

HEARING SCHEDULE
CITY COUNCIL MEETINGS BEGINNING SEPTEMBER 9, 2002

Monday, September 9, 2002	5:00 P.M.	<i>Special Presentation honoring Doc Linskey Road Race Committee (Sullivan Chamber) PRESENTATION HELD.</i>
Monday, September 9, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber) MEETING HELD.
Tuesday, September 10, 2002	11:30 A.M.	The Finance Committee will conduct a public meeting to discuss the issue of increasing the homeowner's exemption on property taxes from 20% to 30%. (Ackermann Room) MEETING HELD.
Tuesday, September 17, 2002	9:30 A.M.	The Human Services Committee will conduct a public meeting to review the work of the committee over the summer and to decide the next steps. (Ackermann Room)
Wednesday, September 18, 2002	12:30 P.M.	The Government Operations and Rules Committee will conduct a public meeting to review the fall committee schedule with regard to the City Manager evaluation and City Council goal setting. (Sullivan Chamber)
Monday, September 23, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)

City of Cambridge does not discriminate on the basis of disability. The City Council will provide auxiliary aids and services, written materials in alternative formats, and reasonable modifications in policies and procedures to person with disabilities upon request. Contact the Office of the City Clerk 349-4260, tty/TDD 349-4242.

Monday, September 23, 2002	6:30 P.M.	The City Council will conduct a public hearing to discuss the property tax rate classification. (Sullivan Chamber)
Wednesday, September 25, 2002	4:30 P.M.	The Ordinance Committee will conduct a working meeting to consider proposed amendments to the Smoking Ordinance, Chapter 8.28 of the Municipal Code. No public comment (Sullivan Chamber)
Thursday, September 26, 2002	6:30 P.M.	Special City Council Meeting To receive a progress report on incidences of violence in the city. (Area IV Youth Center, Second Floor, Gymnasium, 243 Harvard Street)
Monday, September 30, 2002	5:30 P.M.	Roundtable Meeting Discussion concerning graffiti. Informal meeting with no public comment, at which time no votes will be taken. Meeting will not be televised. (Sullivan Chamber)
Wednesday, October 2, 2002	4:00 P.M.	The Ordinance Committee will conduct a public hearing to discuss a proposed amendment to Chapter 2.118 of the Municipal Code, Statements of Financial Interests by Certain Officials and Persons Conducting Business with the City. (Sullivan Chamber)

Wednesday, October 2, 2002	4:30 P.M.	The Ordinance Committee will conduct a public hearing on a proposed amendment relative to linkage payments required by the Incentive Zoning Ordinance. This hearing is televised. (Sullivan Chamber)
Wednesday, October 2, 2002	6:00 P.M.	The Health and Environment Committee will conduct a public meeting to continue discussion on public toilets. (Ackermann Room)
Wednesday, October 2, 2002	7:00 P.M.	The Health and Environment Committee will conduct a public meeting to continue discussion on proposed tree protection ordinance. (Ackermann Room)
Monday, October 7, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Tuesday, October 8, 2002	4:30 P.M.	The Public Facilities, Art and Celebrations Committee will conduct a public meeting to discuss curb cuts, an update on the impact of state budget cuts on city arts programs, and the status of the report on developing a Cambridge Art survey and an artist space initiative. (Ackermann Room)

Wednesday, October 9, 2002	4:00 P.M.	The Government Operations and Rules Committee will conduct a public meeting to discuss performance of the Hansen System, the possibility of a web-based police complaint system, information kiosk and public information on Cable TV. (Sullivan Chamber)
Wednesday, October 9, 2002	5:30 P.M.	The Finance Committee will conduct a public meeting to receive an update on the state budget and its expected effect on city finances next year and a report on hotel/motel revenues. (Ackermann Room)
Monday, October 21, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Tuesday, October 22, 2002	6:00 P.M.	Joint meeting of City Council and School Committee (Location to be announced)
Wednesday, October 23, 2002	5:30 P.M.	Government Operations and Rules Committee (Sullivan Chamber)
Monday, October 28, 2002	5:30 P.M.	Roundtable Meeting Informal meeting with no public comment, at which time no votes will be taken. Meeting will not be televised. (Sullivan Chamber)
Wednesday, October 30, 2002	4:30 P.M.	Government Operations and Rules Committee (Sullivan Chamber)

Wednesday, October 30, 2002	6:00 P.M.	Government Operations and Rules Committee (Sullivan Chamber)
Monday, November 4, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Thursday, November 7, 2002	All Day	Government Operations and Rules Committee (Off Site)
Wednesday, November 13, 2002	9:00 A.M.	Government Operations and Rules Committee (Sullivan Chamber)
Monday, November 18, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, November 25, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 2, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber) MEETING CANCELLED.
Monday, December 9, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 16, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 23, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 30, 2002	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)

SEPTEMBER 9, 2002

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| <p>1. Transmitting communication from Robert W. Healy, City Manager, relative to the appointment of the following persons as Constables Without Power for a term of three years, effective the first day of January, 2002:</p> <p>Rubin Williams, 265 Centre Street, #231, Jamaica Plain, 02130
Chris Godwin, 19 Lyon Street, #1, Boston, 02122
Norman Wedderburn, 31 Brunswick St., Dorchester, 02121
Michael Pierce, 50 Rutland Street, Malden, 02148
Leonard Nortey, 58 Henshaw Street, Worcester, 01603</p> | <p>1. PLACED ON FILE.</p> |
| <p>2. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 02-56, regarding a report on the study being performed by the Somerville-Cambridge Elder Services.</p> | <p>2. PLACED ON FILE.</p> |
| <p>3. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 02-70, regarding a report on the progress of the Riverside Neighborhood Study recommendations and timetable for release of the recommendations for the Planning Board.</p> | <p>3. PLACED ON FILE.</p> |
| <p>4. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 02-67, regarding a report on Planning Board review of zoning ordinance provisions about measuring and altering the grade of a lot and their relation of the height of buildings and other dimensional requirements.</p> | <p>4. PLACED ON FILE.</p> |
| <p>5. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 02-68, regarding a report on the possibility of changing to bicycle routes located between the sidewalk and parked cars, in the European model.</p> | <p>5. REFERRED TO
PUBLIC SAFETY
COMMITTEE ON
MOTION OF VICE
MAYOR DAVIS.</p> |

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| 6. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 02-73 , regarding a report on investigating the City of Chicago's current attempts to find alternate means of generating power throughout the City. | 6. REFERRED TO HEALTH AND ENVIRONMENT COMMITTEE ON MOTION OF VICE MAYOR DAVIS. |
| 7. Transmitting communication from Robert W. Healy, City Manager, relative to the appointment of the following persons as members of the Cambridge Health Alliance Board of Trustees:

David Harrison, 183 Brattle Street, Cambridge, 02138
Aviam Sofier, 23 Irving Street, Cambridge, 02138 | 7. PLACED ON FILE. |
| 8. Transmitting communication from Robert W. Healy, City Manager, relative to the appointment of the following persons as members of the Kids' Council:

Mona Abo-Zena, 858 E. Squantum Street, Quincy, 02171
Felton Earls, 16 Farrar Street, Cambridge, 02138
Betty Bardige, 98 Raymond Street, Cambridge, 02140
Pamela Ogletree, 54 Pemberton Street, Cambridge, 02140 | 8. PLACED ON FILE. |
| 9. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 02-75 , regarding a report on types of noise complaints, protocol and criteria used to refer the complaints to the License Commission and review of the technical points of the ordinance as it relates to nuisance noise. | 9. REFERRED BACK TO HEALTH AND ENVIRONMENT COMMITTEE ON MOTION OF VICE MAYOR DAVIS. |
| 10. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 02-72 , regarding a report on the availability of the restrooms at the Walter J. Sullivan Water Purification Facility. | 10. PLACED ON FILE. |
| 11. Transmitting communication from Robert W. Healy, City Manager, relative to Awaiting Report Item Number 02-71 , regarding a report on efforts to preserve the eight acres of maple forest abutting Cambridge. | 11. PLACED ON FILE. |

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| 12. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of a grant from HUD for \$95,987 to the Grant Fund Human Rights Salaries & Wages Account (\$48,497), Other Ordinary Maintenance Account (\$44,490), and Travel & Training Account (\$3,000) to provide funds for a full-time Education and Outreach Coordinator for the Fair Housing Initiative Program. | 12. ORDER ADOPTED.
8-0-1. |
| 13. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of a grant from the Executive Office of Public Safety for \$55,000 to the Grant Fund DHSP Other Ordinary Maintenance Account to provide funds to support a violence prevention curriculum in the Guidance Center of the Cambridge Public Schools. | 13. ORDER ADOPTED.
8-0-1. |
| 14. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of \$69,000 in property taxes to the General Fund DHSP Salaries & Wages Account (\$53,500) and Other Ordinary Maintenance Account (\$13,500) to provide additional funds for the Mayor's Summer Youth Employment Program. | 14. ORDER ADOPTED.
8-0-1. |
| 15. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of donations from various companies and individuals for \$1,800 to the Grant Fund DHSP Other Ordinary Maintenance Account to provide funds for workshops to supply Cambridge teens with skills needed for employment. | 15. ORDER ADOPTED.
8-0-1. |
| 16. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of a donation from the Mt. Auburn Hospital for \$9,350 to the Grant Fund DHSP Salaries & Wages Account (\$8,390) and Other Ordinary Maintenance Account (\$960) to provide funds for ESL classes for employees of the hospital. | 16. ORDER ADOPTED.
8-0-1. |
| 17. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of \$9,675 in funds from the annual charity golf tournament sponsored by the City and Harvard Real Estate to the Grant Fund DHSP Other Ordinary Maintenance Account to provide funds to prevent homelessness and to assist with housing. | 17. ORDER ADOPTED.
8-0-1. |

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| 18. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of a grant from the State Department of Transitional Assistance for \$192,500 to the Grant Fund DHSP Salaries & Wages Account (\$185,137), Other Ordinary Maintenance Account (\$6,063) and Travel & Training Account (\$1,300) to provide funds to cover the costs of the salaries of caseworkers in the program to prevent homelessness as well as related program costs. | 18. ORDER ADOPTED.
8-0-1. |
| 19. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of \$1,956.01 in funds donated by The Pacer Foundation and Verizon to the Grant Fund DHSP Other Ordinary Maintenance Account to provide funds to enhance the recreation experience of Cambridge Special Needs Youth. | 19. ORDER ADOPTED.
8-0-1. |
| 20. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of a grant from the Mass Dept. of Education for \$153,583 to the Grant Fund DHSP Salaries & Wages Account (\$127,878) and Other Ordinary Maintenance Account (\$25,705) to provide funds to cover the salary of the Family Service Coordinator and a portion of the salaries of two full time staff at the North Cambridge Center for Families. | 20. ORDER ADOPTED.
8-0-1. |
| 21. Transmitting communication from Robert W. Healy, City Manager, relative to the appropriation of \$2,255,000 in bond proceeds to the Public Investment Fund Fire Extraordinary Expenditures Account to provide additional funding needed to complete the full restoration of the Taylor Square Fire Station. | 21. PASSED TO A
SECOND READING. |
| 22. Transmitting communication from Robert W. Healy, City Manager, relative to the appointment of Louis A. DePasquale, 17 South Normandy Avenue, Cambridge as the Acting Assistant City Manager for Finance. | 22. PLACED ON FILE. |
| 23. Transmitting communication from Robert W. Healy, City Manager, relative to an update on the Library Project. | 23. PLACED ON FILE. |

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24. Transmitting communication from Robert W. Healy, City Manager, relative to the Early Retirement Plan and the appropriation of an additional \$1,226,950 to the General Fund Employee Benefits (Pension) Salary & Wages Account from property taxes.

24. **PLACED ON FILE.
ORDER ADOPTED.
8-0-1.**

Agenda Item #1

September 9, 2002

To The Honorable, The City Council:

I am hereby transmitting notification of the appointment of the following persons as Constables Without Power for a term of three years, effective the first day of January, 2002:

Rubin Williams, Jr., 265 Centre Street, #231, Jamaica Plain, MA 02130

Chris M. Godwin, 19 Lyon Street, #1, Boston, MA 02122

Norman Wedderburn, 31 Brunswick Street, Dorchester, MA 02121

Michael P. Pierce, 50 Rutland Street, Malden, MA 02148

Leonard N. Nortey, 58 Henshaw Street, Worcester, MA 01603

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #2

September 9, 2002

To The Honorable, The City Council:

In response to Awaiting Report Item No. 02-56, regarding a report on the study being performed by the Somerville-Cambridge Elder Services, Assistant City Manager for Human Services Jill Herold reports the following:

Somerville-Cambridge Elder Services (SCES) operates nine (9) meals sites for seniors across the cities of Cambridge and Somerville. (five (5) sites in Cambridge and four (4) sites in Somerville.)

The meal site at the Burns Apartment, on Churchill Avenue, Cambridge is one of these sites. It provides meals to seniors five days a week, Monday through Friday. In June, residents were notified by SCES staff that the meal site would likely be closed within a sixty (60) day period from that time, due to low attendance at the meals. SCES reported that the revenue from the suggested meal donations from diners was not enough to cover the costs of the running the meal site. SCES said they need an average of twenty (20) diners a day at that site to keep it financially viable, and they are getting approximately ten (10) to twelve (12) diners a day.

In response to expressed concerns, SCES held a community meeting at the Burns Apartments the end of June. Approximately 50 senior residents of the Burns Apartments attended to convey their concerns to SCES staff about the closing of the site. A majority of the seniors who spoke at the meeting said that the poor quality of the food served was the main reason that more people did not eat at Burns meal site.

SCES is currently out to bid for a vendor to provide meals at the various sites. The current vendor will end their three-year contract at the end of September. SCES will be choosing a new vendor by the end of July and that vendor's three-year contract will begin October 1, 2002.

Following the community meeting, SCES announced that any decision to close the Burns Apartments meal site has been delayed pending the following:

- SCES will allow a sufficient amount of time (at least three (3) months) for the residents of the Burns apartments to experience service through the new contract to see if there is an improved quality of the food, thus resulting in an increase in the numbers of diners.

- SCES will undertake, sometime after December, 2002, an overall evaluation of all nine (9) meals sites in both cities, rather than just focusing on the site at the Burns Apartments. They will look at the viability of all sites. SCES plans to involve the Directors of the Cambridge and the Somerville Councils on Aging in the criteria being used for the evaluation process.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

September 9, 2002

To The Honorable, The City Council:

In response to Awaiting Report Item No. 02-67, report on Planning Board review of zoning ordinance provisions about measuring and altering the grade of a lot and their relation of the height of buildings and other dimensional requirements, Assistant City Manager for Community Development Beth Rubenstein reports the following:

The above referenced order requests a review of provisions of the Zoning Ordinance that determine the height of a building. As currently defined, the height of any building in Cambridge is measured from the highest point of the roof to the mean grade of the ground abutting the building. While fairly straightforward in wording, the definition leaves much to interpretation: Can the grade be altered by filling or excavation? Can that filling or excavation be assisted by the building of retaining walls? Should the provisions of the State Building Code, which is referenced in our Zoning Ordinance and which addresses the subject in a slightly different way, be applied more explicitly in our Ordinance? Is some pre-construction alteration of a lot's natural grade appropriate?

