

## **CITY MANAGER'S AGENDA**

1. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 11-70, regarding NBC violations.
2. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of \$25,000 from surplus Parking Fund revenues to the Public Investment Fund Traffic, Parking and Transportation Extraordinary Expenditures account to provide funds for the fabrication and maintenance of murals for the windows at the First Street Garage.

## **CHARTER RIGHT**

1. That the City Manager is requested to direct all department heads to remind their staff to whenever possible and when it is economically feasible to buy local. [Charter Right exercised by Councillor Cheung on Order Number One of June 20, 2011.]
2. A communication was received from Donna P. Lopez, Deputy City Clerk, transmitting a report from Councillor Marjorie C. Decker, Chair of the Finance Committee, for public meeting held on May 2, 2011 to discuss creating a program in Cambridge similar to Boston's Department of Urban Mechanics to improve city service delivery and to discuss creating a capital budget for the development of internet and mobile based tools. [Charter Right exercised by Councillor Decker on Committee Report Number One of June 20, 2011.]

## **ON THE TABLE**

3. That the City Manager is requested to restore funding for School Department clerical positions until a proper and negotiated process can be achieved with the Cambridge School Department and Unions representing the employees, and to report back to the City Council on the progress. [Order Number Fourteen of Apr 26, 2010 Placed on Table. Councillor Kelley made motions to take from table on May 10, 2010 failed 2-7-0, Sept 13, 2010 failed 4-4-1, Sept 27, 2010 failed 3-5-1, Dec 13, 2010 failed 3-6-0. Remains on Table.]
4. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-32, regarding a report on issues with the development of the former St. John's property site. [Charter Right exercised on City Manager Agenda Item Number Eighteen of May 24, 2010. Placed on Table June 7, 2010.]
5. An application was received from Tony LaVita, requesting permission for a curb cut at the premises numbered 68 Middlesex Street; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works. No response has been received from the neighborhood association. [Applications and Petitions Number Ten of June 7, 2010 Placed on Table.]
6. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 10-189, regarding a report on the legitimacy of the tax exempt claim of Education First. [Charter Right exercised on City Manager Agenda Item Number Nineteen of Jan 24, 2011. Placed on Table Jan 31, 2011.]
7. That the City Manager is requested to have the Community Development Department convene a meeting with neighbors in the vicinity of Grove Street and Blanchard Road, the Fresh Pond Master Plan Committee and other relevant parties to review the zoning along the golf course and the Fresh Pond

Reservation in that area. [Charter Right exercised on Order Number Five of Jan 24, 2011. Placed on Table Jan 31, 2011.]

8. That the City Manager is requested to report back to the City Council with a complete and comprehensive list of all concessions made to the City and broader Cambridge community by developers and the universities in exchange for zoning relief, special permits, or Council approval. [Charter Right exercised by Councillor Reeves on Order Number Eleven of Apr 25, 2011. Tabled on Motion of Councillor Cheung on May 2, 2011.]

## **UNFINISHED BUSINESS**

9. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Sam Seidel, Chair of the Ordinance Committee for a public hearing on May 5, 2011 for the purpose of considering proposed amendments submitted in response to City Council Order No.11 of Jan 24, 2011, in which the Council requested that Community Development Department (CDD) staff engage in a comprehensive review of Section 5.28.2, including the history of the use of the section for special permit applications for conversion of commercial and institutional uses to residential building, and the recent public conversations on this section of the Zoning Ordinance. The question comes on passing to be ordained on or after June 20, 2011. Planning Board hearing held May 10, 2011. Petition expires Aug 3, 2011.

## **APPLICATIONS AND PETITIONS**

1. An application was received from HF Management Group, Inc. d/b/a Metro PCS, requesting permission for a sandwich board sign in front of premises numbered 1000 Cambridge Street.
2. An application was received from Douglas Beaudet, requesting permission for a curb cut at the premises numbered 61-69 Bolton Street; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation and Public Works. No neighborhood association for that area.
3. An application was received from Dahn Yoga and Healing, requesting permission for a sandwich board sign in front of premises numbered 1110 Massachusetts Avenue.
4. An application was received from Alexandria Real Estate, requesting permission for two curb cuts at the premises numbered 100 Binney Street/41 Linskey Way; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works. Approval has been received from the neighborhood association.
5. An application was received from Alexandria Real Estate, requesting permission for two curb cuts at the premises numbered 50 Binney Street/77 Linskey Way; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works. Approval has been received from the neighborhood association.

