



ORDER OF BUSINESS FOR MATTERS PRESENTED TO THE CITY CLERK PRIOR TO 10:00 A.M. ON MONDAY, OCTOBER 18, 2021 FOR CONSIDERATION BY THE CITY COUNCIL AT A REGULAR MEETING IN THE CHRISTOPHER IANNELLA CHAMBER WEDNESDAY, OCTOBER 20, 2021 AT 12:00 P.M.

ROLL CALL

APPROVAL OF THE MINUTES

COMMUNICATIONS FROM HER HONOR, THE MAYOR:

- [1067](#) Message and order for your approval a home rule petition to the General Court entitled; “Petition for a Special Law Re: Expanding the Authority of the Public Facilities Commission with Respect to Housing Stabilization.”
- [1068](#) Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Twenty Five Thousand Eight Hundred Eighty One Dollars (\$425,881.00) in the form of a grant for the FY21 Byrne Justice Assistance Grant-Local Allocation, awarded by the United States Department of Justice to be administered by the Police Department. The grant will fund a Domestic Violence Management Analyst at the Family Justice Center, a Hub & Center of Responsibility Coordinator and a Technology Coordinator for multiple data collection, reporting and record management systems.
- [1069](#) Message and order authorizing the City of Boston to accept and expend the amount of Ten Thousand Dollars (\$10,000.00) in the form a grant for the FY22 National Violent Death Reporting System Grant, award by the MA Department of Public of Health to be administered by the Police Department. The grant will fund data collection by the Bureau of Investigative Services and the Drug Control Unit.
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- [1070](#) Message and order approving the receipt of a Preservation Restriction Agreement on the Vertullo Building, 74-84 Fairmount Avenue, Hyde Park, Boston, Massachusetts, 02136-2734.

REPORTS OF PUBLIC OFFICERS AND OTHERS:

- [1071](#) Notice was received from the City Clerk in accordance with Chapter 6 of the Ordinances of 1979 re: action taken by the Mayor on papers acted upon by the City Council at its meeting of September 15, 2021.
- [1072](#) Notice was received from the City Clerk in accordance with Chapter 6 of the Ordinances of 1979 re: action taken by the Mayor on papers acted upon by the City Council at its meeting of September 22, 2021.
- [1073](#) Notice was received from the City Clerk in accordance with Chapter 6 of the Ordinances of 1979 re: action taken by the Mayor on papers acted upon by the City Council at its meeting of September 29, 2021.
- [1074](#) Notice was received from the City Clerk in accordance with Chapter 6 of the Ordinances of 1979 re: action taken by the Mayor on papers acted upon by the City Council at its meeting of October 6, 2021.
- [1075](#) Notice was received from the Acting Mayor of the temporary appointment of Tammy Pust, as Interim Director of Labor Relations effective October 4, 2021.
- [1076](#) Notice was received from the Acting Mayor of the appointment of Kannan Thiruvengadam as a member of the Conservation Commission.
- [1077](#) Notice was received from the Acting Mayor of her absence from the City from 1:00 P.M. on Saturday, October 9, 2021 until 4:00 P.M. on Sunday, October 10, 2021.

REPORTS OF COMMITTEES:

- [0685](#) The Committee on Government Operations, to which was referred on May 19, 2021, Docket #0685 An Order Regarding a Text Amendment to the Boston Zoning Code with respect to parking minimums for affordable housing, submits a report recommending that the order ought to pass in a new draft.

- [0958](#) The Committee on Strong Women, Families, & Communities, to which was referred on September 15, 2021, Docket #0958, Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Thousand Dollars (\$100,000.00) in the form of a grant for the No Kid Hungry, awarded by Share Our Strength to be administered by the Office of Food Access. The grant will fund school-based food programs (BosFoodLove) and the Community Hub Schools Initiative, submits a report recommending that the order ought to pass.
- [0397](#) The Committee on Government Operations, to which was referred on March 3, 2021, Docket #0397, Ordinance on Surveillance Oversight and Information Sharing, submits a report that the ordinance ought to pass in a new draft.
- [0994](#) The Committee on Boston COVID-19 Recovery, to which was referred on September 22, 2021, Docket #0994, Message and order authorizing the City of Boston to accept and expend the amount of One Million Six Hundred Three Thousand One Hundred Twelve Dollars (\$1,603,112.00) in the form a grant for the American Rescue Plan Act, Title III-B awarded by the U.S. Department of Health and Human Services, passed though the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund Supportive Services for older adults in Boston, for the period 4/1/21 through 6/30/22, submits a report recommending that the order ought to pass.
- [0995](#) The Committee on Boston's COVID-19 Recovery. to which was referred on September 22, 2021, Docket #0995, Message and order authorizing the City of Boston to accept and expend the amount of One Million Four Hundred Six Thousand Three Hundred Thirty One Dollars (\$1,406,331.00) in the form of a grant, for the American Rescue Plan Act-Title III-C Nutrition program, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by Age Strong Commission. The grant will fund nutrition services for older adults in Boston, for the period 4/1/21 through 6/30/22, submits a report recommending that the order ought to pass.

[0996](#) The Committee on Boston's COVID-19 Recovery, to which was referred on September 22, 2021, Docket #0996, Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Twenty Three Thousand One Hundred Seventy Dollars (\$423,170.00) in the form of a grant for the American Rescue Plan Act- Title III-A, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund administration cost for planning and implementation by the Age Strong Commission, from 4/1/2021 to 9/14/2021, submits a report that the order ought to pass.

[0997](#) The Committee on Boston's COVID-19 Recovery, to which was referred on September 22, 2021, Docket #0997, Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Ninety Four Thousand One Hundred Thirty Three Dollars (\$394,133.00) in the form of a grant for the American Rescue Plan Act, Title III-E, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund Family Caregiver Services for older adults in Boston, for the period 4/1/2021 through 6/30/22, submits a report recommending that the order ought to pass.

[0999](#) The Committee on Boston's COVID-19 Recovery, to which was referred on September 22, 2021, Docket #0999, Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Fifty Seven Thousand Five Hundred Twenty Two Dollars (\$157,522.00) in the form of a grant, for the American Rescue Plan Act, Title III-D, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund the Long-Term Care Ombudsman program, for the period 4/1/21 through 6/30/22, submits a report that the order ought to pass.

[1001](#) The Committee on Boston's COVID-19 Recovery, to which was referred on September 22, 2021, Docket #1001, Message and order authorizing the City of Boston to accept and expand the amount of One Hundred Forty Thousand One Hundred Twenty-One Dollars (\$140,121.00) in the form of a grant, for the American Rescue Plan Act, Title III-D, awarded by the U.S. Department of Human Health and Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund preventative health services for older adults in Boston, for the period 4/1/21 through 6/30/22, submits a report recommending that the order ought to pass.

[1014](#) The Committee on Strong Women, Families & Communities, to which was referred on September 29, 2021, Docket #1014, Message and order authorizing the City of Boston to accept and expend the amount of Five Hundred Thousand Dollars (\$500,000.00) in the form of a grant for the FY21 Gus Schumacher Nutrition Incentive Program, awarded by the National Institute of Food and Agriculture-USDA to be administered by the Office of Food Access. The grant will fund projects to increase the purchase of fresh fruits and vegetables by low-income SNAP consumers, submits a report recommending that the order ought to pass.

MATTERS RECENTLY HEARD-FOR POSSIBLE ACTION:

[1013](#) Message and order authorizing the City of Boston to accept and expend the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) in the form of a Land Water Conservation Fund grant awarded by the National Park Service, passed through the Massachusetts Division of Conservation Services, to be administered by the Boston Parks and Recreation Department. The grant will be used for improvements at Malcolm X Park that will make paths, entrances, and play areas compliant with the Americans with Disabilities Act.

[0825](#) Message and order authorizing the City of Boston to accept and expend the amount of Six Hundred Seventy Two Thousand Six Hundred Eighty Five Dollars and Sixty Cents (\$672,685.60) in the form of a grant for the FY22 YouthWorks, awarded by the MA Executive Office of Labor and Workforce Development, passed through the Economic Development & Industrial Corporation of Boston, to be administered by the Youth Engagement & Employment. The grant will fund the Summer 2021 Success Link Employment Program.

[0826](#) Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Seventy Six Thousand Six Hundred and Sixty Six Dollars (\$476,666.00) in the form of a grant for Nutrition Services for Boston elders, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs to be administered by the Age Strong Commission. The grant will fund the FY21 Title IIIC Supplemental.

[1011](#) Message and order authorizing the City of Boston to accept and expend the amount of One Million Seven Hundred Sixty Eight Thousand Three Hundred Seventy Eight Dollars and Fifty Six Cents (\$1,768,378.56) in the form of a grant for the FY22 State Elder Lunch Program, awarded by the MA Executive Office of Elder Affairs to be administered by the Age Strong Commission. The grant will fund nutrition services for up to 284,394 older adults in the City of Boston at \$6.24 per meal.

[0849](#) Message and order for your approval of the receipt of a Preservation Restriction Agreement on 41 Melrose Street, Boston, Ma 02116 by the Society for the Preservation of New England Antiquities d/b/a Historic New England.

[0638](#) Ordinance to create the Boston Commemoration Commission.

MOTIONS, ORDERS AND RESOLUTIONS:

[1078](#) **Councilor Arroyo offered the following:** Ordinance Preventing Wage Theft in the City of Boston.

[1079](#) **Councilor Mejia offered the following:** Order for a hearing on the Status of Early Education and Childcare Workers.

[1080](#) **Councilor Edwards and Arroyo offered the following:** Resolution in Support of S.874 and H.1435, an Act Promoting Housing Stability and Homelessness Prevention In Massachusetts.

[1081](#) **Councilor Flynn and Wu offered the following:** Resolution in support of H. 3115 "An Act Ensuring Equitable Representation in the Commonwealth".

[1082](#) **Councilor Mejia offered the following:** Resolution recognizing October as Dyslexia Awareness Month in the City of Boston.

PERSONNEL ORDERS:

[1083](#) Councilor O'Malley for Councilor Essaibi George offered the following: Order for the appointment of temporary employee Karen Foley in City Council.

[1084](#) Councilor O'Malley for Councilor Essaibi George offered the following: Order for the appointment of temporary employee Danielle Foley in City Council.

