

CITY MANAGER'S AGENDA

1. Transmitting communication from Robert W. Healy, City Manager, relative to the appointment of the following persons as Constables for a term of three years, effective the first day of January, 2011:
Phillip A. Sciandra (With Power)
Anthony R. Clarke, Jr. (Without Power)
Christopher Ames (Without Power)
2. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-134, regarding a report on reducing energy consumption by ways of deleting and/or limiting email storage.
3. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item 10-153, regarding a report on the feasibility of banning smoking in public parks and other public places.
4. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of funds to the Center for Families from the Camb. Public Health Dept. in the amount of \$4,000 to the Grant Fund Human Service Programs Salary & Wages account (\$3,360) and to the Human Service Programs Other Ordinary Maintenance account (\$640) which will provide support to two literacy specific community playgroups and support for the June 2011 Family Fun Day.
5. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of funds to the Baby University program from the Cambridge Community Foundation in the amount of \$3,000 to the Grant Fund Human Service Programs Salary & Wages account (\$2,283) and to the Human Service Programs Other Ordinary Maintenance account (\$717) which will be used to support salary costs of the Baby University Coordinator, Saturday Facilitator, two Care Workers, and program supplies.
6. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of the ARRA State Fiscal Stabilization Fund Grant from the U.S. Department of Education in the amount of \$46,152 to the School Grant Fund Other Ordinary Maintenance account which will be used for the purchase of instructional materials and computer software.
7. Transmitting communication from Robert W. Healy, City Manager, relative to a request from Brighton Allston Properties, LLC ("BAP") for one (1) permanent aerial license for one (1) steel framed structure with a rubber membrane roof and composite metal panel soffit material to be installed, repaired, replaced and maintained over portions of the public sidewalk. The canopy structure will overhang portions of the City-owned sidewalk along Massachusetts Avenue and Trowbridge Street located along BAP's property located at 1063-1077 Massachusetts Avenue (the "Property").

ON THE TABLE

1. A communication was received from D. Margaret Drury, City Clerk, transmitting a copy of the referral of Order Number 15 of Dec 21, 2009, regarding increasing the amount of public information about elections while the election is in progress, to the 2010-2011 City Council.

[Communications and Reports from City Officers #1 of Jan 11, 2010 Placed on Table.]

2. That the City Manager is requested to restore funding for School Department clerical positions until a proper and negotiated process can be achieved with the Cambridge School Department and Unions representing the employees, and to report back to the City Council on the progress. [Order Number Fourteen of Apr 26, 2010 Placed on Table. Councillor Kelley made motions to take from table on May 10, 2010 failed 2-7-0, Sept 13, 2010 failed 4-4-1, Sept 27, 2010 failed 3-5-1, Dec 13, 2010 failed 3-6-0. Remains on Table.]
3. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-32, regarding a report on issues with the development of the former St. John's property site. [Charter Right exercised on City Manager Agenda Item Number Eighteen of May 24, 2010. Placed on Table June 7, 2010.]
4. An application was received from Tony LaVita, requesting permission for a curb cut at the premises numbered 68 Middlesex Street; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works. No response has been received from the neighborhood association. [Applications and Petitions Number Ten Of June 7, 2010 Placed on Table.]

APPLICATIONS AND PETITIONS

1. Constable bond received from Daniel F. Long for approval of the surety.

RESOLUTIONS

1. Congratulations to Kathryn Ragsdale and Margaret Lloyd on their wedding. Councillor Simmons
2. Resolution on the death of Sister Joan Desmond. Councillor Toomey
3. Resolution on the death of Maria Jesus (Pereira) Braz. Councillor Toomey
4. Resolution on the death of Joseph Pavidis. Councillor Toomey
5. Resolution on the death of Marion L. (Wilbur) Stewart. Councillor Toomey
6. Resolution on the death of George H. Powers. Mayor Maher, Councillor Toomey
7. Resolution on the death of Barbara L. (Kennedy) Cooney. Mayor Maher, Councillor Toomey
8. Resolution on the death of Eunice "Pat" Quinn. Mayor Maher
9. Resolution on the death of Denis M. Lynch. Mayor Maher
10. Happy 91st Birthday wishes to Stacy Lee Camp. Councillor Simmons
11. Resolution on the death of Margaret M. (Della Paolera) Thomas. Mayor Maher
12. Resolution on the death of Jack (John) L. Lee. Mayor Maher, Councillor Toomey
13. Resolution on the death of Dorothy V. (Walsh) Harney. Mayor Maher
14. Resolution on the death of Marie A. (Silva) Shinkwin. Councillor Toomey, Mayor Maher

