

CITY MANAGER'S AGENDA

1. Transmitting communication from Richard C. Rossi, City Manager, relative to the appointment of the following person as a Constable With Power for a term of three years, effective the first day of January, 2016: Ronald DiGiorgio
2. Transmitting communication from Richard C. Rossi, City Manager, relative to a recommendation from the License Commission to approve the amended route application from Paul Revere Transportation, LLC/EZRide.
3. Transmitting Communication from Richard C. Rossi, City Manager, relative to the transfer of \$6,743 of the Emergency Solutions Grant (ESG) from the Department of Housing and Community Development (DHCD) from the Grant Fund Human Services Salary and Wages account to the Other Ordinary Maintenance account which will provide funds for the Support for Tenants At Risk (STAR) homelessness prevention program.
4. Transmitting Communication from Richard C. Rossi, City Manager, relative to the appropriation of \$9,675 from the Department of Early Education and Care to the General Fund Human Service Programs Salary and Wages account and will support the services of a 1:1 aide in one of our pre-school programs through May 31, 2016.
5. Transmitting Communication from Richard C. Rossi, City Manager, relative to the appropriation of \$2,000 from Project Bread to the Grant Fund Human Services Other Ordinary Maintenance account and will be used by the Cambridge Senior Center Food Pantry to pay for purchases at the Greater Boston Food Bank, and for other food purchases for our Senior Food Pantry.
6. Transmitting Communication from Richard C. Rossi, City Manager, relative to the appropriation of the Cultural District Initiative grant from the Massachusetts Cultural Council for \$5,000 to the Grant Fund Public Celebrations (Arts Council) Other Ordinary Maintenance account which will be used to support Central Square Cultural District initiatives.
7. Transmitting Communication from Richard C. Rossi, City Manager, relative to the appropriation of the Adams Arts Program grant from the Massachusetts Cultural Council for \$26,250 to the Grant Fund Public Celebrations (Arts Council) Other Ordinary Maintenance account and will be used to support a newly developed program called the Cambridge Arts: Creative Marketplace.
8. Transmitting Communication from Richard C. Rossi, City Manager, relative to the appropriation of a grant from the Massachusetts Cultural Council for \$21,600 to the Grant Fund Public Celebrations (Arts Council) Other Ordinary Maintenance account which will be used to provide mini-grants to artists, arts organizations and community groups in Cambridge.
9. Transmitting communication from Richard C. Rossi, City Manager, in response to the City Council's request for a legal opinion on whether the City can act either through ordinance, home rule petition or additional avenues to protect tenants from dramatic rent increases or unfair evictions, and whether the City has the ability to strengthen the tenant protections provided under the state Condominium Conversion Act.

10. Transmitting communication from Richard C. Rossi, City Manager, relative to the Barrett, et al, Zoning Petition

CHARTER RIGHT

1. Transmitting communication from Richard C. Rossi, City Manager, relative to Awaiting Report Item Number O 2015 # 15-32, regarding [a report on the economic analysis for Central Square](#). [Charter Right exercised by Councillor McGovern on City Manager Agenda Number Twenty-six of Dec 21, 2015.]
2. An application was received from Mike's Pastry requesting permission for two signs at the premises numbered 11 Dunster Street. Approval has been received from Inspectional Services, Department of Public Works, Community Development and Historical. [Charter right exercised by Vice Mayor Benzan on Applications & Petitions #1 of Dec 21, 2015.]
3. That the City Manager is requested to confer with the City Solicitor regarding the various consumer protection measures that are available to Cambridge residents. [Charter Right exercised by Mayor Maher on [Order Number Six of Dec 21, 2015](#).]
4. That the City Manager, in conjunction with the Director of the Cambridge Peace Commission and other relevant staff, is requested to explore a Sister City relationship with the City of Reykjavik, Iceland, in order to foster ties between the municipalities and report back to the City Council on the potential for establishing said relationship in a timely manner. [Charter Right exercised by Mayor Maher on Order Number Eight of Dec 21, 2015.]
5. That the City Manager is requested to confer with the Community Development Department to amend article 4.000 of the Zoning Ordinance to require that a power needs assessment be a requirement for appropriate projects that undergo special permit review. [Charter Right exercised by Mayor Maher on [Order Number Twelve of Dec 21, 2015](#).]
6. That the City Manager is requested to coordinate with the appropriate departments to give recognized community groups the ability to present alongside or directly after city staff, on the record and as part of the presentation agenda during meetings of the Ordinance Committee. [Charter Right exercised by Mayor Maher on [Order Number Thirteen of Dec 21, 2015](#).]

