

## RECONSIDERATION

1. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Sam Seidel and Councillor Timothy J. Toomey, Co-Chairs of the Government Operations and Rules Committee, for a meeting held on Mar 25, 2010 for the purpose of discussing dividing the Health and Environment Committee into two committees, one to focus on health issues and the other on environmental and sustainability issues.

## 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, 2010:  
Paul M. Burke, Jr. (Without Power)  
Hisham Hegazy (With Power)
2. Transmitting communication from Robert W. Healy, City Manager, relative to the appointment of Gerald A. McCue as a member of the Board of Trustees of the Cambridge Health Alliance representing Somerville for a term to conclude June 30, 2011. [Mr. McCue is a long-time Somerville resident who has a strong background in finance and has worked in many municipal settings. Currently, he serves as the Executive Director for Administration and Finance for the Chelsea Public Schools system.]
3. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of \$2,913,225.00 to the Grant Fund Human Service Programs Salary and Wages account (\$94,248.00) and to the Department of Human Service Programs Other Ordinary Maintenance account (\$2,818,977.00) from the U.S. Department of Housing and Urban Development (HUD) under the Stewart B. McKinney Homeless Assistance Act and will be used to contracted with Homeless Services Providers and cover the costs related to serving homeless persons in Cambridge. Funds will also be used to cover grant administrative costs.
4. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-67, regarding a report on the status of the property at 74-76 Lexington Avenue.
5. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-54, regarding a report on parking in the area of Police Headquarters.
6. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-21, regarding a report on implementing a CitiStat type system for tracking police and criminal activity.
7. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-58, regarding a report on alternatives to the orange barrels at the entrance to the Main Library.
8. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation and authorization to borrow \$5,250,000 to continue sewer projects in the Harvard Square, Cambridgeport, and Alewife Watershed areas of the City.
9. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation and authorization to borrow \$700,000 to provide funds to

replace the existing artificial turf on the soccer field at Danehy Park as well as resurfacing the 400 meter running track.

10. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation and authorization to borrow \$2,000,000 to provide funds to fund the reconstruction of JFK Street between Eliot and Brattle Streets.
11. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation and authorization to borrow \$2,500,000 to provide funds to fund the first phase of the reconstruction of the Harvard Square Tunnel (Cambridge Street Underpass).
12. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation and authorization to borrow \$500,000 to provide funds to fund the design of the restoration of the Kendall Square area on Main Street between Broadway and Ames Street.
13. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation and authorization to borrow \$1,500,000 to provide funds for improvements to several City buildings including the East Cambridge and Inman Square Fire Stations, Ryan Garage at Public Works, Central Square Library, and several elementary schools.
14. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-62, regarding posting information on the MassSAVE program on the City's website.
15. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-68, regarding a report on the location of the strip of land in Cambridge and Belmont to be acquired by DCR.

## 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.]

## APPLICATIONS AND PETITIONS

1. An application was received from East Side Bar and Grille, requesting permission for ice cream cart in front of the premises numbered 561 Cambridge Street.
2. Constable bond received from Patricia Breen for approval of the surety.

## COMMUNICATIONS

1. A communication was received from Peter Valentine, regarding faulted parental power.

2. A communication was received from Stephen H. Kaiser, regarding the response to the City Manager's Letter of May 3, 2010 on flooding.
3. A communication was received from Reverend Lilia Cuervo, transmitting gratitude and appreciation to the City Council for the congratulatory and welcoming resolution as the Associate Minister at First Parish and a new citizen of the City of Cambridge.