[1085](#) Councilor O'Malley for Councilor Mejia offered the following: Order for the appointment of temporary employee Sandra Saavedra Sanchez in City Council effective October 23, 2021.

GREEN SHEETS:

[10/20/2021](#) Legislative Calendar for October 20, 2021.

CONSENT AGENDA:

[1086](#) **Councilor Wu offered the following:** Resolution recognizing Republic of China Day in Boston.

[1087](#) **Councilor Flynn offered the following:** Resolution in recognition of Jerry Rubin.

[1088](#) **Councilor Flynn and Flaherty offered the following:** Resolution in memory of Anne Marie Collins.

[1089](#) **Councilor Breadon offered the following:** Resolution recognizing Cynthia Woolcock.

[1090](#) **Councilor Breadon offered the following:** Resolution recognizing Saint Columbkille Parish.

[1091](#) **Councilor O'Malley offered the following:** Resolution recognizing 58 retiring Boston Police Officers for their years of service.

[1092](#) **Councilor Mejia offered the following:** Resolution recognizing Filiberto Santiago.

[1093](#) **Councilor Mejia offered the following:** Resolution recognizing Morning Star Baptist Church.

[1094](#) **Councilor Flynn offered the following:** Resolution recognizing Pattie Happnie.

[1095](#) **Councilor O'Malley, Arroyo, Mejia, Baker, Bok, Breadon, Campbell, Edwards, Essaibi George, Flaherty, Flynn and Wu offered the following:** Resolution recognizing 25 community members for Hispanic Heritage Month.

[1096](#) **Councilor O'Malley offered the following:** Resolution congratulating George O'Malley.

[1097](#) **Councilor O'Malley offered the following:** Resolution recognizing the Mulvey Family.

[1098](#) **Councilor Edwards offered the following:** Resolution in memory of James Cali.

- 1099** Councilor Edwards offered the following: Resolution in memory of Tony Demarco.
- 1100** Councilor Edwards offered the following: Resolution in memory of Fernando Da Silva
- 1101** Councilor Flaherty offered the following: Resolution congratulating John O'Neill.
- 1102** Councilor Flaherty offered the following: Resolution congratulating Verissimo Tavares.
- 1103** Councilor Flaherty offered the following: Resolution congratulating Demone Coleman.
- 1104** Councilor Flaherty offered the following: Resolution congratulating Reginald Dennis.



City of Boston
Mayor Kim Janey

October 18, 2021

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval a home rule petition to the General Court entitled "Petition for a Special Law Re: Expanding the Authority of the Public Facilities Commission with Respect to Housing Stabilization."

Currently, the Public Facilities Commission (the "PFC") is enabled to purchase land for a public purpose, such as a fire station, library, or school. This Home Rule Petition will expand this authority by allowing the PFC to purchase properties for the purposes of housing stabilization. This enhanced authority will allow the Department of Neighborhood Development new opportunities to create affordable, income restricted housing, which also could be paired with public facilities or limited other non-residential uses such as commercial, community, or non-profit uses.

Boston needs to apply as many tools as possible to create the affordable housing this city needs, and this would be an invaluable tool in that effort.

I urge your Honorable Body to pass this Home Rule Petition expeditiously so we can begin to advocate for passage at the State House.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kim Janey".

Kim Janey
Acting Mayor of Boston

CITY OF BOSTON
IN CITY COUNCIL

- WHEREAS, according to 2019 American Community Survey Data, 48 percent of Boston renters are cost burdened by paying more than 30 percent of their income in rent; and
- WHEREAS, housing costs continue to rise across the City, further exacerbating the shortage of low cost housing available to a range of incomes; and
- WHEREAS, these conditions will only be ameliorated through the creation of additional income restricted housing; and
- WHEREAS, the powers of the City of Boston Public Facilities Commission are limited, creating an obstacle to the purchase of property for the creation of income restricted housing.

NOW THEREFORE IT BE ORDERED,

That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this order be, and hereby is, approved under Clause 1 of Section 8 of Article II, as amended, of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives in this petition.

PETITION FOR A SPECIAL LAW RE:

EXPANDING THE AUTHORITY OF THE PUBLIC FACILITIES COMMISSION WITH RESPECT TO HOUSING STABILIZATION

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

SECTION 1. PURPOSE

The purpose of this Act is to expand the Public Facilities Commission's ability to acquire land for the purpose of housing stabilization. It is intended to further the Department of Neighborhood Development's mission of ensuring that the citizens of the City of Boston can find, maintain, and stay in their homes.

SECTION 2. DEFINITIONS

For the purposes of this Petition, "housing stabilization" shall mean "activities including but not limited to the acquisition of land and property for affordable housing uses whereby at least 40% of the units are or will be income restricted, as well as other, non-residential uses, including but not limited to commercial, community, and non-profit uses."

SECTION 3.

**CITY OF BOSTON
IN CITY COUNCIL**

The first paragraph of Section 31 of Chapter 486 of the Acts of 1909, as amended by Section 12 of Chapter 642 of the Acts of 1966, is hereby amended by, in line 4, inserting the following after the words "for any municipal purpose":- or for the purpose of housing stabilization.

SECTION 4.

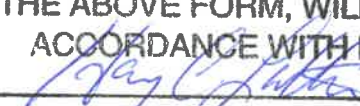
The first paragraph of Section 31 of Chapter 486 of the Acts of 1909, as amended by Section 12 of Chapter 642 of the Acts of 1966, is hereby amended by, in line 13, inserting the following after the words "for any municipal purpose":- or for the purpose of housing stabilization.

SECTION 5.

The first paragraph of Section 31A of Chapter 486 of the Acts of 1909, as amended by Section 12 of Chapter 642 of the Acts of 1966, is hereby amended by, in line 7, inserting the following after the words "for any municipal purpose":- or for the purpose of housing stabilization.

SECTION 6. EFFECTIVE DATE

This Act shall take effect upon passage.

I HEREBY CERTIFY THAT
THE FOREGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.
BY  _____
HENRY C. LUTHIN
CORPORATION COUNSEL



**City Of Boston • Massachusetts
Office of the Acting Mayor
Kim Janey**

10-18-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of FOUR HUNDRED TWENTY-FIVE THOUSAND EIGHT HUNDRED EIGHTY-ONE DOLLARS (**\$425,881.00**) in the form of a grant, FY21 Byrne Justice Assistance Grant - Local Allocation, awarded by the United States Department Of Justice to be administered by the Police Department.

The grant would fund a Domestic Violence Management Analyst at the Family Justice Center, a Hub & Center Of Responsibility Coordinator, and a Technology Coordinator for multiple data collection, reporting and records management systems.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY21 Byrne Justice Assistance Grant - Local Allocation FUNDS, AWARDED BY the United States Department Of Justice.

WHEREAS, the the United States Department Of Justice, is being petitioned for the issuance of funds to the Police Department; and

WHEREAS, the funds in the amount of FOUR HUNDRED TWENTY-FIVE THOUSAND EIGHT HUNDRED EIGHTY-ONE DOLLARS (**\$425,881.00**) would fund a Domestic Violence Management Analyst at the Family Justice Center, a Hub & Center Of Responsibility Coordinator, and a Technology Coordinator for multiple data collection, reporting and records management systems. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the the United States Department Of Justice, FY21 Byrne Justice Assistance Grant - Local Allocation award not to exceed the amount of FOUR HUNDRED TWENTY-FIVE THOUSAND EIGHT HUNDRED EIGHTY-ONE DOLLARS (**\$425,881.00**).

Docket #

**In City Council
Passed**

City Clerk

Acting Mayor

Approved

I hereby certify that the foregoing, if passed in the above form, will be in accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



**City Of Boston • Massachusetts
Office of the Acting Mayor
Kim Janey**

10-18-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of TEN THOUSAND DOLLARS (**\$10,000.00**) in the form of a grant, FY22 National Violent Death Reporting System Grant, awarded by MA Department of Public Health to be administered by the Police Department.

The grant would fund data collection by the Bureau of Investigative Services and the Drug Control Unit.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY22 National Violent Death Reporting System Grant FUNDS, AWARDED BY MA Department of Public Health.

WHEREAS, the MA Department of Public Health, is being petitioned for the issuance of funds to the Police Department; and

WHEREAS, the funds in the amount of TEN THOUSAND DOLLARS (**\$10,000.00**) would fund data collection by the Bureau of Investigative Services and the Drug Control Unit. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the MA Department of Public Health, FY22 National Violent Death Reporting System Grant award not to exceed the amount of TEN THOUSAND DOLLARS (**\$10,000.00**).

Docket #

**In City Council
Passed**

City Clerk

Acting Mayor

Approved

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



City of Boston
Mayor Kim Janey

October 18, 2021

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval an Order approving the receipt of a Preservation Restriction Agreement on the Vertullo Building, 74-84 Fairmount Avenue, Hyde Park, Boston, Massachusetts, 02136-2734.

I urge your Honorable Body to pass this Order as expeditiously as possible to preserve and protect this significant building in perpetuity and ensure that the historic character of the building, specifically its exterior features, retain their integrity.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kim Janey".

Kim Janey
Acting Mayor of Boston

CITY OF BOSTON
IN CITY COUNCIL

AN ORDER APPROVING A PRESERVATION RESTRICTION ON THE VERTULLO BUILDING LOCATED AT 74-84 FAIRMOUNT AVENUE, HYDE PARK, BOSTON, MASSACHUSETTS.

WHEREAS: Pursuant to M.G.L. ch. 184, § 32, the City of Boston (the “City”) is hereby empowered to approve preservation restrictions for historically significant structures located in the City; and

WHEREAS: The Vertullo Building, located at 74-84 Fairmount Avenue in Hyde Park, Boston, Massachusetts, 02136-2734 (the “Historically Significant Property”) is a structure that is historically significant with respect to its architecture, associations, and/or archaeology and is therefore appropriate for preservation; and

WHEREAS: The owner of the Historically Significant Property, Vertullo Building LLC, has conveyed a historic preservation restriction to the exterior features of the Historically Significant Property to Historic Boston, Inc., a charitable corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, by agreement through a permanent restriction (“the Preservation Restriction”); and

WHEREAS: The Boston Landmarks Commission, as the preservation planning agency of the City of Boston, voted on September 28, 2021 to recommend approval of the Preservation Restriction.

