

## **RECONSIDERATION**

1. Task Force Transparency. RECONSIDERATION FILED BY COUNCILLOR ZONDERVAN ON MAR 9, 2021

## **CITY MANAGER'S AGENDA**

1. A communication transmitted from Louis A. DePasquale, City Manager, relative to an update on the COVID-19 vaccination rollout.

## **ON THE TABLE**

1. Resolution on the death of William Leeds. [TABLED BY COUNCILLOR SIMMONS IN COUNCIL JAN 11, 2021]
2. Vaccinating CPS Staff Plan PO. [TABLED IN COUNCIL FEB 3, 2021]
3. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 20-64, requesting Home Rule language to allow for acoustic live entertainment performances in small businesses under certain conditions without a license. [TABLED IN COUNCIL FEB 22, 2021]
4. An application was received from TD Bank, requesting permission for 4 (four) awnings at the premises numbered 617 Massachusetts Avenue. Approval has been received from Inspectional Services, Department of Public Works, Community Development Department and abutters. [TABLED BY COUNCILLOR NOLAN IN COUNCIL MAR 8, 2021]
5. Health & Environment Committee - Committee Meeting - Oct 13, 2020 3:00 PM
6. The Health and Environment Committee met on Nov 10, 2020 to continue discussing amending the Tree Protection Ordinance based on the findings of the Urban Forest Master Plan Task Force. [TABLED IN COUNCIL MAR 8, 2021 BY COUNCILLOR ZONDERVAN]

## **UNFINISHED BUSINESS**

7. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 18-108, regarding a report on offering early voting in City Council and School Committee Elections. [PENDING RESPONSE FROM LEGISLATURE]
8. A Zoning Petition has been received from Arvind Srinivasan regarding zoning language relative to the Alewife Quadrangle Northwest overlay. [PASSED TO A 2nd READING IN COUNCIL MAR 1, 2021; TO BE ORDAINED ON OR AFTER MAR 15, 2021]

## **APPLICATIONS AND PETITIONS**

1. An application was received from Bridgette Morris representing TD Bank, requesting permission for a projecting flag mount sign at the premises numbered 1270 Massachusetts Avenue approval has been received from Inspectional Services, Department of Public Works, Community Development Department and abutters response proof of mailing has been received.

2. A petition was received from Massachusetts Institute of Technology, requesting permission for a temporary banner hung across the public way located at JFK at Mount Auburn Street, from Mar 22, 2021 through Apr 19, 2021.

## **COMMUNICATIONS**

1. A communication was received from Robert J. La Tremouille, regarding a private ramp to MIT sold as a Bike Path with major arm to Cambridge.
2. A communication was received from Jeffrey M. Feuer, Esq. of the National Lawyers Guild, Massachusetts Chapter, regarding Restricting Use of Chemical Riot Control Agents and Kinetic Impact Projectiles.

## **RESOLUTIONS**

1. Congratulations to Natalie Kostich. Councillor Simmons
2. Retirement of Jeanette Clough from Mount Auburn Hospital. Vice Mayor Mallon
3. Resolution on the death of Thomas M. Higgins. Councillor Toomey
4. Resolution on the death of John Costa Feitor. Councillor Toomey

