

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, 2009:
With Power: Fred W. McDonald, Charles M. Durrah
Without Power: Richard M. Chicoine, Sr., John Dudley, Hector J. Collazo, William Kelly, Edwin Marte, Raymond Conn
2. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 08-151, regarding a report on the status of pedestrian access in and around Russell Field.
3. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 09-10, regarding a report on reopening access from Westley Avenue to Linear Park.
4. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 08-154, regarding a report on whether the fire hydrants closest to 72-74 Lexington Avenue were functioning properly during the recent fire.
5. Transmitting communication from Robert W. Healy, City Manager, relative to the transfer of \$115,000 from the Water Department Salary and Wages account to the Water Department Travel and Training (judgment and damages) account to cover current and anticipated medical services/prescription costs and workers compensation lump sum settlement costs for employees injured during the performance of their work duties.
6. Transmitting communication from Robert W. Healy, City Manager, relative to the transfer of \$115,000 from Water Salaries and Wages account to Water Other Ordinary Maintenance account to cover an operating shortfall caused by an unanticipated increase in the cost of potassium hydroxide which is a chemical used to treat the City's water.
7. Transmitting communication from Robert W. Healy, City Manager, relative to the transfer of \$200,000 from Water Public Investment Extraordinary Expenditure accounts to the Water Operating Other Ordinary Maintenance account to cover an operating shortfall caused by an unanticipated increase in the cost of potassium hydroxide which is a chemical used to treat the City's water as described in Agenda Item Number 6.
8. Transmitting communication from Robert W. Healy, City Manager, relative to the transfer of \$100,000 from Executive Public Investment Extraordinary Expenditures account to the General Fund Police Extraordinary Expenditures account to cover the purchase of five replacement unmarked vehicles.
9. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of donations received by the Peace Commission in the amount of \$1,263 to the Grant Fund Peace Commission Other Ordinary Maintenance account received in support of the annual Peace and Justice Awards Dinner and will be used to offset the cost of the dinner as well as to support Peace Commission activities.

10. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of the Temporary Emergency Shelter grant received from the Department of Transitional Assistance for \$176,750.00 to the Grant Fund Human Service Programs Salary and Wages account (\$26,854.68), Other Ordinary Maintenance account (\$149,595.32), and the Travel and Training account (\$300.00) and will be used to provide operating expenses for a partnership between the Multi-Service Center and the Cambridge YWCA.
11. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of the Emergency Food and Shelter National Board Program (EFSP), formerly from FEMA, for \$12,000.00 to the Grant Fund Human Service Programs Other Ordinary Maintenance account and will be used to supplement fuel assistance payments.
12. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 09-09, regarding a report on the effects of new Bicyclist Safety Laws on Cambridge.
13. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Numbers 08-107, 08-108 and 09-08, regarding North Point.

ON THE TABLE

1. Opposition to the closing of the Oliver Farnum Senior Health Center. [Placed on Table on motion of Councillor Maher on Order Number Fourteen of Nov 3, 2008.]

UNFINISHED BUSINESS

2. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Timothy J. Toomey, Jr., Co-Chair of the Ordinance Committee, for a meeting held on Nov 18, 2004 for the purpose of considering proposed amendments to Chapter 2.74 of the Cambridge Municipal Code, the Police Review and Advisory Board Ordinance. The question comes on passing to be ordained on or after Feb 14, 2005. [Four sections of the proposed amendment were passed to be ordained as amended. Ordinance #1284. The remaining proposed amendments to chapter 2.74 remain on Unfinished Business.]
3. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Numbers 06-87, 07-83 and 07-138, regarding the status of putting the City's self-evaluation on the website. [Charter Right exercised by Councillor Kelley on City Manager Agenda Item Number Sixteen of Dec 10, 2007. Dec 17, 2007 - Referred to 2008-2009 City Council as Unfinished Business on motion of Councillor Kelley.]

APPLICATIONS AND PETITIONS

1. An application was received from Danversbank, requesting permission for a sign at the premises numbered 485 Massachusetts Avenue. Approval has been received from Inspectional Services, Department of Public Works, Community Development Department and abutters.
 2. An application was received from Finagle A Bagel, requesting permission for eight tables and sixteen chairs for restaurant seating in front of 11 First Street.
 3. An application was received from WRAPRO Falafel & Grille, requesting permission for four tables and twelve
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chairs for restaurant seating in front of 1670 Massachusetts Avenue.

