

MEETING	Monday, April 13, 2015 Sullivan Chamber
TIME	5:45 PM
PRESIDING OFFICER	Mayor David P. Maher
PRESENT	Mayor Maher, Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons and Toomey
ABSENT	Councillor Carlone
REMOTE PARTICIPATION	Councillor Mazen
PRESENTATIONS	To Marvin Gilmore
PLEDGE OF ALLEGIANCE	
MOMENT OF MEDITATION	
MAYOR ANNOUNCED THAT THE MEETING WAS BEING RECORDED WITH AUDIO AND VISUAL DEVICES.	

REMOTE PARTICIPATION

Mayor Maher explained the remote participation process. He stated that the City Manager has authorized the use of remote participation at meetings of the City's public bodies and transmitted to the City Council on May 13, 2012 the Open Meeting law Regulations issued by the Attorney General on November 11, 2012, 940 CMR 29.10, to be used as guidelines for the City's use of remote participation. The guidelines state that the Mayor must announce that there is a quorum of the City Council, including the Chair, physically present at the meeting location.

Mayor Maher stated that there is a quorum physically present in the Sullivan Chamber.

Mayor Maher announced that Councillor Mazen has, prior to the meeting, notified the Chair of his desire to participate remotely in the meeting and identified the reason for and facts supporting his request. Mayor Maher announced that the Chair has determined that one of the five permissible reasons listed in the regulations was identified by the absent City Councillor as the reason for his desire to participate in the meeting remotely and makes the City Councillor's physical attendance at the meeting unreasonably difficult. The Chair stated the permissible reasons. They are personal illness; personal disability; emergency; military service or geographic distance.

Mayor Maher announced that the Chair has determined that because the absent City Councillor's physical attendance at the meeting is unreasonably difficult due to geographic distance the absent City Councillor will remotely participate in the meeting and is in attendance at the meeting via teleconferencing. The Chair announced that this information must be recorded in the meeting.

Mayor Maher requested Councillor Mazen to state for the record that the proceedings are clearly audible to him. Will Councillor Mazen please confirm?

Councillor Mazen confirmed that the proceedings were clearly audible to him.

Mayor Maher announced that the absent City Councillor is clearly audible to both the City Council and the public. Confirm that this is the case.

The City Council and the public confirmed that Councillor Mazen was clearly audible.

Mayor Maher announced that all votes taken at the meeting must be by roll call vote.

SUBMISSION OF THE RECORD

On motion of Councillor Toomey the submission of the record for the March 23, 2015 Roundtable/Working meeting was accepted on a voice vote of seven members.

CALENDAR ITEM NUMBER ONE

1 Here insert Calendar Item # One read by Mayor Maher, which reads as follows:
(Here insert Order for Calendar Item # 1)

Mayor Maher stated that Mr. Gilmore received the Legion of Honor Medal, the highest honor that can be received from France. This was received for the fine work done by Mr. Gilmore. Mr. Gilmore passed around his medal for the City Council to see. Mayor Maher thanked Mr. Gilmore for all his great work for the City of Cambridge.

Mr. Gilmore addressed the City Council. He spoke of the events that he has experienced in his ninety-one years including World War II, desegregation, prejudice in education and his inability to get a bank loan. He stated that he would open his own bank and three years later he opened the Unity Bank. He noted that you can do anything once you set your mind to it. He stated that his whole life has been this way. He thanked the City Council for this honor. He stated that the City of Cambridge was one of his mentors.

Mr. Rossi stated that Mr. Gilmore is one of the reasons that Cambridge is the place that it is. There are so many unique opportunities that are offered to citizens. Mr. Gilmore has been a stalwart in the community, a great person to work with and one who has spirit. He thanked Mr. Gilmore for helping to make Cambridge the place that it is.

The question now came on adoption of the order and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Toomey and Mayor Maher	- 7
NAYS:	None	- 0
ABSENT:	Councillors Cheung and Simmons	- 2

and the order was –
Adopted.

PUBLIC COMMENT

Ari Ofsevit, 10 Lawrence Street, spoke on Reconsideration #1. He stated that he is concerned about bicycle safety. He stated that he is in favor of this project and this concept and that this is an opportunity to make a better street for everyone.

Sarah Kennedy, Chamber of Commerce, Director of Government Affairs, stated that the Chamber of Commerce is opposed to Policy Order #12. She stated the belief that this proposal would reverse the progress that has been made in planning a vibrant future for Central Square. She asked the City Council to ensure that this policy order is defeated. She stated that the impact of this policy order would severely diminish the rights of property owners in Central Square. She stated that instead of encouraging housing development, it will halt future development opportunities in Central Square. She stated that retailers, residents and property owners all want Central Square to be vibrant. She stated that the City Council must demonstrate its leadership by opposing this policy order and supporting the ongoing process of developing a vision for Central Square.