## **ORDERS**

1. That the City Manager be and hereby is requested to confer with the Department of Public Works, the Economic Development Division of the Community Development Department, the Budget Department, Cambridge Table to Farm, the local Business Associations, the Massachusetts Department of Agricultural Resources, and other relevant groups to explore the feasibility of creating a Commercial Composting Pilot Program to serve at least 100 small businesses with fewer than fifty employees. Vice Mayor Mallon, Mayor Siddiqui, Councillor Toomey, Councillor Nolan
2. That the City Manager be and hereby is requested to direct the Historical Commission to initiate a process to begin chronicling the rich and vibrant history of people of color in Cambridge, similar to other City-commissioned books such as "We Are the Port: Stories of Place, Perseverance, and Pride in the Port/Area 4 Cambridge, Massachusetts 1845-2005" and "All in the Same Boat" and "Crossroads: Stories of Central Square, Cambridge, Massachusetts 1912-2000". Councillor Simmons
3. That the City Manager be and hereby is requested to direct the Purchasing Department to provide a report detailing the City's annual stationary expenditures, what percentage of that budget is spent at local retailers, and whether this percentage can be increased during the Covid-19 crisis. Councillor Simmons
4. Student Loan Crisis. Councillor Nolan, Mayor Siddiqui, Councillor Sobrinho-Wheeler, Councillor Zondervan
5. That the City Manager be and is hereby requested to work with the Massachusetts Department of Conservation and

- Recreation (DCR) to open Riverbend Park before the end of March and on other days in addition to Sundays, and explore the feasibility of extending Riverbend Park to the BU Bridge and beyond. Councillor Nolan, Mayor Siddiqui, Councillor Sobrinho-Wheeler, Councillor Zondervan
6. Ending the U.S. embargo on Cuba. Councillor Nolan, Councillor Sobrinho-Wheeler, Councillor Carlone, Councillor Zondervan
  7. Thank You to My Brother's Keeper Cambridge. Mayor Siddiqui
  8. Order to amend the Municipal Code of the City of Cambridge to insert new section Restricting the Use of Chemical Crowd Control Agents and Kinetic Impact Projectiles. Councillor Sobrinho-Wheeler, Councillor Carlone, Councillor Nolan, Councillor Zondervan
  9. That the City Manager be and hereby is requested to re-implement capacity restrictions on indoor dining to ensure the safety of restaurant workers, diners, and Cambridge residents until widespread vaccination of the general public is achieved in the coming weeks. Councillor Zondervan, Councillor Carlone, Councillor Sobrinho-Wheeler

#### **COMMUNICATIONS & REPORTS FROM CITY OFFICERS**

1. A communication was received from Mayor Siddiqui, Communicating information from the School Committee.
2. A communication was received from Mayor Siddiqui, transmitting questions for the City Manager's COVID-19 update.

#### **HEARING SCHEDULE (via TV and Zoom)**

##### **Mon, Mar 15**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Tues, Mar 16**

3:00pm The Government Operations, Rules and Claims Committee will meet to discuss the initial steps that must be undertaken to establish the search process for the next City Manager. (Sullivan Chamber)

##### **Mon, Mar 22**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, Mar 29**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, Apr 5**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, Apr 12**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, Apr 26**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, May 3**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, May 10**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, May 17**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, May 24**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, June 7**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, June 14**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, June 21**

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, June 28**

5:30pm City Council Meeting (Sullivan Chamber)

#### **TEXT OF ORDERS**

O-1 Mar 15, 2021

VICE MAYOR MALLON

MAYOR SIDDIQUI

COUNCILLOR TOOMEY

COUNCILLOR NOLAN

WHEREAS: Food waste presents a serious environmental problem when organic matter is thrown out, as decomposing food waste that ends up in landfills [releases methane that is 25 times more efficient at trapping heat](#) as a greenhouse gas than carbon dioxide; and

WHEREAS: Composting food waste is a greener alternative that [could eliminate roughly 5,300 tons of carbon dioxide equivalent emissions](#) per year if 100 mid-sized, sit-down restaurants participated in it; and

WHEREAS: Many other municipalities across the country, including [San Francisco](#), Denver, and [Portland, Oregon](#) have created commercial food waste composting programs to divert all organic waste from trash waste streams, and Cambridge could develop a similar commercial composting program for small businesses with fewer than 50 employees, with the potential to expand to larger businesses if successful; and

WHEREAS: By helping restaurants save on trash fees, redirecting food waste from landfills, offering local farms in need of sustainable alternatives to industrial fertilizer, and allowing us to easily track the amount of diverted food waste, a Commercial Composting Pilot Program would simultaneously support our small business community and local farmers while reducing the City's environmental footprint; and

