

MEETING Monday, September 28, 2015

TIME 5:39 PM

PRESIDING OFFICER Mayor David P. Maher

PRESENT Mayor Maher, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons and Toomey.

Vice Mayor Benzan participated in the meeting remotely

PRESENTATIONS None

PLEDGE OF ALLEGIANCE

MOMENT OF MEDITATION

MAYOR ANNOUNCED THAT THE MEETING WAS BEING RECORDED WITH AUDIO AND VISUAL DEVICES.

REMOTE PARTICIPATION

Mayor Maher announced 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, 2011, 940 CMR 29.10 to be used as guidelines for the City's use of remote participation

Mayor Maher announced that there is a quorum of the City Council, including the Chair, physical present at the meeting.

Mayor Maher announced that Vice Mayor Benzan has, prior to the meeting, notified the Chair of his desire to participate remotely in the meeting and identified the reasons for and the facts supporting his request.

Mayor Maher stated that he has determined that one of the five permissible reasons listed in the regulations was identified by the absent Vice Mayor as the reason for his desire to participate in the meeting remotely and makes Vice Mayor Benzan's physical

attendance at the meeting unreasonably difficult. He stated that the permissible reasons are:

- Personal illness;
- Personal disability;
- Emergency;
- Military Service or
- Geographical distance.

He further stated that the chair has determined that because of the absent Vice Mayor's physical attendance at the meeting is unreasonably difficult due to geographical distance the absent Vice Mayor will remotely participate in the meeting and is in attendance at the meeting via teleconferencing.

Mayor Maher requested that the absent Vice Mayor Benzan state for the record that the proceedings are clearly audible to him. Vice Mayor Benzan stated that the proceedings are clearly audible to him.

Mayor Maher announced that the absent Vice Mayor Benzan is clearly audible to both the City Council and the public.

Mayor Maher announced that all votes taken at the City Council meeting of September 28, 2015 will be by roll call votes.

SUBMISSION OF THE RECORD

On motion of Councillor Simmons the submission of the Minutes for August 10, 2015 were accepted on a voice vote of five members.

PUBLIC COMMENT

Mike Connolly, 20 Harding Street, spoke on Unfinished Business Item #4. He stated that he has worked as an active organizer in the City of Cambridge. He stated that he is here to ask the City Council to set the linkage rate to \$24.30. This figure corresponds to the impact of large new commercial development on the affordable housing of the existing housing stock. He asked the City Council to set the linkage at the maximum possible rate. He stated that the City should move forward on a comprehensive housing plan.

Sarah Kennedy, Director of Government Affairs, Cambridge Chamber of Commerce, spoke on Unfinished Business Item #4. She thanked Councillor McGovern for his work with Income Insecurity Commission. She stated that Chamber of Commerce members want to hire locally but those persons are not as technology savvy as they would like. She stated her support for the \$12 linkage fee.

Susan Schlesinger, 34 Glenwood Avenue, stated that she is a member of the Affordable Housing Trust and the CPA Board as well as others. She stated that she has spent much of her career in the creation of affordable housing in the state. She stated that there is an affordable housing crisis and rents are rising dramatically. She stated that the incentive zoning petition is one tool to stop those trends and will help deal with the potential lack of diversity in the city. She stated that the changes are important. She stated that if this ordinance dies the city would lose money as well as momentum. She stated that incentive zoning is one tool.

Ilan Levy, 148 Spring Street, spoke on Policy Order #2. He stated that he has been on the streets and candidates of seven in number is not a good idea. He stated that he would like resolution to this matter expeditiously.

Walter McDonald, 172 Magazine Street, spoke on Policy Order #13. He stated that he agrees with the idea that the City Manager report back on the ability to increase funding for affordable housing. He stated that he thinks that it is time to discuss all possible avenues to fund affordable housing. He stated that when the City recently sent out "Understanding Your Taxes, September 2015" he took the opportunity to ask himself what would happen if the property tax rate were increased by 25 cents. He noted that this would raise the residential rate to \$8.07 per \$1,000 from \$782 per \$1,000 which is about a 3.1% increase. He stated that this extra revenue from this small increase in residential taxes would net almost \$3.9 million dollars in one year. He added that Cambridge would still have the lowest tax rate around by far. He stated that it is time for the City Council to call upon property owners in the city to contribute to the solution of this crisis in housing.

Dave Slaney, 237 Norfolk Street, spoke on Communications and Reports from City Officers Item #2. He stated that the mission statement is to establish policy for the allocation of city resources. He stated that the backdrop for their discussion and consideration is that there is a national movement to raise the minimum wage. Anything less than \$15 is indecent, unfair and immoral. He stated that they support the efforts of the City Council to raise the minimum wage. Failing that, linkage agreements could be extended to require developers to pay the minimum wage and look at the possibility of preferential hiring of Cambridge residents. He stated that a voluntary decal program wherein employers who choose to pay the \$15 minimum wage could let the community know that they are choosing to do this.

Arthur McEwen stated that regarding the decal program, they are asking providers to give information for the economic health of the city. This is as important as the nutritional information. He stated that the people most affected by the decal program are tipped workers.

Tina Allou, 113 ½ Pleasant Street, thanked Councillor McGovern for putting this commission together. She stated that there are many factors that keep people

economically unstable. She stated that it is important to look at all of the recommendations together.

Elaine DeRosa, Director, CEOC, thanked Councillor McGovern for inviting her to participate on the committee. She noted that two major issues that were addressed was housing and hunger. She stated that the City is already on its way to address some of the issues as they relate to housing. She stated that in the area of hunger, there has already been significant financial support. She stated that there will be upcoming changes in the federal budget. She stated that they need the capacity to move food around. If there was some way to get the food to her organization which can then be delivered would be a good thing.

Carol O'Hare, 172 Magazine Street, spoke on Policy Order #4. She stated that it is degradation of the residents' quality of life to continue to subject them to the aviation noise that has been ongoing and increasing for the last 3-4 years. She stated that as it relates to the application for a sandwich board sign on Broadway, no design has been submitted. She stated that as it relates to the structural canopies that are being requested it does not seem to be any payment proposed and there is no indication if there will be signs on these canopies.

Eric Hoagland, 195 Lexington Avenue, spoke on Committee Report #2. He asked the City Council to move this to a second reading so construction can begin at this location. He stated that it has been a productive process and much time and effort that went into the project.

James Williamson, 1000 Jackson Place, stated that having looked at Mr. Levy's complaint, it raises a legitimate issue. He questioned at what point is discussion with a large number of incumbents become something that is covered by the Open Meeting Law. He stated that regarding linkage he noted that he recently attended a seminar at Harvard. This seminar might have just as well been about Cambridge. He stated that the speaker told of a tax in London wherein anything valued over \$1 million dollars gets a tax increment so you have slowed down the process by raising things like the linkage. He stated that he does not want the City to be overly shy about raising the linkage fees.

Carolyn Shipley, 15 Laurel Street, stated that she would like to address Awaiting Report 15-86 regarding linkage fees. She stated that it seems that tall commercial and residential buildings are sprouting up everywhere in Cambridge. She stated that the K2C2 report recommends changing the zoning in Central Square to allow tall buildings of 120' 140' and 160 feet. She stated that it was recommended that these buildings be residential and there would be a small number of affordable units included. She stated that linkage fees charged to real estate developers are intended for adding more affordable housing units to provide shelter to those among us earning less than the area median income. She stated that these fees have not been increased in 15 years. She stated that the City Council's recent concern about allegedly homeless people gathering

in Central Square may have something to do with the serious lack of affordable housing. She stated that it appears that the City Council is more concerned with alienating big developers by raising the linkage fee. She stated her belief that it is hypocritical for the City Council candidates to promise that they will increase the number of affordable units while for 15 years they have voted against that possibility.

John Woods, Cambridge Housing Authority (CHA), 362 Green Street, spoke on Unfinished Business Item #4. He urged the City Council to adopt the recommendation for the amendments to Section 11.200 entitled Incentive Zoning Provision and Inclusionary Housing Provision. He stated that CHA supports the adoption of the proposed amendment because it will add much needed financial resources to the ongoing efforts to make a positive impact on the housing crisis in Cambridge. He stated that the wait lists is expected to leave the CHA with about 6,000 low income households on various lists with a turnover of about 200 units per year.

TAX RATE CLASSIFICATION HEARING

Mayor Maher moved to recess the regular meeting and moved that by prior assignment the City Council will proceed to the public hearing scheduled for 6:30 PM to discuss the property tax rate classification.

Present at the hearing were Richard Rossi, City Manager, Louie DePasquale, Assistant City Manager for Fiscal Affairs, Michelle Kincaid, Deputy Director of Fiscal Affairs, Robert Reardon, Assessor, Andrew Johnson and Walter Pennell, Assessors' Department and Manisha Tibrewal, Principal Budget Analyst, Budget Department.