NOW THEREFORE, be it ordained by the City of Boston as follows:

ORDERED: That pursuant to M.G.L. ch. 184, § 32, the Preservation Restriction on the Vertullo Building, 74-84 Fairmount Avenue, Hyde Park, Boston, Massachusetts, as set forth in the attached instrument be, and the same hereby is, approved.

**I HEREBY CERTIFY THAT
THE FOREGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.**

BY _____

**HENRY C. LUTHIN
CORPORATION COUNSEL**



Office of the City Clerk

MAUREEN FEENEY
City Clerk

October 5, 2021

To The City Council

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of September 15, 2021, viz.

- 0353** Communication was received from Eneida Tavares, Chair, of the Board of Election, for your approval a citizen petition entitled "Petition for Eversource Substation East Boston" Certain Affordable Housing in the Jamaica Plain Section of the City of Boston."

Approved by the Mayor September 17, 2021

- 0481** Ordinance Amending the City of Boston Code, Section 5-5.20, Paid Parental Leave for City of Boston Employees.

Approved by the Mayor September 17, 2021

- 0549** Order authorizing the City of Boston to accept and expend the amount of Two Million Fifty-One Thousand Nine Hundred Three Dollars (\$2,051,903.00) in the form of a grant for the Boston Cultural Fund, awarded by the Boston Redevelopment Authority to be administered by the Office of Arts and Culture. The grant will fund cultural spaces, organizations, programs, artists, and activities in the South End, with the goal of preserving and enhancing cultural activities.

Approved by the Mayor September 17, 2021

- 0773** Ordinance creating a Commission on Black Men and Boys.

Approved by the Mayor September 17, 2021

0959 Message and order authorizing the City of Boston to accept and expend the amount of Forty Four Thousand Six Hundred Forty Seven Dollars (\$44,647.00) in the form of a grant, for the FY20 CARES Act Supplemental Operating Funds, awarded by the United States Department of Housing & Urban Development, passed through the Boston Housing Authority, to be administered by the Office of Food Access. The grant will fund food box preparation and delivery services to eight BHA housing sites.

Approved by the Mayor September 17, 2021

0960 Message and order authorizing the City of Boston to accept and expend the amount of Thirty Two Thousand Five Hundred Dollars (\$32,500.00) in the form of a grant for a Policy Fellowship, awarded by the University of Massachusetts to be administered by the Office of Equity. The grant will fund a research fellow who will assist in tracking a diverse portfolio of policy issues, and benchmarking policy trends nationally.

Approved by the Mayor September 17, 2021

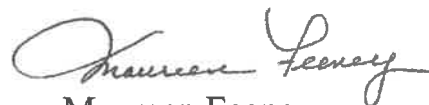
0961 Message and order authorizing the City of Boston to accept and expend the amount of One Thousand Dollars (\$1,000.00) in the form of a grant, for the Youth Poet Laureate Program, awarded by Donor Groups to be administered by the Arts & Culture. The grant will fund and support the publication of the next Youth Poet Laureate Book.

Approved by the Mayor September 17, 2021

0992 An Ordinance increasing Voter Participation through Prepaid Return Envelopes for Mail-In Voting.

Approved by the Mayor September 17, 2021

Respectfully,



Maureen Feeney
City Clerk



Office of the City Clerk

MAUREEN FEENEY
City Clerk

October 5, 2021

To The City Council

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of September 22, 2021, viz.

- 0775** Ordinance Amending City of Boston Code, Ordinances, Chapter VII, Sections 7-2.1 and 7-2.2, Building Energy Reporting and Disclosure (BERDO).
Approved by the Mayor October 5, 2021
- 0859** Petition for a Special Law re: An act directing the City of Boston Police Department to waive the maximum age requirement for police officers for Daniel Flores.
Approved by the Mayor September 27, 2021
- 0953** Message and order authorizing the City of Boston to accept and expend the amount of Twenty Five Million Dollars (\$25,000,000.00) in the form of a grant for the Commonwealth Builder Program, awarded by the Massachusetts Housing Partnership to be administered by the Department of Neighborhood Development. The grant will fund the creation of workforce homeownership housing units and the long-term availability of those units to eligible moderate-income households.
Approved by the Mayor September 27, 2021
- 0955** On the message and order authorizing the City of Boston to accept and expend the amount of Four Million Dollars (\$4,000,000.00) in the form of a grant for the Allston-Brighton Homeowner Fund, awarded by the Boston Redevelopment Authority to be administered by the Department of Neighborhood Development. The grant will fund programming to foster affordable homeownership and homeowner stability in Allston Brighton.
Approved by the Mayor September 27, 2021

1000 Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Forty One Thousand Eight Hundred Sixty Five Dollars (\$141,865.00) in the form of a grant for the Federal FY21 Title III: Expanding access to COVID-19 Vaccines via Aging Networks, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund direct services to combat vaccine hesitancy, support vaccine equity efforts, and provide transportation stipends, vouchers and or other related services.

Approved by the Mayor September 27, 2021


1002 Message and order authorizing the City of Boston to accept and expend the amount of Eighty Four Thousand Nine Hundred Eighteen Dollars (\$84,918.00) in the form of a grant for the FY21 Port Security, awarded by the United States Department of Homeland Security to be administered by the Police Department. The grant will fund BPD Harbor Patrol Unit vessels and equipment.

Approved by the Mayor September 27, 2021

1003 Message and order authorizing the City of Boston to accept and expend the amount of Fifteen Thousand Seven Hundred Sixty Three Dollars (\$15,763.00) in the form of a grant, for the Federal FY21 Title III: Expanding Access to COVID-19 Vaccines via Aging Networks, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to the administered by the Age Strong Commission. The grant will fund staff time to implement expanded vaccine access services to older adults.

Approved by the Mayor September 27, 2021

Respectfully,


Maureen Feeney
City Clerk



Office of the City Clerk

MAUREEN FEENEY
City Clerk

October 5, 2021

To The City Council

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of September 29, 2021, viz.

0998 Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Forty Five Thousand Six Hundred Seventy Eight Dollars (\$345,678.00) in the form of a grant, for the FY22 Fair Housing Assistance Program, awarded by the United States Department of Housing & Urban Development to be administered by the Department of Fair Housing and Equity. The grant will fund processing and training cost related to housing discrimination complaints received by the Boston Fair Housing & Equity Commission.

Approved by the Mayor October 4, 2021

1015 Message and order authorizing the City of Boston to accept equipment valued at Forty-Six Thousand Seven Hundred Twenty Five Dollars (\$46,725.00) from the Thermo Environmental Instruments, LLC for the purpose of detecting COVID-19 in the air.

Approved by the Mayor October 4, 2021

Respectfully,

Maureen Feeney
City Clerk



Office of the City Clerk

MAUREEN FEENEY
City Clerk

October 14, 2021

To The City Council

Councilors:

In accordance with Chapter 6 of the Ordinances of 1979, I hereby notify you of the following actions taken by the Mayor with regard to the papers acted upon by the City Council at its meeting of October 6, 2021, viz.

- 0957** Message and order authorizing the City of Boston to accept and expend the amount of Two Hundred Fifty-Four Thousand One Hundred Ninety-Four Dollars (\$254,194.00) in the form of a grant, for the Challenge Grant, awarded by the William T. Grant Foundation, passed through Northeastern University, to be administered by the Department of Youth and Employment. The grant will fund research by Northeastern University Dukakis Center for Urban and Regional Policy that inform the design of a more inclusive workforce development system for the youth in Boston.

Approved by the Mayor October 13, 2021

- 1037** Message and order authorizing the City of Boston to accept and expend the amount of Forty Nine Thousand One Hundred Ninety Two Dollars (\$49,192.00) in the form of a grant, for the FY22 Municipal Road Safety, awarded by the United States Department of Transportation, passed through the MA Executive Office of Public Safety & Security, to be administered by the Police Department. The grant will fund high-visibility traffic enforcement of motor vehicle laws, including but not limited to, speeding and aggressive driving, distracted driving, impaired driving and occupant protection.

Approved by the Mayor October 13, 2021

Respectfully,

Maureen Feeney
City Clerk



CITY OF BOSTON, MASSACHUSETTS

OFFICE OF THE MAYOR
KIM JANEY

September 30, 2021

Maureen Feeney, City Clerk
Office of the City Clerk
Boston City Hall, Room 601

Dear Ms. Feeney,

Pursuant to the authority vested in me by City of Boston Code, Ordinances, Chapter 5-5.13, I hereby temporarily assign Tammy Pust, Special Advisor of 49 Fairview Street Apt. #1, Roslindale, MA 02131, to the position of Interim Director of Labor Relations effective October 4, 2021.

Sincerely,

Kim Janey, Acting Mayor



City of Boston, Massachusetts
Office of the Mayor
KIM JANEY

October 7, 2021

The Honorable Maureen Feeney
Office of the City Clerk
1 City Hall Plaza, Room 601
Boston, MA 02201

Dear Madam Clerk,

Pursuant to the City of Boston Municipal Code, Chapter 7-1, I hereby appoint the following Member to the Conservation Commission.

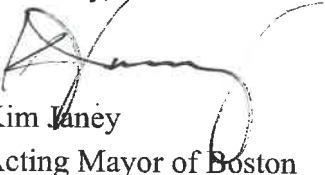
Kannan Thiruvengadam, 213 Webster Street, Apt #2, Boston, MA 02128

This Member was nominated by the following nominating organizations: The Charles River Watershed Association, The Sierra Club, The Neponset River Watershed Association, Mass Audubon (Boston Nature Center), and the Trustees of Reservations.

This member shall serve a term conterminous with my tenure as Acting Mayor.

Thank you for your attention to this matter.

Sincerely,



Kim Janey
Acting Mayor of Boston



City of Boston, Massachusetts
Office of the Mayor
KIM JANEY

October 8, 2021

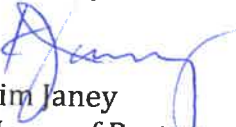
The Honorable Maureen Feeney
Office of the City Clerk
1 City Hall Square, Room 601
Boston, MA 02201

Dear Clerk Feeney,

Please note that I will be out of town from 1:00 p.m. Saturday, October 9th until 4:00 p.m. Sunday, October 10th.