## RESOLUTIONS

1. Congratulations to Chef Jody Adams of the Rialto Restaurant as she competes on the Bravo television show "Top Chef Masters." Mayor Maher
2. Recognize May as Amyotrophic Lateral Sclerosis (ALS) Awareness Month. Mayor Maher
3. Congratulations to Hibo Mohamed Abdi on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
4. Congratulations to Zaeed Abu-Rubieh on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
5. Congratulations to Isabel Atunes on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
6. Congratulations to Mykaliah Best on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
7. Congratulations to Nancy Flores on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
8. Congratulations to Natacha Labery on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
9. Congratulations to Alyson Laliberte on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
10. Congratulations to Olivier Pierre on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
11. Congratulations to Umbareen Shah on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
12. Congratulations to Raisa Sheikh on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
13. Congratulations to Cassandra Sousa on passing the Massachusetts Department of Public Health written and performance test for the position of Certified Nursing Assistant (CNA). Mayor Maher
14. Congratulations to Nitin Nohria on being named Dean of the Harvard Business School. Mayor Maher
15. Congratulations to Styleta, Inc. for their excellent online high fashion charity work. Councillor Cheung
16. Congratulations to Four Stories for their work in bringing people together to think drink, hear stories, trade tales, etc. Councillor Cheung
17. Thanks to all nurses who provide care to the community. Councillor Cheung
18. Congratulations to Diane Norris on showcasing her work entitled "Glacier" at the Sacramento Street Gallery. Councillor Cheung
19. Congratulations to Healthy Families of Cambridge for their work in helping young, first-time parents build positive relationships with their children. Councillor Cheung
20. Congratulations to the Phillips Brooks House Association and the Faculty of Arts and Sciences Green Team on their weatherproofing of the Phillips Brooks House on May 2, 2010. Councillor Cheung, Councillor Reeves
21. Congratulations to the students who have been elected to The Coop Board of Directors. Councillor Cheung
22. Best wishes to Patrick Lee on the opening of his new restaurant Russell House Tavern. Councillor Decker
23. Congratulations to the Margaret Fuller Neighborhood House on its 200th Anniversary. Councillor Seidel
24. Congratulations to Jenna Lovette Spencer on being awarded the Princeton Prize in Race Relations. Councillor Decker
25. Congratulations to Elizabeth Cadigan on being appointed the new Senior Vice President and Chief Nursing Officer of the Cambridge Health Alliance. Councillor Decker
26. Best wishes to Susan and Fred Linden on being accepted into the Peace Corps. Councillor Decker
27. Resolution on the death of Sergeant Anthony O. Magee. Councillor Decker
28. Resolution on the death of Sergeant Keith A. Coe. Councillor Decker
29. Resolution on the death of Sergeant Ralph Mena. Councillor Decker
30. Thanks to Bill Doncaster for his work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
31. Thanks to Dr. Carolyn Turk for her work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
32. Thanks to John DiGiovanni for his work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
33. Thanks to Lilian Hsu for her work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
34. Thanks to Samuel Gebru for his work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
35. Thanks to Carol Weinhaus for her work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
36. Thanks to Denise Jillson for her work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
37. Thanks to John Stauffer for his work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
38. Thanks to Marty Blatt for his work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
39. Thanks to Sarah Burks for her work on the Prince Hall Memorial Artist Selection Committee. Councillor Simmons
40. Thanks to James Rafferty for his work on the Development Committee of the Prince Hall Memorial. Councillor Simmons
41. Thanks to Michael Guleserian for his work on the Prince Hall Memorial Event Planning Committee. Councillor Simmons
42. Thanks to Nicola Williams for her work on the Development Committee of the Prince Hall Memorial. Councillor Simmons
43. Thanks to Timothy Rowe for his work on the Development Committee of the Prince Hall Memorial. Councillor Simmons
44. Thanks to Jeffrey Lockwood for his work on the Development Committee of the Prince Hall Memorial. Councillor Simmons
45. Thanks to Marvin Gilmore for his work in the Prince Hall Committee. Councillor Simmons
46. Thanks to Sean Hope for his work on the Development Committee of the Prince Hall Memorial. Councillor Simmons
47. Thanks to Carolyn Mugar for her donation to the Prince Hall Memorial. Councillor Simmons