Councillor McGovern, stated that as the Finance Chair, he wanted to make a brief comment. He thanked the financial team and stated that Cambridge is a financially sound City and can do a lot of things that other cities cannot do. He stated that the Fiscal Year 2016 property tax levy of \$354,430,753 reflects an increase of \$13 million or 3.8% over fiscal year 2015. This is lower than what was projected when the budget was adopted in June. The Fiscal Year 2016 budget projected a property tax levy increase of \$15.5 million or 4.54%. The actual levy is lower due to the use of additional non-property tax revenue and final distributions for reduction of \$2.5 million from the original projected property tax levy. He stated that approximately 87% of residential taxpayers will see a reduction, no increase or an increase of less than \$100 in their fiscal year 2016 property tax bill. This is the eleventh year in a row for this trend. He explained that this has been achieved while continuing to provide a high quality array of City services in line with the City Council goals. Contained in the budget are things such as a steam coordinator position, participatory budgeting and more money invested into the domestic violence programs. So there has been a lot of goals that the council has outlined that have been maintained in a fiscally sound budget while also increasing services in the City which is a good thing. Councillor McGovern stated that commercial property tax owners will pay 65.4% of the property tax levy. The residential property

owner's share of the tax levy is 34.6% and both percentages are the same as they were in fiscal year 2015.

City Manager Richard Rossi stated that he is very happy with the results of what the tax rate will be this year. He stated that the City has achieved a lot of success and these have allowed the City budget to grow in the areas where it needed to grow in the last two years. A substantial number of positions have been added in key areas. The Human Services, Police and Community Development Departmental budgets have grown all in line with the City Council goals that have been reflected back to the administration. The finances of the City have been managed in a prudent way. He stated that he is proud of the effort of all City departments and program managers who take their jobs seriously. He added that programs have grown and positions have been added to cover areas where we want to expand and this has been done wisely. He further stated that Mr. DePasquale and his team have done an excellent job in managing the revenue and expenditure sides of the budget in a way that allows this growth while meeting the goals of the City on strong fiscal policies and positions that keep the taxpayer in mind. He stated that we are also adding another \$8 million this year to the debt stabilization budget and this is important because in our five year schedule we are projecting over \$200 million in debt. This is due to the aggressive programs to rebuild the schools. It is important to have stability for several years to come and not cause spikes in the tax rate because of this. He informed the City Council that \$1.3 million from the stabilization fund and \$.5 million from the school stabilization fund will be used to offset those costs this year. He added that this has been one of the strongest fiscal years that Cambridge has ever had. He stated that the undesignated fund balance is certified in the amount of \$192.7 million which is the highest. This however is inflated by \$17 million of which \$16.8 million is unappropriated mitigation receipts. In October when we come to the City Council with the mitigation plan you will see that there is approximately \$16.8 million which has purpose that somewhat inflates the free cash now but will not be a factor once it is appropriated. He stated that this recommendation also uses \$19.5 million of this balance and reduces this to \$156.4 million. He noted that the City administration will come to the City Council with a prioritization of recommendations for the increased use in free cash. He stated that \$24.5 million has been used in the last few years and the focus has been on one-time expenditures as ways that we can begin a program and then we have been successful in building it into our budget. He gave examples such as free cash being used to fund the City-wide planning. Mr. Rossi stated that in the fall he would be recommending expenditures for early childhood education. He stated that last year the largest increase in taxes was allocated to the school budget. He stated that the plan is well thought out. Cambridge is an aggressive City in terms of capital improvement and programmatic growth. He stated that employee staff has been expanded where it is necessary to meet the program needs of some of the newer initiatives and some issues that have been dealt with through the City budgets. He stated that at some point he would talk to the City Council about how the issue of affordable housing can be affected. In conclusion Mr. Rossi stated that he is confident that this is well planned and it says a lot about the cooperation that has existed

between the City Council, the administration and the taxpayers in moving these issues forward.

Mr. DePasquale highlighted the issue of consistency. He stated that this year's tax levy increase is projected at 3.8%. The five year average has been 4.5%; the ten year average 4.7%. He stated that the City has achieved consistency over a ten year period. He stated that there has been 87% taxpayers paying zero, no increase or decrease with no increase greater than \$100. He noted that the five and ten year average was 75%. This is a pattern; a pattern of controlling the budget. He stated that the budget increase over ten years has been 3.7% and over five years 3.5%. He stated that it is important to note that the current budget is up 4.1%. He noted that the City was able to increase the budget by the highest percent over the last five years annually yet come up with the best tax bills. He noted that in the last two years the City has added twenty-five full time positions to the budget. This budget also has the largest tax support to the school department in many years. Cambridge has bonded more debt in the last twenty years than in any other time in the City's history. He added that the City has been able to implement participatory budgeting and move \$1 million from free cash to the IT initiative and continue only the \$9 million in free cash giving it back to the taxpayers. He stated that the City has been able to continually give back to taxpayers while expanding the programs. This is something that the all should be proud of.

Mr. Rossi added that as we think about the undesignated fund balance we need to remember that Cambridge is a self-insured community. This is our rainy day fund. We spend this fund down as explained and will continue to do so. What the City does have is a track record—a track record of rebuilding all our public facilities, expanding programs and implementing new initiatives. He stated that if all stick together and plan effectively this mode can continue into the future and Cambridge can continue to be a cutting edge community which also offers its residents and businesses a fair tax rate to be able to sustain themselves.

Mr. DePasquale stated that in the state aid we talk about a ten year average. He stated that ten years ago the net state aid to Cambridge was \$27 million. This year it is \$10 million. The City has absorbed the 61% loss in the state aid while controlling taxes and when a crisis arises we have been able to handle it in a way that will a minimal impact on the taxpayers.

Mr. Reardon explained that this evening's hearing is a required hearing as part of the tax rate setting process. Before the Board of Assessors can vote to establish a tax rate for the City the City Council has to weigh in on procedural rules on whether we should classify, meaning shifting the tax rate and there will be a series of recommendations that are in the City Manager's letter to the City Council asking you to do this. He further stated that there are other items on the agenda that asked the City Council to take care of the exemption issues. He explained that once the votes are approved the establishment of the tax rate can move forward and the Department of Revenue will

make the final determination as they review the finances. He informed the City Council that there has been contact with the Department of Revenue, giving them preliminaries and it is expected that the City should be in good shape once the information is finally submitted and approved. He stated that the City Council has to sign off as a body that you have received notice that Cambridge is under out levy limit. In Cambridge this is not a major issue, but it is in some communities. So that the document that will be passed around at the end of the meeting will basically inform you that we are approximately \$155 million under our levy limit as established by Proposition 2 1/2. This year Cambridge saw a tremendous growth in both the residential and commercial sector. He noted that residential values were up about 16%; commercial values up by 13%. Both of these numbers include new growth from new construction. He stated that the vast majority of the increase in commercial is from new road and new construction that is being built in the City where the largest part of the residential increase is from existing housing stock and the increase in value. He explained that the assessed values are based on what took place in calendar year 2014 based on the assessed values as of January 1st of this year going forward. He stated that largest property class is condominiums which is in excess of 15,000. There have been increases in value across the City in all classes and neighborhoods.

Councillor Cheung stated that it is impressive tax rate goes down while services go up and new schools are being built, services for seniors are being updated and there is a commitment for affordable housing. He noted that there is a lot of underappreciation for just how hard it is to balance all of this. He spoke about the balance between the commercial and residential tax rate and how tightly interwoven they are. He stated that keeping the tax rate low is essential. He applauded residents who want to voluntarily pay more taxes and the City should find a way to allow them to do this beyond the current options. He spoke about preservation of affordable units. He stated that there are many residents who cannot afford to pay more taxes. Mr. Rossi stated that in 2005 there were many abatement forms were filed. He stated that Cambridge has reached a mid-point where the City can do it all while still treating taxpayers fairly. He noted that by keeping stability with a predictable tax rate the amount of tax abatement applications has dropped dramatically. Councillor Cheung spoke about other communities across the country that are failing and cannot pay their bills and their employees. He commented on the rainy day fund. He applauded the 20% increase in the participatory budget, but he would like to see the fund up to \$1 million in the future.

Mr. DePasquale stated that the City will continue to evaluate the participatory budget and as this is done a higher amount can be achieved in the coming years.

