

CITY MANAGER'S AGENDA

1. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 05-199, regarding a report on placing a stop sign at Bates and Avon Hill Street.
2. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 05-189, regarding a report on the configuration of the crosswalks on Cambridge Street between Felton and Prescott Streets and the possibility of a crosswalk across Broadway from Tremont Street to the park.
3. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 05-175, regarding a report on clarifying the City's policies on brick sidewalks.
4. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 04-30, regarding a report on the Ridgewood, New Jersey initiative entitled Ready, Set, Relax.
5. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 05-198, regarding a report on the reconstruction of Jackson Street.
6. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 05-200, regarding a report on traffic calming on Harvey Street.
7. Transmitting communication from Robert W. Healy, City Manager, relative to a Planning Board recommendation on the Petition to Amend the Massachusetts Avenue Overlay District.
8. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Numbers 05-164, 05-165, and 05-166, regarding the Harvard construction site.
9. Transmitting communication from Robert W. Healy, City Manager, relative to a Home Rule Petition for a Special Act authorizing the City of Cambridge to place municipal charge liens on real property in the City of Boston for nonpayment of any local charges, fees, or fines.
10. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Numbers 05-156 and 05-172, regarding eminent domain.

CHARTER RIGHT

1. Charter Right exercised by Vice Mayor Decker on Order Number Twenty-nine of Nov 7, 2005 regarding concern about the failure of Tocci Construction, Quadrant Group, Oaktree Development and Nauset Construction to meet standards for wages and benefits.

ON THE TABLE

2. Placed on the Table on the motion of Councillor Simmons relative to Awaiting Report Item Number 03-137 of Dec 22, 2003, regarding a report on the number of investment managers for the pension fund with the list to reflect the number of women-owned and minority-owned investment managers.
3. Placed on Table on the motion of Mayor Sullivan relative to Committee Report #1 of March 7, 2005 from the University Relations Committee, for a meeting held on Feb 8, 2005 to discuss the M.I.T. Payment in Lieu of Taxes (PILOT).

4. Placed on Table on the motion of Councillor Simmons on April 11, 2005 on an order adopted relative to a communication from Robert W. Healy, City Manager, transmitting a recommendation from the License Commission to deny a jitney license application from Nautical Tours, Inc.
5. Placed on Table on the motion of Councillor Toomey on May 9, 2005 on an order requesting the City Solicitor draft a home rule petition to amend the City Charter to provide for popular election of the Mayor in the next municipal election.

UNFINISHED BUSINESS

6. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Timothy J. Toomey, Jr., Co-Chair of the Ordinance Committee, for a meeting held on Nov 18, 2004 for the purpose of considering proposed amendments to Chapter 2.74 of the Cambridge Municipal Code, the Police Review and Advisory Board Ordinance. The question comes on passing to be ordained on or after Feb 14, 2005. [Four sections of the proposed amendment were passed to be ordained as amended. Ordinance #1284. The remaining proposed amendments to chapter 2.74 remain on unfinished business.]
7. Amendment of the Municipal Code in Section 2.24.050 entitled "Fee Schedule" by adding Registered Electrolysis fee of \$35.00. The question comes on passing to be ordained on or after Nov 7, 2005.

APPLICATIONS AND PETITIONS

1. An application was received from Luigi's Variety, requesting permission for one sign and four awnings at the premises numbered 520 Cambridge Street. Approval has been received from Inspectional Services, Department of Public Works, Community Development Department and abutters.
2. An application was received from Harvard University, requesting a curb cut at the premises numbered 28 Hingham Street; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works with the condition that installation and construction of curb cut and driveway is the responsibility of applicant. No response has been received from the neighborhood association.
3. An application was received from Harvard University, requesting a curb cut at the premises numbered 888 Memorial Drive; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works with the condition that installation and construction of curb cut and driveway is the responsibility of applicant. No response has been received from the neighborhood association.

COMMUNICATIONS

1. A communication was received from Kathy Podgers, regarding discrimination against paralyzed veterans, and other PWD's.
2. A communication was received from Roy Bercaw, regarding persons with disabilities.
3. A communication was received from Roy Bercaw, regarding Cambridge Day.

4. A communication was received from Anna Myer and Dancers, 39 Prince Street, Cambridge, supporting the dance groups at the VFW.
5. A communication was received from Kathy Podgers, regarding what happens to persons with disabilities during a disaster.