15. Retirement of Leslie DiCarlo from the Cambridge Hospital. Mayor Maher
16. Retirement of Jeffrey Carnevale from the Cambridge Hospital. Mayor Maher
17. Retirement of Mary Ann Savilonis from the School Department. Mayor Maher
18. Retirement of John O'Leary from the Cambridge Fire Department. Mayor Maher
19. Congratulations to the students who have successfully completed the 2011 TTT Mentor Program. Councillor Simmons
20. Thanks to the mentors who voluntarily took part in the 2011 TTT Mentor Program. Councillor Simmons
21. Congratulations to Gabriel Blanchet as he kicks off his journey to hike the Appalachian Trail. Councillor Cheung
22. Congratulations to Josue Ortiz on being named to the 2010 Associated Press All-America Football Team. Councillor Cheung
23. Congratulations to Kyung Ah Swang and Sean Kim on the birth of their first child, Ryan Kim. Councillor Cheung
24. Thanks to the staff at the Salvation Army for their dedication to their Gifts of Hope Program. Councillor Cheung
25. Congratulations to Helen Shenton on being announced as Harvard Library's first Executive Director. Councillor Cheung
26. Congratulations to Officer Brendan O'Hearn on his new position with the Cambridge Police Department. Councillor Cheung, Mayor Maher
27. Congratulations to Officer James "Matt" Brown on his new position with the Cambridge Police Department. Councillor Cheung, Mayor Maher
28. Retirement of Bipinchandra "Ben" Parekh from the Water Department. Mayor Maher
29. Retirement of David Clancy from the Water Department. Mayor Maher
30. Congratulations to City Councillor Marjorie Decker and her husband Bahij Bandar on the birth of their daughter, Laurice Catherine Bandar. Mayor Maher, Vice Mayor Davis
31. Congratulations to Kyle Morris and welcome his organization Jumping Across Barriers to the City of Cambridge. Mayor Maher
32. Congratulations to the Cambridge branch of the NAACP on the occasion of their 26th Annual Memorial Dr. Martin Luther King, Jr. Breakfast on Jan 29, 2011. Mayor Maher, Councillor Reeves
33. Congratulations to Jay Schnabel on being named the head coach of the Curry College baseball team. Mayor Maher, Councillor Cheung
34. Congratulations to Nella Young on being named New England Services Coordinator for the New England Foundation for the Arts. Mayor Maher
35. Happy 80th Birthday wishes to Jennie Carvello. Mayor Maher
36. Resolution on the death of Robert A. Owens. Councillor Toomey
37. Resolution on the death of The Honorable Michael Callahan. Councillor Toomey
38. Urge residents to be cognizant of the closing of the Craigie Dam during construction. Councillor Toomey
39. Commend the City Manager, the Department of Public Works and other City staff for the improvements made at the intersection of Third and Broadway and Main Streets. Councillor Toomey
40. Commend Dan Binderman for the work he has done in Central Square. Councillor Reeves
41. Congratulations to Fernande Duffly on her nomination to the Supreme Judicial Court. Councillor Toomey, Mayor Maher, Councillor Seidel
42. Thanks to the organizers of the Martin Luther King, Jr. Day of Service that will take place on Jan 17, 2011 at the YWCA. Mayor Maher
43. Appreciation of the late Henry Lewis upon the occasion of being honored at the 2011 NAACP Reverend Dr. Martin Luther King, Jr. Breakfast. Councillor Reeves