Darlene Lombos, 9 Beethoven Street, Vice President of the Greater Boston Labor Council, spoke in favor of Policy Order #11. She stated that three weeks ago, close to 100 union and community members gathered in front of Alewife Station to speak out against the irresponsible business practices of Callahan, Inc. She stated that Callahan, Inc. is a developer who is notorious for contracting to bad employers that continually compromise the health and safety of their workers. She stated that this is all in the name of cutting costs and making bigger profits. She stated that this is unacceptable to union sisters and brothers struggling to find work. She urged the City Council to pass the resolution to ensure employers are held to the high standards that the City of Cambridge and its residents deserve.

Juan Ortiz, 319 East Main Street, Marlboro, stated his support for Policy Order #11. He stated that it is important that this pass because they are experiencing violations of labor law. He stated that he works for a company and he worked for several weeks and was not paid for work that he did. He stated that the people most affected by these types of violations are the workers. He stated that he had to pay contractors out of his own pocket without being given the funds to do so.

Shamaiah Turner, 11 Idaho Street, Boston, stated that she is a sheet metal worker who empowers young people to be more active in their communities and their union. She stated her support for Policy Order #11. She stated that young people entering the workforce should not believe that any job is a good job. This is a statewide campaign to hand in testimony from Karen Chen along with a Fact Sheet of the broader campaign that they are working on.

Lee Farris, 269 Norfolk Street, stated that she strongly supports more affordable housing, particularly in Central Square. She stated that she understands that in Central Square the values per square foot, the profit that results from a commercial building is greater than from a rental building. She stated that she is curious as to what has happened with the Master Plan process. She stated that she is usually told by the Community Development Department that they are working on it. She stated that she was told the RFP was going out before the end of the year and she does not believe that this has gone out as of yet.

Kathy Born, 3 Walnut Avenue, stated that she is present in her capacity as Chair of the Cambridge Redevelopment Authority. She spoke on City Manager Agenda #1 regarding Mr. Bator's reappointment to the board. She stated that she would like to take the opportunity to speak on behalf of Mr. Bator. She stated that Mr. Bator is a lifelong resident of Cambridge. She stated that the CRA has a nice array of geography amongst the board. She stated that responsible government and transparency is at the heart of the CRA's mission. She stated that Mr. Bator is a federal attorney who works in Boston yet manages to find the time to attend the regular meetings and that of the Finance Committee for the CRA.

Mark Erlich, 750 Dorchester Avenue, New England Regional Council of Carpenters, stated his support for Policy Order #11. He stated that we are witnessing boom of housing construction in Cambridge. He stated that residential projects are being built by almost all non-union. He stated that the 244 unit project at Cambridge Park Drive is being built by Callahan which uses illegal practices. He stated that this contractor has few direct employees and uses subcontractors to skirt the law. He stated that Cambridge has been a city that supports unions and advocates for workers and immigrant rights. He stated that these constituencies are in jeopardy when the Callahan's of the world build multi-unit projects the way it is being done at Cambridge Park Drive.

Dave Borus, 21-year resident of Cambridge, serves as the Business Agent for Pile Drivers. He stated that as a union carpenter, the wages and benefits have enriched the lives of his family. He stated that he and his wife have been able to succeed in Cambridge and he is grateful for that. He stated that now there are contractors coming in who are unscrupulous in their work effort. He pointed out that a contract like Callahan who misrepresents itself to force its way into a job, think about what they will do to a worker or contractor. He stated his support for Policy Order #11.

Mynov Perez, 1137 Massachusetts Avenue, thanked Councillor Simmons for Policy Order #11. He stated that he was fortunate to buy this small piece of property in Cambridge. He stated that when he joined the Carpenters Union many years ago. Without this career, he would not have been able to afford this property. He stated that this is a way to make a decent living. He represents his local union for 17 years as the Business Manager. He stated that when bringing contractors like Callahan into the city, he is concerned about the career opportunities of the young people. He asked for City Council support.

Mark Thomas, 14 Roosevelt Towers, stated that he is a lifelong Cantabrigian and member of Local 40. He stated his support for Policy Order #11. He stated that we do not need contractors such as Callahan in the City of Cambridge. He stated that he is against Agenda #12 and for Agenda Item #14.

Mark Sutherland, 132 Pearl Street, member of Carpenters Local 40. He stated that he has spoken to the City Council well over 100 times. He stated that he usually speaks about responsible development. He stated his support for Order #11 and 14 and is opposed to Order #12. He stated that it is more than wage theft. They have no type of pension program and he is against pretty much everything that Callahan does. He stated that he would not be able to stay in Cambridge without the benefits that his union gives him. He stated that he would like to stay in Cambridge but we cannot have people like Callahan stealing from working people.