48. Thanks to Bill Doncaster for his work on the Prince Hall Memorial Event Planning Committee. Councillor Simmons
49. Thanks to Kelly Thompson Clarke for her work on the Prince Hall Memorial Event Planning Committee. Councillor Simmons
50. Thanks to Rosaleah Brown for her work on the Prince Hall Memorial Event Planning Committee. Councillor Simmons
51. Thanks to Denise Jillson for her work on the Prince Hall Memorial Event Planning Committee. Councillor Simmons
52. Thanks to Michael Guleserian for his work on the Prince Hall Memorial Event Planning Committee. Councillor Simmons
53. Thanks to Alan Jones for his work on the Prince Hall Memorial Event Planning Committee. Councillor Simmons
54. Thanks to Bill Doncaster for his work on the Prince Hall Memorial Committee. Councillor Simmons
55. Thanks to David R. Phillips for his work on the Prince Hall Memorial Committee. Councillor Simmons
56. Thanks to Earl Cole Jr. for his work on the Prince Hall Memorial Committee. Councillor Simmons
57. Thanks to Ethelbert Onyeokoro for his work on the Prince Hall Memorial Committee. Councillor Simmons
58. Thanks to Hollie Moultrie for her work on the Prince Hall Memorial Committee. Councillor Simmons
59. Thanks to James Young III for his work on the Prince Hall Committee. Councillor Simmons
60. Thanks to Josephine Bartie for her work on the Prince Hall Memorial Committee. Councillor Simmons
61. Thanks to Lawrence Adkins for his work on the Prince Hall Memorial Committee. Councillor Simmons
62. Thanks to Leslie Lewis for her work on the Prince Hall Memorial Committee. Councillor Simmons
63. Thanks to Marilyn Richardson for her work on the Prince Hall Memorial Committee. Councillor Simmons
64. Thanks to Marty Blatt for his work on the Prince Hall Memorial Committee. Councillor Simmons
65. Thanks to Raymond T. Coleman for his work on the Prince Hall Committee. Councillor Simmons
66. Thanks to Richard K. Fields for his work on the Prince Hall Committee. Councillor Simmons
67. Thanks to Bernadette Williams for her work on the Prince Hall Memorial Event Planning Committee. Councillor Simmons
68. Thanks to Charles Ogletree for his work on the Prince Hall Memorial Committee. Councillor Simmons
69. Thanks to Dr. Carolyn Turk for her work on the Prince Hall Memorial Committee. Councillor Simmons
70. Thanks to Ernie Pearlstein for his work on the Prince Hall Memorial Committee. Councillor Simmons
71. Thanks to Harry Orcutt for his work on the Prince Hall Memorial Committee. Councillor Simmons
72. Thanks to Howard Winkler for his work on the Prince Hall Memorial Committee. Councillor Simmons
73. Thanks to Jason Weeks for his work on the Prince Hall Memorial Committee. Councillor Simmons
74. Thanks to Kenneth Heidelberg for his work on the Prince Hall Memorial Committee. Councillor Simmons
75. Thanks to Leroy L. Cragwell for his work on the Prince Hall Committee. Councillor Simmons
76. Thanks to Lynette Tyler for her work on the Prince Hall Memorial Committee. Councillor Simmons
77. Thanks to Mark Orent for his work on the Prince Hall Memorial Committee. Councillor Simmons
78. Thanks to Nicola Willams for her work on the Prince Hall Committee. Councillor Simmons

79. Thanks to Red T. Mitchell for his work on the Prince Hall Memorial Committee. Councillor Simmons
80. Thanks to William Dandridge for his work on the Prince Hall Memorial Committee. Councillor Simmons