Please let me know if you have any questions.

Sincerely,


Kim Janey
Mayor of Boston

Offered by Councilors Kenzie Bok and Matt O'Malley, Arroyo, Edwards, Flaherty, Breadon, Bok, Flynn, Mejia, Essaibi-George and Campbell



CITY OF BOSTON IN CITY COUNCIL

AN ORDER REGARDING A TEXT AMENDMENT TO THE BOSTON ZONING CODE WITH RESPECT TO PARKING MINIMUMS FOR AFFORDABLE HOUSING

WHEREAS: The City of Boston confronts an affordable housing crisis, with 49.6% of Boston area renters “rent-burdened” by devoting more than 30% of their income to housing costs, more than 50,000 families on the waiting list for a Boston Housing Authority public housing unit, and far too many homeless families in shelter; *and*

WHEREAS: A number of recent efforts have either prevented the construction of affordable housing or added considerable delay and expense to efforts to build affordable housing in the City of Boston by objecting to the issuance of a variance to the off-street parking minimums required by the Boston Zoning Code; *and*

WHEREAS: These objections are being raised both at the Zoning Board of Appeals and in courts of law, most recently in regard to proposed projects at 3377 Washington St., 3371 Washington St., and 37 Wales St.; *and*

WHEREAS: Such efforts are too often a cynical ploy to extract concessions for private interests or to frustrate a critical public need for more affordable housing for the sake of those private interests, at the expense of the most vulnerable members of our society; *and*

WHEREAS: The State’s recently-passed Housing Choice law includes a provision which will go some way towards reducing certain frivolous lawsuits against housing developments by requiring filers to post a significant bond, but the opportunity for such lawsuits could be most effectively reduced by altering the provisions of the Boston Zoning Code most often being used as their pretext; *and*

WHEREAS: The “Perfect Fit Parking Initiative: Phase II Report” published by the Metropolitan Area Planning Council in July 2019 found that the parking built as part of multifamily housing development across Boston and the region is going largely underutilized; *and*

WHEREAS: Every parking space built or acquired for an entirely affordable housing development diminishes the funds available for additional affordable housing units; *and*

WHEREAS: Affordable housing built in the City of Boston is typically accessible by mass transit, whether by bus, subway, or light rail, and transit-oriented development without parking is critical to meeting Boston’s climate goals; *and*

WHEREAS: Our first duty is to build a city for people, not for the storage of vehicles; *NOW THEREFORE BE IT*

ORDERED: That the Boston City Council, by and through Councilors Kenzie Bok and Matt O’Malley, submits a petition to amend the text of the Boston Zoning Code.

Filed on: May 19, 2021

Text Amendment Application No. ____
Boston City Council

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

Boston City Council through and by Boston City Councilors Kenzie Bok and Matt O’Malley petition to amend the text of the Boston Zoning Code as follows:

1. In ARTICLE 23, OFF-STREET PARKING **Section 23-1, Residential Uses**, delete existing footnote † and insert the following footnote †:

† or, in the case of residential housing entirely for persons of low-income, no off-street parking shall be required. Residential housing entirely for persons of low-income shall be considered to describe those projects where all proposed residential units are income-restricted at or below the maximum income level permitted for affordable units under the requirements of the City of Boston’s Inclusionary Development Policy.

2. In the following Articles:

- Article 38** (Midtown Cultural District)
- Article 39** (North Station Economic Development Area)
- Article 40** (South Station Economic Development Area)
- Article 41** (Huntington Avenue/Prudential Center District)
- Article 43** (Chinatown District)
- Article 44** (Leather District)
- Article 45** (Government Center/Markets District)
- Article 46** (Bulfinch Triangle District)
- Article 47A** (Cambridge Street-North District)
- Article 48** (Stuart Street District)
- Article 49** (Central Artery Special District)
- Article 49A** (Greenway Overlay District)

Article 50 (Roxbury Neighborhood District)
Article 51 (Allston-Brighton Neighborhood District)
Article 52 (Dorchester Avenue Neighborhood District)
Article 53 (East Boston Neighborhood District)
Article 54 (North End Neighborhood District)
Article 55 (Jamaica Plain Neighborhood District)
Article 56 (West Roxbury Neighborhood District)
Article 57 (Saint Vincent Neighborhood District)
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Article 66 (Fenway Neighborhood District)
Article 67 (Roslindale Neighborhood District)
Article 68 (South Boston Neighborhood District)
Article 69 (Hyde Park Neighborhood District)
Article 70 (Beth Israel Hospital Institutional District)
Article 71 (Massachusetts College of Pharmacy Institutional District)
Article 72 (New England Deaconess Hospital Institutional District)
Article 73 (Dana-Farber Cancer Institute Institutional District)
Article 87A (Olmsted Green Smart Growth Overlay District)
Article 90 (New Market Industrial-Commercial Neighborhood District)

Wheresoever a section, table, or appendix shall set forth a minimum number of parking spaces to be required for a Residential Use, at the end of the “Footnotes” section shall be inserted:

* or, in the case of residential housing entirely for persons of low-income, no off-street parking shall be required. Residential housing entirely for persons of low-income shall be considered to describe those projects where all proposed residential units are income-restricted at or below the maximum income level permitted for affordable units under the requirements of the City of Boston’s Inclusionary Development Policy.



BOSTON CITY COUNCIL

Committee on Government Operations
Lydia Edwards, Chair

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

REPORT OF COMMITTEE CHAIR

October 20, 2021

Dear Councilors:

Docket #0685, an order regarding a text amendment to the Boston Zoning Code with respect to parking minimums for affordable housing, was sponsored by Councilor Kenzie Bok, and referred to the Committee on May 19, 2021. The Committee held a hearing on October 5, 2021 and heard comments from the public. The Committee held a working session on June 22, 2021.

Summary of Legislation:

Docket #0685 is a proposed text amendment to the Boston Zoning Code which would eliminate parking minimums for residential housing that is entirely for persons of low income. This order seeks to amend the current process which requires parking minimums and leaves the City open to litigation. This proposal will prevent the use of parking minimum requirements to prevent affordable housing.

Information Gathered at the June 22 Working Session:

The Committee discussed that the order would only apply to residential units that are 100% affordable. The Committee discussed parking needs, affordable housing in the City, and the impact and extent of this proposal. The Committee recognized that a housing crisis exists in the City of Boston. The Committee discussed that parking minimums have been used in a negative way and that this order will prevent using the parking minimum requirement to prevent affordable housing. The Committee also discussed that the current process leaves the City open to litigation because of minimum parking requirements. The Committee recognized that the City needs more affordable housing and that having parking minimum requirements should not be used as a means to prevent affordable housing.

The following individuals participated on behalf of the Administration Bryan Glascock, Deputy Director, Regulatory Planning and Zoning, Boston Planning and Development Agency; and Jessica Boatright, Department of Neighborhood Development (“DND”). Mr. Glascock summarized transportation issues and Ms. Boatright discussed the City’s affordable units including the current affordable housing projects.

Information Gathered at the October 5 Hearing:

The following individuals testified on behalf of the Administration:

- Tim Davis, Deputy Director, Policy Development and Research, DND;
- Jessica Boatright, Deputy Director, Neighborhood Housing Development;
- Bryan Glascock, Deputy Director for Regulatory Planning and Zoning, Boston Planning and Development Agency;
- Vineet Gupta, Director of Planning, Boston Transportation Department; and,
- Alaa Mukahhal, Planner, New Mobility Team.

The Committee discussed ways to facilitate affordable housing in Boston. The Committee discussed that currently in the Zoning Code there is a legal requirement for parking minimums and this legal requirement is being used to prevent affordable housing.

The Committee discussed suggested language changes from DND that would define affordable projects and how projects get reviewed for parking needs. The language changes proposed by DND would eliminate the need for off-street parking in the case of affordable residential housing projects where at least 60% of the residential units are income restricted at or below 100% of the Area Median Income. The Committee also discussed changes to include Article 42A, Article 42B, and Article 42E.

The Administration and the Committee discussed that parking requirements cost developers more and that cost is passed on to tenants. The Administration and the Committee were supportive of building more affordable and supportive housing and not being prohibited by parking minimums to prevent affordable housing from being built.

The Committee discussed that this change will only apply to a small amount of projects. The Committee also discussed that the need for parking is often a central issue with some projects and that there will still be a process for community feedback to assess that need. Comments from the public reflected support for the text amendment and the changes.

Summary of Amendments

Based on information gathered at the working session and the hearing, the docket has been amended from its initial filing to define affordable housing projects and to add articles to the list.

Under Section 1, Article 23, Off-Street Parking Section 23-1, Residential Uses, is amended by eliminating the need for off-street parking in the case of affordable residential housing projects where at least 60% of the residential units are income restricted at or below 100% of the Area Median Income. The new language appears as follows: † or, in the case of affordable residential housing, no off-street parking shall be required. Affordable residential housing shall be considered to describe those projects where at least 60% of the proposed residential units are income-restricted at or below 100% of Area Median Income (AMI), as defined by the U.S. Department of Housing and Urban Development.

In Section 2, the following articles are added: **Article 42A** (Harborpark District, North End/Downtown Waterfront and, Dorchester Bay/Neponset River Waterfront); **Article 42B** (Harborpark District - Charlestown Waterfront); **Article 42E** (Harborpark District - Fort Point Waterfront).

The last paragraph of the order is amended as follows: * or, in the case of affordable residential housing, no off-street parking shall be required. Affordable residential housing shall be considered to describe those projects where at least 60% of the proposed residential units are income-restricted at or below 100% of Area Median Income (AMI), as defined by the U.S. Department of Housing and Urban Development.

Rationale and Recommended Action:

Docket #0685 will make it easier to get more affordable units in the City and not open affordable development to litigation. Affordable, senior, and supportive housing developments are often delayed, stalled, or reduced in size due to lawsuits on the basis of parking. The text amendment in its amended draft will eliminate parking minimums for residential developments where at least 60% of the units are income restricted at 100% Area Median Income or below. The change to 60% was made based on feedback from housing experts in the City of Boston. The change was made because senior or supportive housing projects contain one or two manager or support staff units so they are not 100% affordable. This text amendment will only apply to a small number of projects and does not prevent the appropriate amount of parking from being provided. This text amendment will remove the option to use parking minimums to stall affordable developments.

