



# ORDINANCE COMMITTEE

## COMMITTEE MEETING

~ MINUTES ~

Wednesday, September 7, 2022

3:00 PM

Sullivan Chamber  
795 Massachusetts Avenue  
Cambridge, MA 02139

The Ordinance Committee will hold a public meeting to continue the discussion around Ordinance # 2022-14, Section 11.202(b) of Article 11.000 Special Regulations Linkage Fee, proposal to amend by substitution, raising linkage fee rates. The Public Hearing Notice was published on July 7, 2022, and again on July 14, 2022. The Public Hearing took place on July 27, 2022. Additional Public Comment will be allowed at this meeting.

Attendee Name	Present	Absent	Late	Arrived
Burhan Azeem	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Dennis J. Carlone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Alanna Mallon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Denise Simmons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3:15 PM
Paul F. Toner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Quinton Zondervan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

## MINUTES OF THE CAMBRIDGE CITY COUNCIL ORDINANCE COMMITTEE Wednesday, September 7, 2022

A public meeting of the Cambridge City Council's Ordinance Committee was held on Wednesday September 7, 2022. The meeting was Called to Order at 3:00 p.m. by the Chair, Councillor McGovern. Pursuant to Chapter 20 of the Acts of 2022 adopted by Massachusetts General Assembly and approved by the Governor, this public meeting was hybrid, allowing participation in person, in the Sullivan Chamber, 2<sup>nd</sup> Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via zoom.

**Chair McGovern called the meeting to order.** The Chair noted that the purpose of the meeting was to continue the discussion around Ordinance # 2022-14, Section 11.202(b) of Article 11.000 Special Regulations Linkage Fee, proposal to amend by substitution, raising linkage fee rates. The Chair noted that the Committee was in receipt of two communications from the CDD, one from the City Solicitor and two amendments being proposed by Councillor Azeem.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Present/In Sullivan Chamber

Councillor Dennis J. Carlone – Present/Remote

Vice Mayor Alanna M. Mallon – Present/In Sullivan Chamber

Councillor Marc C. McGovern – Present/In Sullivan Chamber

Councillor Patricia Nolan – Present/Remote

Councillor E. Denise Simmons – Absent\*

Councillor Paul Toner – Present/In Sullivan Chamber

Councillor Quinton Y. Zondervan – Present/Remote

Mayor Sumbul Siddiqui – Present/Remote

**Present-8, Absent-1. Quorum established.**

**\*Councillor Simmons joined shortly after the roll call and was recorded as present by the Clerk.**

**The Chair recognized the following individuals who provided comments.**

Patrick Barrett, 41 Pleasant Street, Cambridge, MA was in person and spoke against the proposed zoning amendment as written.

Justin Saif, 259 Hurley Street, Cambridge, MA was remote via zoom and spoke in favor of the proposed zoning amendment as written.

John DiGiovanni, 41 Pleasant Street, Cambridge, MA was remote via zoom and spoke against the proposed zoning amendment as written.

Chair McGovern recognized Councillor Zondervan to summarize the petition before the Committee. Councillor Zondervan acknowledged the concerns raised by others and noted his position was to move forward and address the concerns at a later date.

Chair McGovern recognized Iram Farooq, Assistant City Manager for Community Development to speak about the two documents related to this matter that the CDD submitted. Ms. Farooq acknowledged the members of her team who were present including Zoning and Development Director Jeff Robert, Associate Planner Sarah Scott, and Housing Director Chris Cotter. Ms. Farooq also noted that City Solicitor Glowa and Deputy City Solicitor Bayer were present. Chair McGovern acknowledged Jeff Roberts who spoke on the topics addressed by the planning board that are relevant to this matter.

The Chair recognized Councillor Toner who offered comments and asked several questions that were addressed by Iram Farooq, Jeff Roberts, and Chris Cotter.

**Chair McGovern made a motion to close public comment.**

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes

Councillor Dennis J. Carlone – Yes

Vice Mayor Alanna M. Mallon – Yes

Councillor Marc C. McGovern – Yes

Councillor Patricia Nolan – Yes

Councillor E. Denise Simmons – Yes

Councillor Paul Toner – Yes

Councillor Quinton Y. Zondervan – Yes

Mayor Sumbul Siddiqui – Yes

**Yes-9, No-0. Public comment was closed at approximately 3:40 p.m.**

The Chair recognized Councillor Nolan who offered comments and asked questions that were addressed by Iram Farooq, Jeff Roberts, and Chris Cotter.

The Chair recognized Councillor Carlone who offered comments and asked questions that were addressed by Iram Farooq, Jeff Roberts, and City Solicitor Glowa.

Chair McGovern recognized Councillor Zondervan who made additional comments and again made the case for moving forward as soon as possible.

Chair McGovern recognized Councillor Azeem who noted that he had two amendments that he was putting forth. These amendments were shared so that everyone could view them, and they are an attachment to these minutes.

The Chair recognized Councillor Toner followed by Vice Mayor Mallon, both who spoke in favor of Councillor Azeem's amendments.

Chair McGovern again recognized Councillor Zondervan who asked if the amendments were problematic given the City Solicitor's opinion. The Chair recognized City Solicitor Glowa who responded noting that the Council needed to determine if these amendments which were not advertised, changed the fundamental character of what was advertised.