ORDERS

1. That the City Manager is requested to confer with the appropriate department heads and report back to the Economic Development, Training and Employment Committee with the current policies impacting food trucks, the reasoning behind said policies and potential impact it has on the food truck industry and on the city in general. Councillor Cheung
2. That the City Manager is requested to confer with the Commissioner of Public Works and other City departments to look into practices that will mitigate problems that occur (plowing snow into areas that have been shoveled by residents) and the insufficient and/or improper shoveling of the pedestrian way. Councillor Simmons
3. That the City Manager is requested to report back to the City Council on the total number of same-sex married city employees currently receiving health benefits, the estimated valuation of the federal tax placed on those health benefits of employees currently impacted by this discrimination and a proposed plan for how the city will take a stand as a national leader who values all city employees as equal and how the City will carry the burden of discriminatory taxation on behalf of the impacted employees beginning with 2011 tax filing. Councillor Simmons, Councillor Seidel, Councillor Cheung and Councillor Kelley
4. That the City Manager is requested to appoint a CRLS Celebration Committee, in conjunction with the Superintendent of Schools, to plan, coordinate and promote an appropriate reopening celebration for the community. Mayor Maher
5. That the City Manager is requested to confer with the Community Development Department to investigate the possibility of allowing owners alternatives to alter flat roof structures for the purposes of creating better rain water runoff collection through a zoning mechanism. Mayor Maher
6. That the City Manager is requested to communicate with the Department of Public Works and communicate back to the City Council about the snow removal of the sidewalks

adjacent to the cab stand and whose responsibility it is, and how we can work together to get it done to ensure the safety of taxi cab users and to make the process of accessing taxi cabs during snow storms easier. Councillor Reeves

7. That the City Manager is requested to communicate with the Department of Public Works and the Community Development Department to determine an immediate solution to the problem of parking of cars on sidewalks by Enterprise Rental Car and report back to the Council. Councillor Reeves
8. That the City Manager is requested to appoint appropriate city staff, including the City Solicitor, to work with the Cambridge GLBT Commission to create a city-wide ordinance on gender-neutral bathrooms. Councillor Simmons, Councillor Seidel, Councillor Cheung and Councillor Kelley
9. That the City Manager is hereby requested to report back to the City Council with immediate clarification on the City's interpretation of the Responsible Employer Ordinance statute and a detailed report on how it is implemented and enacted. Councillor Cheung and Councillor Decker

COMMITTEE REPORTS

1. A communication was received from Donna P. Lopez, Deputy City Clerk, transmitting a report from Vice Mayor Henrietta Davis, Chair of the Environment Committee for a public meeting held on Dec 8, 2010 to discuss the Somerville Tree Ordinance, the tree replacement policy, public involvement in tree maintenance and the Resistograph test.
2. A communication was received from Donna P. Lopez, Deputy City Clerk, transmitting a report from Vice Mayor Henrietta Davis, Chair of the Environment Committee for a public meeting held on Dec 14, 2010 to receive a briefing on the Silver Maple Forest.

HEARING SCHEDULE

Mon, Jan 10

5:30pm City Council Meeting (Sullivan Chamber)

Wed, Jan 12

4:30pm The Ordinance Committee will conduct a public hearing on a zoning petition by Chestnut Hill Realty to amend the Zoning Ordinance by creating a new section that would allow for the creation of rental apartment units in the basement levels of existing multifamily residential buildings in Residence C Districts within 1200 feet of Massachusetts Avenue, Cambridge Street or the Red Line. This hearing to be televised. (Sullivan Chamber)

5:15pm The Ordinance Committee will conduct a public meeting to continue discussion on a zoning petition submitted by William A. Fox, et al. to amend the Zoning Ordinance and Map by rezoning an area accessed via Cottage Park Avenue in North Cambridge from its current designation of Business A-2 to a new designation of Residence B. (Sullivan Chamber)

Tues, Jan 18

6:00pm School Committee Meeting (Sullivan Chamber)

Wed, Jan 19

4:30pm The Ordinance Committee will conduct a public hearing on a zoning petition by the City Council to amend the Zoning Ordinance in Section 5.28.2-Conversion of

Nonresidential Structures to Residential Use and Section 4.30 Table of Uses relative to the allowance of multifamily residential uses. This hearing to be televised. (Sullivan Chamber)

5:00pm The Ordinance committee will conduct a public hearing on a zoning petition filed by Michael R. Hegarty et al., requesting the City Council to amend the Zoning Ordinance by adding after the title of Section 5.28 the sentence: "No use shall be permitted by any provisions of this Section 5.28 except as set forth in Section 4.30 Table of Use Regulations or the sections that define districts not included in Section 4.30." This hearing to be televised. (Sullivan Chamber)

Mon, Jan 24

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Jan 25

4:00pm The Economic Development, Training and Employment Committee will conduct a public meeting to discuss current city ordinances that are hurting business growth. (Sullivan Chamber)

Wed, Jan 26

5:00pm The Ordinance Committee will conduct a public hearing to consider the Historical Commission's Landmark Study recommendation for landmark designation for St. James's Episcopal Church at 1991 Massachusetts Avenue. (Sullivan Chamber)

6:30pm A budget forum for citizens input. 680 Huron Ave., 2nd floor (Russell Youth & Community Ctr.)