By the Chair of the Committee on Government Operations, to which the following was referred:

Docket #0685, an order regarding a text amendment to the Boston Zoning Code with respect to parking minimums for affordable housing,

submits a report recommending that this order **ought to pass in a new draft.**

For the Chair:



Lydia Edwards, Chair
Committee on Government Operations



CITY OF BOSTON IN CITY COUNCIL

AN ORDER REGARDING A TEXT AMENDMENT TO THE BOSTON ZONING CODE WITH RESPECT TO PARKING MINIMUMS FOR AFFORDABLE HOUSING

WHEREAS: The City of Boston confronts an affordable housing crisis, with 49.6% of Boston area renters “rent-burdened” by devoting more than 30% of their income to housing costs, more than 50,000 families on the waiting list for a Boston Housing Authority public housing unit, and far too many homeless families in shelter; *and*

WHEREAS: A number of recent efforts have either prevented the construction of affordable housing or added considerable delay and expense to efforts to build affordable housing in the City of Boston by objecting to the issuance of a variance to the off-street parking minimums required by the Boston Zoning Code; *and*

WHEREAS: These objections are being raised both at the Zoning Board of Appeals and in courts of law, most recently in regard to proposed projects at 3377 Washington St., 3371 Washington St., and 37 Wales St.; *and*

WHEREAS: Such efforts are too often a cynical ploy to extract concessions for private interests or to frustrate a critical public need for more affordable housing for the sake of those private interests, at the expense of the most vulnerable members of our society; *and*

WHEREAS: The State’s recently-passed Housing Choice law includes a provision which will go some way towards reducing certain frivolous lawsuits against housing developments by requiring filers to post a significant bond, but the opportunity for such lawsuits could be most effectively reduced by altering the provisions of the Boston Zoning Code most often being used as their pretext; *and*

WHEREAS: The “Perfect Fit Parking Initiative: Phase II Report” published by the Metropolitan Area Planning Council in July 2019 found that the parking built as part of multifamily housing development across Boston and the region is going largely underutilized; *and*

WHEREAS: Every parking space built or acquired for an entirely affordable housing development diminishes the funds available for additional affordable housing units; *and*

WHEREAS: Affordable housing built in the City of Boston is typically accessible by mass transit, whether by bus, subway, or light rail, and transit-oriented development without parking is critical to meeting Boston’s climate goals; *and*

WHEREAS: Our first duty is to build a city for people, not for the storage of vehicles; *NOW THEREFORE BE IT*

ORDERED: That the Boston City Council, by and through Councilors Kenzie Bok and Matt O’Malley, submits a petition to amend the text of the Boston Zoning Code.

Filed on: October 20, 2021

Text Amendment Application No. _____
Boston City Council

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

Boston City Council through and by Boston City Councilors Kenzie Bok and Matt O’Malley petition to amend the text of the Boston Zoning Code as follows:

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2. In the following Articles:

Article 38 (Midtown Cultural District)

Article 39 (North Station Economic Development Area)

Article 40 (South Station Economic Development Area)

Article 41 (Huntington Avenue/Prudential Center District)

Article 42A (Harborpark District, North End/Downtown Waterfront and, Dorchester Bay/Neponset River Waterfront)

Article 42B (Harborpark District - Charlestown Waterfront)

Article 42E (Harborpark District - Fort Point Waterfront)

Article 43 (Chinatown District)

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Article 87A (Olmsted Green Smart Growth Overlay District)
Article 90 (New Market Industrial-Commercial Neighborhood District)

Wheresoever a section, table, or appendix shall set forth a minimum number of parking spaces to be required for a Residential Use, at the end of the “Footnotes” section shall be inserted:

* or, in the case of affordable residential housing, no off-street parking shall be required. Affordable residential housing shall be considered to describe those projects where at least 60% of the proposed residential units are income-restricted at or below 100% of Area Median Income (AMI), as defined by the U.S. Department of Housing and Urban Development.



**City Of Boston • Massachusetts
Office of the Acting Mayor
Kim Janey**

09-10-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of ONE HUNDRED THOUSAND DOLLARS (**\$100,000.00**) in the form of a grant, No Kid Hungry, awarded by Share Our Strength to be administered by the Office of Food Access.

The grant would fund school-based food programs (BosFoodLove) and the Community Hub Schools initiative.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND No Kid Hungry FUNDS, AWARDED BY Share Our Strength.

WHEREAS, the Share Our Strength, is being petitioned for the issuance of funds to the Office of Food Access; and

WHEREAS, the funds in the amount of ONE HUNDRED THOUSAND DOLLARS (**\$100,000.00**) would fund school-based food programs (BosFoodLove) and the Community Hub Schools initiative. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the Share Our Strength, No Kid Hungry award not to exceed the amount of ONE HUNDRED THOUSAND DOLLARS (**\$100,000.00**).

Docket # _____

In City Council Passed _____

City Clerk

Acting Mayor

Approved _____

I hereby certify that the foregoing, if passed in the above form, will be in accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



BOSTON CITY COUNCIL

Committee on Strong Women, Families, and Communities

Liz Breadon, *Chair*

REPORT OF COMMITTEE CHAIR

October 19, 2021

Dear Councilors:

The Committee on Strong Women, Families, and Communities was referred the following dockets for consideration:

Docket #0958, Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Thousand Dollars (\$100,000.00) in the form of a grant for the No Kid Hungry, awarded by Share Our Strength to be administered by the Office of Food Access. The grant will fund school-based food programs (BosFoodLove) and the Community Hub Schools Initiative.

Docket #1014, Message and order authorizing the City of Boston to accept and expend the amount of Five Hundred Thousand Dollars (\$500,000.00) in the form of a grant for the FY21 Gus Schumacher Nutrition Incentive Program, awarded by the Nation Institute of Food and Agriculture-USDA, to be administered by the Office of Food Access.

These matters were sponsored by the Administration, and were referred to the Committee on September 15, 2021 (#0958) and September 29, 2021 (#1014).

Summary

Docket #0958 requests approval to authorize the City of Boston to accept and expend the amount of One Hundred Thousand Dollars (\$100,000.00) in the form of a grant for the No Kid Hungry, awarded by Share Our Strength to be administered by the Office of Food Access. The grant will fund school-based food programs (BosFoodLove) and the Community Hub Schools Initiative.

Docket #1014 requests approval to authorize the City of Boston to accept and expend the amount of Five Hundred Thousand Dollars (\$500,000.00) in the form of a grant for the FY21 Gus Schumacher Nutrition Incentive Program, awarded by the Nation Institute of Food and Agriculture-USDA, to be administered by the Office of Food Access. The grant would fund projects to increase the purchase of fresh fruits and vegetables by low-income SNAP consumers

Information Received at Hearing

The Committee held a hearing on Dockets #0958 and #1014 on Friday, October 1, 2021. Catalina Lopez-Ospina, Director, Office of Food Access (OFA) provided testimony on behalf of the Administration.

Director Lopez-Ospina discussed Docket #1014 and stated that OFA was awarded a grant from the FY21 Gus Schumacher Nutrition Incentive Program through the National Institute of Food and the United States Department of Agriculture in the amount of \$500,000 to be administered over the next three years. She stated that this grant will be used to fund an expansion of the Boston Double Up Bucks program, a SNAP incentive program where individuals can get 50 percent off fresh fruits and vegetables with their EBT card at participating grocery stores and corner stores. Specifically, this new funding will allow for additional store locations to participate in the Boston Double Up Bucks program. Currently there are 12 stores participating in this program in neighborhoods across the city with the anticipation of an additional 4 to 6 more stores with this new funding.

Director Lopez-Ospina discussed Docket #0958 and stated that OFA was awarded \$100,000 in the form of a grant from No Kid Hungry through Share Our Strength. This grant will be used to increase funding for the BosFoodLove program which aims to increase the participation of breakfast and lunch opportunities at Boston Public Schools and Charter school students and families. Specifically, this funding will assist in providing culturally appropriate for in school settings and to extend the full-time manager position of the BosFoodLove program to improve engagement with youth and community members and organizations.

Committee Chair Recommended Action

As Chair of the Committee on Strong Women, Families, and Communities, I recommend moving the listed docket from the Committee to the full Council for discussion and formal action. At that time, my recommendation to the full Council will be that this matter **OUGHT TO PASS**.



Liz Breadon, Chair
Committee on Strong Women, Families,
and Communities

OFFERED BY COUNCILORS RICARDO ARROYO, KIM JANEY AND MICHELLE WU, Mejia, Breadon, Flynn, Bok, Edwards, Essaibi-George, Campbell, O'Malley and Flaherty



**CITY OF BOSTON
IN CITY COUNCIL**

**ORDINANCE ON SURVEILLANCE OVERSIGHT AND
INFORMATION SHARING**

- WHEREAS,* Governments around the world are responding to the COVID-19 pandemic with an unprecedented use of surveillance tools, despite public health and privacy experts agreeing that public trust is essential to an effective response to the pandemic; *and*
- WHEREAS,* Surveillance technology and electronic data gathering can be useful tools for advancing effective delivery and analysis of constituent services, public safety and security; *and*
- WHEREAS,* Usage of surveillance technology must include safeguards with accountability to the public in order to protect privacy rights and civil liberties; *and*
- WHEREAS,* Boston Public Schools should be welcoming and safe environments for all students regardless of immigration status or race. Due to COVID-19, Boston Public Schools has transitioned entirely to online learning where it is expected that even after returning to in-person learning, technology will be a larger part of education; *and*
- WHEREAS,* As people in Boston and across the state are sheltering in place, we are growing more dependent on technology to connect us to each other and to our government; *and*
- WHEREAS,* Cities around the country such as Cambridge, Somerville, Santa Clara, and Providence have created ordinances governing the acquisition and use of surveillance technology and electronic data in order to protect the civil liberties of their citizens while allowing for appropriate use to assist in the charge of improving delivery of services and public safety; *and*
- WHEREAS,* As more municipalities move toward electronic data collection used to manage assets and resources efficiently and new technologies are becoming available, the public would benefit from proactive discussion of current practices and future acquisitions; *NOW*

Therefore be it ordained by the City Council of Boston as follows:

That the City of Boston Code, Ordinances, be amended in Chapter XVI by adding the following after 16-62:

16-63: ORDINANCE ON SURVEILLANCE OVERSIGHT AND INFORMATION SHARING

16-63.1 Purpose: The purpose of this ordinance is to provide accountability, transparency, and oversight regarding the acquisition and use of Surveillance Technology and Surveillance Data by the City of Boston and its agencies and officers, and to protect privacy, civil rights, and racial and immigrant justice.

