manager, relative to request that the City Council vote to designate the members of the Charter Review Committee as special municipal employees pursuant to G.L. c. 268A.

CMA 2023 #192

This communication is a request to designate the members of the Charter Review Committee as special municipal employees. This designation is for unpaid positions of less than 800 hours per

year. The Charter Review Committee members only receive a small stipend, which qualifies them for this designation.

This communication was placed on file.

Reconsideration on all items up to this point failed, making all action final.

II. CALENDAR

CHARTER RIGHT

1. Fossil Fuel Free Demonstration Pilot

CHARTER RIGHT EXERCISED BY COUNCILLOR ZONDERVAN IN COUNCIL JUNE 12, 2023

POR 2023 #116

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

This policy order was amended with the substitute language from CMA #3.

This item was passed to a second reading.

2. Golf Course Demographic Information PO

CHARTER RIGHT EXERCISED BY COUNCILLOR ZONDERVAN IN COUNCIL JUNE 12, 2023

POR 2023 #117

This policy order was passed by a vote of 5-4. As there are no demographic data that is being captured by the golf course currently, there is no data to request that has not been made available. For that reason, Councillor Toner, Councillor McGovern, Councillor Simmons, and myself voted no.

3. That the City Manager is requested to amend the Cambridge Math Circle budget up by \$100,000 annually.

CHARTER RIGHT EXERCISED BY COUNCILLOR TONER IN COUNCIL JUNE 12, 2023

POR 2023 #118

The rules were suspended to bring Communications from Other Officers #2 forward for discussion with this item.

There was discussion about possibly setting a precedent for other non-profits in the City to petition the Council for additional funding.

This policy order passed by a vote of 5-4. Councillor McGovern, Councillor Simmons, Councillor Toner, and myself voted no.

4. City Council support for MIT GSU's right to a fair contract.

CHARTER RIGHT EXERCISED BY COUNCILLOR TONER IN COUNCIL JUNE 12, 2023

POR 2023 #119

Councillor Toner presented an amendment by deletion for this policy order.
The motion to adopt the amendment by deletion failed by a vote of 2-7. Councillor Toner and Councillor Simmons voted yes.
The original policy order was adopted by a vote of 8-1. Councillor Toner voted no.

5. Proposed amendment to BEUDO.

ON THE TABLE

PLACED ON THE TABLE IN COUNCIL JUNE 12, 2023 POR 2023 #115

The rules were suspended to take this item off the table to review with City Manager Agenda item #2.

This item was placed on file.

UNFINISHED BUSINESS

6. Ordinance entitled “Building Energy Use,” Chapter 8.67 of the Municipal Code of the City of Cambridge Building Energy Use Disclosure and Emission Reductions BEUDO (Ordinance 2021- 26)
PASSED TO A SECOND READING AS AMENDED IN COUNCIL JUNE 5, 2023

TO BE ORDAINED ON OR AFTER JUNE 26, 2023

The rules were suspended to bring this item forward with City Manager Agenda Item #2.

This ordinance was ordained by a vote of 8-1. Councillor Simmons was marked present.

III. APPLICATIONS AND PETITIONS

1. An application was received from Eric Metzger representing CHASE, requesting permission for awnings at the premises numbered 9 JFK Street. Approval has been received from Inspectional Services, Department of Public Works, Community Development Department and abutters proof of mailing has been provided.

APP 2023 #35

This application was approved.

2. An application was received from Eric Metzger representing CHASE, requesting permission for awnings at the premises numbered 18 Brattle Street. Approval has been received from Inspectional Services, Department of Public Works, Community Development Department and abutters proof of mailing has been provided.

APP 2023 #36

This application was approved.

3. An application was received from Erik Janiel representing "P" ; & CINEMA, requesting permission for a projecting blade sign at the premises numbered 1 One Kendall Square Complex approval has been received from Inspectional Services, Department of Public Works, Community

Development Department and abutters proof of mailing has been provided.
APP 2023 #37

This application was approved.

VI. POLICY ORDER AND RESOLUTION LIST

1. That the City Manager be and hereby is requested to work with the Law Department to review the proposed amended ordinance language and to work with the Law Department and the Historical Commission to provide an explanation of the legal standard that is used to compel changes or deny projects reviewed by the Historical Commission or Neighborhood Conservation District Commissions and report back to the full City Council by August 7, 2023.

Councillor Zondervan, Councillor McGovern

POR 2023 #123

This policy order asks the City Manager to work with the Law Department to review the proposed amendment language to provide an explanation of the legal standard that is used to compel changes or deny projects reviewed by the Historical Commission or Neighborhood Conservation District Commissions. This information will provide the Council with a clearer picture on Chapter 2.78 Historical Buildings and Landmarks, Proposed Ordinance #2022-11, as amended in Committee on June 21, 2023.