WHEREAS: Implementing a Commercial Composting Pilot Program would align with the [Envision Cambridge goals](#) of "[minimizing] waste generation and [eliminating] landfill waste," and "[ensuring] local businesses of different types, sizes, and growth stages are able to start, grow, and remain in Cambridge"; and

WHEREAS: This Commercial Composting Pilot Program should be designed and marketed with an eye towards creating equitable opportunities for small businesses, especially those owned by minorities, women, or other historically disadvantaged groups; and

WHEREAS: As this program will likely have budget implications similar to [the 2018 Small Business Recycling Pilot](#), this possibility should be examined before the next fiscal year begins; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Department of Public Works, the Economic Development Division of the Community Development Department, the Budget Department, [Cambridge Table to Farm](#), the local Business Associations, the Massachusetts Department of Agricultural Resources, and other relevant groups to explore the

feasibility of creating a Commercial Composting Pilot Program to serve at least 100 small businesses with fewer than fifty employees; and be it further  
ORDERED: That the City Manager report back to the City Council as soon as possible.

O-2 Mar 15, 2021

COUNCILLOR SIMMONS

WHEREAS: Over the years, the City's Historical Commission has engaged in numerous efforts to compile and publish oral histories of the people of Cambridge from a variety of different societal perspectives, including capturing the histories of [different neighborhoods](#), different ethnicities, and of specific [significant historical events](#); and

WHEREAS: One important aspect of this vibrant history that the City should also be striving to capture is that of the Black people, personalities, and experiences who have so enriched our community over the generations, and the compiling of this history could and should be a first step towards compiling the local histories of the many and various under-documented histories among us; now therefore be it

ORDERED: That the City Manager be and hereby is requested to direct the Historical Commission to initiate a process to begin chronicling the rich and vibrant history of people of color in Cambridge, similar to other City-commissioned books such as "[We Are the Port: Stories of Place, Perseverance, and Pride in the Port/Area 4 Cambridge, Massachusetts 1845-2005](#)" and "[All in the Same Boat](#)" and "[Crossroads: Stories of Central Square, Cambridge, Massachusetts 1912-2000](#)"; and be it further

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

O-3 Mar 15, 2021

COUNCILLOR SIMMONS

WHEREAS: As the Covid-19 pandemic reaches the one-year mark, the negative impact upon our local businesses has been unmistakable; and

WHEREAS: In working to help local businesses weather this difficult period, the City has implemented a number of measures, including [establishing small business grants](#) and contracting with [restaurants to provide meals to our local shelters](#); and

WHEREAS: The City may also wish to make a point of purchasing stationary as much as possible from local retailers for all official City uses until such time as the economic crisis has passed; now therefore be it

ORDERED: That the City Manager be and hereby is requested to direct the Purchasing Department to provide a report detailing the City's annual stationary expenditures, what percentage of that budget is spent at local retailers, and whether this percentage can be increased during the Covid-19 crisis; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on this matter within 30 days.

O-4 Mar 15, 2021

COUNCILLOR NOLAN

MAYOR SIDDIQUI

COUNCILLOR SOBRINHO-WHEELER

COUNCILLOR ZONDERVAN

WHEREAS: The student loan crisis is impacting [nearly 1 in 5 Americans](#); and

WHEREAS: Black, Latinx, Indigenous, Asian and Pacific Islander, and other communities of color, low-income residents, and young adults are most impacted by student debt; and

WHEREAS: Cancelling student loan debt and eliminating debt in higher education represents an enormous economic opportunity to increase spending in local communities including Cambridge, support individuals' upward mobility, and provide a deeply needed stimulus during the pandemic; and

WHEREAS: In 2012, the Cambridge City Council [unanimously supported a resolution](#) calling on Congress to pass "Stop the Student Loan Interest Rate Hike Act of 2012," noting the many students in Cambridge and the extreme burden that a interest rate hike would have on residents; and