16-63.2 Definitions:

The following definitions apply to this Ordinance:

Annual Surveillance Report means a written report submitted by the Mayor's office on an annual basis concerning specific Surveillance Technology used by any City department during the previous year and containing the information set forth in this ordinance.

Exigent Circumstances means the police commissioner or the police commissioner's designee's good faith and reasonable belief that an emergency involving danger of death, physical injury, or significant property damage or loss, similar to those that would render it impracticable to obtain a warrant, requires the use of the Surveillance Technology or the Surveillance Data it provides. The use of Surveillance Technology in Exigent Circumstances shall not infringe upon an individual's right to peacefully protest or exercise other lawful and protected constitutional rights.

Identifiable Individual means an individual whose identity can be revealed by data, including Surveillance Data, or revealed by data when it is analyzed and/or combined with any other type of record.

Surveillance means the act of observing or analyzing the movements, behavior, or actions of Identifiable Individuals.

Surveillance Data means any electronic data collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology acquired by the City or operated at the direction of the City.

Surveillance Technology means any device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, associational, or similar information specifically associated with, or capable of being associated with, any identifiable individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.

- a) Examples of Surveillance Technology include, but are not limited to:
1. International mobile subscriber identity (IMSI) catchers and other cell-site simulators;
 2. Automatic license plate readers;
 3. Electronic toll readers;
 4. Closed-circuit television cameras except as otherwise provided herein;
 5. Biometric Surveillance Technology, including facial, voice, iris, and gait-recognition software and databases;
 6. Mobile DNA capture technology;
 7. Gunshot detection and location hardware and services;
 8. X-ray vans;
 9. Video and audio monitoring and/or recording technology, such as surveillance cameras;
 10. Surveillance enabled or capable light bulbs or light fixtures;
 11. Tools, including software and hardware, used to gain unauthorized access to a computer, computer service, or computer network;
 12. Social media monitoring software;
 13. Through-the-wall radar or similar imaging technology;
 14. Passive scanners of radio networks;
 15. Long-range Bluetooth and other wireless-scanning devices;
 16. Thermal imaging or “forward-looking infrared” devices or cameras;
 17. Electronic database systems containing Surveillance Data about Identifiable Individuals;
 18. Radio-frequency identification (RFID) scanners; and

19. Software designed to integrate or analyze data from Surveillance Technology, including surveillance target tracking and predictive policing software.

Surveillance Technology Impact Report means a written report submitted by the Mayor's office with a request for approval of acquisition or use of Surveillance Technology, and which includes, at a minimum, the requirements set forth in this ordinance.

Surveillance Use Policy means a policy for the City's use of Surveillance Technology, approved by the Corporation Counsel and the Mayor's office, and submitted by the Mayor's office to and approved by the City Council. The Surveillance Use Policy shall at a minimum satisfy the requirements set forth in this ordinance.

Technology-Specific Surveillance Use Policy means a policy governing the City's use of a specific Surveillance Technology not already covered under the City's Surveillance Use Policy, approved by the Corporation Counsel and the Mayor, and submitted by the Mayor to the City Council with a Surveillance Technology Impact Report under this ordinance.

BPS means the Boston Public Schools.

BPS personnel means any employee or agent of the Boston Public Schools, excluding School Police officers.

School Police officers means any officials or employees that belong to the Boston Public Schools Department of Safety Services or any other security and enforcement personnel, and that may or may not be licensed by the Boston Police Department as special police officers.

BPD means the City of Boston Police Department.

Student Report means a written record that is not an educational record protected under FERPA and that is created by School Police officers or by BPS personnel and that pertains to a student. Student Reports include but are not limited to School Safety Reports, BPD Form 1.1 Incident Reports, Field Interrogation and Observation Reports, Intelligence Reports, and Face Sheets. Student Reports also include informal emails, texts, and other electronic messages that describe or contain details pertaining to student activity.

Historic Student Reports mean Student Reports that they have created or produced prior to the Effective Date of this ordinance.

Serious bodily harm means bodily injury that results in permanent disfigurement, loss or impairment of a bodily function, limb or organ, or substantial risk of death.

16-63.3 Community Control Over Surveillance

a) Exceptions and Exemptions

The following situations are exceptions and exemptions from this ordinance.

1. The following do not constitute Surveillance Data and the requirements of this ordinance do not apply to them:
 - A) Surveillance Data acquired where the individual knowingly and voluntarily consented to provide the information, such as submitting personal information for the receipt of City services; and
 - B) Surveillance Data acquired where the individual was presented with a clear and conspicuous opportunity to opt-out of providing the information.
2. Surveillance Technology does not include the following devices, software, or hardware, which are exempt from the requirements of this ordinance, unless the devices, hardware, or software are modified to include additional surveillance capabilities:
 - A) Routine office hardware, such as televisions, computers, and printers, that are in widespread public use and will not be used for any surveillance or surveillance-related functions;
 - B) Parking ticket devices (PTDs) and related databases;

- C) Manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously and whose functionality is used for manually capturing and manually downloading video and/or audio recordings;
- D) Cameras installed in or on a police vehicle;
- E) Cameras installed pursuant to state law authorization in or on any vehicle or along a public right-of-way solely to record traffic violations or traffic patterns, provided that the Surveillance Data gathered is used only for that purpose;
- F) Surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles;
- G) City databases that do not and will not contain any Surveillance Data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology;
- H) Manually-operated technological devices that are used primarily for internal City communications and are not designed to surreptitiously collect Surveillance Data, such as radios and email systems;
- I) Parking access and revenue control systems, including proximity card readers and transponder readers at City-owned or controlled parking garages;
- J) Card readers and key fobs used by City employees and other authorized persons for access to City-owned or controlled buildings and property;
- K) Cameras installed on City property solely for security purposes, including closed-circuit television cameras installed by the City to monitor entryways and outdoor areas of City-owned or controlled buildings and property for the purpose of controlling access, maintaining the safety of City employees and visitors to City buildings, and protecting City property;
- L) Security cameras including closed-circuit television cameras installed by the City to monitor cashiers' windows and other cash-handling operations and to maintain the safety of City employees and visitors to such areas;
- M) Cameras installed solely to protect the physical integrity of City infrastructure; or
- N) Technology that monitors only City employees in response to complaints of wrongdoing or in order to prevent waste, fraud, or abuse of City resources.

3. Notwithstanding the provisions of this ordinance, BPD may temporarily acquire or temporarily use Surveillance Technology in Exigent Circumstances for a period not to exceed 30 days without following the provisions of this chapter before that acquisition or use. However, if BPD acquires or uses Surveillance Technology in Exigent Circumstances under this section, the BPD Commissioner must:
 - A) Report that acquisition or use to the City Council in writing within 30 days following the end of those Exigent Circumstances;
 - B) Submit a Surveillance Technology Impact Report, and, if necessary, a technology-specific Surveillance Use Policy to the City Council regarding that Surveillance Technology within 30 days following the end of those Exigent Circumstances; and
 - C) Include that Surveillance Technology in BPD's next Annual Surveillance Report to the City Council following the end of those Exigent Circumstances.
 - D) If the Commissioner of Police is unable to meet the 30-day timeline to submit a Surveillance Technology Impact Report and, if necessary, a technology-specific Surveillance Use Policy to the City Council, the Commissioner of police must notify the City Council in writing requesting to extend this period. The City Council may grant extensions beyond the original 30-day timeline to submit a Surveillance Technology Impact Report, and, if necessary, a technology-specific Surveillance Use Policy.
 - E) Any Surveillance Technology Impact Report, and, if necessary, any Technology-Specific Surveillance Use Policy submitted to the City Council under this subsection shall be made publicly available on the City's website upon submission to the City Council.
 - F) Any Surveillance Technology Impact Report and, if necessary, technology-specific Surveillance Use Policy submitted to the City Council under this section may be redacted to the extent required to comply with an order by a court of competent jurisdiction, or to exclude information that, in the reasonable discretion of the Commissioner of police, if disclosed, would materially jeopardize an ongoing investigation or otherwise represent a significant risk to public safety and security provided, however, that any information redacted pursuant to this paragraph will be released in the next Annual Surveillance Report following the point at which the reason for such redaction no longer exists.

