

CITY MANAGER'S AGENDA

1. A communication transmitted from Louis A. DePasquale, City Manager, relative to a COVID-19 update.
2. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 20-44, regarding a Vaccine Task Force.
3. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the appropriation of the Low Income Home Energy Assistance Program grant in the amount of \$716,596 funded by the Federal Department of Health and Human Services and administered in Massachusetts by the Commonwealth's Department of Housing and Community Development to the Grant Fund Human Service Programs Salary and Wages account (\$127,864.50), and to the Grant Fund Human Service Programs Other Ordinary Maintenance account (\$588,731.50) which will provide funds for the operation of the Low Income Home Energy Assistance Program serving Cambridge and Somerville.
4. A communication transmitted from Louis A. DePasquale, City Manager, relative to the appointment of the following persons as new members of the Cambridge Health Alliance Board of Trustees: Barbara Guthrie, Lori Lander and Yvette Verdieu.
5. A communication transmitted from Louis A. DePasquale, City Manager, relative to a Surveillance Technology Impact Report relative to the Munis Tax Modules, which is software suite that contains several tax modules (Real Estate, Personal Property, MV Excise, and Boat) as well as provides access to the MA environmental police registration database.
6. A communication transmitted from Louis A. DePasquale, City Manager, relative to a response to Policy Order No. O-8 of July 27, 2020, regarding a review of the proposed amendments to Chapter 2.119 of the Municipal Code - the Domestic Partnership Ordinance.
7. A communication transmitted from Louis A. DePasquale, City Manager, relative to a recommendation from the Planning Board to adopt with modifications, the MXD Amendments Zoning Petition.
8. A communication transmitted from Louis A. DePasquale, City Manager, relative to a Planning Board recommendation to adoption the Cannabis Delivery Zoning Petition.
9. A communication transmitted from Louis A. DePasquale, City Manager, relative to a Planning Board recommendation to adopt with modifications, the Canal District Kendall (PUD-CDK) Zoning Petition.
10. A communication transmitted from Louis A. DePasquale, City Manager, relative to memo from the development economics consultant team led by Karl F. Seidman regarding a financial assessment of the Canal District Kendall (PUD-CDK) Zoning Petition submitted by BioMed Realty.
11. A communication transmitted from Louis A. DePasquale, City Manager, relative to the following requests relative to the eminent domain taking of 185 Larch Road: 1. Appropriate \$7,702,000 from Free Cash to the General Fund Law Department Travel & Training (Damages) Account to cover the *pro tanto* payment toward the expenses of

acquisition as required by the above referenced Sections of Chapters 40 and 43 of the General Laws for the property located at 185 Larch Road owned by BB&N; 2. Approve an Order to take by eminent domain a 185 Larch Road; and 3. Appropriate \$10,798,000 from Free Cash to the General Fund Law Department Travel & Training (Damages) Account to fund the settlement of BB&N's remaining eminent domain damages claim.

Agenda Item 11B Dec 21, 2020

ORDER OF TAKING

WHEREAS: By Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 79 of the General Laws, all as amended, it is provided that the Cambridge City Council may take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

WHEREAS: The City Manager of Cambridge and City Council, in order to provide for open space or any other municipal purposes, have approved and authorized that the City should under the provisions of the aforesaid Chapters of the General Laws take and hold for open space or any other municipal purposes the parcel of land located at 185 Larch Road, Cambridge, County of Middlesex, Massachusetts as hereinafter bounded and described and any buildings and trees thereon; and

WHEREAS: An appropriation duly made by the City Council on December 21, 2020, is sufficient to cover the estimated *pro tanto* expenses of acquisition as required by the aforesaid Sections of Chapters 40 and 43;

WHEREAS: by virtue of and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Cambridge by its City Council does hereby take the land located at 185 Larch Road, Cambridge, County of Middlesex, Massachusetts and hereinafter described, and all privileges and appurtenances thereto belonging as well as all trees and all structures thereon, excepting any easement of record, for open space or any other municipal purposes and for all purposes and uses accessory thereto. Intending to take and hereby taking in fee simple all land, excepting any easement of record, included within such description by whomsoever the same may be owned, vis:

Three parcels of land in Cambridge shown as Lots A, B and C on a plan by E. F. Bowker, C.E., dated November 6, 1905, recorded with Middlesex South District Deeds, Plan Book 157, Plan 45, and together bounded and described as follows:

Westerly by Larch Road by two lines, one hundred eighty (180) feet and one hundred thirty and 46/100 (130.46) feet, respectively;

Northwesterly by Wyeth Terrace by two lines, two hundred forty-seven and 41/100 (247.41) feet and one hundred seventy-three and 43/100 (173.43) feet, respectively;

Northeasterly by land now or formerly of the Curling Club, Corcoran, Gibson, Gardner, Stone, Xavier, and of Demmon heirs, six hundred thirty and 25/100 (630.25) feet;

Southerly by land now or formerly of Rice and Niles and of F. P. Fish by two lines, one hundred fifty-nine and 69/100

(159.69) feet and two hundred ninety-three and 29/100 (293.29) feet, respectively.