UNFINISHED BUSINESS

7. That the Council go on the record to state that the second Monday of October henceforth be commemorated as Indigenous Peoples' Day in Cambridge, in recognition of the indigenous people of America's position as native to these lands, and the suffering they faced following European conquest of their land. [Order Number Fifteen of Oct 19, 2015 Placed on Table on motion of Vice Mayor Benzan. Motion to amend by substitution by Councillor Mazen carried on affirmative vote of 8 substitute text placed on Unfinished Business by Councillor Mazen affirmative vote of 8.] [[text of amended Order](#)]
8. A communication was received from Donna P. Lopez, City Clerk, transmitting a report from Councillor Dennis J. Carlone and Vice Mayor Dennis A. Benzan, Co-Chairs of the Ordinance Committee, for a public hearing held on Nov 18, 2015 to discuss a proposed amendment to the Zoning

Ordinance to amend Article 6.000 to create a new Section 6.24 Car-sharing Provision that will create a definition and general provisions for Car-sharing and will allow the limited use of parking spaces. The question comes on passing to be ordained on or after Dec 28, 2015. Planning Board Hearing held Oct 27, 2015, Amendment submitted by Councillor Cheung on Dec 21, 2015. Petition expires Feb 16, 2016.

9. A communication was received from Donna P. Lopez, City Clerk, transmitting a report from Vice Mayor Dennis A. Benzan and Councillor Dennis J. Carlone, Co-Chairs of the Ordinance Committee, for a public hearing held on Nov 19, 2015 to discuss a petition filed by Patrick W. Barrett III, et al. to amend the Cambridge Zoning Ordinance by amending Article 2.000 ("Definitions") and Article 4.000, Section 4.22 ("Accessory Apartment"). The question comes on passing to be ordained on or after Dec 28, 2015. Planning Board Hearing held on Oct 27, 2015. Petition expires on or after Dec 28, 2015.

APPLICATIONS AND PETITIONS

1. A constable bond was received from Burton Malkofsky for approval of the surety.
2. An application was received from Cambridge Health Alliance requesting permission for a sign at the premises numbered 119 Windsor Street. Approval has been received from Inspectional Services, Department of Public Works, Community Development and abutter.
3. A Zoning Petition Has Been Received From Peter L. Cohen, with regard to a proposed amendment to the Cambridge Zoning Ordinance to restrict garage development in dimensionally non-conforming lots.

COMMUNICATIONS

1. A communication was received from Patrick W. Barrett III, Esq., regarding the Barrett Petition.
2. A communication was received from James Caterino, Manager, Mike's Pastry, 11 Dunster Street, transmitting additional information regarding the addition of new signage.

RESOLUTIONS

1. Resolution on the Death of Gerolf Pikel. Councillor Toomey
2. Resolution on the Death of Walter Ciampa. Councillor Toomey, Councillor Maher
3. Resolution on the Death of Maurice P. Meade. Councillor Maher
4. Resolution on the Death of Frances Ann Pasquarello. Councillor Maher, Councillor Toomey
5. Resolution on the retirement of Elaine Thorne. Mayor Simmons
6. Wishing Jenny Carvello a Happy Birthday Councillor Toomey, Councillor Maher
7. Congratulations Chip Norton and Henrietta Davis Mayor Simmons
8. Resolution on the Death of Agnes V. Tremblay Councillor Maher
9. That the City Council go on record congratulating Tania and Michael on the birth of their son Miles. Vice Mayor McGovern

10. That the City Council go on record thanking Kate Layzer for her wonderful work at the Friday Café and recognizing her commitment to our community. Vice Mayor McGovern, Councillor Kelley