4. A City department head may apply a technical patch or upgrade that is necessary to mitigate threats to the City's environment. The department shall not use the new surveillance capabilities of the technology until the requirements of this ordinance are met, unless the Mayor, or his/her designee, determines that the use is unavoidable; in that case, the Mayor shall request City Council approval as soon as possible. The request shall include a report to the City Council of how the altered surveillance capabilities were used since the time of the upgrade.

b) Surveillance Use Policy

1. The Mayor shall submit to the City Council for its review and approval a proposed Surveillance Use Policy applicable to each City Department that possesses or uses Surveillance Technology before the effective date of this ordinance.
2. Any Surveillance Use Policy submitted under this section shall be made publicly available upon submission to the City Council.
3. A Surveillance Use Policy shall at a minimum specify the following:
 - A) Purpose: the specific purpose(s) for the Surveillance Technology;
 - B) Authorized use: the uses that are authorized, the rules and processes required before that use, and the uses that are prohibited;
 - C) Data collection: the Surveillance Data that can be collected by the Surveillance Technology;
 - D) Data access: the individuals who can access or use the collected Surveillance Data, and the rules and processes required before access or use of the information;
 - E) Data protection: the safeguards that protect information from unauthorized access, including, but not limited to, encryption, access-control, and access-oversight mechanisms;
 - F) Data retention: the time period, if any, for which information collected by the Surveillance Technology will be routinely retained, the reason that retention period is appropriate to further the purpose(s), the process by which the information is regularly deleted after that period has elapsed, and the conditions that must be met to retain information beyond that period;
 - G) Public access: if and how collected Surveillance Data can be accessed by members of the public, including criminal defendants;

- H) Information and data-sharing: if and how other City or non-City entities can access or use the Surveillance Data, how information is shared among City agencies or between City agencies and non-City entities and organizations, including any required justification and legal standard necessary to do so, and any obligation(s) imposed on the recipient of the Surveillance Data;
 - I) Training: the training, if any, required for any individual authorized to use the Surveillance Data or technology or to access information collected by the Surveillance Technology, including whether there are training materials;
 - J) Oversight: the mechanisms to ensure that the Surveillance Use Policy is followed, including, but not limited to, identifying personnel assigned to ensure compliance with the policy, internal record keeping of the use of the technology or access to information collected by the Surveillance Technology, audit requirements or procedures, technical measures to monitor for misuse, any independent person or entity with oversight authority, and the sanctions for violations of the policy;
 - K) Legal Authority: the statutes, regulations, or legal precedents, if any, that control the collection, capturing, recording, retaining, processing, interception, analysis, release, or disclosure of Surveillance Data and technology; and
 - L) Child Rights: special considerations specific to Surveillance Technology and Surveillance Data pertaining to minor children.
4. The City Council shall vote to approve or deny the Surveillance Use Policy by a vote of a simple majority.

c) Surveillance Technology Impact Report and Technology-Specific Surveillance Use Policy

1. The Mayor's office must seek and obtain approval from the City Council as set forth in this section prior to the City acquiring, using, or entering into an agreement to acquire, share or otherwise use, unapproved Surveillance Technology or Surveillance Data as defined in this ordinance.
 - A) The City may seek, but not accept, funds for Surveillance Technology without approval from the City Council, provided that the City shall notify the City Council of the funding application at the time it is submitted, and include in this notification the deadline of the funding opportunity and details regarding the nature of the Surveillance Technology for which funding is sought.

2. Acquisition of Surveillance Technology by City department. Unless exempted or excepted from the requirements of this ordinance, any City department intending to acquire new Surveillance Technology or Surveillance Data, including but not limited to procuring that Surveillance Technology without the exchange of monies or other consideration, or use Surveillance Technology or Surveillance Data for a purpose or in a manner not previously approved, shall, prior to acquisition or use, obtain council approval of the acquisition or use. The process for obtaining approval shall be as follows:
 - A) The City department shall submit a Surveillance Technology Impact Report, and, if necessary, a Technology-Specific Surveillance Use Policy, as described below, to the Mayor's office for review and approval.
 - B) If the request is approved by the Mayor's office, the Mayor's office shall submit the request, including copies of the City department's Surveillance Technology Impact Report and, if applicable, Technology-Specific Surveillance Use Policy, to the City Council for review.
 - C) The City Council shall have 90 days from the date of submission to approve or deny a request by majority vote for the acquisition or use of Surveillance Technology.
 - D) Contents of Surveillance Technology Impact Report. A Surveillance Technology Impact Report submitted shall include all of the following:
 - E) Information describing the Surveillance Technology and how it works;
 - F) Information on the proposed purpose(s) for the Surveillance Technology;
 - G) Information describing the kind of surveillance the Surveillance Technology will conduct and what Surveillance Data will be gathered, including a detailed accounting of which entities may have access to any Surveillance Data, under what circumstances (e.g. ongoing automated access, subject to an informal request, subject to subpoena, subject to a warrant, etc.);
 - H) The location(s) the Surveillance Technology may be deployed and when;
 - I) A description of the privacy and anonymity rights affected and a mitigation plan describing how the department's use of the equipment will be regulated to protect privacy and anonymity, and to limit the risk of abuse;
 - J) The potential impact(s) on privacy in the City; the potential impact on the civil rights and liberties of any individuals, communities or groups, including, but not limited to, communities of color or other marginalized communities in the City, and a description of a plan to address these impact(s);

- K) An estimate of the fiscal costs for the Surveillance Technology, including initial purchase, personnel and other ongoing costs, and any current or potential sources of funding; and
 - L) An explanation of how the Surveillance Use Policy will apply to this Surveillance Technology and, if it is not sufficiently applicable, a Technology-Specific Surveillance Use Policy.
3. A Technology-Specific Surveillance Use Policy shall be required if the purpose, authorized use, data collection, data access, data protection, data retention, public access, third-party data sharing, training, or oversight of the requested Surveillance Technology differ from the standards in the Surveillance Use Policy submitted under Sections 16-63.3b and 16-63.3c.
- A) A Technology-Specific Surveillance Use Policy shall not conflict with any provision of the City's Surveillance Use Policy.
 - B) To the extent a conflict arises between the provisions of the City's Surveillance Use Policy and a Technology-Specific Surveillance Use Policy, the City's Surveillance Use Policy shall govern. A Technology-Specific Surveillance Use Policy shall include all of the elements of the Surveillance Use Policy as outlined in Section 16-63.3b.
4. Any Surveillance Technology Impact Report, and, if necessary, Technology-Specific Surveillance Use Policy submitted to the City Council under Sections 16-63.3b and 16-63.3c shall be made publicly available on the City's website upon submission to the council.

16-63.4 Boston Public Schools And Boston Police Department Information-sharing Policy

- a) School Police officers shall not collect, store, or share information pertaining to students except by creating and sharing Student Reports in accordance with this Chapter.
 - 1. Student Reports shall only be created when:
 - A) Serious bodily harm to an individual has occurred as a result of willful conduct by a student;
 - B) A true and credible threat to the safety of the school arises that would amount to criminal conduct;
 - C) A student is in possession of firearms; or
 - D) A student unlawfully possesses or uses controlled substances, provided those substances are not marijuana, nicotine, or alcohol.
 - 2. School Police officers may not create a Student Report relating to matters that are not described above.
 - 3. Student Reports shall not contain information pertaining to:
 - A) Immigration status;

- B) Citizenship;
 - C) Address and/or neighborhood of residence;
 - D) Religion;
 - E) National origin;
 - F) Students' native or spoken language;
 - G) Suspected, alleged, or confirmed gang involvement, affiliation, association, or membership;
 - H) Participation in school activities, extracurricular activities outside of school, sports teams, or school clubs or organizations;
 - I) Degrees, Honors, or Awards; or
 - J) Post-high school plans.
4. Before creating the Student Report, the School Police officer must discuss the writing of the report with the Principal(s) or Head(s) of School of (i) the school(s) where the subject(s) of the report is/are enrolled and (ii) the school where the School Police officer writing the report is assigned to work. The required Principals or Heads of School must document in writing that the incident at hand merits a report under the criteria in Section 16-63.4a.
 5. Principals and Heads of School of (i) the school(s) where the subject(s) of the report is/are enrolled and (ii) the school where the School Police officer writing the report is assigned to work must receive copies of all Student Reports written under this section immediately upon writing.
 - A) Within 24 hours of the writing of a Student Report under this section, the relevant Principals and/or Heads of School must provide a copy of the report, with any necessary redactions to protect student privacy, to every student referenced by name in the Report, as well as to those students' families.
- b) Rules for Student Information Sharing
1. School Police officers and BPS personnel shall not transmit to or share with BPD or any other outside entities any information about students, including but not limited to Student Reports, through any official or unofficial channels, including but not limited to text, phone, email, database, and in-person communication, except if the transmission or sharing is done (i) pursuant to Section 16-63.4c or (ii) in Exigent Circumstances pursuant to Section 16-63.4d.
- c) Transmitting information to the BPD and other entities outside the Boston Public Schools
1. BPS personnel and School Police officers may not send information relating to Boston Public Schools students to the Boston Regional Intelligence Center (BRIC), federal immigration authorities, federal law enforcement agencies, or any law enforcement fusion center under any circumstances, except where required by state or federal law.

2. BPS personnel may not transmit to the BPD any student information, including but not limited to a Student Report, unless in response to a judicial warrant issued upon a finding of probable cause, as required under MGL c. 269, sec. 10(j) and MGL c. 71, sec. 37L, or as otherwise required by state or federal law. Nothing in this ordinance shall limit the ability of Boston Public Schools to release information as required by state or federal laws and regulations.
 3. Before BPS personnel or a School Police officer transmits a Student Report created pursuant to Section 16-63.4a or any other information relating to a student to BPD or to any other entity outside of the Boston Public Schools in accordance with Sections 16-63.4c1 and 16-63.4c2, the following must take place:
 - A) Any student named in a Student Report or other record, and their parent or guardian, must be notified in writing that the Student Report they received pursuant to Section 16-63.4a5A will be transmitted to BPD or to the outside agency and receive an explanation of why the information reflected in the report is prompting the communication. All written materials must be provided in both English and the language spoken by the relevant student's parent or guardian.
 - B) The Boston Public Schools must schedule a meeting with the student and the student's parent or guardian as soon as practicable, and an interpreter of the family's choosing must be present for any party that requires one. The interpreter cannot be the student or other individual who is participating in the meeting in another capacity. If the family does not have a preferred interpreter, BPS must provide a qualified translator.
 - C) The Principals and Heads of School mentioned in Section 16-63.4a5A, the Superintendent, and the Legal Advisor for the School Department must review the Student Report and the Legal Advisor for BPS must verify that at least one of the criteria in Section 16-63.4a1 is present. If the Legal Advisor finds that the incident did not meet the criteria in Section 16-63.4a1, they must place a note in the record attesting to this fact, and the Student Report may not be transmitted to the BPD or any entity outside of BPS.
 - D) The student and family may have an attorney and/or advocate present at the meeting. At the moment the meeting is scheduled and requested, BPS must provide the family with a list of available legal services vetted by the Mayor's Office of Immigrant Advancement.
 - E) Students and families may amend a student's record by placing a note with information relating to any Student Report in which the student is named in the student's file.
- d) Transmission of information pursuant to Exigent Circumstances