2. That the City Manager is requested to issue an RFP calling for an agency that will lead the City through a community process with all stakeholders that will include community education, feedback, location possibilities, and potential legal issues as it relates to Overdose Prevention Centers.

Councillor McGovern, Councillor Zondervan, Vice Mayor Mallon

POR 2023 #124

This policy order asks the City Manager to issue a request for proposals calling for an agency to lead the City through a community process in regard to Overdose Prevention Centers (formerly “safe injection sites.” These centers can be the difference between life and death for many individuals who struggle with addiction, and overdoses in Cambridge have been on a steady rise.

This policy order was adopted.

3. That the Executive Assistant to the City Council confer with the Dedication Committee to consider the request from Councillor Zondervan to dedicate the corner of Hubbard Avenue and Walden Street in honor of the Callender family.

Councillor Zondervan

POR 2023 #125

This policy order asks the Dedication Committee to consider a request to dedicate a street corner in the area of Hubbard Avenue and Walden Street in honor of the Callender family.

This policy order was adopted.

4. That the City Manager is requested to work with relevant departments, local business associations, and local businesses to communicate to all retail businesses operating in Cambridge to encourage them to keep doors closed when operating cooling systems and inform them of other energy saving tools. **Councillor Nolan, Mayor Siddiqui, Councillor Zondervan**
POR 2023 #126

This policy order asks the City Manager to work with the relevant departments to share information with business owners reminding them to keep their doors shut while operating cooling systems. This is in effort to help address energy efficiency issues and the City's aggressive Climate goals.

This policy order was adopted.

5. That the City Manager is requested to consider measures to improve the Cycling Safety Ordinance Business Impact Study.
Councillor Nolan, Councillor Zondervan, Councillor McGovern, Vice Mayor Mallon
POR 2023 #127

This policy order asks the City Manager to consider several measures to improve the Cycling Safety Ordinance Business Impact Study. The measures include using more objective data sources, minimizing the statistical bias, and aggregate ideas for how to improve the implementation of separated bicycle lanes along commercial corridors to enhance the business environment.

Councillor Toner exercised his Charter Right on this item, halting all discussion and action until the next Council meeting on August 7, 2023.

6. That the Human Services & Veterans Committee hold a public hearing to discuss options for addressing the situation at Central House.
Councillor Zondervan, Councillor McGovern, Mayor Siddiqui
POR 2023 #128

The Human Services and Veterans Committee will hold a public hearing to discuss options for the Central House. This meeting is coming about after receiving a petition from 19 residents asking for better living conditions.

This policy order was adopted.

7. That the City Council go on record in enthusiastic support of H.R.1433, the Philippine Human Rights Act, and in urging Representatives Katherine Clark and Ayanna Pressley to co-sponsor the existing bill. **Councillor Zondervan, Councillor Carlone**
POR 2023 #129

This policy order asks the City Council to go on record in support of [H.R.1433](#), the Philippines Human Rights Act.

Councillor Zondervan exercised his Charter Right on this item, halting all discussion and action until the next regular Council meeting on August 7, 2023.

VII. COMMITTEE REPORTS

1. The Human Services and Veterans Committee held a public hearing on Tuesday, June 13, 2023 from 3:00p.m.-5:00p.m to discuss Overdose Prevention Sites, previously referred to as Safe Consumption Sites.

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 #113

This communication was accepted and placed on file.

2. A communication was received from Councillor Dennis Carlone, transmitting a document with supplementary information about Cambridge Math Circle.

Councillor Carlone

COF 2023 #114

The rules were suspended to bring this item forward with Charter Right Item #3.

This communication was accepted and placed on file.

3. A communication was received from Vice Mayor Mallon, transmitting proposed amendments to the Building Energy Use Disclosure Ordinance.

Vice Mayor Mallon, Councillor McGovern, Councillor Toner, Councillor Simmons

COF 2023 #115

The rules were suspended to bring this item forward with City Manager Agenda Item #2.

This amendment failed by a vote of 4-5. Councillor Azeem, Councillor Carlone, Councillor Nolan, Councillor Zondervan, and Mayor Siddiqui voted no.

This communication was accepted and placed on file.

4. A communication was received from Mayor Siddiqui, transmitting information from the UPK Ad-Hoc.

COF 2023 #116

This communication was accepted and placed on file.

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

COF 2023 #117

This communication was accepted and placed on file.