On large lots and for large commercial buildings these questions typically have little relevance. But in neighborhoods where lots are small and small changes in a building's height can be keenly felt, these questions have great importance. As Cambridge housing becomes ever more valuable and each additional square foot of living space is sought, there is a tendency for property owners to work within the ambiguities of the current regulations to get a slightly taller house or expose through excavation more of a home's basement to make that basement a more habitable space. In an established neighborhood, these individual private advantages can sometimes have negative consequences for neighbors or the general public. On the other hand, some flexibility may be fair and reasonable and have positive consequences.

We will work with the Planning Board to take up these questions in a systematic way later this fall, with the goal of formulating a recommendation as to how, if appropriate, our current zoning provisions can be modified to reflect current policy objectives and to make the city's requirements clear to both property owners and the city staff who will enforce the regulations.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #5

September 9, 2002

To The Honorable, The City Council:

In response to Awaiting Report Item No. 02-68, regarding a report on the possibility of changing to bicycle routes located between the sidewalk and parked cars, in the European model, Assistant City Manager for Community Development Beth Rubenstein reports the following:

Background

In some European countries, standard bicycle facilities include cycle "tracks," which are essentially grade-separated bicycle lanes, also known as "raised bike lanes." These are usually located between the street and the sidewalk, or between the parking lane and the sidewalk. This type of facility is primarily found in The Netherlands and Denmark. The tracks are one-way facilities on each side of the street and are clearly distinct from the sidewalk, with different paving materials, and an additional curb between the cycle track and the sidewalk. These countries do also use on-street bicycle lanes as a type of bicycle facility. Germany also uses a grade-separated bike facility, although often it is a marked travel path essentially on the sidewalk. While a cycle track is not the standard for bicycle facility design in the US, there are some examples, most notably in Oregon.

Advantages and disadvantages

Cycle tracks incorporate the convenience of riding on the street with the psychological separation of a barrier. They also have the advantages that motorists are not likely to drive or park in the bike area; novice bicyclists are more likely to ride in the cycle track, leaving the sidewalk for pedestrians; and there is potential for minimizing the likelihood of a "dooring" occurring, since most places drivers will park on the right hand side of the road and exit on the street side. However, since passengers will also be exiting vehicles, there needs to be additional space between the parked cars and the cyclists for them to be away from the car door zone. This usually means that the overall width needed to provide a cycle track is greater than that for an on-street bike lane.

Although there are advantages to the lanes, there are disadvantages to be considered as well. The most significant one involves safety, conspicuity and expectations of behavior. Motorists are not expecting to see cyclists emerge from behind parked cars and won't be looking for them. This is of particular danger at driveways and intersections; the danger is greater to the cyclist than to the pedestrian because of cyclists' higher speeds and the inability of the cyclist to stop in the same way as a pedestrian. Most major roadways in Cambridge have many cross streets, where motor vehicle traffic will be turning and not expecting to have cyclists emerging from the sidewalk area.

In contrast, on-street bicycle lanes put cyclists in the same place where they would be on a street without bicycle lanes. With greater expectations of where cyclists will be, there is less likelihood of a collision.

Financial costs

Constructing cycle tracks require significant expenditure. This is because curbs need to be moved, and a new drainage system put in place to deal with drainage on the cycle track itself. In addition, the travel lanes and tracks must be paved separately. There are also additional maintenance costs required for cleaning and snow clearance; these would need to be done by different equipment than is used for the streets (would be similar to those used on sidewalks).

Cycle tracks in Cambridge

Although the safety and financial concerns about cycle tracks suggest limited applicability, there are circumstances where the cycle track may be safe and appropriate. For a cycle track to work, there needs to be good visibility and limited cross-traffic. This means few or no side streets or driveways, which is where the conflicts occur. With these considerations in mind, the City has agreed to the construction of this type of facility on Vassar Street. MIT has designed and will construct and maintain this facility; the first section between Massachusetts Avenue and Main Street is expected to be completed by the spring of 2003. The design was based on Danish and Dutch technical standards has been thoroughly reviewed by the relevant city departments and by the Bicycle and Pedestrian Committees. The design includes some traffic calming devices as well as special signing and pavement markings to call attention to the special facility. Vassar Street will enable us to evaluate the potential for the cycle track design in other locations in the city.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #3

September 9, 2002

To The Honorable, The City Council:

In response to Awaiting Report Item No. 02-70, regarding a report on the progress of the Riverside Neighborhood Study recommendations and outline the timetable for release of the recommendations for the Planning Board, Assistant City Manager for Community Development Beth Rubenstein reports the following:

In February 2001, a 20-member study committee was appointed, which includes residents, business owners, and representatives of Harvard, the major educational institution located in the Riverside neighborhood. The committee has met monthly since April 2001 to consider planning and zoning issues that affect the neighborhood (16 meetings to date). In addition, two public forums were held on July 16, 2001 and May 1, 2002. The committee forwarded its zoning recommendations to the Planning Board on June 12, 2002. The Planning Board has discussed these recommendations at three meetings this summer and expects to finalize a set of recommendations from the Board to the City Council this fall in advance of the expiration of the moratorium on December 16, 2002.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #6

September 9, 2002

To The Honorable, The City Council:

In response to Awaiting Report Item No. 02-73, regarding a report on investigating the City of Chicago's current attempts to find alternate means of generating power throughout the city, Assistant City Manager for Community Development Beth Rubenstein reports the following:

Chicago Energy Plan

The City of Chicago issued its Energy Plan in November 2001 to address the production and use of energy and guide municipal responses to state and federal energy policies. The development of the plan began in the summer of 1998 when the city experienced a period of extensive blackouts. Another motivating factor was Chicago's projection that demand for electricity would increase 20%, or about 6 billion kilowatt-hours, by 2010. This amount is equivalent to the output of about 11 new conventional power plants. The plan addresses how this increased demand will be met in a manner that protects consumers and the environment while assuring a reliable supply.

The plan includes 13 recommendations that focus on electricity but also address natural gas supply and prices and vehicle fuels. Chicago's strategy involves increasing energy efficiency through energy management efforts, connecting City-owned emergency backup generators into the central electricity distribution grid and encouraging the use of other distributed energy sources (e.g., microturbines and solar photovoltaic), increasing electricity supply through co-generation techniques, and purchasing electricity from renewable energy sources (i.e., wind, solar, and landfill gas). The mayor convened a task force to advance the plan.

Chicago joined with 4 regional public agencies, and 48 suburban governments to contract with Commonwealth Edison to supply 20 percent of their electricity demand from renewable sources within 5 years. This represents the single largest purchase of renewable energy in the country to date. While other local governments, such as Santa Monica and Oakland, California have contracted to buy 100 percent of their municipal electricity loads from renewable energy, Chicago's purchase is the largest in terms of the amount of energy.

A copy of the Chicago Energy Plan may be found at:

<http://www.ci.chi.il.us/Environment/html/2001EnergyBook.pdf>.

Related Cambridge Activities

Most of the actions proposed or underway in Chicago parallel many actions proposed or underway in Cambridge as part of the Climate Protection Plan process.

(<http://www.ci.cambridge.ma.us/~CDD/envirotrans/envioplan/climate/index.html>)

- The Public Works Department has convened a working group on energy management that is working toward tracking City energy use in buildings and identifying opportunities to increase efficiency. The Traffic & Parking Department has begun retrofitting traffic signals with efficient LED lights. Most city buildings have had their lighting upgraded with efficient fixtures under the GreenLights program.
- Co-generation has been used increasingly in Cambridge. The MIT power plant on Vassar Street uses a co-generation design to produce both electricity and steam (for heating, cooling, and process uses). Mirant's Kendall Square Station powerplant has been upgraded with the installation of a very efficient combined-cycle generator. The upgraded facility, which is nearing start-up, will generate electricity and distribute steam throughout East Cambridge and for a few customers in Boston (Museum of Science, Mass. General Hospital).
- The City has received a grant of \$337,500 from the Massachusetts Renewable Energy Trust (MRET) to install solar photovoltaic (PV) panels on City Hall Annex (57 Inman Street) as part of the renovation project. In addition, there are PV arrays located on the MBTA's Alewife Garage and on private property at Porter Square Shopping Plaza, the Union of Concerned Scientists' office at Two Brattle Square, and the Greenworks Building on Second Street.
- The draft Climate Protection Plan proposes that Cambridge aim to purchase 20 percent of its electricity from renewable sources by 2010. Currently, there is very little renewable energy supply in New England. However, changes in state policy and the market are going to make renewable energy more available. The Renewable Portfolio Standard (RPS) recently enacted by the state requires all electricity providers to include an increasing amount of renewable sources in their generation portfolios beginning next year (starting at 1% in 2003 and ramping up to 4% by 2009). In addition, the Renewable Energy Trust is financially supporting installations with their investments. Under deregulation, some providers are working to develop services that include renewable energy, such as the Mass. Municipal Association, Health & Educational Facilities Authority, Mirant, and the Mass. Energy Consumers Alliance (Mass Energy). The City partnered with Mass Energy this year on a consumer aggregation planning project which was supported by grants from MRET and the John Merck Foundation. Mass Energy is hoping to develop a green power product that would be available to Cambridge residents and businesses sometime in 2003.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #7

September 9, 2002

To The Honorable, The City Council:

I am hereby transmitting notification of the appointment of the following persons as members of the Cambridge Health Alliance Board of Trustees:

David Harrison, Jr.
183 Brattle Street
Cambridge, MA, 02138

June 30, 2005

Aviam Sofier
23 Irving Street
Cambridge, MA 02138

June 30, 2004

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #8

September 9, 2002

To The Honorable, The City Council:

I am hereby transmitting notification of the appointment of the following persons as members of the Kids' Council:

<u>NAME</u>	<u>TERM EXPIRES</u>
Mona Abo-Zena 858 E. Squantum Street Quincy, MA 02171	February, 2003
Felton Earls 16 Farrar Street Cambridge, MA 02138	February, 2003
Betty Bardige 98 Raymond Street Cambridge, MA 02140	July, 2004
Pamela Ogletree 54 Pemberton Street Cambridge, MA 02140	July, 2004

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #9

September 9, 2002

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 02-75, regarding types of noise complaints, protocol and criteria used to refer the complaints to the License Commission and review of the technical points of the ordinance as it relates to nuisance noise, received from Emergency Communications Director George Fosque.

1. Summary of ECD Protocol for Handling Noise Calls

Callers are requested to use the police non-emergency number (349-3300) to report noise complaints, unless the noise is related to an emergency situation (explosion, gunshots, etc.).

When noise-related calls are received, the call taker questions the caller about the circumstances and specific location of the noise and, if the caller assents, gathers the name and address of the caller so responding officers can pursue further information on-scene if required.

In most cases, the call is entered into the CAD system under a general heading such as Loud Music or Noise and a dispatch of a police unit is made. Typically, the police dispatcher sends a one-person unit, usually a walking officer or a neighborhood Route car, unless the protocol or situation calls for a different response (see below). In the case of regular noise on MIT or Harvard property, the dispatch is made of a university police unit and not of a Cambridge Police unit. Dispatchers and their supervisors use their discretion in dealing with special or extenuating circumstances.

In the first six months of 2002, the ECD staff entered 1455 noise-related events into CAD, about 2.7% of total CAD incidents.

The specific protocol for dealing with noise calls to the ECD is listed by type of noise:

Loud Music	Dispatch one-person unit, 2-person unit if a party/larger gathering
Regular Noise	Dispatch a one-person unit to many different types of "regular" noise complaints involving kids, playgrounds, neighbors, etc.
Car Alarms	Dispatch a 2-person unit to an alarm report. If the alarm continues after police arrival, both the responding officers and the ECD staff will attempt to locate the owner. The police will generally tow the vehicle if the alarm continues to sound

after all attempts have been made to locate the owner. The owner can be cited for an alarm sounding over 10 minutes.

Barking Dog	Dispatch a one-person unit. If a chronic problem is reported by the caller we refer to Animal Control
Festivals	The ECD is notified in advance by the License Commission of Permits, especially over the weekend. Dispatch 2-person unit and notify the on-duty License investigator by page and/or radio.
Construction	Dispatch a one-person unit. For early start of construction, also send an e-mail to Inspectional Services with the CAD Incident details attached
Trucks Idling	Dispatch a one-person unit. The ECD assists in contacting trucking company dispatchers that unknowingly schedule deliveries during the overnight shift.
Special Situations	These involve reports of low flying aircraft (take details and report them to the Director), earth tremors (check with Weston Observatory to determine whether or not an earthquake has occurred), snowplowing (usually a permitted noise), yard work (usually a permitted noise), emergency repairs by utilities (usually a permitted noise), rooftop HVAC units (depending on the situation send an officer and/or refer to Inspectional Services), etc.

2. License Commission Access to ECD Noise Complaints

Since April of 1997, the ECD CAD system has provided the License Commission staff with the ability to print reports on all ECD CAD incidents involving noise in a date range. This facility allows License Commission staff to research an address as well as spot trends or patterns in noise complaints reported to the ECD/Police.

3. License Commission access to ECD Noise Complaints on University Property

The ECD provides information from its CAD system to the License Commission about a variety of events that occur in the City. For many years, the License Commission has had access to searches and reports on the CAD about all police/fire/EMS incidents to any address where there was a licensed establishment. The address list is updated yearly in January. This facility has proved useful to highlight problem locations as well as to document a history of dispatches in support of Commission enforcement efforts against a particular establishment.

In analogous fashion, the ECD is providing the License Commission a facility to identify and find noise related dispatches to selected university property (currently only MIT and Harvard).

With reference to the Noise Ordinance, the City has begun a review however, is not ready to issue an opinion. When the review is completed, I will forward the conclusions to the City Council.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #10

September 9, 2002

To The Honorable, The City Council:

In response to Awaiting Report Item No. 02-72, regarding a report on the availability of the restrooms at the Water Treatment Plant to the public, please be advised of the following:

The public toilet facilities at the Walter J. Sullivan Water Purification Facility have not been open to the public because of security concerns. The inner door separating the restrooms from the treatment facility has not been operable. It is anticipated that the door will be fully secure and operating by September 9th. At that time, the restrooms will be available for public use daily from 7:00 a.m. to dusk.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #11

September 9, 2002

To The Honorable, The City Council:

In response to Awaiting Report Item No. 02-71, regarding a report on efforts to preserve the eight acres of maple forest abutting Cambridge, please be advised of the following:

The Cambridge Conservation Commission worked closely with the Community Development Department in commenting on the Environmental Notification Form for the proposed development of the Belmont Uplands. In addition, the Commission looks forward to holding public hearings under the Wetlands Protection Act for review and permitting of any aspect of the project that may affect wetland resource areas, including the 100-year floodplain in Cambridge.