ORDERS

1. The City Council formally goes on record in calling upon our elected officials in the U.S. Senate and the U.S. House of Representatives to oppose the TPP and any similar trade deals if they fail to restructure the misguided and failed policies of the past. Mayor Simmons
2. Mass Solar Loan Program Vice Mayor McGovern
3. That the City Council Ordinance Committee be and hereby is requested to review the attached proposed amendment to §12.16.030 Trees—Climbing, Signposting, Fastening horses. Councillor Kelley, Councillor Cheung, Vice Mayor McGovern, Councillor Toomey
4. That the matter of creating smoke free places of employment to protect all workers in unenclosed areas be referred to the Ordinance Committee for consideration. Councillor Kelley, Vice Mayor McGovern, Councillor Carlone
5. That the City Manager is requested to work with the Community Development Department and other relevant departments to draft a zoning ordinance that would see the installation of solar panels be as of right in all zoning districts in the City. Councillor Cheung
6. That the City Manager is requested to confer with the Assistant City Manager of Community Development and report back to the City Council with language that could create a Grand Junction Overlay District that would help to create incentives and ensure the completion of the Grand Junction Multiuse Path. Councillor Toomey
7. That the City Manager is requested to confer with the Director of Traffic, Parking and Transportation and the Police Commissioner to determine ways to remedy the traffic situation on Gore Street and report back to the City Council. Councillor Toomey
8. That the City Council go on record accepting the attached provisions of Chapter 162 of the Acts of 2015, the same being 'AN ACT RELATIVE TO THE TAX STATUS OF CERTAIN LAND OWNED BY A HOUSING AUTHORITY WITHIN THE CITY OF CAMBRIDGE.'" Mayor Simmons

COMMITTEE REPORTS

1. A communication was received from Paula M. Crane, City Clerk, transmitting a report on behalf of Councillor Nadeem Mazen, Chair of the Neighborhood and Long Term Planning, Public Facilities, Arts and Celebration Committee, for a public hearing held on Dec 15, 2015 to discuss and raise community awareness about PrEP, a new preventative medication that can be taken by individuals who are at high risk for contracting HIV.
2. A communication was received from Donna P. Lopez, City Clerk, transmitting a report from Vice Mayor Dennis A. Benzan and Councillor Dennis J. Carlone, Co-Chairs of the Ordinance Committee, for a public hearing held on Dec 9, 2015 to discuss a zoning petition filed by the Friends of MAPOCO, to amend the Cambridge Zoning Ordinance by a new sub-district of the Massachusetts Avenue Overlay

District along Massachusetts Avenue between Porter Square and Cambridge Common.

3. A communication was received from Donna P. Lopez, City Clerk, transmitting a report from Vice Mayor Dennis A. Benzan and Councillor Dennis J. Carlone, Co-Chairs of the Ordinance Committee, for a public hearing held on Dec 17, 2015 to discuss to discuss the refiled Elizabeth M. Stern, et al. petition to amend the Cambridge Zoning Ordinance and Zoning Map by changing the current zoning designation of Lot 84 (2551 Massachusetts Avenue) and Lot 65 (7 Richard Avenue) on Assessors Block Map 186 from Business A-2 to Residence B and remove both from the MAOD and the NMAS, redraw the zoning district boundary lines so the two lots are in the Resident B zone and not in the MAOD or the NMAS and revise Article 20, Sections 100-111.

COMMUNICATIONS AND REPORTS FROM CITY OFFICERS

1. A communication was received from Mayor E. Denise Simmons, Transmitting An Open Meeting Law Complaint filed by Kim Courtney and Xavier Dietrich, 955 Massachusetts Avenue #259, Cambridge, regarding the amended Minutes of the City Council meeting of Aug 10, 2015. [Amended Open Meeting Law Complaint Mayor Simmons]

HEARING SCHEDULE

Mon, Jan 11

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Jan 25

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Feb 1

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Feb 8

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Feb 22

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Feb 29

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Mar 7

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Mar 14

5:30pm City Council 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)

Mon, Apr 11

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Apr 25

5:30pm City Council Meeting (Sullivan Chamber)

TEXT OF ORDERS

O-1 Jan 11, 2016

MAYOR SIMMONS

WHEREAS: U.S. trade deals over the past 25 years have been corporate-driven, incorporating rules that skew benefits to economic elites while requiring working families to bear the brunt of such policies; and

WHEREAS: The growing trade deficits, driven by the North American Free Trade Agreement, China's accession to the World Trade Organization, and the U.S.-Korea Free Trade Agreement, have displaced 700,000 jobs, 3.2 million jobs, and 75,000 jobs respectively; and

WHEREAS: U.S. employment in manufacturing dropped by 5 million jobs from 2000 to 2015, jobs lost due to trade devastate families and entire communities, and this can permanently reduce lifetime earnings for hundreds of thousands of workers; and

WHEREAS: The long decline of the American manufacturing base – exacerbated by bad trade policies that reward outsourcing – has undermined our economic security and poses a threat to our national security; and