## ORDERS

1. That the City Manager is requested to report back to the City Council on the status of the Healthy Parks and Playgrounds Advisory Committee. Vice Mayor Davis
2. That the City Manager is requested to confer with the City Solicitor and report back to the City Council with a review of current tree-related ordinances, state statutes, and informal policies. Councillor Kelley and Councillor Cheung
3. That the City Council reaffirm its position, as stated in its Policy Order Resolution of June 22, 2009, opposing any conversion of 303 Third Street from condominiums to rental housing, supporting the remedy of specific performance for the plaintiffs, which will also result in the availability for purchase, rather than rent, of 22 units of affordable housing in the building, and improve the stability and character of Kendall Square by bringing more owner-occupied housing to the area. Councillor Toomey
4. That the City Manager is requested to determine with due consideration for, among other things, return on investment, to what extent it is reasonable to not participate in any business activities substantially connected with the State of Arizona, municipalities in Arizona, and other business entities in Arizona or conducting substantial business in Arizona. Councillor Decker
5. That the City Manager is requested to confer with appropriate City staff and report back to the City Council with procedures and standards around hearings, including the process for appeals, standard policies for taking minutes or recording the meeting, resident notification policies before and after meetings, and norms by which meetings shall be held. Councillor Cheung, Councillor Simmons and Councillor Kelley
6. That the City Manager is hereby requested to confer with the appropriate department heads and commissions and report back to the City Council with legislation that the City Council can vote on that includes a proposed ordinance change to allow residents to purchase permits to barbeque on public land. Councillor Cheung
7. That the City Manager is requested to confer with the appropriate department heads and commission heads to develop a standard set of resources, facility privileges, tools, and barebones operating budget the unfunded commissions may use in their work of enacting Council policy. Councillor Cheung
8. That the City Manager is requested to confer with the Information Technology Department on the options available to implement a barcode system on dedication signs which would access the location's history by pointing a smartphone camera and report back to the Government Operations Committee. Councillor Cheung and Councillor Seidel
9. That the City Manager is requested to confer with the appropriate department heads on how the city can broaden awareness of the importance of filling out the census. Councillor Cheung

10. That the City Manager is requested to direct the Information Technology Department to offer the ability to switch between serif and sans-serif fonts on the city of Cambridge's website. Councillor Cheung
11. Proclaiming Saturday, May 15th as Prince Hall Memorial Day. Councillor Simmons
12. That the City Manager is requested to inquire as to why the incidences of fires in the City has risen so dramatically and inquire as to what residents can do to protect against this. Councillor Decker
13. That the City Manager is requested to update the City Council on the impact of the MWRA water pipe rupture on the Charles River in Cambridge. Councillor Seidel
14. That area residents are invited to come and encourage to voice questions, express concerns and learn about the strategies in place for the upcoming Lincoln Way renovation project. Councillor Decker

#### **COMMITTEE REPORTS**

1. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Sam Seidel, Co-Chairs of the Ordinance Committee, for a meeting held on Apr 29, 2010 to consider a proposed amendment of the Zoning Ordinance to Section 20.70 Flood Plain Overlay District to adopt the revised Federal Emergency Management Agency (FEMA) maps incorporate the new FEMA study, as is required as a condition of continued participation in the National Flood Plain Insurance Program, which provides access to residents to flood insurance.

#### **COMMUNICATIONS AND REPORTS FROM CITY OFFICERS**

1. A communication was received from Councillor Craig Kelley, transmitting information on raccoons and rats.
2. A communication was received from Councillor Sam Seidel, transmitting the Historical Commission's Final Landmark Designation Study Report for the Masonic Temple at 1950 Massachusetts Avenue, which was placed on file at the last meeting in 2009 without prejudice, for referral to the 2010 Ordinance Committee.

#### **HEARING SCHEDULE**

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

5:30pm City Council Meeting (Sullivan Chamber)

##### **Tues, May 11**

5:00pm The Ordinance Committee will conduct a public hearing to consider a petition filed by Boston Properties to amend the Zoning Ordinance in the MXD Zoning District to create a Smart Growth/Underutilized Area in the vicinity of Broadway, Main and Ames Streets and the site of the West parking garage on Ames Street. This hearing to be televised. (Sullivan Chamber)

##### **Wed, May 12**

6:00pm The Finance Committee will conduct a public meeting for the purposes of providing a summary to community leaders of the city's current and proposed budget and an explanation of how state and federal budget cuts have impacted the city's budget. This meeting to be televised. (Sullivan Chamber)

##### **Thurs, May 13**

9:30am The Finance Committee will conduct a public hearing to discuss FY2011 City Budget. This hearing to be televised. (Sullivan Chamber)

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

4:00pm 2010 Scholarship Award Ceremony (Sullivan Chamber)

5:30pm Roundtable Meeting on single stream recycling and related trash management issues (Sullivan Chamber)