## **COMMUNICATIONS**

1. A communication was received from Paul Tamaro, regarding a price and labeling issues at Shaw Store #7580.
2. A communication was received from Gregg J. Moree, transmitting an invitation to the City of Cambridge to participate in the festivities surrounding historic visit of John F. Kennedy's Presidential Yacht Honey Fitz.

## **RESOLUTIONS**

1. Resolution on the death of Priscilla M. (Miller) Halford. Mayor Maher, Councillor Toomey
2. Retirement of Ken Singleton from the School Department. Councillor Toomey
3. Congratulations to the Restaurant Dante on the occasion of its 5th anniversary. Councillor Toomey
4. Best wishes to Dennis Keefe on his new position as President and Chief Executive Officer at Care New England Health System. Councillor Decker
5. Urge all residents to participate in the Run & Ride @ CambridgeSide event on July 31, 2011. Councillor Toomey
6. Resolution on the death of James M. Curran Sr. Mayor Maher
7. Congratulations to Cori Spencer on her original play entitled "Little Black Topsy and the Magical White Fairy Soap." Councillor Reeves
8. Resolution on the death of Staff Sergeant Nicholas Price Bellard. Councillor Decker
9. Resolution on the death of Sergeant Glenn Michael Sewell. Councillor Decker
10. Resolution on the death of Specialist Marcos A. Cintron. Councillor Decker
11. Thanks to Andala Cafe for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
12. Thanks to Thelonious Monkfish for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
13. Thanks to Life Alive for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
14. Thanks to MIT for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
15. Thanks to Margaret Fuller Neighborhood House for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
16. Thanks to The Men of Color Health Initiative for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
17. Thanks to the Cambridge Auxiliary Police for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
18. Thanks to the Cambridge Police Department for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
19. Thanks to Harvard University for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
20. Happy 50th Birthday wishes to a special Cantabrigian. Councillor Toomey
21. Happy 93rd Birthday wishes to Nelson Mandela. Councillor Simmons
22. Thanks to Amel Khalifa for her speaking engagement before the Cambridge Employees Committee on Diversity. Councillor Simmons
23. Thanks to the organizers of the Cambridge Open Archives Tour which will take place in July. Councillor Simmons
24. Congratulations to Andrea J. Spears and John Henry Jackson on their recent marriage. Councillor Simmons

25. Thanks to the Phoenix Landing for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
26. Thanks to the Cambridge Health Alliance for their participation in the Eighteenth Annual Hoopz N Health event. Councillor Reeves
27. Thanks to Carlos Vidveira for his work to restore and preserve the Honey Fitz, a ship named after Mayor John F. Fitzgerald. Mayor Maher
28. Thanks to Maryellen Carvello for organizing the annual Cambridge Dance Party. Mayor Maher
29. Congratulations to Stephanie Blair Mitchell and Andrew Smiles on the birth of their son Lucian Mitchell Smiles. Councillor Seidel
30. Happy 90th Birthday wishes to Incoronata "Millie" Centanni. Councillor Toomey
31. Congratulations to CCTV on receiving the Overall Excellence in Public Programming Award for the tenth time. Councillor Toomey, Councillor Seidel, Councillor Decker