Gary Mello, Franklin Street, stated that Councillor Cheung wants to mandate infrastructure for electric car charging in new construction projects. He stated that the last time he drove up from Florida it took 22 hours of driving. He stated that if he did that in an electric car it could take more than a week. He stated that Councillor Cheung advocates widespread use of credit cards and net applications for parking meter users' convenience, even suggesting that meter revenue will increase. He stated that people get tickets because they don't have enough quarters and that they will gladly swipe for an extra buck. He stated that overall, revenue takes a huge hit, maintenance costs skyrocket and the turnover rate worsens. She stated that there must be consideration to the consequences of all new technologies. He asked why Cambridge taxpayers pay ten times more than Somerville for the position of Election Commissioner. He stated that the City Council should ask the City Manager to justify the largesse.

George Metzger, 130 Bishop Allen Drive, spoke as a board member of the Central Square Business Association. He stated that Policy Order #12 has as its stated goal to encourage housing development, both market rate and affordable, in a competitive real estate market. He stated that all agree that housing is a primary goal and that in Central Square people want a mix of housing, retail and other uses to provide a rich and diverse community. He stated that Policy Order #12 is seeking the adoption of a single, game changing order that flies in the face of honest debate and public process, ignores the huge investment of both city and community resources over the past several years and de-rails the obligation of the City Council to lead the city to enact a vision for Central Square for a better future. He urged the City Council to reject this policy order and move forward with the task of forging a vision borne of public debate and consensus into the reality of the vital future for Central Square.

Joseph Poirier, 78 Highland Avenue, spoke on Reconsideration #1. He stated his surprise to see this reappear on the agenda. He stated that Mayor Walsh and the City of Boston has recently announced one of the country's most ambitious complete streets projects on Commonwealth Avenue. He stated that this project should serve as a model for street reconstruction projects in Cambridge. He stated that two sustainable transportation advocates have recently received the e-mails sent to the City Council regarding the Pearl Street project. He noted that of the 91 opinions expressed by Cambridge residents, 79 wrote in favor of a non-status quo redesign of Pearl Street. He noted that only 10 wrote against the project. He stated his hope that the City Council will improve this transportation corridor in Cambridge.

Christina Giacobbe thanked the City Council and Mayor Maher for Resolution #25 recognizing National Telecommunications Week in the City of Cambridge. She stated that the City's dispatchers play a pivotal role in supporting public safety. She thanked the Cambridge Police Officers Association for their support of the dispatchers. She thanked Mr. Rossi, Ms. Peterson, Police Commissioner Haas and Chief Reardon for their support of the Emergency

Communications Department. Finally, she thanked the dispatchers for the City of Cambridge who support public safety and provide assistance to the residents of Cambridge every day.

John Sanzone, 540 Memorial Drive, spoke on Reconsideration #1. He stated that referral to the Transportation Committee simply allows for more discussion on the final disposition of the street. He stated that enough concern and ideas have come in to warrant continued discussion. He stated that Cambridge has a duty to set a good example. He stated that this must be done the right way instead of the easiest way.

Nancy Ryan, 4 Ashburton Place, spoke in favor of Policy Order #12. She stated that it seems that the Chamber of Commerce does support the up-zoning of an entire city block to benefit of one owner and rezoning of a portion of residential neighborhood for circus parking. She stated that you cannot have it both ways. She stated that they are being threatened with the substitution of office and lab space if the owners of the Mass and Main project do not get their way. With that threat hanging over their heads, this is one way to consider preference of housing over lab and office space in that area. We need to protect the residential character and increase in residential units in Central Square. This is in the absence of a plan for Central Square. She stated that the C2 study has been shelved for reasons that are unclear. She stated the Normandy Twining petition essentially destroys a major element of the C2 study and proposal. She urged the City Council to take a close look at Policy Order #12.

Marilyn Wellons, 651 Green Street, thanked Councillor Cheung for Policy Order #3. She stated that the trees on the Cambridge Common have been cut down. This is disturbing to her. She pointed out that there is a sign-off on this type of thing. She stated that design considerations have led to the cutting down of these trees. She stated that the city talks a good game on the environment but it needs to rethink how seriously it takes environmental concerns. She stated that she would like the city to rethink its policy on this sort of thing.

Patrick Barrett, 234 Broadway, stated that he is baffled by Policy Order #12 which is not just a bad faith eminent domain-like taking, but will freeze development in Central Square perpetuating its continued use as an office park. He stated that this policy order shows the sponsors' clear contempt for the property owners in Central Square, most of whom are multigenerational Cantabrigians, the citizens in Central Square and a complete disregard of the democratic process. He stated that instead of spending time working on the zoning language produced through an active democracy, the Planning Board was forced to defend themselves against an unwarranted politicized attack. He stated that he finds it aggravating that the sponsors of the order have had before them the product of a truly democratic process with incomplete zoning language instead of attempting to fix, amend or contribute to it in any meaningful way they have decided to ignore it and posture for political gain using all of Central Square as a mere pawn. He asked the City Council to condemn this attack on Central Square by demanding a withdrawal of this policy order. He stated that he would like to see solidarity for Central Square.