Excepting therefrom the above-described premises is that portion taken in fee by the Commonwealth of Massachusetts acting by and through its Department of Public Works for the layout and construction of a traffic artery (Layout No. 2557) (Fresh Pond Parkway), dated May 1, 1929 and recorded at Book 5354, Page 342, as confirmed by deed from The Buckingham School to the Commonwealth of Massachusetts, acting by and through its Department of Public Works, dated July 2, 1929 and recorded at Book 5377, Page 2, containing an 11,104 square foot parcel of land as shown on Plan 533 of 1929.

Note that Wyeth Terrace is now part of Fresh Pond Parkway.

For title to said parcel of land see Middlesex South Registry of Deeds Book 9840, Page 141.

The *pro tanto* damages awarded with respect to said Parcel of Land are seven million and seven hundred and two thousand (\$7,702,000) Dollars and the supposed owner is Buckingham Browne & Nichols School.

NOW THEREFORE BE IT

ORDERED: The taking of fee simple title in the Parcel of Land, excepting any easement of record, along with all buildings and trees thereon herein described is hereby authorized in accordance with General Laws, Chapter 40, Section 14, Chapter 43, Section 30 and Chapter 79, all as amended for open space or any other municipal purposes and for all purposes and uses accessory thereto.

12. A communication transmitted from Louis A. DePasquale, City Manager, relative to a request to move to Executive Session in order to discuss possible settlement and pending litigation.

UNFINISHED BUSINESS

1. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 18-108, regarding a report on offering early voting in City Council and School Committee Elections. [PENDING RESPONSE FROM LEGISLATURE]
2. The City Manager be and hereby is requested to confer with the City of Cambridge Law Department to review the above changes to the language of the Domestic Partnerships Ordinance and report back to the Council. [PASSED TO A SECOND READING IN COUNCIL JULY 27, 2020. TO BE ORDAINED ON OR AFTER SEPT 14, 2020]
3. A Zoning Petition has been received from BMR-Third LLC c/o BioMed Realty, L.P. regarding a Zoning Amendment Petition for a new Planned Unit Development PUD District CDK. [PASSED TO A SECOND READING AS AMENDED ON NOV 30, 2020. TO BE ORDAINED ON OR AFTER DEC 21, 2020.]

COMMUNICATIONS

1. A communication was received from Young Kim, regarding alternate plan for 2072 Mass Ave. as a holistic revitalization project.
2. A communication was received from Young Kim, regarding continued 2072 Mass Ave. Comprehensive permit case.
3. A communication was received from Young Kim, regarding alternate plac for 2072 Mass. Ave. project time line.

4. A communication was received from Mike Johnson, regarding alternate plan for 2072 Mass. Ave. as a holistic revitalization project.
5. A communication was received from Jessica Bozek, regarding plea to keep schools open.
6. A communication was received from Salvatore Zinno Vice President, Development, BMR-Third LLC, regarding commitment letter to accompany zoning amendment petition.

RESOLUTIONS

1. Congratulations to Mary Grassi for receiving the National Association of Federal Education Program Administrator's (NAFEPA) State Leadership Award. Councillor Toomey
2. Resolution on the death of Theodore F. Joyce. Councillor Toomey
3. Resolution on the death of Jose A. Vicente. Councillor Toomey
4. Congratulations to Yeabsera Semere Mengistu. Councillor Simmons
5. Congratulations to Jessica Smyser. Councillor Simmons
6. Thanking Joya for Fundraising for Food for Free. Mayor Siddiqui, Vice Mayor Mallon
7. Thanking Rep. Robert A. DeLeo for his many years of dedicated service. Councillor Toomey