## **ORDERS**

1. City Council support of the Seattle Farm Bill Principles. Vice Mayor Davis
2. That the City Manager is requested to enforce the Putnam Avenue bus ban and communicate to the City Council an ongoing reinforcement strategy. Councillor Reeves
3. That the City Manager is requested to direct the Department of Public Works to look into the feasibility of installing benches in front of the Cambridge Main Library and report back to the City Council. Councillor Cheung
4. That the City Manager be and hereby is requested to instruct the Police Commissioner to increase bicycle enforcement to prevent injury to pedestrians on sidewalks. Vice Mayor Davis
5. That the Cambridge City Council go on record urging passage of upcoming legislation in the U.S. House of Representatives supporting the Property Assessed Clean Energy (PACE) program. Councillor Cheung
6. That the City Manager be and hereby is requested to confer with the Information Technology Department, the City Treasurer and Finance Department to produce information for residents and taxpayers regarding readily available financial information online for citizens to view and easily understand. Councillor Decker
7. That this City Council go on record encouraging Dr. James Cash to speak out about the Supreme Court's ruling on a controversial gender-discrimination case and to lobby executives at the world's largest retailer to reform its policies and provide justice to its female employees. Councillor Decker
8. That the City Manager is requested to undertake a study to determine the potential for generating renewable energy on municipal property. The study would include the development of a timeframe for meeting the goal of 20% of municipal electricity use being generated through on-site generation to the maximum feasible extent. Vice Mayor Davis

## **COMMITTEE REPORTS**

1. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Kenneth E. Reeves, Chair of the Human Services Committee for a public

meeting held on Apr 13, 2011 to receive an update on Baby U, Cambridge Works and programming to increase college success for Cambridge youth.

2. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Sam Seidel, Chair of the Ordinance Committee for a public meeting held on June 15, 2011 to continue to consider proposed amendments submitted in response to City Council Order No.11 of Jan 24, 2011, in which the Council requested that Community Development Department (CDD) staff engage in a comprehensive review of Section 5.28.2.

## HEARING SCHEDULE

### Mon, June 27

5:30pm City Council Meeting (Sullivan Chamber)

### Tues, June 28

3:00pm The Economic Development, Training and Employment Committee will conduct a public meeting to discuss creating the city's economic development goals. (Sullivan Chamber)

### Wed, July 13

5:00pm The Ordinance Committee will conduct a public hearing on a zoning petition from MIT to amend the Zoning Ordinances of the City of Cambridge to create a new section 13.80 to the Zoning Ordinances entitled PUD-5 District and amend the Zoning Map to create a new PUD-5 District in the Kendall Square area; petition rezones a 26-acre parcel in the Kendall Square area. (Sullivan Chamber)

### Mon, July 18

4:30pm The Ordinance Committee will conduct a public hearing to amend the Zoning Ordinance to enable the City's new regional bike-share program to site bike-share stations on municipal and private property. This hearing to be televised. (Sullivan Chamber)

### Mon, Aug 1

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

### Mon, Sept 12

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Sept 19

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Sept 26

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Oct 3

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Oct 17

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Oct 24

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Oct 31

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Nov 7

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Nov 14

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Nov 21

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Nov 28

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Dec 5

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Dec 12

5:30pm City Council Meeting (Sullivan Chamber)

### Mon, Dec 19

5:30pm City Council Meeting (Sullivan Chamber)

## TEXT OF ORDERS

O-1 June 27, 2011

VICE MAYOR DAVIS

WHEREAS: The Seattle Farm Bill Principles are a framework of values aimed at creating a healthier food system in the U.S and offer direction for policies, regulations, programs, funding opportunities, technical support and research priorities that would promote a healthier and more sustainable food system if incorporated into the 2012 Farm Bill; and

WHEREAS: If Congress adopts the Seattle Farm Bill Principles as a framework for the 2012 Farm Bill, potential positive outcomes for Cambridge include higher nutritional quality of commodity foods through improved access to regionally grown foods and food procurement, as well as pricing policies that would favor purchase of healthy food for government-subsidized feeding programs; and  
WHEREAS: The Cambridge Food and Fitness Policy Council supports the Seattle Farm Bill Principles because: 1) there have long been concerns about unsustainable farming practices supported by past farm bills, the Principles lay the foundation for developing a healthier food system on the national, regional, and local levels 2) the 2012 Farm Bill will impact on access to healthy foods in Cambridge and 3) if U.S. cities and towns work together on this issue, they can help create a healthier food system for the nation; now therefore be it

ORDERED: That the City Council go on record as endorsing the Seattle Farm Bill Principles; and be it further

ORDERED: That the Executive Assistant to the City Council be and hereby is requested to endorse the principles on behalf of the Cambridge City Council by adding each City Councillor's name as a "supporter" through the website <http://seattlefarmbillprinciples.org>.