##### **Tues, May 18**

10:00am The Human Services Committee will conduct a public meeting to receive an update on Baby U, continue the discussion on how best to assist Cambridge college students to achieve college graduation, discuss middle school after school programs in relation to middle school in-school time and consider the workplan for this committee this term. (Sullivan Chamber)

6:00pm School Committee Meeting (Sullivan Chamber)

##### **Wed, May 19**

3:00pm The Neighborhood and Long Term Planning Committee will conduct a public meeting to discuss adding more bike racks to Harvard Square. (Sullivan Chamber)

6:00pm The Finance Committee will conduct a public hearing to discuss FY2011 School Department Budget. This hearing to be televised. (Sullivan Chamber)

##### **Thurs, May 20**

9:30am The Finance Committee will conduct a public hearing to discuss FY2011 City Budget (if necessary). This hearing to be televised. (Sullivan Chamber)

5:30pm The Cable TV, Telecommunications and Public Utilities Committee will conduct a public meeting to discuss the Cambridge Energy Alliance, NSTAR Energy Efficiency Plan and the Property Assessed Clean Energy (PACE) Program. (Sullivan Chamber)

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

5:30pm City Council Meeting (Sullivan Chamber)

##### **Wed, May 26**

5:30pm The Cable TV, Telecommunications and Public Utilities Committee will conduct a public meeting to discuss energy efficiency in city and school buildings. (Sullivan Chamber)

##### **Tues, June 1**

6:00pm School Committee Meeting (Sullivan Chamber)

##### **Wed, June 2**

5:00pm The Neighborhood and Long Term Planning Committee will conduct a public meeting to discuss improvements to Massachusetts Avenue between Harvard and Porter Square. (Sullivan Chamber)

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

5:30pm City Council Meeting (Sullivan Chamber)

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

5:30pm City Council Meeting (Sullivan Chamber)

##### **Tues, June 15**

6:00pm School Committee Meeting (Sullivan Chamber)

##### **Wed, June 16**

5:30pm The Environment Committee will conduct a public meeting to discuss community gardens, Agricultural Fair and other updates. (Sullivan Chamber)

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

5:30pm City Council Meeting (Sullivan Chamber)

##### **Wed, June 23**

5:30pm The Cable TV, Telecommunications and Public Utilities Committee will conduct a public meeting to discuss the digital divide. (Sullivan Chamber)

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

5:30pm City Council Meeting (Sullivan Chamber)

##### **Mon, Aug 2**

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

## TEXT OF ORDERS

O-1 May 10, 2010

VICE MAYOR DAVIS

WHEREAS: The Healthy Parks and Playgrounds Initiative Task

Force issued a final report in the fall of 2009; and

WHEREAS: In the report, the first step for implementing the recommendations of the Task Force is the establishment of a Healthy Parks and Playgrounds Advisory Committee; now therefore be it

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on the status of the Healthy Parks and Playgrounds Advisory Committee.

O-2 May 10, 2010

COUNCILLOR KELLEY

COUNCILLOR CHEUNG

WHEREAS: Cambridge residents place a high value on street trees and; and

WHEREAS: Street trees provide a variety of benefits to a community, ranging from shade to bird habitat to attractive foliage; and

WHEREAS: Massachusetts State law requires that the City's tree warden hold a removal hearing before a public street tree may be removed; and

WHEREAS: While trees may need to be removed or replaced for substantial reasons ranging from the trees posing a safety threat, being in the way of street work, impacting neighboring structures or for other reasons, changes in the streetscape and surroundings have the potential to become fractious issues for residents; and

WHEREAS: Residents have expressed concerns that replacement trees are generally not as big as the trees that have been removed and their removal leaves the City's streets bereft of these trees during the time necessary for a replacement to grow; and

WHEREAS: A clear process for determining the fate of trees in Cambridge would help residents and the City come to optimal decisions in a cordial and orderly manner; and

WHEREAS: Recent disagreements have demonstrated the need for a clearer process; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the City Solicitor and report back to the City Council with a review of current tree-related ordinances, state statutes, and informal policies; and be it further

ORDERED: That the City Manager confer with relevant City staff and report back to the City Council

\* The number and prevalent patterns of tree hearings, removals, and keepings over the past 5 years;

\* Reasons trees have been kept or removed, with a clarification of considerations in the decision making process; and

\* A summary of the standards, guidelines, and considerations the City Arborer adheres to in the decision making process.