WHEREAS: Since 2012, the amount of student loan [debt owed](#) in America has grown by nearly \$1 trillion; and

WHEREAS: Student debt cancellation is only one step toward the establishment of an equitable, accessible higher education system; now therefore be it

RESOLVED: That the City Council go on record supporting Senator Warren's "Higher Education Act," which outlines the President's authority to cancel student loans, and directly ask President Biden to enact a plan by the end of President Biden's first 100 days in office to cancel all student loan debt; and be it further

ORDERED: That a copy of this resolution be sent to members of Cambridge's Congressional delegation.

O-5 Mar 15, 2021

COUNCILLOR NOLAN

MAYOR SIDDIQUI

COUNCILLOR SOBRINHO-WHEELER

COUNCILLOR ZONDERVAN

WHEREAS: Spending time outdoors has been [proven](#) to improve mental and physical health and has been deemed a lower-risk activity during the pandemic; and

WHEREAS: Riverbend Park was an extremely popular place for residents to get access to space last summer and fall when it was open on Saturdays and Sundays; and

WHEREAS: The Council has passed [numerous orders](#) asking for the City to work with DCR to open Riverbend Park; and

WHEREAS: Riverbend Park is scheduled to open on the second to last Sunday of April per state law and remain open on Sundays; and

WHEREAS: Riverbend Park was heavily used on Saturday's last year as well; now therefore be it

ORDERED: That the City Manager be and is hereby requested to work with the Massachusetts Department of Conservation and Recreation (DCR) to open Riverbend Park before the end of March and on other days in addition to Sundays, and explore the feasibility of extending Riverbend Park to the BU Bridge and beyond.

O-6 Mar 15, 2021

COUNCILLOR NOLAN

COUNCILLOR SOBRINHO-WHEELER

COUNCILLOR CARLONE

COUNCILLOR ZONDERVAN

WHEREAS: Since Mar 14, 1958, the United States has maintained a trade embargo on Cuba; and

WHEREAS: On Dec 17, 2014, U.S. President Barack Obama and Cuban President Raul Castro executed an agreement to reestablish diplomatic relations and cooperation, but despite executive decisions by President Obama easing some restrictive regulations, the main portions of the embargo affecting trade and travel continue in force; and

WHEREAS: Full restoration of trade and travel between the two countries would be of benefit to both, particularly in the areas of food production, economic opportunity, education, health care, tourism, the arts, music, and sports, along with medical and biotechnological research; and

WHEREAS: The City Council in October of 2020 [recognized](#) that Cuba's response to Covid19 had lessons for the U.S. and asked the federal and state governments and pharmaceutical industries to work with Cuba; and

WHEREAS: The current United States policy toward Cuba is a special manifestation of harshness which is harmful to those with ties to Cuba, and especially hard on families in both Cuba and in the Cuban-American community in the U.S.; now therefore be it

RESOLVED: That City Council go on record calling for the immediate restoration of engagement with the Republic of Cuba as initiated by President Barack Obama; and be it further

RESOLVED: That the United States Congress is urged to promulgate and pass legislation that will finally end the unsuccessful and harmful 59-year old economic, financial and commercial embargo, as well as the travel restrictions on U.S. citizens and residents to Cuba, and Cuban citizens to the United States; and be it further

ORDERED: That suitable copies of this resolution be sent to Cambridge's Congressional Delegation.