I am attaching a copy of the comments for your information.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

Agenda Item #12

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from the U.S. Department of Housing and Urban Development for \$95,987 to the Grant Fund Human Rights Salaries and Wages account (\$48,497), Other Ordinary Maintenance account (\$44,490), and Travel and Training account (\$3,000) to provide funds for a full-time Education and Outreach Coordinator for the Fair Housing Initiative Program (FHIP) who will coordinate education and outreach, curriculum development, participation in mandatory HUD-sponsored training, and other Fair Housing activities as well as a Curriculum Developer, training, translation services, and other related services.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #13

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from Executive Office of Public Safety for \$55,000 to the Grant Fund Human Services Other Ordinary Maintenance account to provide funds to support a violence prevention curriculum in the Guidance Center of the Cambridge Public Schools.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #14

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of \$69,000 in property taxes to the General Fund Human Services Salaries and Wages account (\$53,500) and Other Ordinary Maintenance account (\$13,500) to provide additional funds for the Mayor's Summer Youth Employment Program that enrolled over 650 teens in the summer of 2002.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #15

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of donations from various companies and individuals for \$1,800 to the Grant Fund Human Services Other Ordinary Maintenance account to provide funds for workshops to supply Cambridge teens with skills needed for employment.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #16

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of a donation from the Mount Auburn Hospital for \$9,350 to the Grant Fund Human Services Salaries and Wages account (\$8,390) and Other Ordinary Maintenance account (\$960) to provide funds for ESL classes for employees of the hospital.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #17

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of \$9,675 in funds from the annual charity golf tournament sponsored by the City and Harvard Real Estate to the Grant Fund Human Services Other Ordinary Maintenance account to provide funds to prevent homelessness and to assist homeless individuals or families in obtaining housing.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #18

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from the State Department of Transitional Assistance for \$192,500 to the Grant Fund Human Services Salaries and Wages account (\$185,137), Other Ordinary Maintenance account (\$6,063), and Travel and Training account (\$1,300) to provide funds to cover the costs of the salaries of 3.5 caseworkers in the program to prevent homelessness as well as related program costs.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #19

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of \$1,956.01 in funds donated by The Pacer Foundation and Verizon to the Grant Fund Human Services Other Ordinary Maintenance account to provide funds to enhance the recreation experience of Cambridge Special Needs Youth.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #20

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of a grant from the Massachusetts Department of Education for \$153,583 to the Grant Fund Human Services Salaries and Wages account (\$127,878) and Other Ordinary Maintenance account (\$25,705) to provide funds to cover the salary of the Family Service Coordinator and a portion of the salaries of two full time staff at the North Cambridge Center for Families as well as various supplies for the program.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #21

September 9, 2002

To the Honorable, the City Council:

I am hereby requesting the appropriation of \$2,255,000 in bond proceeds to the Public Investment Fund Fire Extraordinary Expenditures account to provide additional funding needed to complete the full restoration of the Taylor Square Fire station. The additional funds are required to cover the construction bid that was recently received as well as other related costs.

Very truly yours,

Robert W. Healy
City Manager

Agenda Item #21

September 9, 2002

ORDERED: That \$2,225,000 is appropriated, in addition to the \$2,875,000 previously appropriated, for remodeling, reconstructing and making extraordinary repairs, including original equipment and site improvements incidental thereto, to the Taylor Square Fire Station and to meet this appropriation the Treasurer with the approval of the City Manager is authorized to borrow \$2,875,000 under Chapter 44 of the General Laws or any other enabling authority.

Agenda Item #23

September 9, 2002

To The Honorable, The City Council:

Please accept the following information as an update on the Library Project:

Since April of this year when the City signed the agreement for Library Design Services, the architectural team of William Rawn and Ann Beha have assembled their design group and begun the process of developing the plans for our Library Expansion Project at the Broadway site.

Various team consultants have worked on existing conditions surveys of the Main Library's exterior walls and roof surfaces, its interior structural framework, the paint and plaster of the interior walls and ceilings (as was done here at City Hall - the same architect, Ware & Van Brunt, designed both buildings,) and are nearly completed an exhaustive inventory of the landscaping around the Library, High School, and Joan Lorenz Park. The Program consultant has, through an extensive review and re-programming effort, confirmed that the program from 1995 has not significantly increased from the results projected by both the Cohen study and the findings of the Library 21Committee.

In June, an 18-member Design Advisory Committee of residents and City Staff with a representation of the City-wide community was appointed. The Committee, co-chaired by the Deputy City Manager and the City's Project Director, has had two public meetings thus far. On Thursday, September 12th, they will have their third meeting - in Sakey Hall at the Main Library - and will have presented to them by the architects three to four possible approaches to the expansion plan.

At the Committee's last meeting, the Architects presented a design history of the building and its site, taking them back through time to when the Library was first envisioned. The design team demonstrate how the site was planned, how it was modified through street closings and building demolition, how the High School evolved, and where we are today.

The spiral-bound booklet you received shows the illustrations that were presented to the Committee and used as a basis for discussing what the Library meant to them and what they envisioned the Library Expansion Project to be for the overall Cambridge Community as we move forward into the 21st century. Notes were taken at each meeting and are included in the presentation booklet. It is our intention to update the booklet as we proceed through the project and thereby maintain a complete record of the developmental process.

The notes from the second meeting reflect the Committee's representation of what they expect to see in the new Library, and those perceptions are being used as one of the many criteria for the final design, but for now, the simple "massing" of the overall building form.

That will be the substance of our next meeting, and you are all welcome to come and participate, and/or we can present the possible schemes to you, at a City Council Sub-Committee meeting if you wish.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

Agenda Item #22

September 9, 2002

To The Honorable, The City Council:

I am pleased to announce that I have appointed Louis A. DePasquale, 17 South Normandy, Cambridge, as the Acting Assistant City Manager for Finance, effective September 9, 2002.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Agenda Item #24

September 9, 2002

To The Honorable, The City Council:

The City Council accepted Chapter 116 of the Acts of 2002 on May 20, 2002.

This Act provides for workforce reduction through an early retirement incentive for municipal employees as a method of avoiding or reducing layoffs in a period of fiscal austerity.

The Act provides for the “executive authority” in a city to structure the eligibility for this program. I have had an actuarial analysis done of various options. After having reviewed the actuarial analysis and the relevant future cost implications, my plan for the City is as follows:

Under the Cambridge plan, up to 4-years can be added to age or years of creditable service or a combination thereof for a maximum of 4-years to improve the superannuation retirement benefit pursuant to G.L. c. 32 §5.

The last day to file for this program is November 1, 2002. The retirement date for all employees retiring under this program is December 2, 2002.

This program shall be limited to 50 individuals in total. This includes 37 individuals in Groups 1 and 2 combined, and 13 individuals in Group 4. In case the total number of individuals applying in any particular group exceeds these limits, the retirement of employees with greater creditable service shall be approved before approval is given to employees with lesser creditable service. If the program is oversubscribed, those with the least creditable service beyond the limits set above will not qualify. Thus applicants should check with the Retirement Board to be sure they have all the creditable service to which they must be entitled.

Eligibility for this program is specified under state law. In order to be eligible an individual:

- Must be an employee of the City of Cambridge (including the School Department) and an active member of the Cambridge Retirement System on September 9, 2002.
- Must be eligible to receive a superannuation retirement allowance in accord with G.L. c. 32 §5 (1) or G.L. c. 32 §10 (1) on the effective retirement date. To be eligible for a superannuation retirement employees must have, by the date of retirement, 20 years of creditable service at any age, or 10 years of creditable service and be at least 55 years of age or older. These minimums must be satisfied prior to the addition of any of the additional years of age or years of service provided by the ERI. The age requirements for employees in Group 2 are somewhat different. Interested employees should check with the Cambridge Retirement Board.
- Must be classified in Group 1, Group 2 or Group 4 for retirement purposes.
- Must have filed a written application with the applicable retirement system as described below.

Applications should be made to the Cambridge Retirement Board, 255 Bent Street, 3rd Floor, Cambridge, MA 02141, (617) 868-3401. Inquiries concerning retirement benefit levels, years of creditable service, procedures for purchasing additional creditable service for qualifying employment and/or military service, etc. should be directed to the Retirement Board. Any questions concerning post retirement health or life insurance should be addressed to the Benefits Office of the City's Personnel Department (Room 213, City Hall) at (617) 349-4337.

The City and the Retirement Board will be offering a program of pre-retirement counseling during the months of October and November, 2002. Any employees contemplating retirement (whether pursuant to the Early Retirement Incentive Program or not) are encouraged to attend.

The implementation of this program necessitates the appropriation of an additional \$1,226,950 to the General Fund Employee Benefits (Pension) Salary & Wages Account from property taxes, this year and for the next 5-years in order to stabilize the impact of the program on the unfunded pension liability. I hope to offset some of the first year costs by not filling the vacated position for at least six months. However, since the eligibility is determined on a "years of creditable service" basis, it is impossible to know which positions will be vacated until after the November 1st filing.

As seen from these costs it is necessary to place limitations on eligibility numbers for this program. The previous ERI – 1992 allowed for 75 participants at a time when the Cambridge Hospital was 40% of the City's workforce. Sixty percent of 75 equals 45 and I have rounded that number up to 50.

Limitations on Group 4 were not provided for in the 1992 legislation, as they are in the Chapter 166 of 2002. Group 4 employees are 25% of the membership of current Cambridge employees in the retirement system. Thus 25% of 50 equals 12.5 rounded to 13.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

MASSACHUSETTS

**City Council Calendar No. 16
Monday, September 9, 2002**

At 5:30 P.M.

ON THE TABLE

1. Landmark Designation Study Report for Shady Hill Square, 1-11 Shady Hill Square and 36 Holden Street.

NO ACTION TAKEN.

2. Landmark Designation Study Report for designating as a protected landmark the Tulip Tree at 1436 and 1446 Cambridge Street.

NO ACTION TAKEN.

UNFINISHED BUSINESS

3. Petition from Harvard University requesting a sub-surface easement located between 1720 and 1737 Cambridge Street for the purpose of constructing an underground pedestrian and service tunnel beneath Cambridge Street.

NO ACTION TAKEN.

4. Proposed amendment to the Zoning Ordinance to modify regulations related to theater parking. The question comes on passing to be ordained on or after August 12, 2002.
This petition expires September 24, 2002.

ORDAINED AS AMENDED.

7-0-2.

5. Proposed amendment to the Municipal Code to the Responsible Employer Ordinance to include Public Works such as services and roads. The question comes on passing to be ordained on or after August 12, 2002.

ORDAINED.

8-0-1.

**APPLICATIONS AND PETITIONS -
CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 9, 2002**

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| 1. An application was received from MIT, requesting a curb cut at the premises numbered 229-243 Vassar Street; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical and Public Works. No response has been received from the neighborhood associations. | 1. ORDER ADOPTED. |
| 2. An application was received from House of Zen, requesting permission for eight awnings at the premises numbered 16-18 Eliot Street. Approval has been received from Inspectional Services, Community Development Departments and abutters. | 2. ORDER ADOPTED. |
| 3. An application was received from A Scholar's Bookshop, requesting permission for a display of merchandise at the premises numbered 8 Eliot Street. | 3. REFERRED TO CITY MANAGER. |
| 4. An application was received from Nation of House Productions, requesting permission for a display of merchandise at the premises numbered 598 Massachusetts Avenue. | 4. REFERRED TO CITY MANAGER. |
| 5. An application was received from Jeremy Carbone, requesting permission for a display of merchandise at the corner of Massachusetts Avenue and Magazine Street. | 5. REFERRED TO CITY MANAGER. |
| 6. An application was received from Courtside Restaurant, requesting permission for a sandwich board sign at the premises numbered 299 Cambridge Street. | 6. REFERRED TO CITY MANAGER. |

**AMENDED CONSENT COMMUNICATIONS -
CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 9, 2002**

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| 1. A communication was received from Sharon Schumack, Asthma & Allergy Foundation of America/New England Chapter urging the City Council to pass an ordinance that will protect workers from second-hand smoke. | 1. REFERRED TO THE PETITION. |
| 2. A communication was received from the family of Virginia M. Ferullo, acknowledging your kind expression of sympathy. | 2. PLACED ON FILE. |
| 3. A communication was received from Hope Ryan and family, transmitting thanks for the resolution of sympathy on the loss of her husband, Martin Ryan. | 3. PLACED ON FILE. |
| 4. A communication was received from Helen McCain, transmitting thanks to the City Council for remembering her husband Joseph McCain. | 4. PLACED ON FILE. |
| 5. A communication was received from Margo Howard, transmitting thanks for the resolution. | 5. PLACED ON FILE. |
| 6. A communication was received from Kathryn S. Podgers, opposing the proposed Tree Protection Ordinance. | 6. REFERRED TO THE PETITION. |
| 7. A communication was received from John Silva, U.S. Department of Transportation, regarding Distribution of the Record of Decision for the Airside Improvements Planning Project for Logan International Airport. | 7. PLACED ON FILE. |
| 8. A communication was received from Senator Tom Daschle, transmitting thanks for the resolution adopted by the City Council. | 8. PLACED ON FILE. |
| 9. A communication was received from Jeanette G. Clough, Mount Auburn Hospital, transmitting her support for the Smoke-Free Ordinance Amendment. | 9. REFERRED TO THE PETITION. |
| 10. A communication was received from JAMES S. Reynolds, U.S. Department of Justice regarding the enforcement of the USA PAT Act. | 10. PLACED ON FILE. |

**AMENDED CONSENT COMMUNICATIONS -
CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 9, 2002**

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| 11. A communication was received from Representative Paul C. Demakis, regarding recommendations of the regional truck study coordinated by the Metropolitan Area Planning Council. | 11. PLACED ON FILE. |
| 12. A communication was received from David Calhoun, Peabody Construction, regarding the Fitzgerald School. | 12. PLACED ON FILE. |
| 13. A communication was received from Roy Bercaw, regarding the Planning Board. | 13. PLACED ON FILE. |
| 14. A communication was received from Joan F. Pickett, Mid-Cambridge Neighborhood Association, transmitting appreciation to the City Council and City Manager in the negotiations with Harvard University, the city and Mid Cambridge residents regarding the tunnel construction. | 14. PLACED ON FILE. |
| 15. A communication was received from Ellin Sarot, regarding Unfinished Business Item #4. | 15. REFERRED TO
THE PETITION. |
| 16. A communication was received from Stash Horowitz, regarding changes in the University Park Housing Development Program at 100 Landsdowne Street Planning Board #152 major amendment. | 16. PLACED ON FILE. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