O-3 May 10, 2010

COUNCILLOR TOOMEY

WHEREAS: In 2003, the developer of University Residential Communities at MIT, located at 303 Third Street, obtained approval from the Cambridge Planning Board for a condominium ownership residential development providing 168 housing units for, among other, former MIT and Harvard faculty seeking a stimulating environment and residence that will provide supportive services for aging population. Twenty two units were committed to the City of Cambridge for affordable housing; and

WHEREAS: The Developer, despite having signed 38 purchase and sale agreements for the units, and having obtained certificates of occupancy from the City of Cambridge, has failed to close on any of the units or commit the property to a condominium form of ownership; and

WHEREAS: On June 15, 2009, a Suffolk County Superior Court judge issued a preliminary injunction which prohibits the

Developer from renting or leasing the condominium units it is supposed to sell to the plaintiffs; and

WHEREAS: On Apr 2, 2010, a Suffolk County Superior Court judge allowed summary judgment in favor of the plaintiffs as to the Developer's liability for breach of the purchase and sale agreements, but ordered a further hearing on whether the plaintiffs should be awarded the equitable remedy of specific performance, which would require the Developer to sell them their units, or, in the alternative, damages; now therefore be it

ORDERED: That the City Council reaffirm its position, as stated in its Policy Order Resolution of June 22, 2009, opposing any conversion of 303 Third Street from condominiums to rental housing, and go on record as supporting the remedy of specific performance for the plaintiffs, which will also result in the availability for purchase, rather than rent, of 22 units of affordable housing in the building, and improve the stability and character of Kendall Square by bringing more owner-occupied housing to the area.

O-4 May 10, 2010

COUNCILLOR DECKER

WHEREAS: Arizona Senate Bill 1070 specifically allows for the Arizona's local and state police to enforce federal immigration laws, which are, by definition, under the jurisdiction of federal law enforcement agencies; and

WHEREAS: Arizona Senate Bill 1070 allows for police officers to specifically profile Latino residents and request proof of residency whether or not a suspect is accused of committing any crime; and

WHEREAS: It is a fundamental responsibility of the City of Cambridge to decide where, how and by whom financial resources in its control should be invested; and

WHEREAS: In respect to investment resources in its control, the City of Cambridge chooses not to participate in an ownership or capital providing capacity with entities that provide significant practical support for racial profiling and institutionalized discrimination such as the state of Arizona through its action in adopting Arizona Senate Bill 1070; now therefore be it

ORDERED: That the City Manager be and hereby is requested to thoroughly review investments and business practices engaged in by the City to determine what activities, if any, are conducted with the State of Arizona, municipalities in Arizona, and other business entities in Arizona or conducting substantial business in Arizona; and be it further

ORDERED: That the City Manager be and hereby is requested to determine with due consideration for, among other things, return on investment, to what extent it is reasonable to not participate in any business activities substantially connected with the State of Arizona, municipalities in Arizona, and other business entities in Arizona or conducting substantial business in Arizona; 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-5 May 10, 2010

COUNCILLOR CHEUNG

COUNCILLOR SIMMONS

COUNCILLOR KELLEY

WHEREAS: Public hearings held by departments constitute a critical component to enabling civic engagement and allowing for resident feedback and input in to decisions made by the City of Cambridge; and

WHEREAS: The City of Cambridge hires its employees for their specialized knowledge and domain expertise; and

WHEREAS: The tools to run an effective meeting and civic engagement process are not taught in school, nor should they be expected a priori skills of employees; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with appropriate City staff and report back to the City Council with procedures and standards around hearings, including

the process for appeals, standard policies for taking minutes or recording the meeting, resident notification policies before and after meetings, and norms by which meetings shall be held; and  
ORDERED: That the City Manager be and hereby is requested to confer with appropriate City staff and report back to the City Council with a plan for ensuring that all employees charged with running hearings have been trained in the use of Robert's Rules to run effective meetings.