ORDERS

1. That the Cambridge City Council calls upon the Animal Legal defense Fund management to respect the democratic choice of its workers by, without delay, voluntarily recognizing ALDF United and bargaining a contract with ALDF United that reflects the core values of ALDF — compassion, innovation, balance, justice, commitment, and integrity — and that seeks to create a workplace that is anti-racist, cooperative, equitable, inclusive, just, respectful, and transparent. Councillor McGovern
2. Policy Order re Covid-19 Vaccines. Councillor Simmons, Mayor Siddiqui, Councillor Carlone, Vice Mayor Mallon
3. That the City Manager be and hereby is requested to work with the appropriate City personnel to establish a waiver for low-income individuals utilizing the Covid-19 vaccine if the vaccine would otherwise cost money to access. Councillor Simmons
4. That the City Manager and DCR explore the feasibility of keeping Riverbend Park open beyond Dec 27, 2020. Councillor Sobrinho-Wheeler, Councillor Nolan, Mayor Siddiqui, Councillor Zondervan

COMMITTEE REPORTS

1. The Ordinance Committee met on Oct 21, 2020 to conduct a public hearing on the Harvard Square Conservation District Study Committee Report.
 - A. A communication transmitted from Louis A. DePasquale, City Manager, relative to the Harvard Square Conservation District Study Committee report.
 - B. That the Order Establishing the Harvard Square Conservation District, adopted by the City Council on Dec 18, 2000 is hereby amended. Councillor Carlone
 - C. That Chapter 2.78, Article III, Section 2.78.150 of the Cambridge Municipal Code, entitled "Definitions for Article III" be amended. Councillor Carlone

2. A communication was received from Paula Crane, Deputy City Clerk, transmitting a report from Councillor Nolan, Chair of the Neighborhood and Long Term Planning, Public Facilities, Arts and Celebration Committee, for a public hearing held on Oct 14, 2020 to discuss the process for conducting the feasibility study for municipal broadband and the Request for Proposal.

COMMUNICATIONS AND REPORTS FROM CITY OFFICERS

1. A communication was received from Mayor Siddiqui, communicating information from the School Committee.

HEARING SCHEDULE (until further notice – via Zoom and TV)

Mon, Dec 21

5:30pm City Council Meeting (Sullivan Chamber)

Mon, Jan 4

5:30pm City Council Meeting (Sullivan Chamber)

Tues, Jan 5

5:30pm The Ordinance Committee will conduct a public hearing to continue discussion of the KSURP Zoning Ordinance Amendment petition.

Wed, Jan 6

5:00pm The Public Safety Committee will meet to conduct a public hearing on the Cambridge Police Department inventory list. (Sullivan Chamber)

Mon, Jan 11

5:30pm City Council Meeting (Sullivan Chamber)

Wed, Jan 13

2:00pm Economic Development & University Relations Committee will meet to discuss the proposed Vacant Storefront Policy, and other strategies to address vacant storefronts in Cambridge. (Sullivan Chamber)

TEXT OF ORDERS

O-1 Dec 21, 2020

COUNCILLOR MCGOVERN

WHEREAS: The Animal Legal Defense Fund (ALDF) relies upon the labor of employees to protect the lives and advance the interests of animals through the legal system; and

WHEREAS: On Dec 14, 2020, a supermajority of eligible ALDF employees signed cards to form their union, ALDF United, with the Nonprofit Professionals Employee Union; and

WHEREAS: Together and with a voice, workers can build a stronger and more effective organization, which will in turn benefit those ALDF seeks to protect the animals; and

WHEREAS: Diversity, equity, inclusion, and respect for all workers and opportunities for advancement and training for workers empower them to do their job more effectively; and

WHEREAS: No worker can do their job well without fair compensation, a balance between work and life, and a fair procedure for adjudicating workplace harassment, discrimination, intimidation, and bullying or with fear of retaliation; and

WHEREAS: The tradition and spirit of ALDF is to trail-blaze in the emerging field of animal law by litigating cases in federal and state courts with the goal of stopping abusive practices and setting ground-breaking precedent that will establish justice for animals in the legal system, advocating

for animal protection legislation, and nurturing the next generation of animal lawyers and animal advocates; and
WHEREAS: The work of ALDF has included strong support for the rights of workers exploited in animal agriculture; and
WHEREAS: In November and December 2020, ALDF workers exercised their federally protected rights to concerted activity at their workplace; and

WHEREAS: The City of Cambridge prioritizes the protection of animals, include the rescue and care of domestic and wild animals; and

WHEREAS: The City of Cambridge does not tolerate any form of harassment, discrimination, or intimidation, including attempts to dissuade workers from exercising their workplace rights; now therefore be it

RESOLVED: That the Cambridge City Council calls upon the Animal Legal Defense Fund management to respect the democratic choice of its workers by, without delay, voluntarily recognizing ALDF United and bargaining a contract with ALDF United that reflects the core values of ALDF — compassion, innovation, balance, justice, commitment, and integrity — and that seeks to create a workplace that is anti-racist, cooperative, equitable, inclusive, just, respectful, and transparent.