RESOLUTIONS

1. Resolution on the death of Specialist Dennis Ferderer, Jr. Vice Mayor Decker
2. Resolution on the death of Private First Class Tyler MacKenzie. Vice Mayor Decker
3. Resolution on the death of Private First Class David Martin. Vice Mayor Decker
4. Resolution on the death of Specialist Benjamin Smith. Vice Mayor Decker
5. Resolution on the death of Private Adam Johnson. Vice Mayor Decker
6. Resolution on the death of Specialist Joshua Munger. Vice Mayor Decker
7. Resolution on the death of Specialist William Byler. Vice Mayor Decker
8. Resolution on the death of Sergeant Shaker Guy. Vice Mayor Decker
9. Resolution on the death of Staff Sergeant Joel Dameron. Vice Mayor Decker
10. Resolution on the death of Sergeant Daniel Tsue. Vice Mayor Decker
11. Resolution on the death of Petty Officer Second Class Allan Cundanga Espiritu. Vice Mayor Decker
12. Resolution on the death of Second Lieutenant Mark Procopio. Vice Mayor Decker
13. Resolution on the death of Staff Sergeant Kyle Wehrly. Vice Mayor Decker
14. Resolution on the death of Captain Jeffrey Toczylowski. Vice Mayor Decker
15. Resolution on the death of Captain Michael Martino. Vice Mayor Decker
16. Resolution on the death of First Lieutenant Robert Oneto-Sikorski. Vice Mayor Decker
17. Resolution on the death of Sergeant First Class Jonathan Tessar. Vice Mayor Decker
18. Resolution on the death of Major Gerald Bloomfield, II. Vice Mayor Decker
19. Resolution on the death of Captain Raymond Hill, II. Vice Mayor Decker
20. Resolution on the death of Sergeant First Class Daniel Pratt. Vice Mayor Decker
21. Resolution on the death of Anne Connolly. Mayor Sullivan, Councillor Galluccio
22. Resolution on the death of Finicola Colarusso. Mayor Sullivan
23. Resolution on the death of Marie Grace Buonomo. Mayor Sullivan
24. Resolution on the death of Mary Ann Crimaldi-Marifiote. Mayor Sullivan, Councillor Galluccio

25. Congratulations to James Conway on becoming a finalist for the 44th Annual United States Senate Youth Program. Mayor Sullivan
26. Celebration of Elks Annual Memorial Sunday Services for the Watertown Lodge #1513 on Dec 4, 2005 at 11:00am. Mayor Sullivan
27. Congratulations to Sam Yoon on his recent election to the Boston City Council. Vice Mayor Decker
28. Happy 17th Birthday wishes to Sean Bukowski. Vice Mayor Decker, Mayor Sullivan
29. Support for the 7th and 8th Grade students of the Graham and Parks School in participating in the Democracy Symposium. Mayor Sullivan
30. Welcome to Lane Duck Books at its new location at 12 Arrow Street in Harvard Square. Councillor Murphy
31. Resolution on the death of Walter W. Harp. Mayor Sullivan
32. Resolution on the death of Mary E. Calnan. Mayor Sullivan
33. Congratulations to the Cambridge Cable Office on its grand opening of the new Media Arts Studio on Wed, Nov 30, 2005, 5:00-7:00pm. Mayor Sullivan
34. Resolution on the death of Jean M. McNeill. Mayor Sullivan
35. Congratulations to Robert Sweeney for being honored at the Cambridge Family YMCA Spirit Mind and Body Luncheon. Mayor Sullivan
36. Congratulations to the 2005 graduates from the Inaugural Class from the Cambridge Healthcare Career Advancement Program. Mayor Sullivan
37. Thanks to City Councillor David P. Maher for his distinguished service to our community. Mayor Sullivan, Councillor Davis, Vice Mayor Decker, Councillor Galluccio, Councillor Murphy, Councillor Reeves, Councillor Simmons and Councillor Toomey
38. Thanks to School Committee Member Ben Lummis for his distinguished service to our community. Mayor Sullivan
39. Thanks to School Committee Member Marc McGovern for his distinguished service to our community. Mayor Sullivan
40. Resolution on the death of James P. Noonan. Mayor Sullivan
41. Happy 80th Birthday wishes to a special resident. Mayor Sullivan
42. Resolution on the death of Angelo Tomasone. Councillor Toomey
43. Resolution on the death of Maria M. Couto. Councillor Toomey
44. Congratulations to Craig Kelley on being the newly elected City Councillor. Councillor Galluccio, Councillor Davis
45. Congratulations to Patricia Nolan and Luc Schuster as newly elected members of the School Committee. Councillor Galluccio, Councillor Davis
46. Congratulations to John Hanlon for his election as Mayor for the City of Everett. Councillor Galluccio
47. Congratulations to the Pop Warner A, B and C