O-6 May 10, 2010

COUNCILLOR CHEUNG

WHEREAS: The City of Cambridge is home to many beautiful parks and outdoor spaces; and

WHEREAS: Cambridge currently does not allow for residents to barbeque on outdoor public spaces; and

WHEREAS: With another beautiful summer upon us, residents have requested the right to lawfully barbeque with friends and family while enjoying our public space, specifically near the river; and

ORDERED: Permitting the specified-use of public space for one-off gatherings in a structured and standardized manner allows residents to enjoy our rich and beautiful assets and enhances our community, while maintaining order and the protection of our open space; now therefore be it

ORDERED: That the City Manager be and is hereby requested to confer with the appropriate department heads and commissions and report back to the City Council with legislation that the City Council can vote on that includes a proposed ordinance change to allow residents to purchase permits to barbeque on public land; and be it further

ORDERED: That this legislation address the below stipulations, parameters and questions:

- \* How much such a permit should cost and whether the Licensing Commission should also institute a mandatory deposit, that the purchaser of the permit will be rebated once they follow through the barbecuing event and leave the space litter free and clean; and
- \* Which specific parks and outdoor spaces residents will and will not be permitted to barbeque on; and
- \* The maximum number of people permitted to participate in a permitted space; and
- \* Whether a fire marshal is needed at said events and if so, when and how the cost of this service be passed on to the purchaser of the permit; and
- \* How often residents should be allowed to purchase a permit; and
- \* What should the City set as the overall ceiling on the number of permits issued during a calendar year; and be it further

ORDERED: That the City Manager be and is hereby requested to report back to the City Council with the aforementioned in time for residents to enjoy this use of our public space this upcoming summer, and propose a date this fall to report back to the City Council on any successes and challenges of the program so that the City Council can adjust the ordinance if necessary.

O-7 May 10, 2010

COUNCILLOR CHEUNG

WHEREAS: Commissions are a great way for citizens to get involved in their local government and provide insight on how best to tackle the community's problems and implement the policy goals set forth by the City Council; and

WHEREAS: Currently, some of the city's commissions are forced to communicate with its members via outside servers, such as Yahoo groups, because the city does not provide them with the capability to post and maintain an email distribution list; now therefore it be

ORDERED: That the City Manager be and hereby is requested to confer with the appropriate department heads to develop a plan to provide the capability for all commissions to post and maintain an email distribution list; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on which commissions currently do not have sections in the 2010-2011 Budget because they remain unfunded; and be it further

ORDERED: That the City Manager be and hereby is requested to confer with the appropriate department heads and commission heads to develop a standard set of resources, facility privileges, tools, and barebones operating budget the unfunded commissions may use in their work of enacting Council policy.

O-8 May 10, 2010

COUNCILLOR CHEUNG

COUNCILLOR SEIDEL

WHEREAS: Cambridge is often known as the "city of squares," yet many residents do not know the history of our squares' namesakes; and

WHEREAS: Technology is available that would allow people to quickly access a square's history by simply pointing their smart phone's camera at a 2D barcode located on the square's sign; and

WHEREAS: This barcode would then direct the person's phone to a website, specifically dedicated to the history of said square providing biographical information on the square's namesake; and

WHEREAS: This capacity would provide an additional draw for tourists wishing to explore Cambridge 'off the beaten path', and help all Cambridge residents remember the history and people that came before them; and

WHEREAS: Last month, the City Council placed a moratorium on designating any location under its control as "in memoriam" until such time as naming criteria are developed by the Government Operations Committee; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Information Technology Department on the options available to implement a similar program and report back to the Government Operations Committee no later than when said committee begins discussions on the new square naming criteria.