Councillor Carlone stated that the report is excellent; it raised many process questions. He stated that in the past \$10 million was given and now we are lowering property taxes by \$13.5 million. Previously he asked on the \$10 million what would be the benefit to a million dollar house and the number was relatively low. When we return \$13,450,000 is the number around \$225 on a million dollar house which is not a huge amount. Mr. DePasquale responded that traditionally the numbers have been kept the same. He explained that \$9 million was taken from free cash and given back to the taxpayers. Last year the entire capital budget was used for the IT initiative which was supported from free cash. This year \$1 million was given back. It is really \$ 9 million that is being given back. He stated that on a \$1 million dollar house this is about a \$145 increase. He stated that the City has really tried to keep the bills stable. He explained that if you take an average of people's whose bills are up \$100 or more by category which affects the one, two and three, and you took the \$9 million and not used free cash and not given back to the taxpayer, right now on a single family 14.9 percent fall into this category. Under the new system, it would be 46.1 percent and if you add over 500 it goes to 54 percent. He wanted to show that it can cause dramatic numbers in the percentage of increase. For two family homes the percentage goes from 20 percent to 74 percent; three families from 66 percent to 95 percent. He stated that even though the \$9 million is part of a large number it does not have a huge dollar increase amount but it does have a huge percent of the people who now will be in different categories. Councillor Carlone commented that if it were a ballot question one could devise a way not to give the money back. He stated that 97 percent or 6,000 households are not helped who are on the CHA waiting list every year with affordable housing. He stated that the City's survey revealed that the number one priority is affordable housing. He assumed that the lower the taxes the greater the property value. Mr. Reardon stated that taxes is looked at as the overall cost of purchasing property because this goes into the amount of debt that can be carried. A low tax rate and the additional services makes Cambridge an attractive place to live. Each year growth in property values is seen. Mr. Reardon stated that growth has not slowed down in Cambridge. Councillor Carlone stated values in major cities will only go down if there is a disaster or an economic condition. He commented that if the values keep going up affordable housing cannot be built. He stated that the estimated levy capacity for fiscal year 2016 is \$155 million and is 40% of the present City Budget. He did not understand why City is not doing more because there is dramatic need for affordable housing in the city.

City Manager Rossi stated that the key is there is resources for affordable housing now. He stated that the key resources leverage an incredible amount of money. The issue is to get into the market. He stated that overpaying for property that goes on the market is not a good strategy. He explained the financial strategy that the City uses and what is prudent. He suggested creating a plan. He stated that the inclusionary units are free units that come into the City's portfolio. This is a brilliantly conceived program. There

will be a study to see if this program can grow to be even more effective and create more units.

Councillor Carlone stated that one of the recommendations from the Income Committee was additional funds. He stated that he does not see it and does not understand why the rate is lower when funding is needed. Mr. Reardon stated that the City is keeping existing housing affordable. There are taxpayers who are house rich and cash poor and taxes can be a burden. He explained that part of the affordability is the tax rate. The exemption program keeps housing affordable.

Councillor Cheung noted that the City Council is committed to do as much for affordable housing. If all the savings was wiped out and used it for affordable housing units- the savings will only build 200 units compared to the 6,000 units needed. It costs \$500,000 to build new units. The triple A bond rating also helps our housing agencies build affordable housing. He stated that a balance of options to build affordable housing is needed.

Councillor Mazen spoke about a progressive tax opportunity without legislative intervention. He asked how this can be possible in the next 4-6 years. Mr. Reardon stated that the City is bound to follow the state law. The Department of Revenue would not support doing this with a home rule petition; changes are made on a state-wide basis. He stated that his discussions with the Department of Revenue on this matter have not been fruitful. He stated that the residential exemption is available now for all types of property. Councillor Mazen stated a solution can be sought and communities can ban together to make this a legislative prioritized item. Mr. DePasquale stated that this may be difficult. He wanted an application that would apply to 100% of the house rich and cash poor taxpayers and to stop giving money back to those taxpayers who are cash rich which is being given now because this is unknown. Councillor Mazen stated that the \$11,450,000 used to artificially reduce the tax rate. Councillor Mazen preferred to have people apply for the exemption. He stated even a few more affordable housing is important. Mr. Reardon stated that the City does not require all to submit income tax forms on an annual basis. He explained that spot auditing is done and home ownership changes do not require this detail of information. This suggestion would take an incredible amount of effort to do and legislative initiative. Currently people could opt out of the exemption. Councillor Mazen commented about the cost of administering this and the earnings would be back in the millions of dollars. Mr. Reardon stated that the overlay surplus is money that is raised every year and if abatements are not done this goes back to lowering the tax rate. This is money that is raised above the abatement need and goes back into lowering the tax rate the following year. Councillor Mazen wanted to take \$2 million from this because the City is not structurally equipped to need it. If people had to demonstrate that they have a financial need there is 20% of funding that is not needed for residential exemptions. Councillor Mazen stated that the

City could require people to apply for abatements each year but the City cannot require income information. Mr. Reardon stated that the City is not allowed to do this. He explained that the \$11,450,000 comes from free cash. The residential exemption does not cost the City. He stated that there is no net swing in this amount. Councillor Mazen stated that people can apply for a residential exemption. Mr. Reardon stated that he cannot require income tax information for exemptions regarding the property occupied because this is not income based. He stated that the statute does not allow that decision be made based on income for exemptions. Councillor Mazen stated that there are two pools of funding. One pool is tied to income; one is not. Mr. Reardon stated that the free cash is not tied to income either. The only thing that is tied to income is the exemptions for elderly, blind or veterans. Councillor Mazen stated that there is a way to solve this problem. This could be tied to income on a municipal, not state, level.

City Manager Rossi stated that this is not a discussion that should be held on a night like this but should be held during the year or at a Finance Committee hearing. He stated that the city manager is responsible for submitting a budget. The City Council is required to accept and vote on the budget. The rest is a formula. The issues are tied to state law; these laws are written to protect all taxpayers. There may be exemptions in the law as to what costs the City can pay for land. This would need to meet the scrutiny of the Inspector General. Councillor Mazen stated that he would like a pre-primer a month before the budget hearings are held on this. He wanted more time to read the report. Mr. DePasquale stated that the City is restricted by law before this can be put together. He asked if he wanted to delay the tax bills in order to have more time to review this. He responded that it is not possible to get the information to the City Council any earlier. Councillor Mazen stated that he would like to discuss it and have a week to digest and then vote on this. Mr. Rossi stated that this tricky as to when the information can be calculated in in the report. He explained that the City receives this information in late August. He stated that the City Council could start discussing building the tax rate and what goes into it around Labor Day. Councillor Mazen stated that the City-wide solution to affordable housing is a city-wide affordable housing overlay. He stated that city owned lots will be locations for affordable housing and/or green space. He is talking about using the money and not holding onto to it and banking the money. Mr. Rossi informed the City Council that the affordable housing team is looking into all of these sites and seeing what is applicable. This information will be presented to the City Council.

Councillor Carlone asked about additional money in the budget for affordable housing (3%) how would the credit ratings deal with this. He stated that if \$9-10 million more were in the budget for affordable housing how a crediting agency would see this a negative. Mr. Rossi noted that credit agencies need to know the overall aspect of the

City, included debt ratios, five year projections, the need for affordable housing and the creative things that have been done for affordable housing. Mr. DePasquale stated that a bond rating will not be lost over \$9 million. The consistency, if changed, would have to be done by the City in a planned way. He stated that the City Administration is looking into addressing affordable housing needs over and above the \$9 million. Mr. DePasquale stated that there is a way to raise the budget and keep taxes affordable. Currently it is not wise to add this to taxes. Mr. Rossi stated that on the survey question the affordability issue was for affordability of housing for all. Mr. DePasquale stated that the budget has grown over the last eleven years and taxes have been controlled. He believed that there is an answer and if given a chance the administration will try to come up with it.

Vice Mayor Benzan thanked City Administration for all the work on the report. He stated that he is happy with the level of consistency. He stated that if an opportunity arose to purchase land or property for affordable housing the City would consider this. This issue is not the willingness of the City Council and the administration, but rather, identifying and buying land that could be sold to the City at an equitable rate. This issue is identifying the land. He is supportive of the level of consistency that the City has had.

Mayor Maher stated that this is a good day for taxpayers. He explained that he was here in 2005 and it was an extremely difficult period. Predictability for taxes paid by taxpayers is important. He stated that his constituents are struggling to stay in their homes. People are living in generational homes that are struggling. He stated that new schools, invest in the infrastructure of the City, ballparks and parks are needed. He wished his colleagues showed up to the housing events that compare what Cambridge does compared to other communities do. More can be done for affordable housing and it is not the only issue in this community. Food and quality education are important issues. Over politicizing these issues are unfair at the eleventh hour. This conversation is disheartening - this should be something that is celebrated. This is about creating balance. He spoke about the importance of taking the money and leveraging funding; it is not about transferring money from the City coffers.

Councillor Carlone spoke about the need for more money for affordable housing and it is not here.

Councillor Mazen stated that Mayor Maher is not alone for supporting good schools. He stated that he has been talking about this with the finance team so that he could be helpful. He stated that about the rebates money is given back to people who do not need because we cannot identify them. He wanted to tighten up the system. He wanted the same conversation with consistencies about the importance of issues such as affordable housing and schools.