Samuel Mayhew, member of Carpenters Local 40, stated his support for Policy Order #11. He stated that Callahan has been playing this game for the last ten years. He stated that regarding Policy Order #12, it is a good project for Cambridge. He stated that this will be a chance to bring in more apprenticeships where they can make money. He stated that he has lived in Cambridge all his life and Central Square needs improvement.

Mark Jacquith, 213 Hurley Street, spoke on Policy Order #14. He stated that he and several of his neighbors do not understand this. He stated that most of these things are straightforward but this is a mystery. He stated that the neighborhood would like an explanation. He thanked Councillor Toomey for his resolutions on the incoming and outgoing members of the East Cambridge Planning Team.

Hasson Rashid, 820 Massachusetts Avenue, stated that he feels that all appointments should be based upon track record and evidence that the appointee has demonstrated a sensitivity to the homeless sector in the city. He stated that homelessness has officially been designated a crisis because of a lack of affordable housing. He stated that some policy makers have failed to let Human Services and other departments know that the Foundry Building was and is available for homelessness and other poverty uses. He stated that underutilized properties should be donated to address the populations identified as having high priority needs.

James Williamson, 1000 Jackson Place, stated that as it relates to the Mass and Main project, when he speaks to people who are not engaged in government in the city, they are horrified. He stated that some have talked about business being down and the need for more people. He stated that there has been significant population growth in the City of Cambridge. He stated that it is not a persuasive argument to change zoning so that businesses can have more customers. He stated that CRA was created in response to having been included in a process. He stated that even with C2 process, the people were initially not happy with the fact the zoning was going to be bypassed with spot zoning. As it relates to the affordable housing component, he questioned why the City is not doing more to get MIT to house 2000 graduate students on their own property.

Sue Butler spoke on Policy Order #3. She stated that methane is far more toxic to the atmosphere than carbon dioxide and we should do everything we can to contain it. The request is very reasonable. She stated that there are other groups that have been mapping this issue throughout the city and it needs addressing. Regarding the Master Plan, she stated that there is a lot going on. She stated that many things are happening around issues of local growth, sustainability and building codes. She urged support for affordable housing. Regarding Policy Order #13, she asked for City Council support.

Terrence Jones stated that he is a resident of Cambridge. He believes in hiring responsible businesses that follow the law. Callahan continues to practice non-ethical work practices.

Councillor Simmons made a motion to close public comment at 7:08 PM and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
NAYS:	None	- 0
ABSENT:	Councillor Carlone	- 1

and the motion to close public comment –

Carried.

POLICY ORDER ELEVEN

Councillor Simmons moved suspension of the rules to dispense with the regular order of business to bring forward Policy Order # 11.

The question now came on suspension of the rules and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
NAYS:	None	- 0
ABSENT:	Councillor Carlone	- 1

and the rules were –

Suspended.

The following order was now considered, the question being on adoption, to wit:
(HERE INSERT POLICY ORDER # 11)

Councillor Simmons stated that Callahan Construction has been unscrupulous in their business practices. She stated that she has always stood with labor and has asked for fair labor practices. It is important that the City Council let Callahan Construction know that this practice will not be tolerated in Cambridge. She noted that Callahan does not behave in this manner in Boston. She wanted Callahan Construction held to the same standards and practices as Boston.

Councillor McGovern noted that the City Council has always stood behind labor and the workers and this is something to be proud of. He spoke about union benefits and how they affect not only the employee but families. He stated that Callahan’s practices are wrong on so many levels. He hopes that this order is adopted.

Councillor Cheung stated that there is discussion about the middle class disappearing in Cambridge. In Cambridge the spectrum is either really wealthy or barely getting by. He stated that the middle class was built on organized labor, fair wages and health benefits. He stated that companies like Callahan Construction are part of the problem dismantling the middle class in this country. He stated that Boston uses organized labor and they come across the river and do not use organized labor in Cambridge and get away with it. Boston’s mayor was known for not letting construction contractors get away with not using organized labor. In Cambridge it is up to the City Council to state that this will not be tolerated. He stated that if one cannot afford to live in the City then they should not be doing business in the City. This is about every developer who hires a company like Callahan the need to receive the same message that Cambridge will not accept an open shop that neighborhood standards must be maintained.

The question now came on adoption of Policy Order # 11 and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
-------	---	-----

NAYS: None - 0
ABSENT: Councillor Carlone - 1

and the order was –
Adopted.

RECONSIDERATION

Councillor Toomey moved his motion for reconsideration of the vote taken on March 30, 2015 to refer to the Transportation and Public Utilities Committee City Manager’s Agenda Item #18 and Calendar Item # 8 as amended regarding the Pearl Street Reconstruction Project.

The question now came on the motion for reconsideration and the roll was called and resulted as follows:

YEAS: Councillors Simmons, Toomey and Mayor Maher - 3
NAYS: Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen and McGovern - 5
ABSENT: Councillor Carlone - 1

and the motion to reconsider –
Failed.