O-9 May 10, 2010

COUNCILLOR CHEUNG

WHEREAS: The population results of the census determines the allocation of over \$400 billion of federal program dollars to state and local governments; and

WHEREAS: These funds support tangible benefits in Cambridge, such as healthcare and education, which helps ensure a better quality of life for the entire community; and

WHEREAS: Federal agencies and private litigants use data on race, ethnicity, national origin, sex, age, and disability to monitor compliance with civil rights laws and to determine where disparities exist and remediation is required; and

WHEREAS: The private sector uses census data to make important decisions about their businesses, including investment strategies, hiring plans, and location of facilities; and

WHEREAS: More needs to be done to encourage the participation of college students and Asian Americans in the census; and

WHEREAS: Many college students mistakenly believe that they are suppose to fill out the census in their originating state, instead of where they currently spend the majority of the year; and

WHEREAS: Amongst the Asian community there is fear on whether or not the census is truly confidential; and

WHEREAS: Massachusetts loses approximately \$3,000 in federal funding per year for 10 years for every person who chooses not to participate in the census; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the appropriate department heads on how the city can broaden awareness of the importance of filling out the census in the aforementioned communities and report back to the City Council.

O-10 May 10, 2010

COUNCILLOR CHEUNG

WHEREAS: June 26th, 2010 marks the 20th anniversary of the passage of the Americans with Disability Act; and

WHEREAS: The City Council recognizes the work left to be done to ensure that disabled Americans are fully able to participate in society; and

WHEREAS: Amongst American communities, the City of Cambridge considers itself a leader unafraid to take action do what's right by its residents; and

WHEREAS: Today many people in America who are disabled are not receiving the services they need to be healthy and independent; and

WHEREAS: The choice of font can affect the legibility of text both printed and on a screen. The character shape, text format and layout can enhance or detract from the intended meaning; and

WHEREAS: Many dyslexic people find that the readability of a piece of text varies greatly depending upon the font used. Serif fonts, with their "feet" at the end of most strokes can obscure the shapes of letters; and

WHEREAS: Currently, the Cambridge website only offers content in Serif font, hindering the ability for some of our residents to access vital information and services; and

WHEREAS: Adopting best practice for dyslexic readers has the advantage of making documents easier on the eye for everyone; and

WHEREAS: The British newspaper, The Guardian, has taken the lead on this issue, allowing readers to switch between serif and sans-serif fonts on their website; and

WHEREAS: The City of Cambridge always strives to do whatever it can to support the disabled community; now therefore be it

ORDERED: That the City Manager be and hereby is requested to direct the Information Technology Department to offer the ability to switch between serif and sans-serif fonts on the city of Cambridge's website.

O-11 May 10, 2010

COUNCILLOR SIMMONS

ORDERED: That the City Council go on record proclaiming Saturday, May 15th as Prince Hall Memorial Day; and be it further

ORDERED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to the members of the Prince Hall Memorial Committee.

O-12 May 10, 2010

COUNCILLOR DECKER

WHEREAS: It has come to the attention of this City Council the incidence of fire has increased by approximately 200 fires annually when comparing 2005 to 2009; and

WHEREAS: Such an increase seems to indicate there may be something these additional fires can be attributed to; and

WHEREAS: With such a rise in the incidences of fire in the City, residents should be made aware of what they

ORDERED: That the City Manager be and hereby is requested to inquire as to why the incidences of fires in the City has risen so dramatically and inquire as to what residents can do to protect against this; 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-13 May 10, 2010

COUNCILLOR SEIDEL

WHEREAS: On Saturday, May 1, an MWRA water pipe ruptured in Weston, resulting in large amounts of sediment run-off into the Charles River in addition to millions of gallons of water; and

WHEREAS: In February 2010, approximately 1000 gallons of diesel fuel spilled into the Charles River due to human error; now therefore be it

ORDERED: That the City Manager be and hereby is requested to update the City Council on the impact these events have had on the Charles River in Cambridge; and be it further

ORDERED: That the City Manager be and hereby is requested to update the City Council on any actions the City is undertaking with state and federal agencies to address any environmental impacts to the river from these recent incidents.

O-14 May 10, 2010

COUNCILLOR DECKER

WHEREAS: There will be a meeting on May 13th at the Cambridge Friends School at 5 Cadbury Road starting at 7:00pm; now therefore be it

ORDERED: That area residents are invited to come and encourage to voice questions, express concerns and learn about the strategies in place for the upcoming Lincoln Way renovation project.