Councillor McGovern suggested a citizen’s guide to the budget which outline the highlights. The City needs to do a better job about telling the story. Mr. DePasquale stated that the Newsletters are sent out before the tax rate and the City has tried to do a better job.

Councillor Kelley stated that he would not do the whole free cash thing because it disproportionately goes to other people. He spoke about a tax raise.

Councillor Simmons stated that the conversation has been illuminating. If this conversation was rolled back a decade the rebate was created to aid senior to age in place and to stay in their homes. She wanted to put this into historical context; this was instituted because there was a need. The city got here purposefully. Maybe this needs to be revisited.

Councillor Toomey thanked the staff for the detailed report on setting the tax rate. He stated that the taxpayers of the City need to be considered He spoke about the goal for affordable housing and then when a private developer proposes 50 units of affordable housing and they were not voted for. He suggested voluntary contribution to affordable housing could be made by taxpayers. He will be voted for this as is.

Mr. DePasquale spoke about the 99% collection rate; the collection agencies look at this.

Councillor Mazen he voted against the 50 affordable housing units because additional affordable housing units were removed from the proposal by the developer.

The City Council now proceeded to vote on the following orders:

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Manager be and hereby is authorized to use \$11,450,000 in free cash to reduce the fiscal year 2016 tax rate.

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

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Manager be and hereby is authorized to use \$2,000,000 in Overlay Surplus Reserve Account to be used as a revenue to reduce the fiscal 2016 tax rate.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Manager be and hereby is authorized to use \$1,300,000
from City Debt Stabilization Fund to be used as a revenue source to the
FY16 Adopted Budget

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Manager be and hereby is authorized to use \$540,865 from
the School Debt Stabilization Fund to be used as a revenue source to the
FY 16 Adopted Budget

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: Appropriation of \$8,000,000 from Free Cash to the city Debt Stabilization
Fund (INSERT APPROPRIATION ORDER FOR 7E)

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –

Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Council classifies property within the City of Cambridge into five property classes allowed for the purpose of allocating the property tax levy.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Council hereby adopts a minimum residential factor of 55.5325% the legal minimum permitted for Cambridge.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Council approves a thirty (30) percent residential exemption for owner-occupied homes.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Council vote to double the normal value of the statutory exemptions for Fiscal Year 2016.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Council vote the Fiscal Year 2016 exemption allowed under General Laws Chapter 59, Section 5, Clause 17D of \$307.00.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Council vote the Fiscal Year 2016 asset limits allowed under General Laws Chapter 59, Section 5, Clause 17E of \$60,938.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Council vote the income and assets limits for elderly persons from income limits of \$25,197 for those who are single and \$37,796 for those who are married, asset limits of \$50,392 for those who are single and \$69,289 for those who are married as allowed under General Laws, Chapter 59, Section 5, Clause 41D.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0
and the order was –
Adopted.

The following order was now considered, the question being on adoption, to wit:

ORDERED: That the City Council vote the income limit for deferral of real estate taxes by elderly persons to the amount determined by the Commissioner of Revenue for the purposes of MGL Chapter 62, Section 6, Subsection (K) for a single person (\$56,000) and for those who are married (\$84,000) as allowed under MGL Chapter 59, Section 5, Clause 41A.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0
and the order was –
Adopted.

Mayor Maher announced that the Excess Levy Capacity is \$155,041,795.54.

The hearing adjourned at 8:04 PM.

CONTINUATION OF PUBLIC COMMENT

Phyllis Bretholtz, 65 Antrim Street, spoke on Unfinished Business Item #4. She stated that she supports raising the linkage fee to \$24.30 per square foot. She stated that it is common knowledge that since it has not been raised since 2002 it should be raised. She stated that Cambridge is a rich city and the demographic has changed. She stated that if the City Council votes for a lower fee it will be a vote for developers who create luxury housing. A vote for a higher fee is a vote for affordable housing. This is a critical crossroad. She stated that there must be a plan for citywide housing. She stated MIT must be held accountable to house its graduate students.

Michael Deveney, 502 Green Street, stated that as it relates to the Foundry building, he would like the committee to look at the Agassiz gymnasium site at Radcliffe which has a similar structure to the Foundry and could show the group what the structure could look like. He stated that he would appreciate it if the City Council could look at air traffic control problem in the city.

Gary Mello, 324 Franklin Street, stated that Councillor Cheung's proposal to enable citywide parking meter payments via credit cards, smartphone applications and the like

has serious adverse consequences that should be considered. He stated that the suggestion that such upgrades will improve space turnover is exactly the opposite of what will happen. He stated that drivers who no longer have to search for quarters will always max out the available time. He stated that electronic payment enables longer duration parking with the risk of a ticket. He stated that as it relates to resident parking stickers, there is little sense in charging at all especially considering that Boston has always issued them for free.

Hasson Rashid, 820 Massachusetts Avenue, stated that he does not believe that anyone from the low income and poverty spectrum has been appointed to the Foundry Building Advisory Committee. He stated that administrators and policy makers are doing the local and regional homeless sector and mosaic a disservice. He stated that he would like to introduce the ideas of creating a Homelessness Trust Fund as a new funding strategy for dealing with the common issues of the regional homeless sector.

Marilyn Wellons, 651 Green Street, stated that as it relates to air pollution, a project notification board would be useful. She said that there is a great deal of “boom” going on and money is coming into the city’s coffers. She stated that she does not envy the City Council their jobs. She stated that the residents rely on the City Council not only to number crunch to take notice when one says that their backyard is no longer usable. She stated that her own back yard is unusable. She noted that she has not seen anything good come out of the Light Ordinance task force.

On a motion by Councillor Simmons public comment was closed at 8:20 PM.

INCENTIVE ZONING/INCLUSIONARY ZONING ORDINANCE

Councillor Simmons moved for suspension of the rules in order to dispense with the regular order of business to bring forward Calendar Item # 4 and Committee Report # 3.

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

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the rules were –
Suspended.

Here insert Committee Report # 3 read by Mayor Maher.

Here insert Calendar Item # 4 read by Mayor Maher.

Councillor Simmons moved that Committee Report # 3 be accepted, placed on file and referred to Calendar Item # 4.

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

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the Committee Report was –
Accepted, Placed on file and Referred to Calendar Item # 4.

Calendar Item # 4 was before the body and Councillor Simmons moved ordination.

Councillor Simmons acknowledged the work of the Housing Committee which has meet for the last twelve months on the important topic of affordable housing in the City with bad weather and the loss of our colleague and friend Brian Murphy. The Housing Committee took up the issues of a comprehensive housing plan, inclusionary zoning, Resolution # 13 and the eligibility requirements for inclusionary zoning. She stated that the committee was successful to bring one part of that agenda, which is the amendment to the linkage zoning before this body tonight for what she hoped would be a favorable approval. This did not happen easily. A number of people were involved and participated such as the community-based organizations, including the affordable housing trust. She stated that many, many hours of committee work as well as executive committee and strategic meetings to plan an agenda were held so that a robust conversation could be held to bring these changes before you. She stated that what she hopes will be the final vote to pass linkage into ordination, she want to discuss the important points. Linkage alone will not solve the affordable housing crisis. When you have all the other things that have to come to bear to make Cambridge affordable and culturally diverse other things need to be looked at. She stated that Policy Order #13 which is not before us but will be taken up later in the meeting. The idea of rent stabilization, affordable zoning overlay, larger units, looking at moderate income and homeownership; there are so many different variables that are going to impact what will be done when the whole picture was talked about, which is affordable housing. She stated that in this process the City of Cambridge hired a reputable consultant to explore the issue of raising the linkage fee. After careful and deliberate studies and analysis the recommendation came back to the city that we can raise our rate to \$24 per square foot and still be on solid legal footing. The consultant, the affordable housing trust and the city's Community Development Department have all advised that setting the rate at \$10-\$12 per square foot is the rate that likely gets the biggest bang and will not stifle development. The business community will not go into a full uproar over it and it will