O-2 Dec 21, 2020

COUNCILLOR SIMMONS

MAYOR SIDDIQUI

COUNCILLOR CARLONE

VICE MAYOR MALLON

WHEREAS: After a year in which the Covid-19 pandemic has left over 300,000 American citizens dead, there is finally reason for optimism as a number of pharmaceutical companies have rushed to develop vaccines that are now beginning to be shipped out to the country to begin a mass inoculation project; and

WHEREAS: Due to the unique challenges of creating, mass producing, and distributing a vaccine for over 300 million United States citizens in such a condensed time period, there will be no one singular vaccine distributed across the country, but rather a patchwork of slightly different vaccines, from numerous companies, that will be distributed; and

WHEREAS: There have been reports that some vaccines, such as those made by [Pfizer](#) and [Moderna](#), have achieved effectiveness rates of over 90 percent in trials, while other vaccines, such as the one created by AstraZenica, [have an effectiveness rate of 70 percent](#); and

WHEREAS: While many residents are anxiously awaiting the opportunity to become vaccinated, there are some among us – [particularly people of color](#) who [have had historical reasons to be distrustful of the healthcare industry](#) – [who are less enthusiastic](#) about receiving the Covid-19 vaccine, and who do wish to have some measure of assurance that any vaccine that is distributed in Cambridge is of the highest possible quality; now therefore be it

ORDERED: That the City Manager be and hereby is requested to consult with the Director of the Public Health Department and report back to the City Council on what efforts are being made to ensure that only those vaccines with an effectiveness rate of 90 percent or higher will be utilized throughout the City of Cambridge.

O-3 Dec 21, 2020

COUNCILLOR SIMMONS

WHEREAS: As the Covid-19 vaccine begins to make its way to the Cambridge community, our public health leaders remind us that it is imperative that as many Cambridge residents as possible be vaccinated in order to curb the further spread of this illness; and

WHEREAS: An important part of ensuring that as many Cambridge residents as possible get vaccinated will be to remove as many barriers as possible that might prevent people from engaging in this program; and

WHEREAS: One potentially significant barrier would be if there were incidental costs for individuals getting vaccinated, as even minimal expenses could be prohibitive for low-income individuals living on a fixed income; now therefore be it

ORDERED: That the City Manager be and hereby is requested to work with the appropriate City personnel to establish a waiver for low-income individuals utilizing the Covid-19 vaccine if the vaccine would otherwise cost money to access; and be it further

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

O-4 Dec 21, 2020

COUNCILLOR SOBRINHO-WHEELER

COUNCILLOR NOLAN

MAYOR SIDDIQUI

COUNCILLOR ZONDERVAN

WHEREAS: The COVID-19 pandemic has reduced opportunities for residents to get fresh air, exercise, and spend time outdoors while safely socially distancing; and

WHEREAS: This can be even more challenging for the many Cambridge residents, including lower-income residents, who do not have access to yards or private outdoor space; and

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

WHEREAS: The Cambridge City Council passed a policy order in April that led to Riverbend Park being opened on Memorial Drive on both Saturdays and Sundays, which has provided an opportunity for residents to spend time outside while safely social distancing; and

WHEREAS: Riverbend Park, which is owned and operated by Massachusetts Department of Conservation and Recreation (DCR) is [currently scheduled](#) to be open on Memorial Drive through Sun, Dec 27, 2020; and

WHEREAS: Keeping Riverbend Park open beyond December 27 would provide a much-needed opportunity for residents to spend safe, socially distant time outdoors as the colder weather and rising COVID cases make some activities more challenging; now therefore be it

ORDERED: That the City Manager be and is hereby requested to work with the Massachusetts Department of Conservation and Recreation (DCR) to explore the feasibility of keeping Riverbend Park open beyond December 27; and be it further

ORDERED: That the City Manager be and is hereby requested to work with City departments and DCR on temporary signage for streets near Memorial Drive to remind residents

and others that portions of the road will be closed to vehicle traffic on Saturdays and Sundays; and be it further

ORDERED: That the City Manager report back to the City Council as soon as possible.