CONSENT AGENDA

- # 2 Placed on file on a roll call vote 8 – 0 – 1.
- # 3 Placed on file on a roll call vote 8 – 0 – 1.
- # 5 Placed on file on a roll call vote 8 – 0 – 1.
- # 6 Order adopted 8 – 0 – 1.
- # 7 Order adopted 8 – 0 – 1.
- # 8 Order adopted 8 – 0 – 1.
- # 9 Order adopted 8 – 0 – 1.
- #10 Order adopted 8 – 0 – 1.
- #11 Order adopted 8 – 0 – 1.
- #12 Order adopted 8 – 0 – 1.
- #13 Order adopted 8 – 0 – 1.
- #14 Order adopted 8 – 0 – 1.
- #15 Order adopted 8 – 0 – 1.
- #16 Order adopted 8 – 0 – 1.
- #17 Order adopted 8 – 0 – 1.
- #18 Placed on file on a roll call vote of 8 – 0 – 1.
- #19 Placed on file on a roll call vote of 8 – 0 – 1.
- #20 Placed on file on a roll call vote of 8 – 0 – 1.

NON CONSENT AGENDA

- # 1 Here insert Agenda # 1 read by Mayor Maher.

Councillor Kelley stated that the City Council only has two appointments that it votes confirmation. The City Council has a legal right to determine whether the appointees fit the particular board needs as perceived by the City Council. He stated that he felt that either a Special City Council meeting or a committee hearing should be held to review the makeup of the board and the skill sets needed. He stated that once the City Council gets into the habit of doing this the appointment will not surprise anyone. He stated that he thinks that this process is important.

Councillor Simmons stated that her colleague makes a valid point.

Councillor Kelley stated that he would like to refer this to either the Government Operations, Rules and Claims Committee or the Neighborhood Long Term Planning, Public Facilities, Arts and Celebration Committee to discuss the makeup of the Redevelopment Authority board.

Councillor McGovern stated that he wanted to separate this from the person and the appointment. Even though this is not the intent it feels as if it is about the person. He stated that he thinks that this appointment should be approved and bring in a Policy Order to refer the discussion to the Government Operations, Rules and Claims Committee.

Councillor Simmons stated that this is a valid point. She does not want this to be a repetitious discussion each time an appointment is made. She stated that she had an issue with the complexion of the boards and commissions. She urged taking a step back and looking at the issue.

Councillor Cheung stated that it would not be prudent of the City Council not to approve this appointment. He supported how this is looked at in the future.

Councillor Kelley stated that the City Council has been here before. He will be submitting a change to the City Council Rules.

Councillor Toomey stated that we would welcome a change to the City Council Rules by Councillor Kelley.

City Manager Rossi stated that in the future when he puts the appointments to the Housing Authority and Redevelopment Authority boards he would refer the matter to the Government Operations, Rules and Claims Committee to alleviate these discussions.

Mayor Maher moved confirmation of the appointment and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 7
NAYS:	Councillor Kelley	- 1
ABSENT:	Councillor Carlone	- 1

and the appointment was –
Confirmed.

4 Here insert Agenda # 4 read by Mayor Maher. Vice Mayor Benzan stated that the Garden of Peace was part of the participatory process and was under consideration by many

residents. He stated that the open space throughout the City are not places for reflection and tranquility. He asked if there has been any thought given to install water fountains in the open spaces in the City.

Mr. Rossi stated that he visited the site in Boston and it is a more tranquil place. He stated that there will be many open space projects that will come on board in the next few years and there will be opportunities. He stated that he would challenge City staff to develop a space that is tranquil and offer the opportunity to think in a peaceful way and this will be worked into the open space design. He stated that there will be a report that outlines the most suitable location.

Vice Mayor Benzan stated that there are other ways to enhance the public space than using granite. Mr. Rossi stated that the use of different types of stones and boulders will be reviewed.

Councillor Simmons stated that it would be helpful to be more descriptive about what is a Peace Garden. Mr. Rossi stated that this concept needs to be developed. This will need to be defined, select a location concept and then it will be shared with the City Council.

Councillor McGovern wanted the location to public, centrally located and easily accessible.

Mayor Maher moved that the matter be placed on file and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
NAYS:	None	- 0
ABSENT:	Councillor Carlone	- 1

and the matter was –
Placed on file.

CALENDAR

2 -4 No action taken.

APPLICATIONS AND PETITIONS

1 – 2 Orders adopted 8 – 0 – 1.
3 Charter Right exercised by Councillor Toomey.

CONSENT COMMUNICATIONS

1- 13 Placed on file 8 – 0 – 1.

CONSENT RESOLUTIONS

Councillor Simmons moved adoption of Resolutions 1 – 18 and 20-55 and upon adoption that the resolutions be made unanimously sponsored and on the motion the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
-------	---	-----

NAYS: None - 0
ABSENT: Councillor Carlone - 1

and Resolutions 1 – 18 and 20-55 were –
Adopted.