not negatively impact small businesses and therefore the City can expect to see significant revenue produced for affordable housing as a result. She stated that the Community Development Department has also advised that setting the rate at \$24 as opposed to \$12 does not necessarily mean that will generate double the money, since the higher rate could lead to fewer developments, which would translate into less linkage fees being generated, and again, cannot generate linkage fees absent new development. There are some who have essentially said if this is going to be done it should be done big or go home. It has been suggested that developers absolutely will live with the \$24 per square foot and it would be foolish to not set it at that rate. If the talk is exclusively about the Google or the Microsoft of the world, she would agree. They certainly can absorb those costs, but there are smaller companies in the mix that may not so easily be able to write off the extra cost and would likely think twice about doing business in Cambridge. Quite simply, it would be unwise to go from \$4.58 per square foot to \$24 per square foot and it would be unrealistic to assume that such a large increase so quickly would not have some unintended adverse consequences. Furthermore, she stated that she did not think that there are the votes on the council to support this because we did meet over several months. We even met last Tuesday. She stated that she thought it was important that the Housing Committee vet the changes so that it could easily pass this to be ordained. She stated that she wanted to remind us that Boston's linkage fee is under \$9 per square foot. Somerville's linkage fee is just under \$ 5 and the businesses in the region are paying attention to what Cambridge does. Many business representatives have indicated that \$12 would be bearable and setting a rate of \$24 would force developers to look to neighborhood communities where the cost of doing business is lower. If Cambridge gets too far out ahead of the pack and businesses flee to other communities this would mean that there will be less linkage money coming in and less money going into the affordable housing trust. She concluded by stated that by increasing our linkage fee from \$4.58 to \$12 and raising that to \$15 within three years will dramatically increase the linkage fee, more than tripling it by the time the process is finished. We are also mandating that the city automatically initiate a new nexus study within three years so we can continue to monitor our policies and ensure that we have an appropriate linkage rate. By doing this and increasing the scope of developments that fall under the category, we are being bold yet responsive dramatically increasing the linkage fee, generating millions in revenue for affordable housing. Councillor Simmons urged her colleagues to support the resolutions that have been vigorously vetted to get this on the books so we can move on and find additional means of tackling the affordable housing situation.

Vice Mayor Benzan thanked Councillor Simmons for her leadership on this issue as well as my colleagues and city staff. He wanted to thank the residents that have been involved in the process, CEOC and many others that have been involved in what he considered to be the most robust debate that the City Council has had. He stated that this issue came before the Ordinance Committee, came before the Housing Committee, and before the full City Council. This issue has been vetted. He stated he is comfortable voting for this for a couple of reasons. First, he stated that Boston is looking at

increasing the linkage fee to \$12. Most of that will go to job training. In our case, it will go to the affordable housing fund. Secondly, this linkage fee is not the only solution to our affordable housing crisis. He stated that he has consistently heard from the city administration as well as many of my colleagues is that if the opportunity arises for us to acquire land or property, we would be willing to entertain that using undesignated funds or what we sometimes call free cash. He did not see the issue of increasing the linkage fee to \$24 and risking a float in our economic growth as the solution to the housing crisis. In fact, we are committed to building more affordable housing. He stated that increasing the linkage fee to \$24 is not the solution to that. He stated that he is proud of this process and proud of my colleagues for agreeing and having consensus on this particular issue. He stated that he would be voting in the affirmative for the increase of the \$12 and he wanted to thank everybody for their work on this issue.

Councillor Mazen noted that he is appreciative of the work Councillor Simmons has done to advance this and many other important issues, and the work the whole City Council has done in advancing the issue. He stated that because all have hopes for affordable housing and livability in the city that this is why we are doing this work. However he stated that we would be extremely remiss if we did not raise the dollar value to the legally defensible maximum described in the Nexus Study, \$24.30. If you look at the cost per month passed on to tenants for the leases they are currently paying \$30, \$40, or \$50 per square foot, and in many cases in Harvard Square, \$100 or more per square foot for lab space. He stated that In Central Square he pays something closer to \$30. The cost per square foot is less than \$0.08 at maximum value and only half of the \$0.08 is attributable to the increase that we want to do. Meaning that three and a half cents or so are attributable to raising the limit to \$12 and the other three and a half cents are attributable to raising it to \$24.30. If anyone wants to insinuate that developers will leave Cambridge because of a three and a half cent increase per square foot when they are already paying in some cases \$100 per square foot is not borne out in the math. It is not borne out in the math, not borne out in the study, not borne out in common sense understanding of what causes people to choose a given city for their location. The only thing that he has heard from my colleagues is that a jump from \$4 to \$24 will be large, that a jump from \$4 to \$24 is different from what other cities are doing, but they have not put it into comparison to the cost of building each square foot nor to the cost of renting each square foot. This money is negligible. He does not understand how we keep talking about the importance of affordable housing and a livable city and yet we are literally going to turn down tens of millions of dollars right now for no reason. He stated that for that reason he is proposing an amendment left with the clerk, and it is simply the text with the ordinance change with a substitution from \$12 to \$24.30. He stated that he is happy to negotiate on that level since he left in the yearly increase of the dollar, so maybe we need to account for that. He did not think there is any mathematically, legally or morally defensible position other than \$24.30. He did not think that the arguments against it are even remotely coherent. He stated that with respect for the work that has been done. He stated that he has not

heard a single objection that is rooted in the math or in the market economics of this decision.

Councillor Simmons stated that reasonable people can disagree and we certainly vetted this quite thoroughly. She stated that before the proposal was passed out of committee we had numerous discussions about what the fee should be. The consultant stated that you can go to \$24 but the recommendation from the consultant was not to do that. She stated that she understands what you are saying that it might be a negligible fee. This may be true but she does not know this. She stated that she does not believe this. She stated that she personally thinks that \$0.08 you speak of might be the straw that breaks some small business' back and when we talk about reasonably affordable ground floor retail and so many other things. Councillor Simmons stated that she thinks the cost of \$12 versus \$24 was thoroughly vetted in committee at the Housing Committee before it went to the Ordinance Committee. She added that to bring it back again is a bit disingenuous. She stated that in terms of Kendall Square, there is a surcharge -- maybe that is not correct, maybe Mr. Rossi can speak to it -- if we raise the fee to \$24 per square foot, for Kendall Square it goes up to \$34 whereas if it stays \$12 it goes to \$24, which will accomplish a compromise, unintentionally. She stated that a very long, robust discussion was had on this. We disagreed in committee but we passed it, the majority of the committee passed it out at \$12. So it is safe to say that is what the majority of the City Council feels, based on vigorous conversation and the study that the consultant rendered to this committee. She stated that she knows that people are saying you can raise the fee, but that was not the recommendation. She stated please be clear about what the consultant stated and what other people interpreted because those are two different things.

Councillor Cheung stated that he wanted to thank Councillor Simmons for all the work that she has done wrangling us together and helping both the City Council and public understand the details of the Nexus Study and how this will potentially impact the city in a very positive way. He stated that he submitted the order with the update to the Nexus Study in April of 2013 and all of us on the City Council would like this process to have gone faster. But the reality is that for the reasons we heard during the tax rate discussion earlier this evening we are operating at a very high level with thin margins in making sure the ship continues to run as smoothly as it has. He stated that he felt that we have gone through a very thoughtful, judicious and deliberative process to make sure that we are doing the right thing and being aggressive but not risking destabilizing the engine here in Cambridge. He added that people have to remember this number does not just translate into dollars for affordable housing automatically. This is a multiplication where you take the incentive zoning fee and the new square footage that is constructed and it is multiplied and that winds up being the fee we are getting and just doubling the fee, well you can also just double how much we are building each year and get to a similar outcome, but he does not think that is on the table. He stated that the advice of the experts was followed. Cambridge will be the highest in the region. Boston is looking at their zoning numbers now and we will help set a bar for them to

follow us. It is an arrangement where they could leapfrog us a bit and give us a reason to go back and leapfrog them in a couple years, but we do have to keep the bigger picture in mind because it is multiplication if we wind up not building anything we do not get any money to put back into affordable housing. He stated that when we think about all the things that this City Council has accomplished this term, we are asking developers to meet us on from Net Zero, having some of the energy efficient buildings, working on increasing inclusionary housing, asking for community benefits, thinking about Kendall Square, this is a lot of stuff we are doing at once. He stated that he did not want to risk going too far -- this is a calculus problem, so in some ways we are doing guess work here. He is looking forward to increasing the fee but thinks as it is we are almost tripling it. He spoke of the time that has been put in by Councillor Simmons and we will continue to relook at this as it goes forward. He stated that there may be the opportunity for us to move very quickly to increase this, but we are making a dramatic step of almost tripling the fee. He stated that we will try to maximize the amount of money we are getting into the city to put back into affordable housing and we are doing it in a very judicious and thoughtful manner. He is looking forward to voting for this; this is a great step forward in terms of adding to affordable housing in the city without us risking coming back in two years and saying what happened and how did that go so wrong and how did we not anticipate that. He stated that he felt that this will not happen under the plan Councillor Simmons has ushered us to.