4. An application was received from The Elephant Walk, requesting permission for eight tables and sixteen chairs for restaurant seating in front of 2067 Massachusetts Avenue.
5. A zoning petition has been received from Lesley University, to amend the Zoning Map and Article 20.000 of the Zoning Ordinance by adding "Section 20.200 Lesley Porter Overlay District."

COMMUNICATIONS

1. A communication was received from Robert J. LaTremouille, transmitting a copy of a revised draft Environmental Impact Report/draft environmental impact statement for the Urban Ring Phase 2 Project.
2. A communication was received from Robert J. McCarthy, Senior Vice President, North Cambridge Catholic High School, transmitting thanks for the resolution extending best wishes on his completion of service at North Cambridge Catholic High School.
3. A communication was received from John G. Wofford, transmitting opposition to the renaming of Plympton Street for David Halberstam.
4. A communication was received from Dan Meltzer, transmitting thanks for the resolution on his appointment to the Obama Administration.
5. A communication was received from Yvonne M. Gallant, transmitting thanks for the beautiful resolution on the loss of her sister.

RESOLUTIONS

1. Resolution on the death of David Gravelese. Councillor Toomey
2. Resolution on the death of Joseph G. Bourne. Councillor Reeves
3. Resolution on the death of Deaconess Earl V. (Stith) Murrell. Councillor Reeves
4. Resolution on the death of Deaconess Ruby (Harris) Sutherland. Councillor Reeves
5. Retirement of Pedro Rodrigues from the Public Works Department. Mayor Simmons
6. Resolution on the death of J. Marie A. Mahoney. Councillor Maher
7. Retirement of Alta Moise from the Cambridge Hospital. Mayor Simmons
8. Resolution on the death of Stanley "Stash" A. Horowitz. Councillor Maher, Councillor Toomey, Councillor Davis
9. Urge residents to participate in the Cambridge Open Studio events on Apr 25-26, 2009, May 9-10, 2009 and May 30-31, 2009. Councillor Decker
10. Resolution on the death of Catherine M. (McCarthy) Clinton. Councillor Maher
11. Retirement of Lynne Molnar from the Election Commission. Mayor Simmons [she certainly must mean Artis Spears]
12. Resolution on the death of Staff Sergeant Mark C. Baum. Councillor Decker
13. Resolution on the death of Private First Class Cwislyn K. Walter. Councillor Decker
14. Resolution on the death of Staff Sergeant Sean D. Diamond. Councillor Decker
15. Resolution on the death of Corporal Stephen S. Thompson. Councillor Decker
16. Resolution on the death of Lieutenant Colonel Garnet R. Derby. Councillor Decker
17. Resolution on the death of Private First Class Albert R. Jex. Councillor Decker

18. Resolution on the death of Private First Class Jonathan R. Roberge. Councillor Decker
19. Resolution on the death of Sergeant Joshua A. Ward. Councillor Decker
20. Resolution on the death of Specialist Darrell L. Fernandez. Councillor Decker
21. Resolution on the death of Specialist James M. Dorsey. Councillor Decker
22. Resolution on the death of Specialist Christopher P. Sweet. Councillor Decker
23. Congratulations to Dr. Lisa Dobberteen and Margaret and Richard Thomas on the success of their book entitled "Love and Limits: In and Out of Child Care." Councillor Decker
24. Thanks to the Women's commission and the Cambridge Historical Project for their efforts to commit to memory the importance of the 1972 takeover of 888 Memorial Drive. Mayor Simmons
25. Congratulations to Artis Spears for all her years of hard work and dedication. Councillor Reeves
26. Best wishes to the Cambridge Community of Realtors on the occasion of the 2009 Mardi Gras Soiree. Councillor Davis

ORDERS

1. That following the administration of the Oath of Office to the Councillor-elect, the City Council shall proceed to the election of a Vice Mayor. Mayor Simmons
2. That the City Manager is requested to put on hold all permits that the developer may request or require from the City of Cambridge until legal proceedings surrounding the natural resource value of the silver maple forest in Cambridge and Belmont have been resolved. Councillor Davis, Councillor Seidel and Councillor Kelley
3. That the City Manager is requested to confer with the Chief Public Health Officer to investigate the possibility of requiring chain restaurants to display calorie information on their menus. Councillor Decker
4. That the City Council is requested to approve the amount of \$1500 in additional travel expenses. Councillor Davis
5. That the City Manager is requested to report back to the City Council on opportunities for electric vehicles to recharge in Cambridge and related issues. Councillor Davis
6. That the City Manager is requested to confer with the Commissioner of Public Works and report back to the City Council with an update to the status of the city's drinking fountains and to be sure they will be operable for the coming summer months. Councillor Toomey
7. Requesting the Cambridge Housing Authority provide notice to the City Council of community meetings on changes to the CHA housing policy and not hold the meetings on Monday nights. Councillor Decker and Mayor Simmons