Cheerleading Teams at the Greater Boston League competition, and to the C Team for taking second place at the Eastern Conference. Councillor Galluccio

48. Thanks to Joe Kaplan, Ginny Kelley and the entire Election Commission staff on the successful operation of the absentee ballot process during the 2005 Municipal Election. Councillor Toomey
49. Congratulations to Michael Flaherty on being honored by the Greater Boston Labor Council for his work in labor issues. Vice Mayor Decker, Mayor Sullivan
50. Congratulations to John Curran on being honored by the Greater Boston Labor Council for his work on labor issues. Vice Mayor Decker, Mayor Sullivan
51. Happy 80th Birthday wishes to a special person. Councillor Galluccio
52. Resolution on the death of Paul Roazen. Councillor Davis
53. Congratulations to Susan Hockfield, President of MIT, on receiving the Amelia Earheart Award. Councillor Davis

ORDERS

1. Support for legislation that would enable state and municipal entities purchasing goods and services to know the source and working conditions of the suppliers. Vice Mayor Decker
2. Refer to the Housing Committee, Council Order Number 16 of February 14, 2005 and its response of November 7, 2005, relative to applicability of two new programs in Boston designed to help moderate and middle income families and individuals. Mayor Sullivan
3. The City Manager is requested to confer with the Police Commissioner and the Mass Highway Department relative to speeding issues at the intersection of Mt. Auburn Street and Fresh Pond Parkway. Mayor Sullivan
4. The City Council meeting scheduled for November 28, 2005 be and hereby is cancelled. Councillor Toomey
5. The City Manager is requested to provide this City Council with an update from NSTAR regarding gas problems on lower Lexington Avenue. Councillor Maher, Mayor Sullivan
6. The City Manager is requested to explore and report on options for sidewalks that are more practical than brick and more attractive than plain concrete. Vice Mayor Decker
7. The City Manager is requested to confer with the Commissioner of Public Works to discuss the feasibility of giving seniors and tenants in public housing a fee waiver for all appliances requiring a permit for disposal. Vice Mayor Decker, Mayor Sullivan
8. Submitting to the General Court a Home Rule Petition, "An Act Authorizing the City of Cambridge to Place Municipal Charge Liens on Real Property In the City of Cambridge For Non Payment of Any Local Charges, Fees, or Fines." Mayor Sullivan

HEARING SCHEDULE

Mon, Nov 14

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Nov 21

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Nov 22

4:00pm The Ordinance Committee will conduct a public hearing on proposed amendments to Chapter 8.24 of the Cambridge Municipal Code on Refuse and Litter. (Sullivan Chamber)

4:30pm The Ordinance Committee will conduct a public hearing on re-filed proposal by the Planning Board to rezone the Concord Alewife area. This meeting to be televised. (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)

Mon, Jan 2, 2006

10:00am INAUGURAL MEETING (Sullivan Chamber)

TEXT OF ORDERS

O-1 Nov 14, 2005

VICE MAYOR DECKER

WHEREAS: The City of Cambridge has always supported humanitarian causes; and

WHEREAS: The citizens of Cambridge have always asked that its officials act with compassion, fairness, and equity in carrying on the business of City government; and

WHEREAS: The citizens of Cambridge regard the exploitation of workers against the moral principles of the City of Cambridge, as well as our state and national constitutions; and

WHEREAS: In this age of globalization, it is important that the production of goods and services provided to Cambridge are the result of payment of fair wages and from an environment of fair working conditions; and

WHEREAS: Cambridge desires to know and ensure that they are not using products or services resulting from the exploitation of workers; and

WHEREAS: There is no mechanism for Cambridge to know what the working conditions may be of the workers of the vendors of the goods or services it contracts for; and

WHEREAS: Public disclosure would result in pressure on institutional purchasers of goods and services to avoid purchasing from those suppliers using sweatshop labor; now therefore be it

RESOLVED: That this City Council go on record urging its representatives in the General Court to pass legislation that would require such public disclosure; and be it further

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

O-2 November 14, 2005

MAYOR SULLIVAN

ORDERED: That the City Council refer to the Housing Committee, Council Order Number 16, dated February 14, 2005, and its response from Assistant City Manager for Community Development dated November 7, 2005, relative

to the applicability to Cambridge of two new programs in Boston designed to help moderate and middle-income families and individuals.