WHEREAS: The offshoring of manufacturing and service jobs deprives local and state governments of sorely needed revenues, jeopardizing the livelihoods of millions of public servants as well as construction workers whose jobs depend upon infrastructure building, repair, and maintenance; and

WHEREAS: Under NAFTA-style trade rules, the U.S. annual trade deficit has increased dramatically from \$70 billion in 1993, the year before NAFTA went in to effect, to more than \$508 billion in 2014; and

WHEREAS: The disproportionate voice of powerful global corporations in the formation of U.S. “free trade” agreements has advanced an agenda that undermines the public interest and threatens democracy; and

WHEREAS: NAFTA and all but two of the U.S. trade deals that followed it include special legal rights for foreign investors, known as “investor-to-state dispute settlement” (or ISDS), that allow foreign firms to bypass state and federal courts to challenge state and federal laws, regulations, and administrative and judicial decisions in international tribunals; and

WHEREAS: Foreign investors already have used NAFTA's ISDS provisions to challenge decisions regarding local building permits, environmental regulations, state bans on toxic chemicals and decisions of state courts; and

WHEREAS: Climate change and environmental degradation threaten communities across the globe, and ISDS provisions in the Trans-Pacific Partnership (TPP) may expose nations enacting policies to fight climate change to ISDA cases that undermine these efforts; and

WHEREAS: Promoting economic growth with equity in Massachusetts requires an approach that reforms the entire trade negotiation process to ensure that voices of workers, farmers, small businesses, families and communities are heard and their interests addressed; and

WHEREAS: The TPP has not been negotiated in a transparent manner, effectively shutting state and local governments out of the process, limiting our ability to influence its rules to ensure the people in communities like Cambridge can participate in the benefits of trade; and

WHEREAS: Given the enactment of fast track trade negotiating authority, states, localities and their citizens will have no opportunity to correct shortcomings in the TPP since its text will not be made public until it is final and can no longer be improved; and

WHEREAS: Repeating old mistakes in negotiating new trade agreements such as the TPP represents a missed opportunity

to strengthen our economy, reduce income inequality and promote sustainable growth; now therefore be it
RESOLVED: The City Council formally goes on record in calling upon our elected officials in the U.S. Senate and the U.S. House of Representatives to oppose the TPP and any similar trade deals if they fail to restructure the misguided and failed policies of the past; and be it further
RESOLVED: That the City Clerk be and hereby is requested to forward suitably engrossed copies of this resolution to the Massachusetts Delegation to the United States Senate and the United States Congress on behalf of the entire City Council.

O-2 Jan 11, 2016
VICE MAYOR MCGOVERN
WHEREAS: Cambridge is committed to battling climate change; and
WHEREAS: Cambridge supports solar energy as a way of lowering carbon emissions; and
WHEREAS: The State has recently announced a \$30 million program titled *The Mass Solar Loan Program* which is designed to provide low and fixed loans to residents wishing to convert to solar energy; now therefore be it
ORDERED: That the City Manager be and hereby is requested to work with the Department of Public Works and other relevant departments to determine how Cambridge residents can take full advantage of this program; and be it further
ORDERED: That the City Manager be and hereby is requested to develop an educational plan to inform Cambridge residents of this and other programs to assist residents wishing to convert to solar energy including developing a pamphlet that can be widely distributed to Cambridge residents that explains in plain language this process in order to increase the number of Cambridge residents using solar energy and to report back to the City Council once this plan is developed.

O-3 Jan 11, 2016
COUNCILLOR KELLEY
COUNCILLOR CHEUNG
VICE MAYOR MCGOVERN
COUNCILLOR TOOMEY
WHEREAS: Operators of bicycles, mopeds, motorcycles, and scooters often fasten their conveyance to public trees in the absence of available street signs or designated bicycle poles; and
WHEREAS: Fastening various conveyances to trees harms the City's existing tree stock, particularly young trees, which have developing bark and are more easily damaged; and
WHEREAS: An existing Cambridge ordinance has long prohibited the fastening of horses to public trees for similar reasons; now therefore be it
ORDERED: That the City Council Ordinance Committee be and hereby is requested to review the attached proposed amendment to §12.16.030 Trees—Climbing, Signposting, Fastening horses.
12.16.030 – Trees—Climbing—Signposting—Fastening horses
No person shall climb a tree in any street or fasten or tie a horse or other animal, bicycle, moped, scooter, motorcycle, or any other form of conveyance to, or post a bill upon, any such tree, or allow any horse or other animal owned by him,

or under his control to stand so near any such tree, that such tree may be gnawed or otherwise injured by such horse or other animal.