O-7 Mar 15, 2021

MAYOR SIDDIQUI

WHEREAS: The Cambridge City Council is proud to highlight organizations who display exemplary leadership and those who represent the spirit of the Cambridge community; and

WHEREAS: On Sun, Mar 7, 2021, My Brother's Keeper Task Force Cambridge worked with the Tufts School of Medicine and the Cambridge Health Alliance to hold the first of a series of COVID-19 vaccine clinics at the Cambridge Community Center; and

WHEREAS: Over 100 Cambridge residents received their first dose of the Moderna COVID-19 vaccine and are scheduled to receive their second dose on Apr 3, 2021; and

WHEREAS: Through the leadership of My Brother's Keeper Cambridge, many residents lacking access to vaccination appointments were able to receive their first dose; now therefore be it

RESOLVED: That the City Council go on record thanking My Brother's Keeper Task Force Cambridge for going above and beyond in their service to the Cambridge community; and be it further

RESOLVED: That the City Clerk be and is hereby requested to forward a suitably engrossed copy of this resolution to My

Brother's Keeper Task Force Cambridge on behalf of the entire City Council.

O-8 Mar 15, 2021

COUNCILLOR SOBRINHO-WHEELER

COUNCILLOR CARLONE

COUNCILLOR NOLAN

COUNCILLOR ZONDERVAN

WHEREAS: The use of tear gas and other chemical weapons in warfare has been prohibited by international law since the 1925 Geneva Protocol banned its use along with other chemical weapons; and

WHEREAS: Tear gas continues to be used against civilians in the United States, including as recently as this year against protesters in [Boston](#), [Philadelphia](#), and [Washington D.C.](#); and

WHEREAS: Exposure to tear gas can and other crowd control weapons can cause harmful effects immediate chemical burns, allergic reactions, and respiratory failure in people with preexisting respiratory conditions like as asthma and chronic obstructive pulmonary disease (COPD) [according to the American Lung Association](#); and

WHEREAS: [According to the Centers for Disease Control](#), long-term effects of tear gas can include glaucoma, cataracts, and breathing problems such as asthma; and

WHEREAS: Tear gas is not included in the Cambridge Police Department's list of Approved Less-Than-Lethal weapons in its current [Policy & Procedures](#) document; and

WHEREAS: The Cambridge Police Department has not utilized tear gas in any capacity over the past 30 years, the Cambridge Police Department's administration specifically prohibits the use of tear gas, Police Commissioner Branville Bard worked to ensure that all tear gas in the department was disposed of upon his taking the role as Police Commissioner, and the City Council wishes to do everything in its power to ensure that tear gas is never utilized by the Police Department in the future; and

WHEREAS: There was discussion in Council on codifying the police department actions to strengthen the existing policy on tear gas use through ordinance; and

WHEREAS: As civilians continue to be tear gassed at protests for racial justice around the country, the Cambridge City Council should seek to codify in law the City's prohibition on the use of this chemical weapon to ensure the permanency of current policy in Cambridge and to demonstrate a model for other municipalities; now therefore be it

WHEREAS: As civilians continue to be tear gassed at protests for racial justice around the country, the Cambridge City Council should seek to codify in law the City's prohibition on the use of this chemical weapon to ensure the permanency of current policy in Cambridge and to demonstrate a model for other municipalities; now therefore be it

ORDERED: That the Municipal Code of the City of Cambridge be amended to insert the following new section:

**XXXX: RESTRICTING THE USE OF CHEMICAL CROWD CONTROL AGENTS AND KINETIC IMPACT PROJECTILES**

**(a) PURPOSE**

The purpose of this Ordinance is to restrict the use of chemical crowd agents and kinetic impact projectiles in order to protect residents of Cambridge from the indiscriminate, dangerous, and even fatal impacts of such devices, especially during lawful



protests and/or demonstrations. These devices can have significant impacts on both the physical and mental well-being of residents that choose to exercise their First Amendment rights by participating in demonstrations, as well as innocent bystanders.