Councillor Carlone stated that he wanted to thank everybody for allowing each of us to say what we believe no matter what the vote is because that is why we are here. It is true Boston is proposing a similar number, \$12 a square foot, but they have a different system. Their taxes are 150 percent of what ours are. That is a premium. Boston has a training fee. So you have to look at the total number when developers build, and it is sizably more. He stated that he believed he heard the Vice Mayor state that maybe we can make up the difference in other ways. He was not 100 percent sure. If he did not state this Councillor Carlone stated that this is on our backs because the study actually says to balance out the impact of new construction, new commercial construction, equals \$24 a square foot that would go to affordable housing. That is just for new construction, not what has happened over the last 25 years. So it is only a portion of the demand. He stated that this is why a few of us feel we need to go higher than this, but gets that we are trying to come in a midpoint and see how it goes. He stated that he understands that argument. But keep in mind that \$12 a square foot is a political number; it is not an economic number. It is after thought and understanding about the potential impact and what is real, what is not. But it is a political decision. Nevertheless, we are going to get about \$5 million a year if the economy continues at the \$12 a square foot. So we have to make up the other \$5 million. But somehow he feels pretty stupid realizing we are subsidizing commercial developers by putting in this \$5 million with city money. He stated that somehow we have to come up with that amount, and the \$9 million he was talking about earlier is on top of that. The impact is still there. This is the quote: this is the first time that a petition has been presented to make significant changes to the requirements since 1988; that is 27 years. This has

fundamentally been increased based on the CPI, which has increased. He stated that we have to raise this number. He stated that he gets the reason why we say we cannot, and maybe indeed in three years we can look back and do it right, but the numbers tell that we are not doing enough.

2:56:32 Councillor McGovern stated that any vote taken comes down to what you are comfortable with, what feels right. Nobody knows what is going to happen if we raise this to \$24. We have every expert, including the consultant who did this report, including the affordable housing trust, including CDD, CEOC, everybody who came before us, all who support affordable housing. They came before us and said we do not think the \$24 is the risk that we want to take and we are going to ignore that because, through you, Councillor Mazen said it is not going to affect anything. The reality is none of us know and the question is, where your comfort level is. Tonight we had a big brouhaha about the seven to two vote over the Mass. and Main zoning. The City Councillors who voted against that proposal were not against affordable housing. Their comfort level, they did not think that what we were getting was worth what we were giving. So they voted against it. People who come with comments, I respect James Williamson, at least who comes up and says if the companies leave Cambridge, good riddance, who cares, at least he is being honest. But when people say if you vote --through you, Mr. Mayor, to Councillor Mazen, you say do not take offense but then you say it is morally indefensible, that is a pretty heavy statement to make because somebody does not feel your level of comfort with the risk. He stated that this statement is a pretty divisive, nasty thing to say. He stated that he takes it that way. When people say it in public comment that if you support developers over affordable housing, that kind of rhetoric, has to stop. We all support affordable housing but there are different risks we are willing to take and when you have every expert get up and tell me that \$24 is more of a risk, too much of a risk, he stated that he is going with that. He stated that the thing that we are overlooking in this, which I think is probably more important than whatever we raise it to, is that we are actually saying we will do a study every three years. What we are doing now is fixing that. It should not have happened that way, but it did. So we can talk about that all night long, but we are fixing that. This is a bold, responsible thing to do. We are raising this from \$4 whatever it is, to \$15 over three years. People feel that is a number that the market can bear, and then we are going to look at it in three years and kick it up again, most likely. That's a bold, responsible thing to do and it is real easy to just say go to the highest level, but sometimes that bites you. He stated that he is not willing to risk that. He stated that this is not about who cares more or any of that other garbage. We all care, even if we disagree on particular votes. He stated that he is going with what the experts are telling him is the right thing to do. He stated that this is what he is going to support, and he thinks is morally defensible. He wished we could get away from that kind of divisive rhetoric in this conversation. It is hard enough. It is emotional and when stuff is thrown out there like that and you say you are with us or against us that is beneath us as a community.

He stated that he would like to move Calendar Item # Four to be ordained as amended in the committee report.

Councillor Carlone stated that in this whole study, did anybody tell us what the additional cost would be on rent for square foot for \$12 or \$24. He stated that the impact is unknown. He stated that this is just like when a developer comes in and says he or she has to do something and an economic analysis is not done, we do not know the impact. Right now he is saying prove it to me and he understood the rational and the thinking. He stated that this a change to developers, but he sees no proof. He stated that he see words, not numbers. This needs to be settled. He stated that if Councillor Mazen is off by \$0.80 a square foot, and he does not think that his math would be off that much. So what are we deciding on? It is a political decision, but it is not an economic decision.

Councillor Kelley stated that he would go higher than \$12, but he would not go to \$24. He stated that he did not think that this is a math problem; it is a political question. It is an art question more than a science question. We really do not know. He stated that people he respects immensely have told us that the number on the table is the right number. Intuitively, he feels it is too low. If there is a vote on the table to go to \$15 or \$16, he would do it. He does not think that there are the votes on the table. He stated that he would support \$12 if that's what we come to. I realize this is a tiny, tiny part of what needs to be done in a massive problem. He hoped that we can learn from these various discussions and figure out how to talk about the bigger problem more effectively.

Councillor McGovern stated that the word political is loaded because people will take that in a different way. He stated that it is political to go higher; it is about a comfort level of what you are willing to risk. When people say if you go too high and businesses leave and you do not get any money, it will be brought back down. No way; that will never happen. If the fee were raised to \$24 and in three years it is not working, and it is brought back to \$12, every single person who was okay with that would be lining up at the microphone and ripping us apart. That is not going to happen. He stated that he would rather do it in a way that can be said with confidence at this point is going to work, and then continue to move it up steadily and do it in a responsible way. He stated again, this is comfort level. He stated that he does not disagree nor blame folks who say we should go higher. He stated that he is not willing to take the risk. He would rather get the money and figure out other ways to make up the differences. He stated that he is not willing to risk that and risk getting less money, but it is not the way it is being portrayed.

Councillor Cheung stated that this is his last comment and then he hoped we can get to the issue of risk that Councillor McGovern just spoke about. We are in agreement here. He stated that he is not concerned about risking businesses leaving the city. Incentive zoning is money being put into building affordable housing in Cambridge and that

money is the future of people here in the city. Families that we want to help keep in Cambridge. He stated that he is not willing to risk that. He wanted to have as much money as we can but he is not willing to gamble with future of people here in the city just so we can guess at how high we can make the number before we have an effect.

Councillor Simmons stated that is important to be reminded that each member of this body sat in on a number of Housing Committee meetings. We talked about this very thoroughly. She stated that she does not want it to be perceived as what is before us is haphazard or ill thought of or ill-developed. It is the work of my colleagues, the community, and the staff. We talked about this, we vetted. She stated that she even, with my colleagues' support, had a Housing Committee meeting to look at it before it came to the floor just so that we could have a conversation prior to bring this to the floor and be able to adopt it. She stated that it is always a little problematic to make changes this broad and sweeping on the floor and so at the time when we had the Housing Committee, the concern of \$24 could have been brought up again. She noted that the last thing that is in the report said that this is what the City Council had worked on, advised, and supported. She did not believe there are the votes for that, and it is not because we are trying to be dismissive of the higher amount. This is what we heard from days and weeks and months of discussion on this issue. She stated that this is a sound recommendation. She wanted to support my colleague and move the adoption.

Vice Mayor Benzan wanted to say that we talk about math, about speculation and about assumptions that are being made. He stated that it is very clear to him that the impact that commercial development and other development has had on our community in Cambridge and our neighborhoods, the impact is immeasurable. The impact cannot be measured in any way. He stated that \$24 does not measure the impact as much as the development the city has had on our neighborhoods. All of my colleagues in one way or another have dealt with constituents that have been dealing with the real impacts of development on our city and what we are attempting to do tonight is tell the people of Cambridge that first and foremost that we are responsible to them. The decisions that we make on their behalf have a lot to do with striking a balance and that balance is making sure that our economic growth continues, making sure that we have enough money to continue to build and improve our infrastructure and build new schools. He stated that much of what has not been mentioned is that we have to put all of this in context which means that we have got to understand what are we asking of our developers. We heard testimony earlier today from folks that have been involved with the income and security committee and they mentioned two requirements that are really important. The first requirement is that we ask developers to ensure that workers are paid a living wage. The second piece that was asked was that we make sure that our residents are given preference for jobs. Now, much of the debate around development in our city over the last year and a half is centered on the development of space, buildings, density. He stated that what we really have not talked about is how we develop our people. How do we make sure that our people are able to connect with the innovation economy which is thriving in Kendall Square? That is an additional ask of our

development community and we have got to make sure that we put all of this in context. As we look to extend the Green Line, that will be ask of the developers. Asking for an additional \$10 in MXD district for job training and other initiatives, asking them to approve open spaces, asking them to help train our young people for the innovation economy. There is a lot of things that we are asking and at some point we need to strike that balance. He stated that he has been a part of every single hearing regarding the linkage fees and he is comfortable with every single person that came before us and said we have to come up with a number that we can have consensus around. A lot has been said about that this was political and we are politicizing votes. At the end of the day, we are politicians. We are elected to make tough decisions. But at the end of the day we have to make decisions that are in the best interests of our taxpayers and in the best interest of our economy. We have had a successful city for a long time and we have to make sure that we make decisions that are not going to hurt the fiscal standing of our city and the financial standing of our city. So we are taking a responsible vote tonight, a vote that has been an issue quite a bit over the last year and has included a very important group of people who have worked incredibly hard, the CEOC, the affordable housing trust, other folks that are part of our community. He stated that he is prepared to move this forward and vote on this tonight.