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| 1. Congratulating the magnificent group of young people who wrote, directed, produced and will perform in each aspect of the amazing final production of "El Ultimo Dia."
Mayor Sullivan and entire membership | 1. ORDER ADOPTED. |
| 2. Wishing Annalise Bobrowski great success with her studies at the Salvation Army School and wish her well with her future ministry in the Salvation Army.
Mayor Sullivan and entire membership | 2. ORDER ADOPTED. |
| 3. Get well wishes to Joseph Petner, Principal of the Haggerty School.
Mayor Sullivan and entire membership | 3. ORDER ADOPTED. |
| 4. Resolution on the death of Arthur L. Malenfant.
Mayor Sullivan, Vice Mayor Davis and entire membership | 4. ORDER ADOPTED. |
| 5. Resolution on the death of Boston City Councillor Brian J. Honan.
Councillor Toomey, Mayor Sullivan, Councillors Galluccio, Maher and entire membership | 5. ORDER ADOPTED. |
| 6. Resolution on the death of Mary L. Bell.
Councillor Galluccio and entire membership | 6. ORDER ADOPTED. |
| 7. Resolution on the death of A. Ronald Cockcroft.
Councillor Galluccio and entire membership | 7. ORDER ADOPTED. |
| 8. Resolution on the death of Elizabeth L. Kendall.
Councillor Galluccio and entire membership | 8. ORDER ADOPTED. |
| 9. Congratulating Don Kindsvatter in joining the Von Grossman & Company team and wishing he and the firm continued success.
Mayor Sullivan and entire membership | 9. ORDER ADOPTED. |
| 10. Proclaiming October 24, 2002 as United Nations Day in the City of Cambridge.
Mayor Sullivan and entire membership | 10. ORDER ADOPTED. |
| 11. Resolution on the death of Margaret Droney.
Mayor Sullivan and entire membership | 11. ORDER ADOPTED. |
| 12. Extending a very Happy 60 th Birthday wish to Shaheed Quaderi.
Mayor Sullivan and entire membership | 12. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

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| 13. Resolution on the death o John A. DeBenedetto.
Councillor Toomey and entire membership | 13. ORDER ADOPTED. |
| 14. Congratulating the awardees past and present in receiving the Nation's
Highest Military Award and to thank them for their commitment to the
preservation of freedom in the United States.
Mayor Sullivan and entire membership | 14. ORDER ADOPTED. |
| 15. Resolution on the death of Margaret C. Frisoli.
Mayor Sullivan and entire membership | 15. ORDER ADOPTED. |
| 16. Resolution on the death of John F. Cass.
Mayor Sullivan, Councillor Toomey and entire membership | 16. ORDER ADOPTED. |
| 17. Resolution on the death of Veronica Eskholme.
Councillor Toomey and entire membership | 17. ORDER ADOPTED. |
| 18. Resolution on the death of Raymond J. Witham.
Councillor Toomey, Mayor Sullivan and entire membership | 18. ORDER ADOPTED. |
| 19. Resolution on the death of Claire E. Silva.
Councillor Toomey, Mayor Sullivan and entire membership | 19. ORDER ADOPTED. |
| 20. Resolution on the death of Frank M. Cappello.
Councillor Toomey and entire membership | 20. ORDER ADOPTED. |
| 21. Resolution on the death of Robert F. Ameral.
Councillor Toomey and entire membership | 21. ORDER ADOPTED. |
| 22. Extending congratulations to the McDermott and Cullen Families and
especially to the proud parents Gerry and Aoibheann McDermott.
Councillor Galluccio and entire membership | 22. ORDER ADOPTED. |
| 23. Resolution on the death of Alice V. Kelly.
Councillor Galluccio and entire membership | 23. ORDER ADOPTED. |
| 24. Resolution on the death of Mary A. McQuiggan.
Councillor Galluccio, Mayor Sullivan and entire membership | 24. ORDER ADOPTED. |
| 25. Resolution on the death of Frederick J. Stacey.
Councillor Galluccio and entire membership | 25. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

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| 26. Congratulating CitySprouts and the children of the Haggerty School for their partnership in gardening.
Mayor Sullivan and entire membership | 26. ORDER ADOPTED. |
| 27. Resolution on the death of Damian Stewart.
Councillor Galluccio and entire membership | 27. ORDER ADOPTED. |
| 28. Resolution on the death of Maddalena Taranto.
Mayor Sullivan and entire membership | 28. ORDER ADOPTED. |
| 29. Congratulating Marilyn Gagalis in celebrating her twenty-fifth anniversary with the Cambridge Public Library and to thank her for her dedicated service to the City of Cambridge.
Mayor Sullivan and entire membership | 29. ORDER ADOPTED. |
| 30. Congratulating Martha Hamilton in celebrating her twentieth anniversary with the Cambridge Public Library and to thank her for her dedicated service to the City of Cambridge.
Mayor Sullivan and entire membership | 30. ORDER ADOPTED. |
| 31. Congratulating Susan Ciccone, Norman Waksler, Hugh Crane, and Daryl Mark in celebrating their fifteenth anniversary with the Cambridge Public Library and to thank them for their dedicated service to the City of Cambridge.
Mayor Sullivan and entire membership | 31. ORDER ADOPTED. |
| 32. Congratulating Trish Cusack in celebrating her tenth anniversary with the Cambridge Public Library and to thank her for her dedicated service to the City of Cambridge.
Mayor Sullivan and entire membership | 32. ORDER ADOPTED. |
| 33. Congratulating Bill Salem, Pam Colt, Emerita Yanes, Barbie Burgos, and Vicki Solomon in celebrating their five year anniversary with the Cambridge Public Library and to thank them for their dedicated service to the City of Cambridge.
Mayor Sullivan and entire membership | 33. ORDER ADOPTED. |
| 34. Congratulating the Cambridge Public Library Rookie of the Year Award Winner.
Mayor Sullivan and entire membership | 34. ORDER ADOPTED. |
| 35. Resolution on the death of Paul D. Harold.
Mayor Sullivan entire membership | 35. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

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| 36. Congratulating Senator Edward M. Kennedy on receiving the Charlie Francis Adams Award and thanking him for his many contributions to the citizens of the United States.
Mayor Sullivan and entire membership | 36. ORDER ADOPTED. |
| 37. Resolution on the death of Frances M. Cottier.
Councillor Toomey and entire membership | 37. ORDER ADOPTED. |
| 38. Resolution on the death of Richard J. Murphy.
Councillor Galluccio, Mayor Sullivan and entire membership | 38. ORDER ADOPTED. |
| 39. Congratulating John J. Enright on the occasion of his 100 th birthday, as well as Mildred Enright on the occasion of her 80 th birthday.
Mayor Sullivan and entire membership | 39. ORDER ADOPTED. |
| 40. Resolution on the death of Robert J. Medeiros.
Councillor Toomey, Mayor Sullivan and entire membership | 40. ORDER ADOPTED. |
| 41. Resolution on the death of Gertrude Gentile.
Councillor Toomey, Mayor Sullivan and entire membership | 41. ORDER ADOPTED. |
| 42. Resolution on the death of Joseph M. McGrath.
Councillors Maher, Galluccio, Mayor Sullivan and entire membership | 42. ORDER ADOPTED. |
| 43. Resolution on the death of Sister Helen Memory C.S.J.
Mayor Sullivan and entire membership | 43. ORDER ADOPTED. |
| 44. Resolution on the death of Frances Lepore.
Councillor Galluccio and entire membership | 44. ORDER ADOPTED. |
| 45. Resolution on the death of Charles Lavoie.
Councillor Galluccio and entire membership | 45. ORDER ADOPTED. |
| 46. Resolution on the death of Mary E. Brown.
Councillor Gallucci and entire membership | 46. ORDER ADOPTED. |
| 47. Resolution on the death of John Avakian, Jr.
Mayor Sullivan, Councillors Toomey, Galluccio and entire membership | 47. ORDER ADOPTED. |
| 48. Resolution on the death of Mary F. Mehegan.
Mayor Sullivan and entire membership | 48. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

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| 49. Thanking On The Rise, Inc. for all it does to put an end to homelessness for women of the Greater Boston area and wish them continued success.
Mayor Sullivan and entire membership | 49. ORDER ADOPTED. |
| 50. Resolution on the death of Louise A. (Kozlowski) Nowicki-Hurley.
Mayor Sullivan and entire membership | 50. ORDER ADOPTED. |
| 51. Resolution on the death of Walter John Saunders.
Councillor Galluccio and entire membership | 51. ORDER ADOPTED. |
| 52. Resolution on the death of Rose L. DiPietro.
Councillor Toomey and entire membership | 52. ORDER ADOPTED. |
| 53. Get well wishes to Rinaldo Russo.
Mayor Sullivan and entire membership | 53. ORDER ADOPTED. |
| 54. Get well wishes to Joseph Calorio.
Mayor Sullivan and entire membership | 54. ORDER ADOPTED. |
| 55. Congratulating Reverend Thornhill on celebrating her five-year anniversary as Pastor at the First Holiness Church and to thank her for her commitment to shaping the lives of her parishioners.
Mayor Sullivan, Vice Mayor Davis and entire membership | 55. ORDER ADOPTED. |
| 56. Congratulating Martha and Tom Sieniewicz on the birth of their son Jasper James, who was born on Monday, August 19, 2002, weighing in at 7 pounds, 6 ounces.
Mayor Sullivan, Vice Mayor Davis and entire membership | 56. ORDER ADOPTED. |
| 57. Resolution on the death of Edith Friel.
Councillor Galluccio and entire membership | 57. ORDER ADOPTED. |
| 58. Resolution on the death of Willard A. Smith.
Councillor Galluccio and entire membership | 58. ORDER ADOPTED. |
| 59. Resolution on the death of Manuel Nunes Coutinho.
Councillor Toomey and entire membership | 59. ORDER ADOPTED. |
| 60. Resolution on the death of Carol J. Rodriguez.
Councillor Toomey and entire membership | 60. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

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|--|---------------------------|
| 61. Congratulating the 2002-2003 Nieman Foundation Fellows and wish them continued success.
Mayor Sullivan and entire membership | 61. ORDER ADOPTED. |
| 62. Resolution on the death of John F. Messenger.
Mayor Sullivan, Councillor Galluccio and entire membership | 62. ORDER ADOPTED. |
| 63. Expressing appreciation to Barbara A. Richard for her twenty-six years of dedicated service at the King School.
Mayor Sullivan and entire membership | 63. ORDER ADOPTED. |
| 64. Expressing appreciation to Richard Meucci for his many years of dedicated service at the School Department.
Mayor Sullivan and entire membership | 64. ORDER ADOPTED. |
| 65. Expressing appreciation to Ann Marie Cook for her seventeen years of dedicated service at the School Department.
Mayor Sullivan and entire membership | 65. ORDER ADOPTED. |
| 66. Urging all citizens to be cognizant of the Catholic Charities Foster Grandparent Program's Annual Macaroni Supper Fundraiser Saturday, September 29, 2002, 4-8 p.m. at St. Benedict's Little Flower School Hall, 17 Franklin Street, Somerville.
Councillor Toomey and entire membership | 66. ORDER ADOPTED. |
| 67. Extending best wishes to the Longfellow House and Historic site on the occasion of its 30 th anniversary and rededication on September 14, 2002.
Councillor Murphy and entire membership | 67. ORDER ADOPTED. |
| 68. 100 th Anniversary of the founding of St. Anthony's Parish.
Councillor Toomey and entire membership | 68. ORDER ADOPTED. |
| 69. Urging all Cambridge Residents to support the On the Rise "Housing Our Future: The Campaign for 341 Broadway" and to attend its "Prepare for Winter" fundraiser on September 18, 2002.
Councillor Toomey and entire membership | 69. ORDER ADOPTED. |
| 70. Resolution on the death of Margaret A. McKillop.
Councillor Toomey, Mayor Sullivan and entire membership | 70. ORDER ADOPTED. |
| 71. Resolution on the death of John A. Maddalo.
Councillor Toomey, Mayor Sullivan and entire membership | 71. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

- | | |
|---|---------------------------|
| 72. Resolution on the death of Lydia (Matheus) Corr.
Councillor Toomey and entire membership | 72. ORDER ADOPTED. |
| 73. Resolution on the death of Joao Gravito.
Councillor Toomey and entire membership | 73. ORDER ADOPTED. |
| 74. Extending thanks and sincere appreciation to Mary Sullivan for her being
such a responsible young lady in returning a lost wallet to the Mayor's
Office.
Mayor Sullivan and entire membership | 74. ORDER ADOPTED. |
| 75. Expressing appreciation to Edward L. Merriman for his nineteen years of
dedicated service.
Mayor Sullivan and entire membership | 75. ORDER ADOPTED. |
| 76. Expressing appreciation to Hazel A. Messam for her years of dedicated
service.
Mayor Sullivan and entire membership | 76. ORDER ADOPTED. |
| 77. Resolution on the death of Carmelo Migliore.
Councillor Toomey and entire membership | 77. ORDER ADOPTED. |
| 78. Resolution on the death of Mildred McLaughlin.
Councillor Galluccio and entire membership | 78. ORDER ADOPTED. |
| 79. Resolution on the death of Kenneth F. Collyer.
Mayor Sullivan and entire membership | 79. ORDER ADOPTED. |
| 80. Congratulating the graduating cadets of the 3 rd Annual Middlesex Youth
Public Safety Academy.
Mayor Sullivan and entire membership | 80. ORDER ADOPTED. |
| 81. Congratulating and thanking Lucy Murray-Brown for her spirit and
commitment to helping women and men from a range of experience and
backgrounds with the greatest empathy and sensitivity.
Mayor Sullivan and entire membership | 81. ORDER ADOPTED. |
| 82. Resolution on the death of John J. Desmond.
Councillor Toomey and entire membership | 82. ORDER ADOPTED. |
| 83. Resolution on the death of Reverend Thomas E. Lawton C.S.C.
Mayor Sullivan and entire membership | 83. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

- | | |
|---|---------------------------|
| 84. Happy 80 th Birthday wishes to John B. Sullivan.
Mayor Sullivan and entire membership | 84. ORDER ADOPTED. |
| 85. Urging all residents to be cognizant of the Fifth Annual Jeffrey Curley Five Mile Memorial Road Race to be held on Sunday, September 29, 2002 at 10:00 A.M. at the VFW Post on First Street and Thorndike Street.
Councillor Toomey and entire membership | 85. ORDER ADOPTED. |
| 86. Congratulating the students of the Willie Ross School for the Deaf, as well as the faculty, staff, and administration, on the dedication of the Governor and Mrs. Furcolo Student Center.
Vice Mayor Davis and entire membership | 86. ORDER ADOPTED. |
| 87. Resolution on the death of Maria Amaral.
Councillor Toomey and entire membership | 87. ORDER ADOPTED. |
| 88. Congratulating Jonathan Baring-Gould and Molly Coughlin on their recent marriage.
Vice Mayor Davis and entire membership | 88. ORDER ADOPTED. |
| 89. Resolution on the death of Antonio S. Oliveira.
Councillor Toomey and entire membership | 89. ORDER ADOPTED. |
| 90. Congratulating Mary Flannery, Kay Sloan, Clara Wainwright, and Joey Saint Germain and Miyolene Saint Germain on receiving the Spirit Award in Community Arts.
Vice Mayor Davis and entire membership | 90. ORDER ADOPTED. |
| 91. Resolution on the death of Carole Wheeler.
Councillor Maher and entire membership | 91. ORDER ADOPTED. |
| 92. Extending its sincere appreciation to James P. Maloney, Assistant City Manager for Fiscal Affairs, for his dedicated service to the citizens of Cambridge.
Mayor Sullivan, Councillors Murphy, Maher and entire membership | 92. ORDER ADOPTED. |
| 93. Declaring October 20-26, 2002 as World Population Awareness Week and urge all citizens of Cambridge to be cognizant of this event and to participate appropriately in its observance.
Mayor Sullivan and entire membership | 93. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