**(b) DEFINITIONS**

1. *Cambridge Police Officers* shall mean all cadets, patrolmen, officers, detectives, and superintendents of the Cambridge Police Department.
2. *CPD* shall mean the Cambridge Police Department.
3. *Other Law Enforcement Officers* shall mean any law enforcement officers who are not Cambridge Police Officers but who are under the control, authority, or direction of Cambridge Police Officers.
4. *Kinetic Impact Projectile* shall mean an item or instrument fired from a gun or launcher intended to disorient and/or incapacitate and inflict pain without penetrating the skin, including, but not limited to, rubber bullets, sponge grenades, stun grenades, concussion grenades, flash grenades or flash-bangs, beanbag rounds, Super-Sock rounds, wax bullets, and plastic bullets.
5. *Chemical Crowd Control Agent* shall mean chemical compounds in any form that cause irritation to the eyes, mouth, throat, lungs, or skin, including, but not limited to, tear gas, pepper spray, mace, inert smoke, pepper pellets, and pepper balls. These chemical compounds may include, but are not limited to, chloroacetophenone (CN), chlorobenzylidenemalononitrile (CS), chloropicrin (PS), bromobenzylcyanide (CA), dibenzoxazepine (CR), oleoresin capsicum (OC), and combinations thereof.

**(c) RESTRICTION ON THE USE OF CHEMICAL CROWD CONTROL AGENTS AND KINETIC IMPACT PROJECTILES**

1. Cambridge Police Officers and Other Law Enforcement Officers working in the City of Cambridge shall not use a Chemical Crowd Control Agent against any person or persons engaged in a protest, demonstration, or other gathering of more than ten persons of any kind.
2. Cambridge Police Officers and Other Law Enforcement Officers working in the City of Cambridge shall not use a Kinetic Impact Projectile against any person or persons engaged in a protest, demonstration, or other gathering of any kind involving more than ten persons, subject to the exceptions set forth in Paragraph 3 below.
3. Exceptions and Exemptions on use of a Kinetic Impact Projectile:
  - a. Kinetic Impact Projectiles may be deployed if:
    - i. an on-scene supervisor at the rank of Captain or higher specifically authorizes such use in response to specific ongoing acts of violence that the on-scene supervisor has personally witnessed, and has determined that such acts cannot be controlled or quelled through any other methods, and has determined that no other reasonable methods of de-escalation will be successful in preventing or controlling such acts.
    - ii. the on-scene supervisor witness who authorizes such use, or an officer of equal or higher rank, has given at least two separate verbal warnings over a loudspeaker system, including, but not limited to, a vehicle P.A. system or an amplified bullhorn, (a) directing the persons involved in the gathering to disperse, after ensuring that people have a way

to exit after a warning is issued, (b) notifying all who could be affected that a failure to disperse will result in the use of a specific Kinetic Impact Projectile that must be announced, and c) notifying all who could be affected that the specific Kinetic Impact Projectile will be deployed within a clearly defined period of time.

**(d) ENFORCEMENT**

1. The Cambridge Police Department shall take appropriate steps to implement this Ordinance forthwith, including, but not limited to, (1) by posting a copy of this Ordinance in a prominent and visible location in all police stations within the city of Cambridge, (2) notifying all other law enforcement agencies that may operate within the City of Cambridge about this Ordinance and supplying a copy of the Ordinance to each of said agencies, and (3) by incorporating the limitations on the use of force set forth in Section (c) of this Ordinance into officer training regarding the use of less lethal and non-lethal force in policing.
2. Any violation of this Ordinance constitutes an injury and any person may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce this Ordinance. An action instituted under this paragraph shall be brought against the City of Cambridge and, if necessary to effectuate compliance with this Ordinance, any other governmental agency subject to this Ordinance.
3. In any civil or criminal action brought under any state or federal statute or constitutional provision arising out of the use of force by any law enforcement officer within the City of Cambridge, the prohibition contained in Section (c) of this Ordinance shall be deemed to be the clearly established law of the City of Cambridge, and any violation of that prohibition shall be considered unlawful.
4. Any person injured or harmed as a result of a violation of this Ordinance may bring an action in any court of competent jurisdiction seeking damages, reasonable attorneys' fees, court costs, and any other relief that the court may deem appropriate. A prevailing plaintiff injured or harmed by a violation of this Ordinance shall be entitled to recover damages in the amount of three times their actual damages. Nothing in this section shall be construed to limit any individual's rights under State or Federal law.
5. Any violation of this Ordinance by any Cambridge Police Officer shall constitute just cause for such discipline, up to and including discharge, as the Police Commissioner of the City of Cambridge may deem appropriate.
6. All violations of this Ordinance by any Cambridge Police Officer shall be reported in writing, including the names of the offending Cambridge Police Officers or other law enforcement officer, to all City of Cambridge government agencies and departments which have any oversight responsibilities for the Cambridge Police Department, and to all state agencies which have any oversight responsibilities for law enforcement agencies or departments. Such reports shall be a matter of public record to be published at least yearly by the City of Cambridge and all such reports shall be made freely available upon request by any member of the public.