NON CONSENT RESOLUTION

Here insert Resolution # 19 read by Mayor Maher. Councillor Toomey questioned the location in the resolution.

Councillor Cheung agreed that the address was incorrect. Councillor Cheung moved to withdraw Resolution #19 with unanimous consent.

Mayor Maher announced hearing no objection – Resolution # 19 was –
Withdrawn.

CONSENT POLICY ORDERS

- # 1 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)
- # 2 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)
- # 3 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)
- # 4 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)
- # 5 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)
- # 6 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)
- # 7 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)
- # 8 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)
- #10 Order adopted 7 – 0 – 2 (Vice Mayor Benzan and Councillor Carlone)

NON CONSENT POLICY ORDERS

9 Here insert Policy Order # 9 read by Mayor Maher. Councillor Toomey asked if this is a proposal to allow parking in residential areas of the City for cars outside of the City to be allowed to park free of charge all day. These cars will not have a residential sticker. He asked how this would work.

Councillor Cheung stated that this is for Zipcar. He stated that this is not about Uber or LYFT which is a different category of livery vehicle. This is not about vehicles coming from outside the City. Councillor Toomey asked if the Zipcars in the City are registered to the City. Councillor Cheung responded that the Zipcars have registered spaces. He further stated that the Zipcars are not given residential stickers.

Mayor Maher asked Councillor Cheung to explain what the purpose of this proposal is.

Councillor Cheung explained that in 2009 the City Council considered car sharing regulations. He stated that the Zipcars is the biggest in the market. The 2009 car sharing regulations were never adopted. Currently the regulations are unclear as to how many there can be and where they can be located. This proposal caps the number in residential areas, outlines the granting process and defines ridesharing. This has been in process at the Community Development Department

for a couple of years. He noted that Community Development has research that shows Zipcars have reduced car ownership dramatically, reduces cars parked in residential areas and reduces the amounts of vehicle trips and reduces emissions. The purpose is to regulate car sharing.

Councillor Toomey supported Zipcars but would rather see the cars parked in city-owned garages than taking residential parking spots. Councillor Cheung explained that these concerns are reflected in the proposal.

Mayor Maher stated that he recollects that these companies are for-profit companies and that the City could not benefit a for-profit company.

Councillor Kelley commented that the City gives things to for-profit companies all the time, such as the food trucks that park on city streets. He stated that the City needs to rethink cars and transportation now. People are thinking about cars differently now. He stated that there is a shift from auto-centered to techno-centered.

The question now came on adoption of the order and referred to the Ordinance Committee and Planning Board for hearing and report and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
NAYS:	None	- 0
ABSENT:	Councillor Carlone	- 1

and the order was –
Adopted and referred.

#12 Here insert Policy Order #12 read by Mayor Maher. Councillor Kelley stated that he does not see this as a good faith effort. This is not a good public process and he is concerned about this. He stated that when you start playing with the process he felt that it robs the City Council of integrity. He stated that he resented this Policy Order and would not support it.

Councillor Mazen commented on this being an antagonistic proposition. He stated that many people have brought up C2 in a positive way. He stated that he objects that this is something that reflects on the Normandy Twining proposal. He stated that he felt that Normandy Twining is a foregone conclusion. He stated that he is asking what is wanted for Central Square. He stated that the CSBA wanted a retail and housing oriented square. He stated that when it is stated that this is an abuse of the process he noted that this is the process. He stated that he is at a loss at the tone and the gravity of the comments because this is something important to discuss. He spoke about the process for the City Council around C2 and the master plan. He wanted to know what the concerns of his colleagues about this Policy Order are. The discussions on this matter do not have to be seen as an aggressive forum. He stated that he is concerned about how massive planning is handled and that an alternative should be found on how this is broached or figure out what the City Council likes or dislikes about this proposal.

Vice Mayor Benzan explained that there is nothing collegial about filing an amendment to the Zoning Ordinances without at least letting the co-chair of the Ordinance Committee the benefit of a brief discussion about the proposal or of having a brief discussion with the chair of the Housing Committee. This matter of conducting business is creating toxicity on the City Council.

He stated that if his colleague supported affordable housing that he should support policies that create affordable housing now. He stated that this is an effort to derail a project in Central Square that Councillor Mazen and Councillor Carlone do not support. He stated that if this is the way that business will be conducted then nothing will be accomplished by the City Council. He stated that at the end of the day the people who are suffering are the residents who need affordable housing. He added that not one unit of affordable housing has been created in the last year and one-half and this petition will not create affordable housing in Central Square. He stated that this petition is not subject to the master plan and was filed due to being unsupportive of the process. Vice Mayor Benzan stated his hope that the City Council will start to work collaboratively with each other toward developing affordable housing in Central Square.