O-4 Jan 11, 2016
COUNCILLOR KELLEY
VICE MAYOR MCGOVERN
COUNCILLOR CARLONE
WHEREAS: The City of Cambridge has long protected the rights of workers to a smoke-free environment; and
WHEREAS: Currently, this protection extends only to workers in "enclosed" areas, while employees who typically work in unenclosed spaces, such as construction workers, landscapers, and gardeners are not protected from second-hand smoke; and
WHEREAS: Smoking in workplace sites can cause fires that threaten life and destruction of property when smoking materials (i.e. tobacco products) are improperly disposed; and
WHEREAS: The National Fire Prevention Agency (NFPA) found that improper disposal of smoking materials caused an estimated 90,000 fires around the United States in 2011, resulting in an estimated 540 civilian deaths and \$621 million in direct property damages; and
WHEREAS: Construction workers are twice as likely to smoke tobacco products than the average citizen according to a 2003 California Health Information Survey; and
WHEREAS: Buildings under construction or undergoing major renovation are unlikely to have functioning fire alerting and suppression systems; and
WHEREAS: A U.S. Fire Administration report on "Construction Site Fires" found that smoking was the third leading cause of construction site fires from 1996-98, and noted that "firefighters injured on construction sites are twice as likely to be hit or struck by debris and other objects than firefighters at other sites;" and
WHEREAS: Creating smoke free places of employment for workers engaged in unenclosed areas may be as simple as amended the existing Cambridge Municipal Code 8.28.050—Definitions for Prohibition of Smoking in Workplaces to expand to definition of "Workplace" to include open construction sites; now therefore be it
ORDERED: That this matter be referred to the Ordinance Committee for consideration of the amendments to Cambridge Code 8.28.050 in the attached file and the adoption of language that protects all workers in Cambridge.

O-5 Jan 11, 2016
COUNCILLOR CHEUNG
WHEREAS: The City of Cambridge is concerned with both improving the quality of its residents' lives and environmental sustainability; and
WHEREAS: In 2015, the City Council adopted a "Net Zero" action plan, part of which included the City's goal to reduce wasteful energy use in the pursuit of lower carbon emissions; and
WHEREAS: Installing solar panels provides an alternative source of energy that does not contribute to increasing levels of carbon in the atmosphere and falls in line with the City's "Net Zero" goals; now therefore be it
ORDERED: That the City Manager be and hereby is requested to work with the Community Development Department and

other relevant departments to draft a zoning ordinance that would see the installation of solar panels be as of right in all zoning districts in the City.

O-6 Jan 11, 2016

COUNCILLOR TOOMEY

WHEREAS: Construction on the first portions of the Grand Junction Multiuse Path have begun; and

WHEREAS: Support for the path has grown but there remain many design and land issues that need to be resolved along the corridor to ensure a future where the Grand Junction Multiuse Path is a safe and viable transportation option through all of Eastern Cambridge; and

WHEREAS: Providing flexibility to property owners along the Grand Junction by creating a Grand Junction Overlay District could help to solve some of the conflicts that have been identified in various feasibility studies, preserve setbacks needed to create a viable path, and eliminate any conflicts with possible additional rails; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Assistant City Manager of Community Development and report back to the City Council with language that could create a Grand Junction Overlay District that would help to create incentives and ensure the completion of the Grand Junction Multiuse Path.

O-7 Jan 11, 2016

COUNCILLOR TOOMEY

WHEREAS: It has come to the attention of the City Council that Gore Street residents have been experiencing an increase in truck traffic, cars failing to stop at the intersection of Fifth Street, and general cut through traffic; and

WHEREAS: Better signage and increased traffic enforcement have been suggested by residents as solutions to some of these safety issues; and

ORDERED: That the City Manager be and hereby is requested to confer with the Director of Traffic, Parking and Transportation and the Police Commissioner to determine ways to remedy the traffic situation on Gore Street and report back to the City Council.

O-8 Jan 11, 2016

MAYOR SIMMONS

ORDERED: That the City Council go on record accepting the attached provisions of Chapter 162 of the Acts of 2015, the same being 'AN ACT RELATIVE TO THE TAX STATUS OF CERTAIN LAND OWNED BY A HOUSING AUTHORITY WITHIN THE CITY OF CAMBRIDGE.'