COMMITTEE REPORTS

1. A communication was received from Donna P. Lopez, Deputy City Clerk, transmitting a report from Councillor Henrietta Davis, Chair of the Health and Environment Committee, for a meeting held on Feb 3, 2009 to discuss the distribution of fresh fruits and vegetables in Cambridge.

COMMUNICATIONS AND REPORTS FROM CITY OFFICERS

1. A communication was received from Marilyn Y. Bradshaw, Executive Secretary of the School Committee, transmitting notification of an order adopted by School Committee that

the City test for lead levels on fields and tot lots in Cambridge.

2. A communication was received from Marsha Weinerman, Director, Board of Election Commissioners, transmitting a copy of the Feb 24, 2009 Redistribution of former City Councillor Brian Murphy's ballots.

HEARING SCHEDULE

Mon, Mar 2

5:00pm Special City Council Meeting to administer the oath of office to Councillor-elect Larry W. Ward. (Sullivan Chamber)

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Mar 9

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Mar 10

2:00pm The Human Services Committee will conduct a public meeting to discuss how Cambridge can adapt the Harlem Children's Zone Baby College Program and/or principles to provide parent education for low income families that will provide the tools they need to help their children succeed. (Sullivan Chamber)

Wed, Mar 11

5:00pm The Health and Environment Committee will conduct a public meeting to discuss community gardens, receive an update on the possibility of a Cambridge Farm and any other matters relating to growing fruits and vegetables in Cambridge. (Sullivan Chamber)

Mon, Mar 23

5:00pm Special Presentation for Women's History Month (Sullivan Chamber)

5:30pm City Council Meeting (Sullivan Chamber)

Thurs, Mar 26

10:30am The Human Services Committee will conduct a public meeting to enable more community discussion of the closing of neighborhood health clinics by the Cambridge Health Alliance. (Sullivan Chamber)

Mon, Mar 30

5:30pm Roundtable Meeting with School Committee. No public comment. No votes will be taken. Meeting will not be televised. (Sullivan Chamber)

Wed, Apr 1

1:00pm The Human Services Committee will conduct a public meeting to discuss the issue of choosing college graduation for Cambridge children in low income families and how to advance that goal with a program similar to the Harlem Children's Zone Office of College Success. (Sullivan Chamber)

5:00pm The Health and Environment Committee will conduct a public meeting to discuss promoting and harvesting fruit trees and the planting, care and maintenance of street trees. (Sullivan Chamber)

Mon, Apr 6

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Apr 13

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Apr 27

5:30pm City Council Meeting (Sullivan Chamber)

Mon, May 4

5:30pm City Council Meeting (Sullivan Chamber)

Mon, May 11

5:30pm City Council Meeting (Sullivan Chamber)

Mon, May 18

5:30pm City Council Meeting (Sullivan Chamber)

Mon, June 1

5:30pm City Council Meeting (Sullivan Chamber)

Mon, June 8

5:30pm City Council Meeting (Sullivan Chamber)

Mon, June 15

5:30pm City Council Meeting (Sullivan Chamber)

Mon, June 22

5:30pm City Council Meeting (Sullivan Chamber)

Mon, June 29

5:30pm City Council Meeting (Sullivan Chamber)

Mon, July 27

5:30pm Special City Council Meeting (Sullivan Chamber)

Mon, Sept 14

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Sept 21

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Oct 5

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Oct 19

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Oct 26

5:30pm City Council Meeting (Sullivan Chamber)

TEXT OF ORDERS

O-1 Mar 2, 2009

MAYOR SIMMONS

ORDERED: That following the administration of the Oath of Office to the Councillor-elect, the City Council shall proceed to the election of a Vice Mayor.