O-2 June 27, 2011

COUNCILLOR REEVES

WHEREAS: Riverside residents continue to experience significant tour bus traffic during the week and especially on the weekends. Residents believe that these buses have been banned from Putnam Avenue and that proper enforcement has not been occurring; and

WHEREAS: The large double-deck buses also physically bruise the trees along Putnam Avenue; now therefore be it  
ORDERED: That the City Manager be and hereby is requested to enforce the bus ban and communicate to the City Council an ongoing reinforcement strategy.

O-3 June 27, 2011

COUNCILLOR CHEUNG

WHEREAS: It has come to the attention of the City Council that several residents are dissuaded to use the Bus #68 bus stop located in front of the Cambridge Main Library because there is currently no street seating available for those waiting to be picked up; and

WHEREAS: The #68 bus runs rather infrequently and thus forces many residents to stand for long periods of time, a

nuisance for some but for others an insurmountable difficulty; now therefore be it

ORDERED: That the City Manager be and hereby is requested to direct the Department of Public Works to look into the feasibility of installing benches in front of the Cambridge Main Library and report back to the City Council.

O-4 June 27, 2011

VICE MAYOR DAVIS

WHEREAS: Biking on sidewalks is rampant in Central Square; now therefore be it

ORDERED: That the City Manager be and hereby is requested to instruct the Police Commissioner to increase enforcement to prevent injury to pedestrians on sidewalks; and be it further

ORDERED: That the City Manager be and hereby is requested to investigate whether there are new state regulations relative to bicyclists; 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 June 27, 2011

COUNCILLOR CHEUNG

WHEREAS: The Cambridge City Council is always looking for new ways to green our economy and stimulate job growth; and

WHEREAS: Investing in cost-effective energy efficiency and renewable energy improvements to homes and businesses can save energy, create thousands of local jobs, reduce reliance on fossil fuels, and dramatically reduce greenhouse gas emissions; and

WHEREAS: The upfront cost and potentially long payback periods prevent property owners from making otherwise cost-effective clean energy improvements; and

WHEREAS: Property Assessed Clean Energy (PACE) financing programs are an innovative local government solution to help property owners finance energy efficiency and renewable energy improvements such as energy efficient boilers, upgraded insulation, new windows, solar installations to their homes and businesses; and

WHEREAS: Surveys reported that limited capital availability is cited as the most common barrier to capturing potential energy savings, and PACE bonding mechanisms offer many advantages over traditional loans for financing energy efficiency retrofits; and

WHEREAS: The PACE bond market has the potential to dramatically accelerate the energy retrofitting of America's building stock and the passage of PACE legislation would benefit property owners, existing lenders and create job growth; now therefore be it

ORDERED: That the Cambridge City Council go on record urging passage of Representatives Nan Hayworth (R-NY), Dan Lungren (R-CA) and Mike Thompson (D-CA) upcoming legislation in the U.S. House of Representatives supporting the Property Assessed Clean Energy (PACE) program; and be it further

ORDERED: That the City Clerk be and is hereby requested to forward a suitably engrossed copy of this Order to Representative Michael Capuano on behalf of the entire City Council.

O-6 June 27, 2011

COUNCILLOR DECKER

WHEREAS: It has come to the attention of this City Council that the "checkbook" of the City of Cambridge is not readily available for citizens and taxpayers to see; and

WHEREAS: When the City of Cambridge speaks of the budget to the citizens it is important that taxpayers understand the specifics of the money and where and when it is being spent; and

WHEREAS: It is important that the City has a level of financial transparency that enables all taxpayers to be aware of what is going on; now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Information Technology Department, the City Treasurer and Finance Department to produce information for residents and taxpayers regarding readily available financial information online for citizens to view and easily understand; 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-7 June 27, 2011