Thurs, Jan 27

6:30pm A budget forum for citizen input. 48 Sixth Street (O'Connell Branch Library)

Mon, Jan 31

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Feb 1

6:00pm School Committee Meeting (Sullivan Chamber)

Wed, Feb 2

6:30pm A budget forum for citizen input. Lecture Hall, 449 Broadway (Main Library)

Mon, Feb 7

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Feb 8

6:00pm School Committee Budget Retreat (Sullivan Chamber)

Mon, Feb 14

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Feb 15

5:30pm The Transportation, Traffic and Parking Committee will conduct a public meeting to discuss the possibility of structuring the parking ticket system in a way that would increase parking tickets as people stay longer at expired meters or general no-parking spots. (Ackermann Room)

6:00pm School Committee Meeting (Sullivan Chamber)

Thurs, Feb 17

5:30pm The Cable TV, Telecommunications and Public Utilities Committee will conduct a public meeting to discuss municipal and other renewable energy goals. (Sullivan Chamber)

Mon, Feb 28

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Mar 1

5:30pm The Transportation, Traffic and Parking Committee will conduct a public meeting to discuss language in the Noise Ordinance as it relates to enforcement of loud car radios. (Ackermann Room)

6:00pm School Committee Meeting (Sullivan Chamber)

Wed, Mar 2

10:00am The Community Health Committee will conduct a public meeting to learn more about Cambridge Health Alliance's patient-centered medical home (PCMH) initiatives. (Sullivan Chamber)

Mon, Mar 7

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Mar 8

6:00pm School Committee Budget Hearing (Sullivan Chamber)

Mon, Mar 14

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Mar 15

6:00pm School Committee Meeting (Sullivan Chamber)

Mon, Mar 21

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Mar 28

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Apr 4

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Apr 5

5:30pm The Transportation, Traffic and Parking Committee will conduct a public meeting to discuss safety issues at the intersection of Cedar and Harvey Streets. (Ackermann Room)

6:00pm School Committee Meeting (Sullivan Chamber)

Mon, Apr 11

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Apr 12

6:00pm Special School Committee Meeting (Sullivan Chamber)

Mon, Apr 25

5:30pm City Council Meeting (Sullivan Chamber)

TEXT OF ORDERS

O-1 Jan 10, 2011

COUNCILLOR CHEUNG

WHEREAS: Food trucks have grown increasingly popular across the country, forcing many cities to retroactively set standards and policy regulations; and

WHEREAS: The mobile food industry has the unique potential to create new employment opportunities, small business growth and favorable conditions for culinary entrepreneurs in Cambridge; and

WHEREAS: According to the National Restaurant Association, there is an increasing demand, particularly among people 18-44 for freshly prepared, restaurant quality food that can be provided in a quick and cheap manner; and

WHEREAS: Currently, the City of Cambridge limits the number of potential food trucks applying for space on city property; and

WHEREAS: Although the city helps food truck owners connect with potential private space leasers, we should

analyze the impact of the before-mentioned policy on Cambridge; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the appropriate department heads and report back to the Economic Development, Training and Employment Committee with the current policies impacting food trucks, the reasoning behind said policies and potential impact it has on the food truck industry and on the city in general.

O-2 Jan 10, 2011

COUNCILLOR SIMMONS

WHEREAS: The snow season is upon us and with this comes the tedious and expensive management of snow; and

WHEREAS: Good snow management is a partnership between the citizens and the city; and

WHEREAS: Some citizens are not properly shoveling their walks; and

WHEREAS: Inadvertently, the Department of Public Works is shoveling and/or plowing snow into crosswalk corners as well as back into places that have already been shoveled by people; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Commissioner of Public Works and other City departments to look into practices that will mitigate problems that occur (plowing snow into areas that have been shoveled by residents) and the insufficient and/or improper shoveling of the pedestrian way.