- | | | |
|------|---|----------------------------|
| 94. | <p>Congratulating the Cambridge Reunion Group for all the work it has done in creating scholarships for Cambridge students furthering their education and to thank the Cantabrigians who have supported the efforts of the Cambridge Reunion Group.</p> <p>Mayor Sullivan and entire membership</p> | 94. ORDER ADOPTED. |
| 95. | <p>Resolution on the death of Richard R. Janus.</p> <p>Councillor Toomey and entire membership</p> | 95. ORDER ADOPTED. |
| 96. | <p>Thanking the “Make a Wish Foundation: for making a little boy’s wish come true and further to let Brendan Kelly know that he is an inspiration and wise beyond his years.</p> <p>Mayor Sullivan and entire membership</p> | 96. ORDER ADOPTED. |
| 97. | <p>Resolution on the death of John Grace.</p> <p>Councillor Toomey and entire membership</p> | 97. ORDER ADOPTED. |
| 98. | <p>Resolution on the death of Janet Ann Dunn.</p> <p>Councillor Galluccio and entire membership</p> | 98. ORDER ADOPTED. |
| 99. | <p>Thanking the many individuals for their commitment to the “Doc” Linskey Scholarship Fund.</p> <p>Mayor Sullivan and entire membership</p> | 99. ORDER ADOPTED. |
| 100. | <p>Congratulating the efforts of all the individuals who are involved with the Takayasu Arteritis Association and hope the 2nd Annual Gerard F. McCourt Memorial Golf Tournament can bring us closer to a cure for this horrible disease.</p> <p>Mayor Sullivan and entire membership</p> | 100. ORDER ADOPTED. |
| 101. | <p>Resolution on the death of Lawrence A. Hodgdon Sr.</p> <p>Mayor Sullivan, Councillor Galluccio and entire membership</p> | 101. ORDER ADOPTED. |
| 102. | <p>Resolution on the death of Joseph C. “Joe” Whitney.</p> <p>Mayor Sullivan and entire membership</p> | 102. ORDER ADOPTED. |
| 103. | <p>Resolution on the death of John J. Doherty.</p> <p>Mayor Sullivan and entire membership</p> | 103. ORDER ADOPTED. |
| 104. | <p>Resolution on the death of Alice Silveira.</p> <p>Mayor Sullivan, Councillor Toomey and entire membership</p> | 104. ORDER ADOPTED. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

- | | | | |
|------|---|------|-----------------------|
| 105. | Resolution on the death of Anthony M. Cannata.
Mayor Sullivan, Councillor Toomey and entire membership | 105. | ORDER ADOPTED. |
| 106. | Resolution on the death of Dorothy Kontrimus.
Mayor Sullivan and entire membership | 106. | ORDER ADOPTED. |
| 107. | Congratulating Rudy Salvador with his grand opening of Sonora Mexican Grill on Tuesday, September 10, 2002 at 12:00 noon.
Mayor Sullivan and entire membership | 107. | ORDER ADOPTED. |
| 108. | Congratulating the Saint Cosmos and Damian Society and the DiDomenico Family on the success of the Saint Cosmos and Damian Feast.
Councillor Toomey and entire membership | 108. | ORDER ADOPTED. |
| 109. | Resolution on the death of Margaret W. Doherty-Willard.
Councillor Maher and entire membership | 109. | ORDER ADOPTED. |
| 110. | Resolution on the death of Ahmed Moustafa.
Councillor Galluccio and entire membership | 110. | ORDER ADOPTED. |
| 111. | Thanking the City of Cambridge employees who are currently serving in the military.
Councillor Maher and entire membership | 111. | ORDER ADOPTED. |
| 112. | Congratulating the Imperio Mariense as it celebrates its 75 th Anniversary at Saint Anthony's Parish Center on September 28, 2002.
Councillor Toomey and entire membership | 112. | ORDER ADOTED. |
| 113. | Expressing appreciation to Middlesex Sheriff James DiPaolo and his staff for the Middlesex Sheriff's Office Community Command Center.
Councillor Toomey and entire membership | 113. | ORDER ADOTED. |
| 114. | Resolution on the death of Mary T. O'Donoghue.
Mayor Sullivan and entire membership | 114. | ORDER ADOTED. |

**POLICY ORDER AND RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

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|---|--------------------------|
| 1. Dedicating the corner of Cedar and Norris Streets as “Mary T. Reed Square.”
Mayor Sullivan | 1. ORDER ADOPTED. |
| 2. Dedicating the corner of Upland and Mt. Vernon Streets as “Jessie Geraigery Square.”
Mayor Sullivan | 2. ORDER ADOPTED. |
| 3. Dedicating the corner of Pleasant Street and Putnam Avenue in honor of Regina Martin.
Councillor Decker | 3. ORDER ADOPTED. |
| 4. Dedicating the corner of Sherman Street and Cadbury Road as “Henry F. Owens Jr. Square.”
Mayor Sullivan | 4. ORDER ADOPTED. |
| 5. Requesting the City Manager to complete vulnerability assessments for potential security threats on our drinking water systems by March 31, 2003.
Mayor Sullivan | 5. ORDER ADOPTED. |
| 6. Requesting the City Manager to meet with pertinent city staff to prepare comments to be submitted to U.S. Transportation Secretary Norman Y. Mineta regarding the reauthorization of the Transportation Equity Act for the 21 st Century (TEA-21).
Vice Mayor Davis | 6. ORDER ADOPTED. |
| 7. Requesting the City Manger to provide all necessary support to the City of Cambridge team participating in the September 14, 2002 Race to Stop Global Warming.
Vice Mayor Davis | 7. ORDER ADOPTED. |
| 8. Requesting the City Manager to report back to the City Council on CitiStat, a tool for improving operational efficiency and staff accountability, as well as the “311” phone system, used to enhance and facilitate constituent services.
Vice Mayor Davis | 8. ORDER ADOPTED. |
| 9. Requesting the City Manager to report back to the City Council on the process by which community alerts are issued following a major crime, such as rape or murder.
Vice Mayor Davis | 9. ORDER ADOPTED. |

**POLICY ORDER AND RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

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|--|---------------------------|
| 10. Requesting the City Manager to work with the Cambridge Public Library to develop a reading list and book display on diversity and racial equality to be available to the public for Race Equality Week.
Councillor Simmons and Vice Mayor Davis | 10. ORDER ADOPTED. |
| 11. Requesting the City Manager to report back to the City Council by September 23 on minority homeownership in the City of Cambridge, as well as on the minority homeownership opportunities offered by Fannie Mae and Freddie Mac.
Councillor Simmons and Vice Mayor Davis | 11. ORDER ADOPTED. |
| 12. Requesting the City Manager to report back to the City Council on the feasibility of potential changes to the Deferred Compensation fund.
Vice Mayor Davis | 12. ORDER ADOPTED. |
| 13. Requesting the City Manager to confer with the Department of Public Works regarding the Executive Office of Environmental Affairs' newly released <i>Guide to Lawn and Landscape Water Conservation</i> and report back to the City Council.
Vice Mayor Davis | 13. ORDER ADOPTED. |
| 14. Requesting the City Manager to report back to the City Council about implementing a local America's Missing: Broadcast Emergency Response (AMBER) Plan.
Vice Mayor Davis | 14. ORDER ADOPTED. |
| 15. Requesting the City Manager to work with the Cambridge Fire Department to provide air conditioning in the living space at the firehouse in Inman Square.
Mayor Sullivan | 15. ORDER ADOPTED. |
| 16. Supporting the Service Employees International Union (SEIU) Local 254 in their efforts to get a fair contract for janitors.
Councillor Murphy | 16. ORDER ADOPTED. |
| 17. The City Manager fund the Student Awareness of Fire Education (S.A.F.E.), administered through the Cambridge Fire Department.
Mayor Sullivan and Vice Mayor Davis | 17. ORDER ADOPTED. |
| 18. Requesting the City Manager to coordinate with the City's cable to inform the public about Women's Health Day.
Vice Mayor Davis | 18. ORDER ADOPTED. |

**POLICY ORDER AND RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 9, 2002**

- | | |
|---|---|
| 19. Requesting the City Manager to direct the Community Development Department to make maximum use of CPA funds to develop affordable housing that is permanently affordable, such as limited equity cooperatives and condos.
Councillor Decker and Councillor Simmons | 19. CHARTER RIGHT EXERCISED BY VICE MAYOR DAVIS. |
| 20. That the December 2, 2002 City Council meeting is hereby cancelled to enable city employees to celebrate the Thanksgiving Holiday and to enable members of the City Council to attend the National League of Cities Congress of Cities.
Councillor Murphy | 20. ORDER ADOPTED. |
| 21. Dedicate an appropriate site in memory of Lena Feroletto Sanford.
Mayor Sullivan | 21. ORDER ADOPTED. |
| 22. Requesting the City Manager to post the information about the halogen torchieres exchange program on the municipal cable channel.
Vice Mayor Davis, Mayor Sullivan and entire membership | 22. ORDER ADOPTED. |
| 23. Requesting the City Manager to report back to the City Council on the feasibility of renovating the Corporal Burns Playground Shelter to provide public restroom facilities.
Councillor Simmons, Mayor Sullivan and entire membership | 23. ORDER ADOPTED. |
| 24. Requesting the City Manager to post the information about the Brown Bag Opera Company free lunchtime concert series on the municipal cable channel.
Vice Mayor Davis, Mayor Sullivan and entire membership | 24. ORDER ADOPTED. |
| 25. Amend the proposed ordinance to eliminate the exemption for affordable housing from the proposed tree protection ordinance and report back on the financial and feasibility of elimination of the exemption and develop an alternate method to address affordable housing tree protection.
Vice Mayor Davis | 25. ORDER ADOPTED AS AMENDED. |

O-1.

September 9, 2002

MAYOR SULLIVAN
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

ORDERED: That the City Council go on record dedicating the corner of Cedar and Norris Streets as “Mary T. Reed Square”; and

ORDERED: That the Assistant to the City Council be directed to confer with the family regarding a suitable dedication ceremony and communicate with the Department of Public Works to arrange for a sign.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-2.

September 9, 2002

MAYOR SULLIVAN
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

ORDERED: That the City Council go on record dedicating the corner of Upland and Mt. Vernon Streets as “Jessie Geraigery Square”; and

ORDERED: That the Assistant to the City Council be directed to confer with the family regarding a suitable dedication ceremony and communicate with the Department of Public Works to arrange for the sign.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-3.

September 9, 2002

COUNCILLOR DECKER
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Council go on record dedicating the corner of Pleasant Street and Putnam Avenue in honor of James and Regina Martin; and be it further

ORDERED: That the Assistant to the City Council work with the Department of Public Works to arrange for a suitable sign and dedication ceremony after consultation with the family.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-4.

September 9, 2002

MAYOR SULLIVAN
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

ORDERED: That the City Council go on record dedicating the corner of Sherman Street and Cadbury Road as "Henry F. Owens Jr. Square"; and

ORDERED: That the Assistant to the City Council be directed to confer with the family regarding a suitable dedication ceremony and communicate with the Department of Public Works to arrange for the sign.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-5.

September 9, 2002

MAYOR SULLIVAN
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

WHEREAS: President Bush signed into law H.R. 3448 in June 2002, the Public Health Security and Bio-terrorism Response Act; and

WHEREAS: This legislation requires drinking water systems serving more than 100, 000 people to complete vulnerability assessments for potential security threats by March 31, 2003; and

WHEREAS: The completed assessments must be filed with EPA and the agency must employ strict measures to secure the information contained in them; now therefore be it

ORDERED: That the City Manager be and hereby is requested to comply with this law and report to the Council after appropriate assessments have been completed.

In City Council September 9, 2002.

Adopted by the affirmative vote of seven members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-6.

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

- WHEREAS: The U.S. Department of Transportation has launched a website to solicit public input as part of the reauthorization of the Transportation Equity Act for the 21st Century (TEA -21); and
- WHEREAS: TEA-21 was signed into law on June 9, 1998 authorizing highway, highway safety, transit, and other surface transportation programs and is set to expire September 30, 2003; and
- WHEREAS: TEA-21 produced \$729 million in state and community grants in the area of transportation safety to reduce alcohol and drug-impaired driving, reduce school bus accidents; improve police traffic services, and increase pedestrian and bicycle safety; and
- WHEREAS: Since the enactment of TEA -21, more than \$1.4 billion in Transportation Enhancement funds have been obligated to local communities to implement community-focused, non-motorized activities that enhance transportation; and
- WHEREAS: The Congestion Mitigation and Air Quality Improvement Program has provided more than \$8 billion in state and local funding to support cleaner fuels, improve transit services, and promote bicycle and pedestrian programs that reduce congestion and emissions, improving the quality of life; and
- WHEREAS: It is within the City of Cambridge's best interest for the legislation that will reauthorize the nation's surface transportation programs to include our community values of transportation systems that are safe and environmentally sound, build on intermodal approaches, and give consideration to alternate modes of transportation, including walking and bicycles; now therefore be it
- ORDERED: That the City Manager be and hereby is requested to meet with pertinent city staff to prepare comments to be submitted to U.S. Transportation Secretary Norman Y. Mineta regarding the reauthorization of the Transportation Equity Act for the 21st Century (TEA -21); and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on this matter by October 28, 2002.

In City Council September 9, 2002.

Adopted by the affirmative vote of seven members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-7.

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

- WHEREAS: On September 14, 2002 the City of Newton will host New England's first annual Race to Stop Global Warming; and
- WHEREAS: The Race to Stop Global Warming is a fun, family-oriented event focusing public attention on solutions to global warming with an 8k foot race, 5k fitness walk, a 1k children's fun run, and a toddler trot and diaper dash; and
- WHEREAS: In the coming months this City Council will receive for review and action the proposed Climate Protection Plan for the City of Cambridge, outlining the steps that the city can take to improve our environment locally and stop global warming; and
- WHEREAS: The City of Cambridge is participating in the Cities for Climate Protection Campaign, sponsored by the International Council for Local Environmental Initiative (ICLEI), of which Cambridge is a member; and
- WHEREAS: It has come to the attention of this City Council that city staff are forming a team to participate in the Race to Stop Global Warming; now therefore be it
- RESOLVED: That the City Council go on record extending best wishes to the Cambridge team and thank them for their commitment to raising awareness about global warming, its causes, and the important role that cities and towns can play in stopping global warming; and be it further
- ORDERED: That the City Manager be and hereby is requested to provide all necessary support to the City of Cambridge team participating in the September 14, 2002 Race to Stop Global Warming.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-8.

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

- WHEREAS: It is a goal of this City Council to provide high quality ongoing services to residents of the City of Cambridge; and
- WHEREAS: A policy guideline for this goal is to support appropriate programming and services; monitor current levels for feedback on their appropriateness and quality; and
- WHEREAS: It is also a goal of this City Council to improve and simplify public access to city services and provide more and better opportunities for the public to participate in governing; and
- WHEREAS: Hansen, the City's system for tracking and monitoring inquiries and complaints, is currently being reviewed for its effectiveness, and since its implementation new, more advanced monitoring systems have become available; now therefore be it
- ORDERED: That the City Manager be and hereby is requested to report back to the City Council on CitiStat, a tool for improving operational efficiency and staff accountability, as well as the "311" phone system, used to enhance and facilitate constituent services.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-9.