COUNCILLOR DECKER

WHEREAS: It has come to the attention of this City Council that The Supreme Court blocked the largest sex-discrimination lawsuit in US history on June 20th, siding with Walmart and against up to 1.6 million female workers; and

WHEREAS: A coalition of women's groups, workers rights advocates and leaders held a press conference in Cambridge on Tues, June 21st at 10:30 a.m. to push Walmart Board member Dr. James Cash, a Harvard Business School professor emeritus who also serves on the boards of insurer Chubb Corp. and General Electric and as a special adviser at Cambridge-based General Catalyst Partners, to apologize for Walmart's campaign to block women from seeking legal redress for workplace discrimination; and

WHEREAS: Roughly fifteen activists from Mass. NOW, Massachusetts Jobs with Justice, and Women's Institute for Leadership Development stood outside Dr. Cash's office with signs urging Dr. Cash to take a stand for civil rights; and

WHEREAS: During the rally, a small delegation attempted to meet with Dr. Cash to assert their concerns about the precedent set by the Supreme Court regarding class action lawsuits and demand that Dr. Cash act in favor of women's justice. Dr. Cash was not available to comment but his staff pledged to set up a meeting with the group; and

WHEREAS: The Supreme Court ruled that the lawsuit against Walmart Stores Inc. could not proceed as a class action in its current form, reversing a decision by the 9th U.S. Circuit Court of Appeals in San Francisco. By a 5-4 vote along ideological lines, the court said there were too many women in too many jobs at Walmart to wrap into one lawsuit; and

WHEREAS: The high court's majority agreed with Walmart's argument that being forced to defend the treatment of female employees regardless of the jobs they hold or where they work is unfair. Business interests lined up with Walmart while civil rights, women's and consumer groups have sided with the women plaintiffs; and

WHEREAS: Justice Antonin Scalia said there needed to be common elements tying together these many employment decisions at once; and

WHEREAS: Justice Ruth Bader Ginsburg said there was more than enough to unite the claims and that Walmart's delegation of discretion over pay and promotions is a policy uniform throughout all stores'; and

WHEREAS: The lawsuit said that women are grossly underrepresented among managers, holding just 14 percent of store manager positions compared with more than 80 percent of lower-ranking supervisory jobs that are paid by the hour; and

WHEREAS: The lawsuit also included data showing widespread disparities in pay and promotion; personal anecdotes of discrimination; and a study of Walmart's corporate culture, which was characterized, an expert suggested, by gender stereotyping; and

WHEREAS: This ruling is not only a blow to the 1.6 millions female Walmart employees but also to working people who face systematic discrimination everyday, who do not have the time or resources to bring the issue into the light through legal action; and

WHEREAS: This decision creates a huge roadblock for large groups of women fighting for equal pay and promotion and against systematic discrimination; and

WHEREAS: Class action suits play an important role to protect the rights of all people, both those involved just as much as those struggling with discrimination on their own; now therefore be it

RESOLVED: That this City Council go on record encouraging Dr. James Cash to speak out about the Supreme Court's ruling on a controversial gender-discrimination case and to lobby executives at the world's largest retailer to reform its policies and provide justice to its female employees; and be it further

RESOLVED: That this City Council go on record condemning the court's ruling, which rejected class-action status for a lawsuit brought by what could have been 1.6 million female Walmart employees; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to Dr. James Cash on behalf of the entire City Council.

O-8 June 27, 2011

VICE MAYOR DAVIS

WHEREAS: Cambridge has met the goal of 20% of municipal electricity consumption being generated from renewable energy sources by 2010; and

ORDERED: The goal has been met by a combination of onsite solar PV installations on City buildings, the state's Renewable Portfolio Standard, and purchasing of renewable energy certificates (RECs). The RECs are sourced from wind energy facilities in Massachusetts (10%) and from the Midwest (90%); now therefore be it

ORDERED: That the City Manager be and hereby is requested to undertake a study to determine the potential for generating renewable energy on municipal property. The study would include the development of a timeframe for meeting the goal of 20% of municipal electricity use being generated through on-site generation to the maximum feasible extent.