O-2 Mar 2, 2009

COUNCILLOR DAVIS

COUNCILLOR SEIDEL

COUNCILLOR KELLEY

WHEREAS: The City Council has passed numerous orders noting the natural resource value of the silver maple forest and requests to the City Manager to protect these watershed woodlands in Belmont and Cambridge (Apr 10, 2000; Sept 24, 2001; July 29, 2002; Oct 20, 2003; Feb 28, 2005; Mar 19, 2007; Mar 25, 2008); and

WHEREAS: The City Council has asked the City Manager to report to the Health and Environment Committee any further discussion or negotiations on the Silver Maple forest, and it was ordered that no action be taken on this matter unless considered by the Council, and there has been no response to date; and

WHEREAS: Two hearings were held by the Health and Environment Committee during which professional consultants and neighbors of Belmont, Arlington and Cambridge overwhelmingly requested (1) the preservation of the silver maple forest in Belmont and Cambridge and (2) that storm water sewer connections to the 299 proposed units not send the buildings' effluent through Cambridge; and

WHEREAS: The Belmont Conservation Commission has denied the developer-applicant its request for a permit based on building design and wetlands and habitat

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protection, has appealed the Department of Environmental Protection decision to override the denial, and is in the process of participating, with other intervenors, in adjudicatory hearings at the state level; and

WHEREAS: Winn Brook neighborhood homeowners have filed a Land Court case in order to protect their homes from flooding and sewage back-ups as well as to preserve the wildlife habitats associated with the silver maple forest, supported by expert testimony from hydrology, stormwater and sewer and wildlife/wetlands specialists; and

WHEREAS: Nearly three acres of the Belmont Uplands silver maple forest are in Cambridge and there are currently permits being requested by the developer from the City of Cambridge prior to the official state and town resolutions of these same issues; now therefore be it

ORDERED: That the City Manager be and hereby is requested to put on hold all permits that the developer may request or require from the City of Cambridge until legal proceedings surrounding this project as described above have been resolved.

O-3 Mar 2, 2009

COUNCILLOR DECKER

WHEREAS: This Council has learned that a New York City law requiring chain restaurants to display calorie information on their menus was recently upheld by a Federal Appeals court. The rule applies to restaurants that are part of chains with at least 15 establishments doing business nationally; and

WHEREAS: Displaying nutritional information may lead consumers to make healthier choices; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Public Health Officer to investigate the possibility of requiring chain restaurants to display calorie information on their menus.

O-4 Mar 2, 2009

COUNCILLOR DAVIS

WHEREAS: Henrietta Davis is Vice-Chair of the National League of Cities Energy, Environment and Natural Resources Steering Committee which is meeting in Portland, Oregon on Apr 17-18, 2009; and

WHEREAS: Henrietta Davis will have a leadership role in the National League of Cities Green Cities Conference which immediately follows on Apr 18-21, 2009; now therefore be it

ORDERED: That the City Council be and hereby is requested to approve the amount of \$1500 in additional travel expenses.

O-5 Mar 2, 2009

COUNCILLOR DAVIS

WHEREAS: In January 2009 Massachusetts passed a law authorizing low-speed vehicles on certain public roads; and

WHEREAS: Several cities have begun pilot projects for testing electric charging stations and investigating the issues that need to be addressed such as how to encourage drivers to charge at off-peak times and how to bill electricity used at public charging stations back to drivers; now therefore be it

ORDERED: That the City Manager be and hereby by requested to report back to the Council on opportunities for

electric vehicles to recharge in Cambridge and related issues.

O-6 Mar 2, 2009

COUNCILLOR TOOMEY

WHEREAS: During the summer of 2008 all city drinking fountains were vandalized and rendered inoperable for summer months; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Commissioner of Public Works and report back to the City Council with an update to the status of the city's drinking fountains and to be sure they will be operable for the coming summer months.

O-7 Mar 2, 2009

COUNCILLOR DECKER

MAYOR SIMMONS

WHEREAS: It has come to the attention of the City Council that communication between the Cambridge Housing Authority and the City Council regarding changes in CHA policy can be improved; and

WHEREAS: That the CHA has been requested to provide the City Council with an update on the previous community meetings held regarding changes in the CHA's housing policies; now therefore be it

RESOLVED: That the CHA is requested to provide notice to the City Council about future community meetings so that the Councillors can provide up to date information to constituents regarding changes in CHA policy; and be it further

RESOLVED: That the City Council requests that these future meeting not be held on Monday nights - which would preclude the Councillors from attending; and be it further

RESOLVED: That the City Council requests a report on the "Move to Work" program, and would also like to be informed of what changes have been to this program from the time it was launched to the present day; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to the Executive Director of the Cambridge Housing Authority on behalf of the entire City Council.