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on the process by which community alerts are issued following a major crime, such as rape or murder.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-10.

September 9, 2002

COUNCILLOR SIMMONS
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
MAYOR SULLIVAN
COUNCILLOR TOOMEY

WHEREAS: The City of Cambridge has established that cultural and socioeconomic diversity, commercial diversity and vitality, a healthy environment, and the unique character of our city are all community values that must guide all City policies and their implementation; and

WHEREAS: It is a goal of this City Council to foster community by supporting opportunities for citizens to know each other within their neighborhoods and across the city; and

WHEREAS: The Cambridge community is proud of its racial diversity and continues to become more racially diverse; and

WHEREAS: The City of Cambridge is committed to promoting racial equality and justice as a fundamental aspect of a healthy community; and

WHEREAS: In 2000, the National League of Cities called on the leaders of the nation's cities and towns to join together in a concerted effort to eliminate racism once and for all; now therefore be it

RESOLVED: That the City Council go on record declaring the week of September 23, 2002 as Race Equality Week in the City of Cambridge and urge all citizens of Cambridge to celebrate our city's diversity; and be it further

RESOLVED: That the City of Cambridge reaffirm its commitment to ensuring racial equality and justice in our city; and be it further

RESOLVED: That the City Council endorse and support the efforts of the Economic Development Committee to develop and organize a Minority Owned Business Fair in the City of Cambridge; and be it further

ORDERED: That the City Manager be and hereby is requested to work with the Cambridge Public Library to develop a reading list and book display on diversity and racial equality to be available to the public for Race Equality Week.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-11.

September 9, 2002

COUNCILLOR SIMMONS
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
MAYOR SULLIVAN
COUNCILLOR TOOMEY

- WHEREAS: It is a goal of this City Council to preserve and expand the supply of permanent affordable housing, supporting socioeconomic diversity; and
- WHEREAS: Fannie Mae and Freddie Mac have announced a joint commitment to financing, consumer education, and other efforts to aid in expanding home ownership for minorities; and
- WHEREAS: Less than half of all minority families nationwide owned their homes in 2000; and
- WHEREAS: Fannie Mae's commitment to minority homeownership is supported by \$700 billion through 2009, a new mortgage product designed specifically to meet the needs of immigrants, and develop and market products to lenders that will help rescue borrowers from predatory lending; and
- WHEREAS: Freddie Mac's commitment to minority homeownership spans the entire homeownership lifecycle, ranging from best-in-class homebuyer outreach and education to new technologies and mortgage products designed to put families into homes they can afford and keep; now therefore be it
- ORDERED: That the City Manager be and hereby is requested to report back to the City Council by September 23 on minority homeownership in the City of Cambridge, as well as on the minority homeownership opportunities offered by Fannie Mae and Freddie Mac and how they can best be accessed by minority residents in Cambridge.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-12.

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

WHEREAS: City employees who have reached the age of retirement and are working part time for the purpose of supplemental income while on Social Security have money deducted from their pay under the category of Deferred Compensation (in lieu of contributions to the Social Security Fund); and

WHEREAS: The only mechanism for accessing the funds accrued in Deferred Compensation is to resign or upon termination of employment (access to Deferred Compensation is not age dependant); now therefore be it

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on the feasibility of potential changes to the Deferred Compensation fund that include modification of the guidelines governing deduction to match those of Social Security or instituting a waiver granting City employees who are retirement age and working part time to supplement their incomes access to their Deferred Compensations funds.

In City Council September 9, 2002.

Adopted by the affirmative vote of seven members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-13.

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to confer with the Department of Public Works regarding the Executive Office of Environmental Affairs' newly released *Guide to Lawn and Landscape Water Conservation* and report back to the City Council regarding the guide's application for promoting water conservation in the City of Cambridge.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-14.

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

WHEREAS: News reports of missing and abducted children were a consistent part of this summer's news coverage; and

WHEREAS: The hours following a child going missing are the most critical; now therefore be it

ORDERED: That the City Manager be and hereby is requested to report back to the City Council about implementing a local America's Missing: Broadcast Emergency Response (AMBER) Plan to assist in the search for and recovery of missing and abducted children.

In City Council September 9, 2002.

Adopted by the affirmative vote of seven members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-15.

September 9, 2002

MAYOR SULLIVAN
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to work with the Cambridge Fire Department to provide air conditioning in the living space at the firehouse in Inman Square.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-16.

September 9, 2002

COUNCILLOR MURPHY
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

RESOLVED: That the City Council go on record supporting the Service Employees International Union (SEIU) Local 254 and the national Justice for Janitors Campaign in their efforts to get a fair contract for the Greater Boston area janitors; and be it further

RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to the Local 254 Service Employees International Union on behalf of the entire City Council.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-17.

September 9, 2002

MAYOR SULLIVAN
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

WHEREAS: Recent budget cuts at the State House caused the elimination of all funding for Student Awareness of Fire Education; and

WHEREAS: This program is a life prevention education program designed to equip elementary, intermediate, and high school students with skills for recognizing the dangers of fire; and

WHEREAS: The Cambridge S.A.F.E. Program partners with the Cambridge Public Schools, Cambridge Housing, various private schools, businesses and other public education initiatives around the state to foster fire prevention safety behavior and customs that directly impact the City of Cambridge, now therefore be it

ORDERED: That the City Manager fund the Student Awareness of Fire Education (S.A.F.E.), administered through the Cambridge Fire Department.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-18.

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

- WHEREAS: It has come to the attention of this City Council that the Ninth Annual Women's Health Day "Caring for Ourselves" workshops will be held on Saturday, October 5, 2002; and
- WHEREAS: These fifteen different workshops on women's health issues are free and open to the public; and
- WHEREAS: The City of Cambridge has taken the lead to promote healthy living in our city for all residents, including women; now therefore be it
- RESOLVED: That the City Council go on record thanking Cambridge Women's Center for their dedication to women's health and for organizing this important event; and be it further
- RESOLVED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to the Cambridge Women's Center on behalf of the entire City Council; and be it further
- ORDERED: That the City Manager be and hereby is requested to coordinate with the City's cable to inform the public about Women's Health Day.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-19.

September 9, 2002

COUNCILLOR DECKER
COUNCILLOR SIMMONS
COUNCILLOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
MAYOR SULLIVAN
COUNCILLOR TOOMEY

WHEREAS: On February 1, 1999 the City Council adopted Resolution No. 44 declaring a housing emergency in the acute shortage of affordable housing in the City of Cambridge; and

WHEREAS: The availability of affordable rental housing is becoming increasingly scarce due to skyrocketing rents and condominium conversions, driving working class families from Cambridge; and

WHEREAS: Cambridge voters voted overwhelmingly in favor of the Community Preservation Act as a way to augment the Affordable Housing Trust Fund; now therefore be it

RESOLVED: That the City Council and City Manager continue funding the Affordable Housing Trust Fund from the city budget at a level not less than the current level of \$4.5 million; and be it further

RESOLVED: That the City Council request the City Manger to direct the Community Development Department to make maximum use of CPA funds to develop affordable housing that is permanently affordable, such as limited equity cooperatives and condos.

CHARTER RIGHT EXERCISED BY VICE MAYOR DAVIS.

O-20.

September 9, 2002

COUNCILLOR MURPHY
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the December 2, 2002 City Council meeting is hereby cancelled to enable city employees to celebrate the Thanksgiving Holiday and to enable members of the City Council to attend the National League of Cities Congress of Cities.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-21

September 9, 2002

MAYOR SULLIVAN
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

ORDERED: That the City Council dedicate an appropriate site in memory of Lena Feroleto Sanford;
and be it further

ORDERED: That the Mayor's Office be directed to confer with the family regarding a suitable
dedication ceremony and communicate with the Department of Public Works to arrange
for the sign.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-22

September 9, 2002

VICE MAYOR DAVIS
MAYOR SULLIVAN
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

RESOLVED: That the City Council go on record thanking NSTAR for scheduling a halogen torchieres exchange program at Economy Hardware to decrease the use of dangerous lamps that also draw significant amount of energy; and be it further

ORDERED: That the City Manager be and hereby is requested to post the information about the exchange on the municipal cable channel.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-23

September 9, 2002

COUNCILLOR SIMMONS
MAYOR SULLIVAN
VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to report back to the City Council on the feasibility of renovating the Corporal Burns Playground Shelter to provide public restroom facilities.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-24

September 9, 2002

VICE MAYOR DAVIS
MAYOR SULLIVAN
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
COUNCILLOR TOOMEY

RESOLVED: That the City Council go on record congratulating the Central Square Business Association on the Brown Bag Opera Company and their free lunchtime concerts in Central Square; and be it further

ORDERED: That the City Manager be and hereby is requested to post the information about the Brown Bag Opera Company lunchtime concert series on the municipal cable channel.

In City Council September 9, 2002.
Adopted by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

O-25
Original Order

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Manager and the City Solicitor be and hereby are requested to confer to prepare any necessary language to amend the proposed ordinance to eliminate the exemption for affordable housing from the proposed tree protection ordinance and to develop an alternate method to address affordable housing tree protection for consideration at the October 2nd meeting.

O-25
Amended Order

September 9, 2002

VICE MAYOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Manager and the City Solicitor be and hereby are requested to confer to prepare any necessary language to amend the proposed ordinance to eliminate the exemption for affordable housing from the proposed tree protection ordinance to report on what the financial and feasibility of elimination of the exemption and to develop an alternate method to address affordable housing tree protection for consideration at the October 2nd meeting.

In City Council September 9, 2002.
Adopted as amended by the affirmative vote of seven members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

COMMITTEE REPORTS
FOR THE CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 9, 2002

1. A communication was received from Donna P. Lopez, Deputy City Clerk, transmitting a report from Vice Mayor Henrietta Davis, Chair of the Health and Environment Committee, for a meeting held on July 25, 2002 for the purpose to continue discussion on the implementation of a plan for the establishment of public toilet facilities.

REPORT ACCEPTED. PLACED ON FILE.

2. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Vice Mayor Henrietta Davis, Chair of the Health and Environment Committee, for a meeting held on July 25, 2002 for the purpose of discussing a proposed tree protection ordinance.

REPORT ACCEPTED. PLACED ON FILE.
ORDER ADOPTED AS AMENDED. SEE ORDER #25.

3. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor David P. Maher and Councillor Brian Murphy, Co-Chairs of the Ordinance Committee, for a meeting held on July 31, 2002 for the purpose of considering proposed amendments to the Smoking Ordinance, Chapter 8.28 of the Municipal Code.

REPORT ACCEPTED. PLACED ON FILE.

Committee Report #1

HEALTH AND ENVIRONMENT 2002

In City Council September 9,

Councillor Henrietta Davis, Chair
Councillor Anthony Galluccio
Councillor Brian Murphy

The Health and Environment Committee conducted a public meeting on Thursday, July 25, 2002 at 6:00 p.m. in the Ackermann Room.

The purpose of the meeting was to continue discussion on the implementation of a plan for the establishment of public toilet facilities.

Present at the meeting were Vice-Mayor Henrietta Davis, Chair of the Committee, Councillor Brian Murphy, Mayor Michael Sullivan, Lisa Peterson, Public Works Commissioner, Harold Cox, Chief Health Officer, Suzy Feinberg, Communications Specialist, Cambridge Public Health Department, Elizabete Soares, Executive Assistant, Cambridge Public Health Department, Nancy Glowa, First Assistant City Solicitor, Cambridge Law Department, Garrett Simonsen, Mayor's Office, and Elaine McGrath, City Clerk's office.

Councillor Davis opened the meeting and stated the purpose. She noted that the last meeting ended with a discussion of the possibilities of better signage about existing toilet facilities, possible leads for public/private partnerships and information about other cities' experience with Automatic Public Toilets (APTs). She asked Mr. Cox to report on the information he had gathered about these options.

Mr. Cox offered a report captioned "Update on Public Toilets" dated July 23, 2002 (**Attachment A**) and asked Ms. Feinberg to report on her research on the track record, costs, and use of facilities in San Francisco, Boston and Provincetown. San Francisco and Boston have had similar experiences with APTs, with success in trafficked tourist areas, and a range of problems in more isolated areas. San Francisco started its APT program to address the needs of its considerable homeless population. Abuse and misuse of APTs in some areas, including criminal activity in APTs, have led the San Francisco police to advise discontinuing the facilities in these areas. As of July 2002, Boston has 3 APTs in operation, near Faneuil Hall, in Langone Field in the North End, and at a recently opened site in Shipyard Park, Charlestown. While no problems have been reported at the Faneuil Hall site, complaints about drug and sexual activity at Langone Field have resulted in increased police patrols and a reduction in bathroom time from 20 to 10 minutes. As in San Francisco, there are more problems in isolated areas.

Ms. Feinberg emphasized that with APTs, the real issue is location; problems with maintenance, security and criminal activity are linked to isolated spots. She is still investigating the costs of APTs.

Ms. Feinberg also reported on the public toilet facilities in Provincetown which include 2 building sites and porta-potties. The building sites are staffed during operation, with little vandalism or crime reported, and at least one is open year-round. The town spends approximately \$156,000 to maintain all of these.

Regarding increased signage on existing public restrooms in Cambridge, Mr. Cox reviewed a list of these sites and recommended 5 locations as possibilities for more signage: Danehy Park, City Hall, the Water Department at Fresh Pond, and the municipal buildings at 51 and 57 Inman St. He noted that for

most of the public facilities that allow public access, there was concern that publicity would result in increased use, higher maintenance costs, and problems including criminal activity. Signs will alert people who don't know about the facilities now.

Vice-Mayor Davis expressed concern that this short list did not help with the problem, since these buildings are either used now or not in operation. She wants to develop more sites and asked for a list of 5 sites each in Central and Harvard Squares and 1 in Porter Square.

Ms. Peterson noted that the toilets that have worked well have a staff presence. City Hall has a maintenance staff of two during the day, with additional staff at night. In other city sites, such as the firehouses, staff has to maintain the toilets in addition to their regular duties; increased publicity and use would create maintenance and staffing complications.

Vice-Mayor Davis commented that APTs were considered an attractive alternative because of the problems with current sites; however, APTs are expensive. She asked what public facilities were available other than firehouses. Facilities should be available throughout the city, especially in the squares. She suggests that a reasonable goal for Central Square might be 4 or so sites such as City Hall, the library, the firehouse (with increased DPW assistance), and the Multi-Service Center.

Ms. Feinberg pointed out that one problem with using public buildings to provide service throughout the city is that most of them are located in Central Square; some possibilities, however, are libraries, social service agencies and fire and police stations. Mr. Simonsen raised the possibility of MBTA stations as sites, which had not been explored. Vice-Mayor Davis also suggested some possible Harvard Square sites, including Holyoke Center, the MBTA, the Garage Mall, and some of the churches.

Mr. Cox indicated that his office was still talking to malls and stores in Harvard and Porter Squares regarding increased signage. Although some businesses will allow access on request, they are reluctant to allow publicity because they do not want security and maintenance problems. Only three businesses were willing to consider signs: Holyoke Center, the Garage Mall, and Porter Square Galleria.