Councillor McGovern spoke about the process and the record. He commented that it is easy to talk about transparency and collaboration. He stated that what he is finding is that the people that they do not agree with they should be transparent and collaborate, but those they agree with do not have to be transparent. He stated that he holds himself to the same standard of those he agrees with as those he does not agree with. He explained that there was no collaboration with the City Council, residents or Community Development Department with the Carlone petition. He further stated that the alternative plan submitted by Councillor Carlone on the Normandy and Main petition had not collaboration with the property owners, Community Development Department or other City Councillors. He stated that this petition had no collaboration with the Central Square Business Association, Community Development Department or other City Councillors. He noted that collaboration is not just talking to those who will agree with you. He stated that there is an open process and this is not it. He had his doubts on whether this proposal would provide affordable housing. He stated there was a process for Central Square. It was called C2. He noted that if the City Council wanted to push Community Development on C2 the City Council would have. The City Council did not push the C2 because it was controversial. He stated that the City Council has a roundtable on C2. He stated that he is in favor of incentivizing affordable housing everywhere in the City. He stated that this petition is not good governance. This is causing divisiveness on the City Council.

Councillor Mazen stated that the Policy Order was written by another Councillor. He agreed with the Policy Order when he read it. He felt that this submission should be looked at like every other submission. He stated that there are three such submissions received this week. He stated that stating that the City Council cannot collaborate on the floor is not fair. He stated that his colleagues have an opportunity to comment on the content not just on the process. He wanted to know how issues can be discussed in a positive and not a negative way. He stated that he has had feedback from Community Development Department on C2. He stated that his invitation to discuss plans for Central Square could not have been more collegial. He stated that the petition would not derail the Twining petition. He stated that he has supported affordable housing every step of the way. He stated that he did want the petition to be part of master plan. He felt that the comment made by Vice Mayor Benzan was unfair. He stated that this type of discussion will aid the master planning process. Councillor Mazen stated that he never stated that he was opposed to C2. He stated his concern about ground floor retail and how it is kept accessible for all types of retailers and startups.

Councillor Simmons stated that she felt that this is an important piece of legislation that is being offered by two colleagues but she did not appreciate the way it was introduced. There should have been more thoughtfulness and deliberation on this. She felt that it was a courtesy that one

would consult with their co-chair as well as to the chair of the Housing Committee. This is not a good way to introduce policy initiatives and then expect the City Council to support them. She stated that she would be voting against the Policy Order.

Councillor Kelley explained that this is a zoning proposal and it requires six votes to move it forward or seven if there is objection. He spoke of the confines of the Open Meeting Law for the City Council members to talk with one another. He urged citizen participation in the process in good faith. He stated that he sees no good faith in this process. He stated that he finds this offensive.

Councillor Simmons stated that as a courtesy you can discuss the matter with your co-chair. She believes this was well intended but the way it was presented to the City Council needs work. She cannot vote on something that is deliberately disruptive.

Councillor Mazen stated that if the City Council wanted longer discussions without public input this should happen before an item is brought to the full City Council. He stated that on the City Council floor is an opportunity to reflect on this measure. He stated that he has not heard from his colleagues what is the action wanted on C2, lab space or Central Square. He commented on other ordinance changes that have been submitted similarly to the City Council. He does not appreciate being held up this way when the same is not done for similar motions at this very meeting. He urged that if there are operational suggestions that they be made in a positive way. He stated that the discussion has been positive but that the tone has been wildly unfair and unusual. He did want a timeline to discuss C2, Central Square and the master plan.

Mayor Maher announced that there is a meeting on C2 on Wednesday.

Councillor Simmons stated that she did not imply that the City Council should meet behind closed doors.

Councillor McGovern stated that something that would impact the business owners in Central Square and to not discuss this with them before hand is not respectful to this constituency. He further stated that not discussing the matter with the property owners when their project is mentioned in the Policy Order is not transparent or collaborative.

Councillor Kelley stated that this petition is impacting a proposal that is at the forefront of City Council discussions. This makes the whole discussion different. He stated that context of what is submitted is as important and anything else.

Councillor Mazen stated that he did not suggest that the City Council meeting in secret. He was suggesting that a certain amount of planning is needed.

Vice Mayor Benzan moved adoption of Policy Order # 12 as follows:
(HERE INSERT POLICY ORDER # 12)

On this question the roll was called and resulted as follows:

YEAS: Councillor Mazen - 1
NAYS: Vice Mayor Benzan, Councillors Cheung, Kelley, McGovern, Simmons, Toomey

	and Mayor Maher	- 7
ABSENT:	Councillor Carlone	- 1

and the order –
Failed of adoption.

#13 Here insert Original Policy Order #13 read by Mayor Maher. Councillor Kelley stated that independent of the eligibility for the Massachusetts Electric Vehicle Incentive Program the rest of the items should be referred to the Transportation and Public Utilities Committee. He stated that the electric vehicles are the wave of the future and whether they are more ecologically sound could be disputed. Electric vehicles emit fewer emissions, are quieter and better for urban living. He stated that electric vehicles will include electric bikes, wheelchairs and cars.