Councillor Mazen stated that he just wanted to make it clear, and to Councillor McGovern's point, he just wanted to clarify this on the record just in good faith here. He is not saying it is morally indefensible from your position but if you believe my math, it would not be a defensible position to do this anyway. He stated that from his perspective this math is sound. He could go through the math very quickly. The \$24.30 fee divided by the 30 year productive lifetime of a building, less than a dollar per year, divided by 12, less than \$0.10 a month, you have done the math required to prove yourself that the cost per square foot over the lifetime of a building is less than \$0.10 a square foot. This measure is not something that will move the needle for a developer coming to the city or not coming to the city. You can choose not to believe the math or you can choose not to believe that a developer or a lessor will or will not come to the city. Those are the logical steps he took and for him the extra money could be used for affordable housing without impacting the state of our development, the volume of our development, and the pace of our development, whatsoever. He stated that intuitively it makes sense to Councillor Kelley or anyone else who is behaving intuitively on this. Intuitively we know if you are paying \$60, \$80 a square foot, \$0.10 a month over 30 years does not create any type of economic thing.

Councillor Cheung commented that another known economic thing is you cannot just take an amount in dollars today and divide it in the 30 years of an asset. That is just not how the system works. With that he would move the question.

Mayor Maher stated that a vote would be taken on the amendment by Councillor Mazen to substitute \$24.30 in place of \$12. The question now came on the amendment and the roll was called and resulted as follows:

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

and the motion to amend by substitution -
Failed.

The question now came on passage to be ordained as amended by the text in the Committee Report # 3 which reads as follows:
(HERE INSERT ORDINANCE #1371)

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

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheng, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the proposed amendment was -
Passed to be ordained as amended.

ANIMAL CONTROL REGULATIONS

Councillor Cheung moved suspension of the rules to dispense of the regular business to bring forward Calendar Item #3 together with Committee Report # 4 because we have an employee who needs to get home for a family issue.

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

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheng, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and suspension of the rules -
Carried.

Mayor Maher stated that Committee Report # 3 is a report from Councillor Cheung, Chair of the Health and Environment Committee for a public hearing held on September 23rd, 2015, to discuss a recommendation of Cambridge off leash working group on dogs and the steps that have been taken to implement a group recommendation for the city.

Mayor Maher stated that Calendar Item # 3 is the proposed amendments to Chapter 6.44 entitled: "Animal Control Regulations" be passed to a second reading. Said amendments relate to adding a park ranger to the definition and increase in dog license fees, confinement fees and complainants positions and penalty violation. The question comes passing to a second reading on or after the acceptance of the Committee Report # 4 and the motion contained therein.

(HERE INSERT COMMITTEE REPORT # 4)

Councillor Cheung stated that the committee report is the committee meeting held last week. He thanked the City Clerk for the quick turnaround. It was a report from the off leash working group. As Vice Mayor Benzan, Councillor Toomey and myself who have dogs will recognize that the city is heading on a good trajectory recognizing people have dogs in the city and when we foster more a community oriented environment and let them self-police each other, and give people structured opportunities to let their dogs off leash, it makes for a better partnering experience for dog owners and non-dog owners alike.

Councillor Cheung moved to accept the report and to pass the Municipal Code Amendment to a second reading, which reads as follows:

(HERE INSERT FIRST PUBLICATION # 3379)

On accepting the report and passage to a second reading the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheng, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the report was accepted and the Municipal Code amendment was -
Passed to a second reading at the City Council meeting held on September 28, 2015 and on or after October 12, 2015 the question comes on ordination.

CONSENT AGENDA

# 1	Placed on file 9 – 0 – 0
# 3	Placed on file 9 – 0 – 0
# 4	Placed on file 9 – 0 – 0

NON CONSENT AGENDA

2 Here insert Agenda # 2 read by Mayor Maher. Councillor Mazen stated that if he read the intent of the authors of the policy order there was for some kind of policymaking regionalism in addition to some kind of additional regionalism exercises on top of what is already being done. He stated that he is referring the report back as we are an active member and we are doing this work. He stated that his question is just very openhandedly and honestly without an agenda or time line, how could we do more. He stated he has been meeting with the chief of staff and Mayor Walsh and he has been speaking to Mayor Walsh and Mayor Curtatone and there is interest on initiating pilot level programs that they are operating in tandem with us, on opioid abuse, which we are working in tandem, to open data, to even traffic analysis pilots that are going on there. He wanted to make sure that we have the bandwidth committed to regionalism to benefit from all the advantages and programs we are conducting that we can log on to.

Mr. Rossi stated that today he attended a meeting with all the people you mentioned, Mayor Walsh, Mayor Curtatone, chief of staff, Mayor from Quincy, from Braintree, the new City Manager in Chelsea, the Manager in Winthrop, and this is the agenda. So we meet and talk about issues that we believe are of common concern, and we have not only pledged but we put together staff from various functions in our city government who work on these problems. Right now the major focus is on transportation related issues, interested in improving the red line, green line, transportation in general, affordable housing, climate and environment, public safety, a lot of concerns about the jails and the labor management council. In the past they have dealt with issues like health insurance in communities and we are supported by the MACC, which does the regional planning for our region, and it is really a good way to go. He stated that he reached out to Mayor Walsh's staff and said we need to have another meeting, and we will do that. He stated that he did not believe that we need to invent something else other than what we are doing and if you are talking to them so am I talking to them. He stated a good example is when we had the whole issue with Uber and taxis. I was able to assemble representatives from those communities to come here. We had a handful of meetings, we talked about strategy and we went and saw the governor and we tried to move the issues forward. He stated that he thinks this is the way they will continue to work and if there are specific issues the City Council would like us to talk about regionally, he is pleased to bring those up in those meetings.

Councillor Mazen stated that he would certainly advance a few of those with you offline. His suggestion would be to have a rotation of one department with one cabinet level official or administrator in those cities, without taking up all of your time, it might be nice once a year for first IP and then transportation.

Mr. Rossi stated that is exactly what happened. He stated that climate for instance, John Bolduc and Susanne Rasmussen are meeting with representatives from those other communities around the same issues, sharing information, talking about planning

strategies, etc. So it is getting down into the people who really understand the related issues.

Councillor Mazen noted that is what he is asking for. It just must be the cabinet level people he talked to, on their side, some of them are new, truly, and maybe others were in lesser visited departments but he wanted to make sure that is happening not just on the head-to-head level but also the administrators level. He stated that what he would find helpful is if there is a report that we can get back from you. Even being on the City Council he did not know this was happening and people in the community do not know it is happening. He stated that he hears a lot of people asking why Cambridge is not working on this with Boston, but apparently we are. He requested that the City Manager find a way to provide feedback to the City Council that we can then provide to the community about this is what we are working on and these are the steps, he would be satisfied with that.

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

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheng, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the matter was -
Placed on file.

5 Here insert Agenda # 5 read by Mayor Maher. Councillor Kelley exercised his Charter Right on this matter.

6 Here insert Agenda # 6 read by Mayor Maher. Councillor Mazen moved to table the item and the roll was called and resulted as follows:

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

and the matter was –
Tabled.

7 Referred to the public hearing scheduled for 6:30 PM.

RECONSIDERATION

Councillor Toomey stated that because the City Council is not meeting for another two weeks he moved suspension of the rules to moved reconsideration of all items previously adopted up to this point, hoping that the same would not prevail.

On suspension of the rules the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillor Cheung, McGovern, Simmons, Toomey and Mayor Maher	- 6
NAYS:	Councillors Carlone and Mazen	- 2
ABSENT	Councillor Kelley	- 1

and the rules were suspended.

At this time Councillor Mazen stated that it is his understanding, and under the sound tutelage of Councillor Kelley, that this practice had been more or less abandoned because it limits us artificially. He stated that he had planned to move for reconsideration on the matters but he is inherently opposed to making all decisions final when we move reconsideration as a valid council tool. He did not see anything in front of him that he felt should be reconsider. That being said because he did not think it is fair he stated that he thinks it is something that we should regularly or irregularly do.

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

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

and reconsideration -
Failed.

CALENDAR

1 Here insert Calendar Item # 1 read by Mayor Maher. Councillor Toomey moved to table the matter and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the matter was –
Tabled.