Vice-Mayor Davis asked Mr. Cox to try to make progress on more signage in 4 locations each in Harvard and Central Squares, as a goal of the Committee.

Regarding the use of churches as potential sites, Mayor Sullivan noted that some churches are locked because of thefts. He is interested in the option of using currently existing facilities rather than putting toilets on the sidewalk, and allowing the facilities to advertise. Along the same lines, Ms. Davis restated her interest in exploring the city's rental of private property, with city financing of toilet services.

Ms. Glowa stated her concern about legal issues and the city's exposure if it rents space in a private business. Because the site would not be city-owned, it would not have the protection of G.L. c. 258, which limits municipal liability. The law department has to look into the city's financial exposure under the rental scenario.

Regarding the advertising of library facilities, Vice-Mayor Davis asked what the maintenance issues were and if they could be resolved. Ms. Peterson noted that while the city's DPW is trying to increase its service to libraries, they still remain responsible for their interior maintenance, with three custodians serving the entire system. Ms. Davis suggested that if the city advertised and increased the use of library toilets, it might have to provide more service. Mayor Sullivan asked if there were dangers in encouraging greater use of library toilets, including criminal activity. Vice-Mayor Davis noted that APTs were seen as an alternative to the problems of advertising current facilities and maintaining them.

However, there is limited space available for APTs in Cambridge, and placement in isolated sites like parking lots could create safety problems.

Several people raised questions about the costs of different options, specifically a comparison of the costs of renting space in existing buildings versus using APTs, including the costs of maintenance, staffing, insurance and liability for criminal incidents. Vice-Mayor Davis pointed out that this issue was on the agenda for the next committee meeting.

Vice-Mayor Davis thanked all who attended the meeting. She scheduled the next meeting for Wednesday, October 2, 2002, at 6:00 P.M. in the Ackermann Room.

The meeting adjourned at 6:45 P.M.

For the Committee,

Vice Mayor Henrietta Davis, Chair

Committee Report #2

HEALTH AND ENVIRONMENT

2002

Vice Mayor Henrietta Davis, Chair

Councillor Anthony D. Galluccio

Councillor Brian Murphy

In City Council September 9,

The Health and Environment Committee held a public hearing on July 25, 2002, beginning at 7:05 P.M. in the Ackermann Room for the purpose of discussing a proposed tree protection ordinance (**Attachment A**).

Present at the hearing were Vice Mayor Henrietta Davis, Chair of the Committee, Councillor Brian Murphy and City Clerk D. Margaret Drury. Also present were Nancy Glowa, First Assistant City Solicitor, Lisa Peterson, Commissioner of Public Works, Greg Garber, Parks Supervisor, Department of Public Works (DPW), Lester Barber, Director of Zoning and Land Use, Community Development Department, and Charles Sullivan, Executive Director of the Historical Commission.

The Following residents of Cambridge were also present: Karen Carmean, 1657 Cambridge Street #3, Ellen Mass, 104A Inman Street, Kathryn S. Podgers, 148 Pearl Street, Skip Schloming, 102-R Inman Street, Bonnie Solomon, 1 Newport Road, #1, Mary Otis Stevens, A.I.A., 6 Riedesel Avenue, Sam Bass Warner, Jr., 15 Cottage Street, Council, Keren Schlomy, 3 Irving Terrace, Deborah Kershner, 12 Laurel Street, Dick Clarey, 15 Brookford Street, Lydia Vickers, 45 Cherry Street and Alison Field Juma, 363 Concord Avenue, .

Vice Mayor Davis convened the hearing and explained the purpose. She requested that Commissioner Peterson begin the presentation. Ms. Peterson began with a review of the history of the proposal, starting with the Tree Protection Task Force convened by the City Manager in June, 2000, in response to a request from the Health and Environment Committee of the City Council.

The task force adopted two goals: (1) establish and maintain maximum tree cover, and (2) prevent the loss of highly valued, significant trees. Thereafter, the task force developed the following recommendations to achieve these goals:

- Implement a strong education program for residents and developers on proper tree care.
- Use the Historical Commission and landmarking process for highly valued, significant individual trees.
- Introduce a tree ordinance to address trees in the context of larger scale development projects and evaluate its effectiveness at a later date, with goal of enlarging the scope of ordinance if necessary in the future.
- Enact tree ordinance in conjunction with an amendment to the Zoning Ordinance to include consideration of trees in the large project review and special permit process. Creating a separate tree ordinance will allow easier amendments over time than if we were to incorporate all of its provisions into the Zoning Ordinance.

Attorney Glowa then reviewed the proposed ordinance. The "Tree Ordinance " would apply widely throughout the city. In retail, office, industrial and institutional areas, any project of 25, 000 square or more would be required to implement a "Tree Protection Plan" approved by the City Arborist. That approved "Plan" would be a condition of the issuance of any building permit authorizing the new construction. The affected areas are those same retail, office, industrial and high density residential

zoning districts where the site plan and project review requirements of Sections 19.20 and 19.50 of the recently adopted Citywide Zoning Ordinance are imposed. Where a special permit is required under these sections, the Planning Board would be authorized to impose conditions based upon the Tree Protection Plan and the recommendations of the Arborist, but only after a public hearing at which interested persons could express their views on any such conditions. Two limited commercial areas, at the Kendall Square Urban Renewal area's Cambridge Center and University Park near Central Square, would not be subject to the "Tree Protection Plan" requirements as these areas are also not subject to the site plan and project review procedures.

In the residential neighborhoods of the city, the same "Tree Protection Plan" would be required where multifamily or townhouse developments needing a special permit from the Planning Board are proposed. In the Residence B and Residence C zoning districts that special permit is required for any proposed project of six or more new housing units. The Residence B district is found principally in North and West Cambridge; the Residence C district is found in Cambridgeport. In the Residence C-1 zoning districts found in Mid-Cambridge, Riverside, and East Cambridge, a special permit is required where twelve or more new housing units are proposed on a lot. As proposed the special permit requirements would not apply to projects of the Affordable Housing Trust or other qualified projects for the construction of low and moderate income affordable housing.

Vice Mayor Davis asked if the ordinance would apply to renovations or just new construction. Mr. Barber said it would apply to only new projects except for multiunit residences being created in a building that is being changed from a nonresidential use.

Ms. Podgers asked what this would mean for someone with a large lot and whether the ordinance is a taking.

Ms. Glowa responded that the "taking" analysis does not apply to this proposal. In general, the types of projects covered are projects that require a special permit, and they already require design review under Article 19 of the Zoning Ordinance.

Ms. Glowa noted that the ordinance contemplates an amendment to the Zoning Ordinance.

Vice Mayor Davis asked in what areas of this city the ordinance would apply. Mr. Barber listed the following districts to which the ordinance would not apply. They include the MXD district, the University Park Development because they are excluded from Article 19. Residence A districts are excluded because multifamily housing is not allowed in Residential A districts.

Commercial and institutional projects are subject to the 50,000 square feet special project trigger and 25,000 – 50,000 square feet trigger for design review.

Vice Mayor Davis asked how many residential projects built in Residential C and Residential B districts during the last five years would have been subject to this ordinance. Mr. Barber responded that there were none over the last year, and approximately 2-3 over the last five years.

Vice Mayor Davis noted that it appears that the impact on residential projects would be quite limited. Mr. Barber agreed and said that the existing special permit already required for such projects has always allowed the Planning Board to look at the issue of tree preservation.

Vice Mayor Davis explained the process for City Council action on this proposal to the members of the public. She said that it has come to the Health and Environment Committee first to provide an

opportunity to look in detail at the proposal. When this committee completes its consideration, the proposal will go back to the City Council for referral to the Ordinance Committee for public hearings.

Councillor Murphy stated that the proposed ordinance seems fairly limited in scope and impact with a reasonable balance of competing interests. He applauded the work of all involved.

Vice Mayor Davis then invited public comment, beginning with members of the task force.

Karen Schlomy, 3 Irving Terrace, member of the Tree Protection Task Force, said that Charles Sullivan has said that he does not believe that the Historical Commission has the power to landmark significant trees. Mr. Sullivan replied that the Historical Commission has already taken jurisdiction over landmarked trees. The Commission has landmarked one tree based on proceedings at the Historical Commission. The Commission has recommended another that the City Council did not act on. So the Commission does believe it has jurisdiction and has so acted. In the best of all worlds, the ordinance would designate a separate entity and procedure for saving trees. However, he is comfortable with the proposed ordinance and with the Historical Commission's power to landmark trees.

Karen Carmean, 1657 Cambridge Street, stated that both the Historical Commission and the Public Planting Commission have very full agendas. At some point another venue might be preferable. Trees are valuable in ways additional to historical value. With regard to the Ordinance's exemption for affordable housing, the City needs to consider how much money trees save in energy costs.

Sam Warner, Tree Protection Task Force, said that it is obvious that there are many different opinions about trees. He believes this ordinance strikes a good balance.

Ms. Carmean said that the ordinance is valuable to owners. It provides a clear statement of the value of trees with information to potential purchasers and new buyers about how trees are valued in Cambridge.

Mary Otis Stevens, 6 Riedesel Road, said that from the point of view of sustainability, it would make sense for an arborist to ascertain the value of the tree. A standard of an eight-inch diameter at breast height is not sufficient. For example, Cambridge has many Norway Maples which are weed trees with shallow root systems. A survey of trees would be very useful. She suggested using the Boston Society of Landscape Architects.

Lydia Vickers, 45 Cherry Street, Area Four Neighborhood Coalition, stated that on the 238 Broadway site there are a number of beautiful oak trees and crabapple trees that should be preserved and would have to be cut down for the soccer field currently planned.

Alison Field Juma, 363 Concord Avenue, stated that the ordinance is very reasonable. She asked about the duration of the bond that an owner would be required to file before a building permit is issued. Vice Mayor Davis said that a five-year bond is required.

Richard Clary, Brookfield Street, North Cambridge Stabilization Committee, said that he does not believe that affordable housing should be exempted from this ordinance, especially with the affordable units as a part of inclusionary zoning in privately constructed multifamily buildings. For fifty years, to the west his house has enjoyed screen of trees on his neighbors property. He would like to see the ordinance apply to private trees to protect them as public shade trees and protected.

Skip Schloming, 102-R Inman Street, submitted a written statement from the Small Property Owners Association and summarized the statement (**Attachment B**). Maximum tree cover is not a valid

goal; it would prevent gardening, endanger people and property. This is just the beginning of the regulation of all trees. The best locations for more trees are on the public streets. On the sidewalks there are many vacant spaces designed for trees.

Kathy Podgers, 149 Pearl Street, submitted a written statement (**Attachment C**). She spent a great deal of time in the wilderness and explained why she opposes the ordinance. The ordinance that is needed is one that addresses the management of public trees. She raised a concern about people who are allergic to trees. Trees act as water pumps to remove water from the ground. This ordinance will increase humidity. Trees cause shade which can cause human depression. Real tree lovers want to see cities regulate woodlands, not private trees on private property. Ms. Podgers emphasized the importance of focusing on the proper maintenance of public trees. Cambridge has 17,000 public trees and one tree crew.

Ellen Mass, 104A Inman Street, Friends of Alewife, stated that Belmont is about to dig up eight acres of silver maple forest. She stressed the necessity of proper evaluation of the environmental impact of these actions.

Debby Kershner, 12 Laurel Street, spoke in support of the need to attend to public trees.

Vice Mayor Davis requested that staff look into the issue raised regarding the importance of looking at the particular type of tree in evaluating a tree's relative importance. She said that she is also concerned about the exclusion of affordable housing and how it relates to the inclusionary zoning units and the projects containing these units. Attorney Glowa said that inclusionary zoning does not fall within the definition of affordable housing exempted under the proposal.

Vice Mayor Davis said that she would like to strike provision exempting affordable housing.

Councillor Murphy asked whether it was discussed in the task force. Commissioner Peterson said that it was not. It was added by the City Manager in furtherance of the Council's overall goal of streamlining the process for building affordable housing.

Vice Mayor Davis submitted the following order:

ORDERED: That the City Manager and the City Solicitor be and hereby are requested to confer to prepare any necessary language to amend the proposed ordinance to eliminate the exemption for affordable housing from the proposed tree protection ordinance and to develop an alternate method to address affordable housing tree protection for consideration at the October 2nd meeting.

The motion passed without objection on a voice vote.

Vice Mayor Davis stated that she is also concerned about the exemption of the MXD District and University Park. Attorney Glowa stated that the City Council just voted to exclude these areas from the larger project review provisions in the revisions to the Zoning Ordinance. The way to change these exemptions would be to amend the Zoning Ordinance. Attorney Glowa also noted that the issue of qualitative tree protection is addressed in the requirement for a tree protection plan which goes to the arborist for evaluation.

Vice Mayor Davis thanked those present for their participation. The next meeting was scheduled for October 2, 2002 at 7:00 P.M.

On motion of Councillor Murphy the meeting was adjourned at 8:30 P.M.

For the Committee,

Vice Mayor Henrietta Davis, Chair

Additional Attachments

Katie Mazut, e-mail – Attachment D

Sue Carlson, e-mail – Attachment E

Susanne Moser, e-mail – Attachment F

“The Power of Trees” by Mark Simon – Attachment G

John Gintell, e-mail – Attachment H

Committee Report #3

ORDINANCE COMMITTEE MEMBERS 2002

In City Council September 9,

Councillor David P. Maher, Co-Chair
Councillor Brian Murphy, Co-Chair
Vice Mayor Henrietta Davis
Councillor Marjorie C. Decker
Councillor Anthony D. Galluccio
Councillor Kenneth E. Reeves
Councillor E. Denise Simmons
Councillor Timothy J. Toomey
Mayor Michael A. Sullivan

The Ordinance Committee held a public meeting on July 31, 2002, beginning at 4:20 P.M. in the Sullivan Chamber for the purpose of considering proposed amendments to the Smoking Ordinance, Chapter 8.28 of the Municipal Code.

Present at the hearing were Councillor David P. Maher and Councillor Brian Murphy, Co-Chairs of the Committee, Vice Mayor Henrietta Davis, Councillor Marjorie C. Decker, Councillor Anthony D. Galluccio, Councillor Kenneth E. Reeves, Councillor E. Denise Simmons, Mayor Michael A. Sullivan, City Clerk D. Margaret Drury and Elaine McGrath, City Clerk's office. Also present was Harold Cox, Cambridge Chief Public Health Officer.

Councillor Murphy convened the hearing and explained the purpose. He then asked Chief Public Health Officer Cox to make a presentation on the proposed ordinance.