O-3 November 14, 2005

MAYOR SULLIVAN

ORDERED: That the City Manager confer with the Police Commissioner and the Mass Highway Department relative to speeding issues at the intersection of Mt. Auburn Street and Fresh Pond Parkway and what resolution can be attained as to more directed patrols and a possible reduction in the speed limit.

O-4 November 14, 2005

COUNCILLOR TOOMEY

ORDERED: That the City Council meeting scheduled for November 28, 2005 be and hereby is cancelled.

O-5 November 14, 2005

COUNCILLOR MAHER

MAYOR SULLIVAN

ORDERED: That the City Manager be and hereby is requested to provide this City Council with an update from NSTAR regarding gas problems on lower Lexington Avenue.

O-6 November 14, 2005

VICE MAYOR DECKER

ORDERED: That the City Manager be and hereby is requested to explore and report back on options for sidewalks that are more practical than brick and more attractive than plain concrete.

O-7 November 14, 2005

VICE MAYOR DECKER

MAYOR SULLIVAN

ORDERED: That the City Manager be and hereby is requested to confer with the Commissioner of Public Works to discuss the feasibility of giving seniors and tenants in public housing a fee waiver for all appliances requiring a permit for disposal.

O-8 November 14, 2005

MAYOR SULLIVAN (City Manager's Order)

WHEREAS: Owners of real estate within the City of Cambridge are responsible at all times to maintain the habitability of structures and keep the sidewalks, alleys, streets, and adjoining places free of garbage and snow; and
WHEREAS: Building codes and ordinances are designed to protect the public safety and public health of the City's residents, workers, visitors, and neighborhoods; and
WHEREAS: Noncompliance with these codes and ordinances can result in the issuance of violations which have monetary penalties; and
WHEREAS: Currently, the City may impose a lien on real property located within the City for certain local charges or fees that have not been paid by the due date, as a "municipal charges lien," and
WHEREAS: Other state legislatures are attempting to implement methods to make fines more enforceable by including unpaid fines on property tax bills (similar to local charges and fees) and, if necessary, as liens on the subject real estate; now therefore be it

ORDERED: That a Home Rule Petition "AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO PLACE MUNICIPAL CHARGE LIENS ON REAL PROPERTY IN THE CITY OF CAMBRIDGE FOR NON PAYMENT OF ANY LOCAL CHARGES, FEES, OR FINES" be submitted to the General Court for a special law relating to the City of Cambridge to be filed with an attested copy of this order which is hereby approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only.

PETITION FOR A SPECIAL ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO PLACE MUNICIPAL CHARGE LIENS ON REAL PROPERTY IN THE CITY OF CAMBRIDGE FOR NONPAYMENT OF ANY LOCAL CHARGES, FEES, OR FINES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Municipal Lien: Local Charge, Fee, or Fine

The City of Cambridge may impose a lien on property located within said city for any local charge, fee, or fine that has not been paid by the due date, said lien shall be known as a municipal charges lien; provided, however, that a vote by the Cambridge City Council shall be taken to approve each type of charge, fee, or fine that shall be allowed to be collected in this manner. For purposes of this act, "local charge, fee, or fine" shall mean any charge, fee, or fine imposed by the City of Cambridge pursuant to any general law, special law, regulation, ordinance, order, local regulation, or by-law.

Section 2. Recording of Municipal Lien.

A lien authorized under this act shall take effect upon recording of the unpaid local charge, fee, or fine, by parcel of land and by the name of the property owner assessed for the local charge, fee, or fine in the registry of deeds of Middlesex County.

Section 3. Warrant and Certification.

If a local charge, fee or fine that is secured by a municipal charges lien remains unpaid when the tax assessor is preparing a real estate tax list and warrant to be committed under section fifty-three of chapter fifty-nine of the General Laws, then the board or officer in charge of the collection of the local charge, fee, or fine shall certify such local charge, fee, or fine to the assessor, who shall forthwith add such local charge, fee or fine to the tax on the property to which it relates and commit it with the warrant to the collector of taxes as part of such tax.

Section 4. Tax-Exempt Status.

If the property to which a local charge, fee, or fine relates is tax exempt then such local charge, fee, or fine shall be committed as the tax.

Section 5. Discharge.

A lien under this act may be discharged by filing in the registry of deeds of Middlesex County, a certificate from the tax collector that all local charges, fees, or fines constituting the lien, together with any interest and costs thereon, have been paid or legally abated.

Section 6. Costs of Recording and Discharge.

All costs of recording or discharging a lien under this act shall be borne by the owner of the subject property.

Section 7. Severability.

If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of this act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Section 8. Implementation.

This act shall take effect immediately upon passage.