**(e) SEVERABILITY**

1. If any portion or provision of this ordinance is declared invalid or unenforceable by a court of competent jurisdiction or by the

Office of the Attorney General, the remaining provisions shall continue in full force and effect.

**(f) EFFECTIVE DATE**

The provisions of this ordinance, being necessary for the preservation of the safety, health, and security of the public, shall be effective immediately upon passage.

O-9 Mar 15, 2021

COUNCILLOR ZONDERVAN

COUNCILLOR CARLONE

COUNCILLOR SOBRINHO-WHEELER

WHEREAS: COVID-19 new cases per day have stabilized at dangerous levels and even slightly increased after declining from a peak in early January 2021; and

WHEREAS: There continues to be a significant disparity in both case and death rates between Black and white residents of Cambridge; and

WHEREAS: Cambridge followed Governor Baker's lead in [reopening](#) to a modified version of Phase 3, Stage 2 of the statewide reopening plan as of Mar 1, 2021, with plans to further reopen on Mar 22, 2021 including large indoor performance venues; and

WHEREAS: At their Feb 17, 2021 meeting, the Expert Advisory Panel [discussed](#) how to communicate the "looming risk" of a variant surge associated with severe disease in higher risk groups by stating that in order to maintain the same risk level they have right now, people will need to take more precautions; and

WHEREAS: New COVID-19 variants that have [emerged](#) are [more](#) infectious and deadly than the original virus, and some are even able to reduce the efficacy of the new vaccines; and

WHEREAS: A [study](#) published by the CDC on Mar 5, 2021 concluded that "policies that require universal mask use and restrict any on-premises restaurant dining are important components of a comprehensive strategy to reduce exposure to and transmission of SARS-CoV-2"; and

WHEREAS: Both CDC Director Rochelle Walensky and Dr. Anthony Fauci have [stressed](#) to Governors and the public on numerous occasions that moving too fast to ease limits [could undo](#) progress in the effort to limit transmission; and

WHEREAS: Somerville [remains](#) in a limited version of Phase 3, Step 1 which includes 25% capacity restrictions for indoor dining and no plans to open large venues; and

WHEREAS: The state's vaccine distribution rollout has been a disappointment and so far only about [10%](#) of the state's population has been fully vaccinated, with a lower vaccine uptake among vulnerable communities due to the same structural issues that drive up COVID19 rates in these communities in the first place; and

WHEREAS: Reopening large indoor performance venues at 50% capacity would allow for indoor gatherings of potentially hundreds of people in some spaces where alcohol consumption is permitted; now therefore be it

ORDERED: That the City Manager be and hereby is requested to reverse his decision to open large indoor performance venues on Mar 22, 2021 until widespread vaccination of the general public is achieved in the coming weeks and adequate safety guidance can be implemented to protect workers, performance goers, and Cambridge residents ; and be it further

ORDERED: That the City Manager be and hereby is requested to re-implement capacity restrictions on indoor dining to ensure the safety of restaurant workers, diners, and Cambridge residents until

widespread vaccination of the general public is achieved in the coming weeks; and be it further

RESOLVED: That the City Council go on record renewing its desire for data and scientific research to drive pandemic decision making in Cambridge.