Mr. Cox asked the Committee to consider the proposed ordinance as a way to protect all workers from second-hand smoke. He described the current ordinance and the need for change. Chapter 8. 28 now offers limited protection for some workers. The protection against second-hand smoke does not cover workers in bars and restaurants, which are subject to a complicated set of rules and exceptions. So far, Cambridge has taken a number of incremental steps to make workplaces smoke-free; this ordinance is an important next step. Under the proposal, all restaurants would be 100% smoke-free; hotels and smoke shops could still permit smoking, and the exceptions are otherwise the same as they were in the 1999 ordinance and include dormitories, inns and religious ceremonies. In the last revision to the ordinance in 1999, it was clear that to move forward, Cambridge needed to work with surrounding communities, which were also discussing ways to protect the rights and health of all workers; it has done so as part of the Clean Air Works coalition. (**Attachment A** describes Clean Air Works, and outlines the proposed ordinance). Mr. Cox also introduced a Kiley & Company 2002 survey of residents in 14 area cities and towns including Cambridge on second-hand smoke issues (**Attachment B**).

Chief Public Health Officer Cox then introduced a number of speakers in support of the proposal.

John O'Brien, Cambridge Commissioner of Health and CEO of the Cambridge Health Alliance, described second-hand smoke as a Class A carcinogen that contributes to the deaths of 50,000 non-smokers a year in the U.S., and the third leading cause of death in the country. He urged the city to make all workplaces smoke-free. According to Mr. O'Brien, polling indicates that most city residents support this protection. The city has joined Clean Air Works, a coalition of 14 communities working with unions and public health workers, to reduce exposure to second-hand smoke.

Dr. Howard Koh, Massachusetts Commissioner of Public Health, spoke in support of the ordinance and the idea of smoke-free workplaces. He described Cambridge as a leader in many fields, and the first city to take the initiative on the ordinance. According to Dr. Koh, tobacco is a public health “catastrophe”, contributing to many patients’ preventable suffering and deaths. People exposed to second-hand smoke experience the same disease and death; he therefore supports smoke-free environments. Dr. Koh emphasized that there is no other area where we would support exposure to carcinogens; if we do not tolerate it in food or water, why allow it in air?

As for the strategy to ban second-hand smoke, Dr. Koh’s opinion was that a state ban was not practical, given the challenges by the smoking and hospitality industries; a state effort would result in a watered-down restriction. Communities and regional coalitions have tremendous power to push the initiative. Cambridge has shown leadership on other public health issues such as West Nile disease and bioterrorism. Many communities ban smoking completely. Studies show there is no significant effect on business. This is Cambridge’s chance to make public health history.

The next speaker, Dr. Ed Nardel, Director of Pulmonary Medicine for the Cambridge Health Alliance, and an expert on second-hand smoke, said that he has treated patients with lung cancer for more than 20 years. About 10 years ago, he thought that second-hand smoke was less of a health risk than smoking. He has changed his opinion. There is international consensus that workers exposed to second-hand smoke are exposed to the same toxins and have the same health problems as smokers, although with less frequency. Cigarette smoke is a Class A carcinogen, in the same classification as asbestos, with no known safe exposure level. Cancers from second-hand smoke result in some 53,000 deaths annually in the U.S. Bar and restaurant workers have a 50-75% higher risk of lung cancer, and 4 to 6 times higher exposures as people living with smokers; waitresses have the highest lung cancer rates of working women. More than 80 percent of workers’ complaints about working conditions are related to indoor air quality. Dr. Nardel pointed out that there are also benefits to smokers with bans. The literature shows that restrictions help people quit, creating a public health benefit. The more areas that are smoke-free, the stronger the message to smokers that they should quit. Because he believes that the proposed ordinance could prevent thousands of deaths and diseases, Dr. Nardel emphasized that it was terribly important to pass it.

D.J. Wilson, the Tobacco Control Director of the Massachusetts Municipal Association, stated that the majority of Massachusetts towns restrict smoking. Sixty-one of the 351 cities and towns in the state have a total ban, covering one million residents. These include tourist and college towns such as Salem and several Cape Cod communities, as well as several collaborations between towns.

Chief Public Health Officer Cox then introduced colleagues from four neighboring towns who addressed their efforts to restrict second-hand smoke. John Auerbach, Executive Director of the Boston Public Health Commission, and advisor on health issues to Mayor Menino, applauded Cambridge’s efforts and pledged Boston’s support. Boston is working on a parallel regulation now. Mr. Auerbach believes it is time to work in tandem on public health issues, for several reasons. First, the cities share the same problems, with smoking the number one health issue. Secondly, joint action is more effective in preventing activity in a region. Cape Cod and California successfully ban public smoking. Such joint action eliminates migration to nearby towns and can prevent economic losses in one place. There is no proof of negative economic impact from smoking bans. Third, the cities and towns are fighting strong, well-organized and well-funded opposition and need to join their efforts. His experience is that some employees support the ban privately, but not publicly because of fear of reprisal. Mr. Auerbach stated that Boston encourages the Council’s support for the ordinance as a health-promoting, life-saving measure.

Jack Vondras, Director of the Somerville Health Department, pointed out that what happens in Cambridge affects Somerville. Speaking on behalf of Mayor Dorothy Kelly Gay and the Somerville Board of Health, he expressed support for the proposal and read a letter from David Ostler, Chair of the Somerville Board of Health, supporting Clean Air Works as a common effort. On July 2, 2002, Somerville's Board of Health passed a draft regulation restricting workplace smoking, which is scheduled for an October 10 hearing.

Next, Alan Balsam, Commissioner of Public Health in Brookline, described Brookline's experience in going smoke-free. A poll showed that over 90 percent of that town's residents supported a ban on public smoking. Regarding the impacts of the ban, Mr. Balsam indicated that (1) a study by Health Economic Research of Watertown showed no significant decline in revenue for food service establishments in Brookline, and (2) no acceleration in the rate of turnover for victualler licenses. Brookline promoted smoke-free dining through brochures and other informational efforts. The bottom line is what business owners think. Mr. Balsam read a letter from the owner of O'Leary's Pub in Brookline (**Attachment C**), supporting a broad ban on smoking in restaurants. Brookline urges Cambridge to adopt the ordinance.

Rebecca Sarah, the Chair of the Chelsea Board of Health, spoke in support of the proposed ordinance and represented that there was lots of support by residents and members of her board for a smoking ban in restaurants, although Chelsea has not taken any formal action on a ban. Ms. Sarah pointed out that many Chelsea residents work in hospitality businesses in other cities and would benefit from a ban. She stated that it is unfair to expose workers to the risks of cigarette smoke. A ban could also create a net gain for businesses, since non-smokers would patronize them.

Councillor Reeves asked if the proposed ordinance was the first of its kind, or if any other city had adopted one. Chief Public Health Officer Cox stated that the other communities in Clean Air Works were beginning the process of increasing protection against second hand smoke, in different ways. So far only Brookline has adopted a total ban.

At this point, Co-Chair Murphy opened the hearing to public comment. Sixty-four people signed up to speak on the proposal; fifty-one spoke (**Attachment D** lists the commenters in two categories, those who opposed and those who supported the proposed ordinance). Their comments are summarized below.

Those **opposed** to the proposed Ordinance made the following objections:

- The research cited in support of the ban, specifically the 1990's EPA report, is flawed in both its methods and conclusions; classification of second-hand smoke as a Class A carcinogen is based on EPA research which has been rejected by at least one court. In fact, other research, including a recent World Health Organization report, shows that there is no significant risk to non-smokers from second-hand smoke. (John Barry, Stephen Helfer).
- The ordinance will hurt restaurants and bars and divert business to private clubs, which are not covered by the ban; essentially, it just takes away 86 permits. (John J. Alberts, owner, Courtside Restaurant.)
- A smoking ban in Cambridge will hurt its ability to compete with other towns; wait for a state-wide ban or a regional approach by the 13 communities in the Clean Air Works Coalition. Otherwise, business will migrate to other towns.
- Restaurant industry statistics show significant loss of business from smoking bans, with resulting lay-offs of staff. It is a U-turn for the city. Especially for small, working class businesses, where coming in for a smoke and a beer is part of a "second home" experience, a ban will cost them

business. (Sarah Brady, manager, Good Life restaurant, Harry Ryan and Ruth Ryan Allen, Paddy's Lunch).

- The timing is bad, given the downturn in the hospitality sector; banning smoking will further hurt the industry. Allowing smoking is a matter of economic survival for some restaurants. The Middle East restaurant tried to run a non-smoking business and it didn't work. The majority of young customers who drink and come to a place for nightlife want to smoke.
- Cambridge residents and patrons have not advocated for this ban; in fact, most employees and customers oppose a ban. The effort is a campaign by supporters outside Cambridge, financed and organized by lobbying groups. The current ordinance works, and we should maintain it, and let restaurants use other means to clear the air. To keep Cambridge unique, leave choices in place. Smoking is part of some cultures and some social experiences. Otherwise, you have a suburban reality (John J. Alberts, owner, Courtside Restaurant, John Clifford, owner, Green Street Grille, Richard Fitzgerald, owner, Cantab Lounge, Emil Jacob).
- There are plenty of choices available to non-smokers; the market provides options for workers and customers to avoid smoking establishments. For most workers and customers who patronize smoking establishments, smoking and drinking is what they want to do. Employees of establishments with smoking assume the risks of working in that environment. Preserve this choice for people who want to smoke. It is not government's role to limit business choices.
- Logistically, a ban will create problems since significant numbers of customers in some establishments may move to the street to smoke. (Tom Lucey, Cambridge Chamber of Commerce). This could disturb residential neighbors, who are concerned about overflow of customers now. It could also create problems for some bars whose leases prohibit loitering outside the premises. (John J. Alberts, owner, Courtside Restaurant, Rory Keohane).
- The Cambridge Health Alliance cannot speak for workers in the industry. Some smoke themselves, or approve of smoking as a way to relax and enjoy yourself in a bar or restaurant. The ban is not based on concern about employees, but on the desire to control other people's behavior. In fact, it will create other dangers for workers, who will have a hard time enforcing it and keeping track of customers and who risk losing their jobs if patrons smoke outside and disrupt residential neighborhoods. (Roger Nicholson, Green Street Grille).
- Some towns that have smoking bans have reconsidered them. Bans are the product of too much outsider "Big Brother" influence and an attempt to control behavior. The public and the hospitality industry need the latitude to allow smoking. There are more serious problems for government to tackle. Leave the ordinance as it is. (Stephen Helfer).
- A smoking ban will alienate residents and customers and is an extreme solution; work on a more reasonable approach with businesses and the Chamber of Commerce. Neither in support or opposition, one speaker offered to make information available to the Council about the technology available to reduce smoke, and noted the growing industry focused on cleaning air (Wayne Lagerloef).

In support of the ordinance, members of the public made the following comments:

- The core issue is protecting and saving people's lives. This is not a nuisance issue, but a health and workers' rights issue. If we were talking about the same chemicals in food or water, there would be public outrage about exposure. There is no safe level of exposure. No one argues that tobacco smoke is not a public health danger or advocates for eliminating current protections for other workers or children; it's illogical then to argue for smoking in restaurants and bars.
- There are numerous, credible studies linking smoking to disease and death; cigarette smoke contains known carcinogens. Smoking should be banned in all workplaces and public establishments. Workers in smoky environments experience higher exposures than even smokers because of the numbers of people smoking and the length of the exposure. Working in smoking

establishments is like smoking several packs of cigarettes a day. The critique of the science behind smoking bans is funded by the tobacco industry and biased; for example, questions have been raised about whether the judge who rejected the EPA study has links to the tobacco industry. (Michael McLean, who submitted an analysis of ETS exposure (**Attachment E**), Dr. Rose Goldman, Cambridge Hospital and Cambridge Health Alliance, Dr. Charles Welch, President, Massachusetts Medical Society, Richard Cambridge, Harold duFour-Anderson).

- The trend is toward greater protection from secondhand smoke, e.g., bans on smoking on commercial flights. It is time to move forward with protection for workers. Hospitality workers have the same right as other workers to a healthy work environment. People should not impose their bad habits on others. The current ordinance equals acceptance of death and disease from cigarettes; this is not acceptable as a status quo (Alejandro Rivera, Shania and Derlin, Dr. Melvin H. Chalfen, Paul Schlaver, Robert Winters, Elizabeth van Ranst, Elie Yarden, Graham Kelder, Mark Gottlieb, Lois Josimovich, Harold duFour-Anderson).
- Smoking involves issues of narcotics and addiction, and tolerance for certain forms of dangerous and unhealthy behavior (Elie Yarden).
- The context of this issue is civil rights. For people who are disabled by respiratory disease, their right to visit public establishments is a matter of civil rights, and they do not have a choice. The status quo is “disability apartheid”. The city is obliged to protect the rights of disabled people under the Americans with Disabilities Act. Cambridge should extend its record on civil rights protections to protect restaurant workers and disabled patrons. (Michael Muehe, Executive Director of the Cambridge Disability Commission, Ricki Lacey, Director of Public Health Nursing in Cambridge).
- Patrons, restaurant workers and performers are concerned about the health risks from exposure to second-hand smoke. Several bartenders, performers, patrons, waiters and residents spoke about their personal experience with disease and deaths linked to cigarette smoke and expressed concern about the unhealthy work environment in smoking establishments and its effect on everything from breathing and vocal ability to instruments and clothing. Some people who depend on smoking establishments for work support the ban but cannot do so publicly because it would be “professional suicide”. Hotel and Restaurant Workers Local 26 endorses the Clean Air Works campaign. (Mark Parker, Assistant to President, Hotel Workers Union Local 26, Catherine Dickinson, Esther Ruth, Ken Steele).
- Some people’s choices are limited in terms of where they work, so it is misleading to focus on freedom of choice as the issue with a ban. Freedom of choice is also limited when it entails harm to others. Then it is not simply a matter of personal choice, but of public health. Individuals have a constitutional right to protection from public health risks. (Tanya Daniel, Carol Cerf, Cambridge Public Health Subcommittee Chair, Graham Kelder). In fact, allowing smoking limits some people’s choices; restaurants and bars also lose customers because they allow smoking. (Richard Cambridge, Korey Antonelli, American Cancer Society).
- Some restaurants and other establishments support the ban and/or have already voluntarily imposed one, in the interest of public health. Their workers and patrons have supported the ban and it has not hurt business. Harvard University, for example, has gone smoke-free without problems. Regarding two “myths” about smoking bans and controls: harm to business and the effectiveness of
- barriers, 1) there is definite evidence that business is not hurt by bans, and it may even be helped, and 2) barriers between smoke and smoke-free areas do not work. (Sharon Ronkin, Jody Triano, Cambridge Marriott, Dr. David S. Rosenthal, Director, Harvard University Health Services, Kitty Jerome, Director, Massachusetts Coalition for a Healthy Future, Paolo Pinto, Massachusetts Alliance of Portuguese Speakers, Ana Rita Ferreira).
- The issue needs more discussion and the ordinance should be strengthened. (Elie Yarden).

In closing the meeting, Co-Chair Brian Murphy indicated that he would hold the issue open. He will schedule a working committee meeting in September in order to move forward on the issue. There will be no public comment at this working meeting. Co-Chair David Maher noted that when the issue goes before the full City Council, there will be an opportunity for further public comment. Vice Mayor Davis made a motion that the issue stay in committee, and that public comment be ended. The motion was adopted on a voice vote.

Councillor Murphy thanked all those present for their attendance.

The meeting was adjourned at 6:50 p.m.

For the Committee,

Councillor David P. Maher, Co-Chair

Councillor Brian Murphy, Co-Chair