The question now came on Councillor Kelley’s motion to refer to the Transportation and Public Utilities Committee all but the City Manager investigating the City of Cambridge’s eligibility for the Massachusetts Electric Vehicle Incentive Program which reads as follows:
(HERE INSERT AMENDED POLICY ORDER #13)

The question now came on referral and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
NAYS:	None	- 0
ABSENT:	Councillor Carlone	- 1

and the matter was –
Referred to the Transportation and Public Utilities Committee.

#14 Here insert Policy Order #14 read by Mayor Maher. Councillor Toomey moved that this matter be defeated using the same argument that was used on Policy Order # 12. He stated that there was not feedback sought from the East Cambridge Planning Team. He stated that this affects all of First Street and would curtail any development in this area. He stated that residents have worked hard on moving in the right direction and if adopted this would set back the neighborhood tremendously.

14 Charter right exercised by Councillor Cheung.

COMMITTEE REPORTS

1 Here insert Committee Report # 1 read by Mayor Maher. Councillor Kelley explained the report was more than a discussion of double telephone poles. It contained information about how telephone poles are used, who has access and how internet access is obtained. It is complicated about bring new wires to people’s homes. He thanked Steve Lenkauskas, City Electrician, for his participation in the meeting. Mayor Maher thanked the City Electrician for lighting up City Hall in blue for Autism Awareness.

The following report was now considered, the question being on acceptance and placing on file which reads as follows:

(HERE INSERT COMMITTEE REPORT # 1)

On this question the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
NAYS:	None	- 0
ABSENT:	Councillor Carlone	- 1

and the report was –
Accepted and placed on file.

In connection with this matter Councillor Kelley submitted the following order, the question being on adoption, to wit:

(HERE COPY POLICY ORDER #15)

The question now came on adoption of the order and roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 8
NAYS:	None	- 0
ABSENT:	Councillor Carlone	- 1

and the order was –
Adopted.

COMMUNICATIONS AND REPORTS FROM OTHER CITY OFFICERS

1 Here insert Communication and Report from Other City Officers read by Mayor Maher.

Councillor Cheung stated that a previous Ordinance Committee hearing Vice Mayor Benzan commented about applause and noise coming from the audience. He stated that there were questions from members at the meeting on whether it was allowed to let the audience applaud. He explained that it is important to understand this from the point of perspective of the person coming to speak during public comment. It is unfair to the person coming before the body to speak in public comment. He stated Vice Mayor Benzan made the right ruling at the Ordinance Committee hearing. He wanted to share this information with his colleagues as this validates Vice Mayor Benzan.

Councillor Kelley stressed the importance of enforcing the rules fairly for all. He stated that the City Council needs to be preserved as well as acting fair and impartial.

Councillor Simmons applauded Vice Mayor Benzan for keeping order. She commended Councillor Cheung for his submission to the City Council. She stated that it is important to be consistent as to how meetings are conducted whether the meeting is a Council meeting or a committee hearing. She spoke about a member of the public feeling intimidated about applause from the public. She stated that under Roberts' Rules the rights of the minority to speak are protected. She does not want someone with a minority opinion afraid to be heard. She stated that a level of decorum and order must always be maintained. She noted that the public comes before the City Council and speaks at the pleasure of the City Council.

Vice Mayor Benzan stated that it is becoming more difficult to chair meetings because the issues coming before the City Council are more divisive. He stated that the City Council strives to be fair and impartial and it is important that the City Council cooperate with each other. He expressed his concern about the last Ordinance Committee hearing that a colleague supported a member of the public that accused the City Council of being corrupt. He stated that the public attend the Ordinance Committee hearing because of the need for affordable housing and felt threatened by those who were pushing their own agenda. He stated that tension is being created in the chamber and in the community when there is no need for the tension. He stated that he wanted all to take a step back because everyone cares about the City. He stated that all have to be mindful that we live in the best City in the country. He requested that all who come before the City Council to be respectful.

The question now came on placing the matter on file and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Cheung, Kelley, Mazen, McGovern, Toomey and Mayor Maher	- 7
NAYS:	None	- 0
ABSENT:	Councillors Carlone and Simmons	- 2

and the matter was –
Placed on file.

LATE RESOLUTIONS

#56-61 The resolutions were adopted and made unanimous on a roll call vote
8 – 0 – 1 (Councillor Carlone).

ADJOURNMENT

Councillor Toomey moved adjournment at 8:58 PM and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 7
NAYS:	None	- 0
ABSENT:	Councillors Carlone and Cheung	- 2

and the motion to adjourn –
Carried.

A list of documents and other exhibits used at the meeting:

City Manager's Agenda
City Council Agenda
CD of meeting