Councillor Zondervan shared a linkage fee analysis that included Councillor Azeem's amendment and stated that he believed it to be a fundamental change to the character of the petition.

The Chair recognized Councillor Azeem who restated his position noting that his amendments did not change the character of the original petition.

The Chair acknowledge Councillor Nolan who stated her understanding on what constitutes a fundamental change and that she did not believe Councillor Azeem's amendments did so. The Chair recognized Councillor Toner and Councillor Carlone who offered similar comments.

Chair McGovern recapped some of the points made and spoke in favor of the amendments.

Chair McGovern recognized Mayor Siddiqui who stated that she shared Councillor Zondervan position that these amendments did change the character of the petition.

Chair McGovern recognized Councillor Zondervan who spoke against the two amendments.

Chair McGovern again spoke in support of moving forward with the amendments and also spoke in favor of spending more money on affordable housing and needing to do more than just change the linkage fees.

**Chair McGovern made a motion to amend the initial petition to change 11.202, by deleting "twenty dollars and ten cents (\$20.10)" and adding "thirty three dollars and thirty four cents (\$33.34)" and by adding ", excluding the first 30,000 sqft.," after "Gross Floor Area".**

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes

Councillor Dennis J. Carlone – Yes

Vice Mayor Alanna M. Mallon – Yes

Councillor Marc C. McGovern – Yes

Councillor Patricia Nolan – Yes

Councillor E. Denise Simmons – Yes

Councillor Paul Toner – Yes

Councillor Quinton Y. Zondervan – No

Mayor Sumbul Siddiqui – No

**Yes-7, No-2. Motion to accept the amendment passed.**

**Chair McGovern made a motion to amend the initial petition to change Article 2 – Definitions, by adding "Notwithstanding the foregoing, this definition shall not apply to existing floor area that is demolished and subsequently rebuilt as part of a building project."**

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes

Councillor Dennis J. Carlone – Yes

Vice Mayor Alanna M. Mallon – Yes

Councillor Marc C. McGovern – Yes

Councillor Patricia Nolan – Yes

Councillor E. Denise Simmons – Yes

Councillor Paul Toner – Yes

Councillor Quinton Y. Zondervan – No

Mayor Sumbul Siddiqui – No

**Yes-7, No-2. Motion to accept the amendment passed.**

**Councillor Zondervan made a motion to forward zoning amendment 2022-14 as amended to the Full City Council with a favorable recommendation to ordain the ordinance.**

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes

Councillor Dennis J. Carlone – Yes

Vice Mayor Alanna M. Mallon – Yes

Councillor Marc C. McGovern – Yes

Councillor Patricia Nolan – Yes

Councillor E. Denise Simmons – Yes

Councillor Paul Toner – Yes

Councillor Quinton Y. Zondervan – Yes

Mayor Sumbul Siddiqui – Yes

**Yes-9, No-0.**

**Motion to forward zoning amendment 2022-14 as amended to the City Council with a favorable recommendation to ordain the ordinance, passed.**

**Councillor Toner made a motion to adjourn.**

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes

Councillor Dennis J. Carlone – Yes

Vice Mayor Alanna M. Mallon – Yes

Councillor Marc C. McGovern – Yes

Councillor Patricia Nolan – Yes

Councillor E. Denise Simmons – Yes

Councillor Paul Toner – Yes

Councillor Quinton Y. Zondervan – Yes

Mayor Sumbul Siddiqui – Yes

**Yes-9, No-0.**

**The Ordinance Committee adjourned at approximately 4:56 p.m.**

**Attachments:**

**Communication from City Solicitor Nancy E. Glowa, transmitting a response to Council Order No. O-15 of August 1, 2022.**

Communication from Assistant City Manager for Community Development Iram Farooq, in response to Policy Order #9 from August 1, 2022, requesting a breakdown of incentive funds received.

Communication from Assistant City Manager for Community Development Iram Farooq, responding to questions raised at the last Planning board hearing on the petition, some of which are items that also came up at the Ordinance Committee's discussion on July 27, 2022.

Communication from Councillor Azeem, transmitting two Linkage Fee amendments

Communication from Councillor Zondervan transmitting the graph he shared during the meeting.

**Clerk's Note:** The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. This is a permanent record. All meetings are "closed captioned". After each meeting the "closed captioned transcripts" are available online at: <https://app.box.com/s/9qormcahynjt4pzpt1n5opixogl3q7k5> Please note that there is no editing of these "closed captioned transcripts" and they do not constitute a verbatim transcript prepared by a certified transcriber.

**Section 11.202(b) of Article 11.000 Special Regulations linkage fee., be amended by substitution. (Ordinance #2022-14)**

**A communication was received from City Solicitor Nancy E. Glowa, transmitting a response to Council Order No. O-15 of August 1, 2022.**

**A communication was received from Assistant City Manager / Community Development Iram Farooq, transmitting a response to Policy Order #9 from August 1, 2022 requesting a breakdown of incentive funds received.**

**A communication was received from Assistant City Manager / Community Development Iram Farooq, transmitting a memorandum responding to questions raised at the last Planning board hearing on the petition, some of which are items that also came up at the Ordinance Committee's discussion on July 26..**

**A communication was received from Councillor Azeem, transmitting two Linkage Fee amendments.**