O-3 Jan 10, 2011

COUNCILLOR SIMMONS

COUNCILLOR SEIDEL

COUNCILLOR CHEUNG

COUNCILLOR KELLEY

WHEREAS: The City of Cambridge considers employees who are married to same-sex partners as fully equal to any other employee, and supports their right to the health benefits as required by Massachusetts State Law; and

WHEREAS: Under existing federal tax code, the City of Cambridge-provided health benefits for same-sex married employees are counted as taxable income, a differentiation based on sexual orientation considered discriminatory in the State of Massachusetts and in the City of Cambridge; and

WHEREAS: Many private sector leaders such as Google, Cisco, the Gates Foundation, and Kimpton Hotels are assuring all their employees are treated equally by paying the cost of the unjust taxation of their same-sex married employees, and where as some 70 top business leaders are supporting Human Rights Campaign (HRC) efforts to change this discriminatory federal tax code (http://www.hrc.org/issues/workplace/benefits/business_coalition_benefits_tax_equity.htm) that harshly impacts our workforce; and

WHEREAS: The Cambridge City Council considers it unacceptable that an unfair financial burden has been placed on same-sex married employees of Cambridge since May, 2005, and seeks to stop this discrimination in our city; now therefore be it

ORDERED: That the City Manager be and hereby is requested to report back to the City Council by 1/31/11: 1) a total number of same-sex married city employees currently

receiving health benefits, 2) a total estimated valuation of the federal tax placed on those health benefits of employees currently impacted by this discrimination, and 3) a proposed plan for how the city will take a stand as a national leader who values all city employees as equal and how the City will carry the burden of this discriminatory taxation on behalf of the impacted employees beginning with 2011 tax filing.

O-4 Jan 10, 2011

MAYOR MAHER

WHEREAS: The renovations to Cambridge Rindge and Latin School will be completed in time for the opening of 2011-2012 academic year; and

WHEREAS: It is appropriate for the community to come together to commemorate and celebrate the reopening of our high school campus; now therefore be it

ORDERED: That the City Manager be and hereby is requested to appoint a CRLS Celebration Committee, in conjunction with the Superintendent of Schools, to plan, coordinate and promote an appropriate reopening celebration for the community.

O-5 Jan 10, 2011

MAYOR MAHER

WHEREAS: The City of Cambridge's sewer and drain collection system consists of both separated and combined catchments systems; and

WHEREAS: During the past twenty years the City has increased its sewer separation and storm water management efforts because of stricter environmental compliance regulations and a desire to provide a better quality of life to residents' daily lives; and

WHEREAS: Many triple-decker dwellings in the city are constructed with flat roofs containing central drains that discharge storm water directly into the municipal sewer discharge pipe of the building; and

WHEREAS: Flat roof designs have limited options for dispersing storm water runoff, unlike pitched roof designs; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Acting Assistant City Manager for Community Development to investigate the possibility of allowing owners alternatives to alter flat roof structures for the purposes of creating better rain water runoff collection through a zoning mechanism; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on this matter.

O-6 Jan 10, 2011

COUNCILLOR REEVES

WHEREAS: Central Square is a major thoroughfare for many pedestrians, cars, buses and taxi cabs everyday. Many people, especially senior citizens and shoppers rely on taxi cabs; and

WHEREAS: There are many taxi cab stands around the city, I want to concentrate on the taxi cabs stands on Massachusetts Avenue between Norfolk Street and Essex Street and near the corners of Essex Street and Norfolk Street; and

WHEREAS: The recent snow storm, the sidewalk adjacent to Massachusetts Avenue near the taxi stands was not shoveled causing the taxi users to walk to the corner, and

around onto Massachusetts Avenue in order to get a cab; and

WHEREAS: This created many dangerous situations and a grave inconvenience for the citizens of Cambridge, the tourists, and the taxi drivers; now therefore be it

ORDERED: That the City Manager be and hereby is requested to communicate with the Department of Public Works and communicate back to the City Council about the snow removal of the sidewalks adjacent to the cab stand and whose responsibility it is, and how we can work together to get it done to ensure the safety of taxi cab users and to make the process of accessing taxi cabs during snow storms easier; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council with the results of this request.