2 No action taken

3 Passed to a second reading (see above with Animal Control Regulations)

4 Passed to be ordained as amended (see above Incentive zoning)

5 No action taken

APPLICATIONS AND PETITIONS

- # 1 Charter Right exercised by Councillor Mazen
- # 2 Surety approved 9 – 0 – 0
- # 3 Order adopted 9 – 0 – 0

CONSENT COMMUNICATIONS

- # 1 Referred to the petition 9 – 0 - 0
- # 2 Placed on file 9 – 0 – 0
- # 3 Referred to the petition 9 – 0 – 0
- # 4 Referred to the petition 9 – 0 – 0
- # 5 Placed on file 9 – 0 – 0
- # 6 Placed on file 9 – 0 – 0
- # 7 Placed on file 9 – 0 – 0
- # 8 Placed on file 9 – 0 – 0
- # 9 Placed on file 9 – 0 – 0

CONSENT RESOLUTIONS

- # 1 -6 All consent resolutions were adopted 9 – 0 – 0

CONSENT POLICY ORDERS

- # 1 Order adopted 9 - 0 - 0
- # 5-12 Orders adopted 9 - 0 - 0
- # 14 Order adopted 9 - 0 - 0

NON CONSENT ORDERS

ORDER #2 AND COMMUNICATION AND REPORTS FROM CITY OFFICIALS # 1

2 Here insert Original Policy Order # 2 read by Mayor Maher. Mayor Maher stated that we are in receipt of an amended version of the complaint as the original complaint was not signed. Mr. Levy has given the City Clerk a signed copy. Mayor Maher moved for suspension of the rules to dispense with the regular order of business to bring forward Communication and Reports from City Officials # 1 and Policy Order # 2 with the late Communication and Reports from City Officers from Donna P. Lopez, City Clerk with the signed open meeting law complaint filed by Ilan Levy today.

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the rules were -
Suspended.

Mayor Maher moved to amend Communication and Reports # 1 by substituting the signed Open Meeting Law Complaint and on the amendment the roll was called and resulted as follows:

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the motion to amend by substitution -
Prevailed.

Mayor Maher now moved to amend Policy Order # 2 by adding the word "Amended" before the word "Open."

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the amendment -
Carried.

The question now came on adoption of amended Policy Order # 2 which reads as follows:

(HERE INSERT AMENDED POLICY ORDER # 2)

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern,
Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the order was -
Adopted as amended.

3 Here insert Policy Order # 3 read by Mayor Maher. Mayor Maher moved to refer the matter to the Government Operations, Rules and Claims Committee. On the motion to refer the roll was called and resulted as follows:

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0

and the motion to refer to the Government Operations, Rules and Claims Committee -
Carried.

4 Here insert Original Policy Order # 4 read by Mayor Maher. Councillor Kelley submitted an amended text of the order which had a Scribner's error. The amendment is to strike out "RNVA" and insert in place thereof the word "RNAV." The question now came on the amendment and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the amendment -
Carried.

The question now came on adoption of the order as amended which reads as follows:

(HERE INSERT AMENDED POLICY ORDER #4)

On the adoption of the order, the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the order was -

Adopted as amended.

#13 Here insert Policy Order #13 read by Mayor Maher. Councillor McGovern stated that there has been a lot of talk about raising the residential tax percentage and how we would do that and who we would do that to or for, but that is a longer conversation. He stated that this is an order that would look at other ways for the city to generate revenue for affordable housing, and that may be free cash, some corporate tax dollars. He stated that he did not know all the different ways, but this is sort of another conversation but while that debate is happening this can move us forward. The city manager and Mr. DePasquale and I spoke on this and we feel that order would give them permission for finding other avenues, revenue streams for affordable housing.

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

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the order was -

Adopted.

#15 Here insert Policy Order #15 read by Mayor Maher. Councillor Simmons moved to refer this matter to Government Operations, Rules and Claims Committee and on the motion the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the matter was -

Referred to the Government Operations, Rules and Claims Committee.

COMMITTEE REPORTS

Mayor Maher stated that there are two Committee Reports that have not been acted on.

Here insert Committee Report # 1 read by Mayor Maher. He stated that the question comes in accepting the report and placing the report on file, which reads as follows:
(HERE INSERT COMMITTEE REPORT # 1)

Councillor Carlone moved that the report be accepted and placed on file and the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the report was -

Accepted and placed on file.
Councillor Carlone.

Here insert Committee Report # 2 read by Mayor Maher. He stated that the question comes in accepting the report, placing on file, and passing to a second reading as amended.

Councillor Cheung stated that he wanted to thank the neighborhood for coming together to work with the developer to come up with a consensus outcome on how the project should go forward. This is a very important block to the neighborhood and to remind my colleagues, when this first came up, the City Council asked the developer and the neighborhood to get together and to think about an outcome that could be built there that would satisfy everybody, and they spent a lot of time and came back with something that satisfies that. So we had a great committee meeting. Councillor Cheung stated that the neighbors could not stay but they were planning to speak in favor and they will speak in favor in two weeks.

Councillor Carlone stated that this has been a process that should be replicated, except it took a great deal of time by neighbors and although it worked out in this case, there are other projects very much like this. He stated that this raises a big issue for the city and that the city needs to have urban design architectural staff to see to this process and look at these kinds of sites, the sites that are perhaps zoned less sensitively, to rezone them before developers buy them. This is like the fifth project that he has been involved in related to that. He stated that both the Planning Board and the Ordinance Committee suggested the parties work it out. The developers asked us for building examples that they felt would work. They asked us to tell them what we felt would work, and the neighbors came up with theirs and interestingly they were similar and the developer has gone a long way to make it work. He stated that his only concern is related to the design review, since the City enforces design review on this rezoning. He stated that now it is a question of details and materials. Councillor Carlone moved that the report be accepted and placed on file and passage to a second reading as amended which reads as follows:

(HERE INSERT COMMITTEE REPORT # 2)

The question came on passage to a second reading as amended by the text in the Committee Report which appears as Attachment B reads as follows:

(HERE INSERT FIRST PUBLICATION #3378).

On the motion by Councillor Carlone to accept the report, place the report on file, and passage to a second reading as amended the roll was called and resulted as follows:

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheung, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0
ABSENT:	None	- 0

and the report was -

Accepted and placed on file and the proposed amendment was passed to a second reading at the City Council meeting held on September 28, 2015 and on or after October 12, 2015 the question comes on passage to be ordained.

3 Report accepted, placed on file and referred to Calendar Item # 4 and passed to be ordained as amended 9 - 0 - 0. (see incentive zoning above)

4 Report accepted, placed on file and Calendar Item # 3 passed to a second reading (see Animal Control Regulation above)

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

(HERE INSERT POLICY ORDER # 17)

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

YEAS:	Vice Mayor Benzan, Councillors Carlone, Cheng, Kelley, Mazen, McGovern, Simmons, Toomey and Mayor Maher	- 9
NAYS:	None	- 0

ABSENT: None - 0
and the order was -
Adopted.

In connection with this matter Councillor Cheung submitted the following order, the question being on adoption, to wit:
(HERE INSERT POLICY ORDER # 18)

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheng, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0
and the order was -
Adopted.

In connection with this matter Councillor Cheung submitted the following order, the question being on adoption, to wit:
(HERE INSERT POLICY ORDER # 19)

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheng, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0
and the order was -
Adopted.

COMMUNICATIONS AND REPORTS FROM OTHER CITY OFFICERS

1 Here insert Communications and Reports from City Officials # 1 read by Mayor Maher. He stated that we are in receipt of an amended version of this because the original complaints was not signed. Mr. Levy has given the City Clerk a signed complaint.

The amended open meeting law complaint was placed on file. Amended Policy Order # 2 adopted 9 - 0 - 0. (see above for Policy Order # 2)

2 Placed on file 9 - 0 - 0.

LATE RESOLUTIONS

MOMENT OF SILENCE

On the request of Mayor Maher the City Council stood in a moment of silence to remember Mushtaque Mirza who passed away this evening.

#7-22 All late resolutions were made unanimously sponsored on motion of Councillor Simmons and adopted on a roll call vote of 9 - 0 - 0.

LATE ORDERS

Mayor Maher moved for suspension of the rules in order to introduce late Policy Orders and the roll was called and resulted as follows:

YEAS: Vice Mayor Benzan, Councillors Carlone, Mazen, McGovern,
Simmons and Mayor Maher - 6
NAYS: Councillors Cheung, Kelley and Toomey - 3
ABSENT: None - 0
and the rules were -
Suspended

Councillor Simmons submitted the following order, the question being on adoption, to wit:

(HERE INSERT POLICY ORDER # 16)

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

YEAS: Vice Mayor Benzan, Councillors Carlone, Cheng, Kelley, Mazen,
McGovern, Simmons, Toomey and Mayor Maher - 9
NAYS: None - 0
ABSENT: None - 0
and the order was -
Adopted

ADJOURNMENT

On motion of Councillor Simmons the meeting adjourned at 9:54 PM.

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

***City Manager's Agenda
City Council Agenda
CD of meeting***