O-7 Jan 10, 2011

COUNCILLOR REEVES

WHEREAS: Western Avenue is being developed with new bike lanes, new sewers, and new sidewalks, and;

WHEREAS: Enterprise Rental Car owns a building and parking lot that runs between River Street, Western Ave and Franklin Street; and

WHEREAS: We understand the need for rental cars, and its convenience to the citizens of Cambridge, there is a huge problem with this rental car operation; and

WHEREAS: Especially on weekends, but on many other days when they have an overflow of cars, they use the sidewalk, as their own parking lot; and

WHEREAS: Not only does this pose a great inconvenience for pedestrians, it also creates a very hazardous situation when people are forced to walk out on the street; and

WHEREAS: The parking of cars on the sidewalks is unacceptable, in all of my travels, I have never seen the likes of it before; now therefore be it

ORDERED: That the City Manager be and hereby is requested to communicate with the Department of Public Works, the Community Development Department to determine an immediate solution to this problem; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on this matter.

O-8 Jan 10, 2011

COUNCILLOR SIMMONS

COUNCILLOR SEIDEL

COUNCILLOR CHEUNG

COUNCILLOR KELLEY

WHEREAS: A lack of gender-neutral restrooms is one of the biggest threats that transgender individuals face. Harassment and violence occur often in gender specific bathrooms. A recent survey found that 99% of 500 transgendered and non-transgendered respondents preferred gender neutral bathrooms. Another survey of only transgendered individuals found half had experienced harassment or assault when using gendered bathrooms; and

WHEREAS: Non-transgendered individuals also face difficulties with bathrooms. Disabled individuals have difficulty finding bathrooms that are accessible, or those with family or individuals helping them often cannot accompany them into gender specific multi-stalled bathrooms. Parents with opposite sex children often

encounter issues with access to gender specific multi-stalled bathrooms; and

statute and a detailed report on how it is implemented and enacted.

WHEREAS: Institutions of higher education appear to be leading the way in implementing gender-neutral bathrooms, with demands being raised by their student bodies. Large companies also tend to offer at least one non-gendered or single-user bathroom; and

WHEREAS: Transgender rights legislation will undoubtedly pass in Massachusetts and Cambridge has historically lead the state and nation in designing and implementing solutions that foster inclusion, dignity, and quality of life for all; and

WHEREAS: Consideration of policies that potentially require a period of time by which all city buildings, licensed establishments providing food and/or alcohol, and public-use buildings are required to have a gender-neutral single- or multi-user bathroom would benefit families, elderly, disabled, transgender individuals, and the community at large; and

WHEREAS: Legal support, research, and strategies for implementation of a city-wide policy is available through GLAD <http://www.transgenderlaw.org>; now therefore be it

ORDERED: That the City Manager be and hereby is requested to appoint appropriate city staff, including the City Solicitor, to work with the Cambridge GLBT Commission to create a city-wide ordinance on gender-neutral bathrooms.

O-9 Jan 10, 2011

COUNCILLOR CHEUNG

COUNCILLOR DECKER

WHEREAS: It has come to the attention of the Cambridge City Council that there is some question as to whether the City Manager and his staff fully complied with the "Responsible Employer Ordinance" in regards to a recently put out to bid water-proofing project in Lafayette Square; and

WHEREAS: Section 2.66.080 A. 3 of Cambridge Ordinance 2.66 - Cambridge Employment Plan, Article II - Construction Projects, reads:

"The bidder and all subcontractors under the bidder must maintain or participate in a bona fide apprentice training program as defined by c. 23, §§11H and 11I for each apprenticeable trade or occupation represented in their workforce that is approved by the Division of Apprentice Training of the Department of Labor and Industries and must abide by the apprentice to journeymen ratio for each trade prescribed therein in the performance of the contract;" and

WHEREAS: It has been reported that the City selected a company for the waterproofing project that at the time of their bid did not offer an apprenticeship training program; and

WHEREAS: Prospective bidders may have read the ordinance as stating that the company, at the time of their bid, must already offer an apprenticeship program, not that a bidding company must have an apprenticeship in place by the start of the job, after selection; now therefore be it

ORDERED: That the City Manager be and is hereby requested to report back to the City Council with immediate clarification on the City's interpretation of said ordinance