1. Within 12 hours after a School Police officer transmits a Student Report created pursuant to Section 16-63.4a or any other information relating to a student to the BPD pursuant to the existence of Exigent Circumstances:
 - A) The School Police officer must notify the relevant Principal or Head of School that student information was shared with the BPD, and provide the relevant Principal or Head of School with a copy of the information shared;
 2. Within 24 hours after BPS Personnel or a School Police officer transmits a Student Report created pursuant to Section 16-63.4a or any other information relating to a student to the BPD pursuant to the existence of Exigent Circumstances, the relevant Principal or Head of School shall:
 - A) Notify in writing any student whose information or Student Report was shared and their parent or guardian that the student information was shared, and share a copy of the information transmitted and an explanation of the incident prompting the communication to BPD after the information was transmitted. All written materials must be provided in both English and the language spoken by the parent or guardian.
 - B) The relevant Principal or Head of School must schedule a meeting with the student and the student's parent or guardian as soon as practicable, and an interpreter/translator of the parent or guardian's choosing must be present for any party that requires one. The interpreter/translator cannot be the student or other individual who is participating in the meeting in another capacity. If the family does not have a preferred translator, BPS must provide a qualified translator.
 - I. The student and parent or guardian may have an attorney and/or advocate present at the meeting. At the moment the meeting is scheduled and requested, BPS must provide the family with a list of available legal services vetted by the Mayor's Office of Immigrant Advancement.
 - C) If the information shared was a Student Report, the Principals and/or Heads of School mentioned in Section 16-63.4a5, the Superintendent, and the Legal Advisor for the School Department must review the Student Report and the Legal Advisor for BPS must verify that at least one of the criteria in Section 16-63.4a1 is present. If the Legal Advisor finds that the incident did not meet the criteria in Section 16-63.4a1 they must place a note in the record attesting to this fact, and the BPD must be notified to the same within 3 business hours.
- e) School Police officers shall not attend any meetings where officers or employees from U.S. Immigrations and Customs Enforcement are present, either in person or virtually.

f) Transparency and Communication

1. Students, families, school administrators, teachers, and counselors must be made aware of this ordinance by including a copy of the ordinance in the Guide to Boston Public Schools.

g) Community Information-Sharing Oversight Board

1. A community oversight board shall be created to provide oversight regarding the implementation of Section 16-63.4 of this ordinance.
2. The board must include at least one representative from each of the following groups: a student chosen by the Boston Student Advisory Council, a parent or guardian chosen by the Citywide Parent Council, a parent or guardian chosen by the Boston Special Education Parent Advisory Council, a representative chosen by the Code of Conduct Advisory Council, a representative of the District English Learner Advisory Committee, a teacher chosen by the Boston Teachers Union, a local immigration advocate chosen by the Student Immigrant Movement, a civil rights advocate chosen by Lawyers for Civil Rights, and an immigration attorney familiar with the immigration consequences of criminal proceedings chosen by the Political Asylum/Immigration Representation Project.
3. The Superintendent shall report monthly to the board:
 - A) The number of Student Reports created, disaggregated by school;
 - B) The number of Student Reports shared with any outside entity, disaggregated by school and receiving entity;
 - C) The number of Student Reports reviewed by the Legal Advisor for the School Department that did not meet the criteria specified in Section 16-63.4a1, disaggregated by school, and including the date of each incident, a description of each incident, the race, ethnicity, gender, age, and grade level of each student who is named in the report, the location of the incident, and whether the report was transmitted to BPD or to any other outside entity.
 - D) The number of Student Reports written under Section 16-63.4a, disaggregated by school, including the date of the incident, a description of the incident including the justification for the creation of the report per Section 16-63.4a1, the type of report, the race, ethnicity, gender, age and grade of each student who is named in the report, the location of the incident, and whether the report was transmitted to BPD or to any other outside entities.
4. The board will review the information provided under Section 16-63.4g3 and may request that School Police or District personnel respond to questions, either in writing or at a public meeting, relating to the information provided.

5. The board shall review the information for patterns and compliance with this ordinance. It shall issue findings and report such findings to the City Council and School Committee on a quarterly basis.
- h) Accountability and Training
1. All School Police officers and school administrators must receive training on this policy, and the training will be designed in collaboration with the Student Immigrant Movement and Boston Teachers Union's Unafraid Educators. The training will also be provided by the Central Office and not by individual schools. Training materials will be made publicly available.
 2. All School Police officers and BPS personnel, including school administrators, will sign an acknowledgment of responsibility for safeguarding student information under Section 16-63.4 of this ordinance, FERPA, and state student records law.
 3. All new School Police officers will receive training on the requirements of Section 16-63.4 of this ordinance as part of their orientation.
 4. All School Police officers must be trained every three years or at the discretion of the community oversight board.
 5. Any transfer of information about students in violation of Section 16-63.4 of this ordinance shall result in appropriate disciplinary action, up to and including dismissal, in accordance with the rules of collective bargaining.
 6. Should any School Police officer be found to have violated this policy, the Superintendent will instruct the Chief of Safety Services to suspend all authorization of School Police report submissions to BPD pending a full investigation of such violation.

16-63.5 Annual Surveillance Report

- a) Within 12 months of the effective date, and annually thereafter, all City departments shall submit to the Mayor an Annual Surveillance Report pertaining to each City department for which approval for the use of Surveillance Technology or Surveillance Data has been obtained under Sections 16-63.3b and 16-63.3c of this ordinance. Upon receipt of such reports, the Mayor shall promptly submit them to the City Council. Any Annual Surveillance Report submitted under this section shall be made publicly available on the City's website upon submission to the council.
- b) The Annual Surveillance Report submitted pursuant to this section shall include all of the following:
 1. A description of how Surveillance Technology has been used, including whether it captured images, sound, or other information regarding members of the public who are not suspected of engaging in unlawful conduct;

2. Whether and how often data acquired through the use of the Surveillance Technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure;
 3. A summary of community complaints or concerns about the Surveillance Technology, if any;
 4. The results of any internal audits, any information about violations of the Surveillance Use Policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the City;
 5. A detailed accounting of whether the Surveillance Technology has been effective at achieving its identified purpose;
 6. The number of public records requests received by the City seeking documents concerning Surveillance Technologies approved during the previous year;
 7. An estimate of the total annual costs for the Surveillance Technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known;
 8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the City are disproportionately impacted by the deployment of the Surveillance Technology; and
 9. A disclosure of any new agreements made in the past 12 months with non-City entities that may include acquiring, sharing, or otherwise using Surveillance Technology or the Surveillance Data it provides.
- c) Based upon information provided in the Annual Surveillance Report, the City Council shall determine whether the benefits to the impacted City department(s) and the community of the Surveillance Technology outweigh the financial and operational costs and whether reasonable safeguards exist to address reasonable concerns regarding privacy, civil liberties, and civil rights impacted by the deployment of the Surveillance Technology. If the benefits or reasonably anticipated benefits do not outweigh the financial and/or operational costs or civil liberties or civil rights are not reasonably safeguarded, the City Council may recommend modifications to the Surveillance Use Policy that are designed to address the City Council's concerns to the Mayor for his consideration; withdraw authorization for continued use of Surveillance Technology by a majority vote of the City Council; and/or request a report back from the Mayor regarding steps taken to address the City Council's concerns.
- d) Nothing in this ordinance shall prohibit the City Council from enacting a separate ordinance to ban or otherwise regulate any Surveillance Technology, whether previously approved or not.

- e) No later than May 31 of each year, the City Council shall hold a meeting to discuss the City departments' Annual Surveillance Reports, and shall publicly release a report that includes a summary of all requests for approval of Surveillance Technology received by the City Council during the prior year, including whether the City Council approved or denied the City's request for acquisition or use of the Surveillance Technology.

16-63.6 Enforcement

- a) Enforcement officials: This ordinance shall be enforced by the Mayor's office or the Mayor's designee.
- b) Suppression: No data collected or derived from any use of Surveillance Technology in violation of this ordinance and no evidence derived therefrom may be received in evidence in any proceeding in or before any department, officer, agency, regulatory body, legislative committee, or other authority subject to the jurisdiction of the City of Boston.
- c) Cause of action: Any violation of this ordinance constitutes an injury and any person may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce this ordinance. An action instituted under this paragraph shall be brought against the City and, if necessary to effectuate compliance with this ordinance, any other governmental agency with possession, custody, or control of data subject to this ordinance.
- d) The City will address alleged violations of this ordinance in accordance with its usual practices, applicable law, and contractual obligations.
- e) Whistleblower protections. Subject to the limitations and requirements set forth in G. L. c. 149, §185 (the "Massachusetts Whistleblower Statute" or "Section 185") as it may be amended from time to time, any City employee as defined in Section 185 who reports an alleged violation of this ordinance, shall be afforded protections against retaliation if applicable pursuant to Section 185, as set forth in and subject to the limitations and requirements of Section 185.
- f) Nothing in this ordinance shall be construed to limit or affect any individual's rights under state or federal laws.

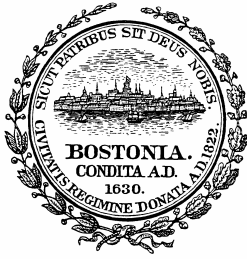
16-63.7 Severability

- a) The provisions in this ordinance are severable. If any part or provision of this ordinance, or the application of this ordinance to any person or circumstance, is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall continue to have full force and effect.

16-63.8 Effective Date and Implementation

The effective date and implementation of the ordinance shall be as follows.

- a) The ordinance shall take effect and be implemented in the manner and ways described in this section.
- b) The ordinance shall take effect notwithstanding any other provision of law and shall supercede any prior law and regulation enacted by the City of Boston and/or any agreement entered into by the City of Boston or any of its agencies that are interpreted to be in conflict with its provisions.
- c) Sections 16-63.1, 16-63.2, 16-63.4, 16-63.6, and 16-63.7 shall take effect one month after its adoption in accordance with the following provisions:
 1. Every School Police officer shall create a record of Historic Student Reports
 2. Within four months of the Effective Date:
 - A) The Historic Student Reports that do not conform with Section 16-63.4a1 shall be destroyed, in both print and electronic form, provided that such destruction is permitted under the state law relating to retention of records.
 - B) The Historic Student Reports that conform with Section 16-63.4a1 can be retained, provided there is a previous certification by the BPS Legal Advisor that their creation meets such requirements.
 - C) All reports created more than 5 years ago shall be destroyed.
 3. Within six months of the Effective Date, the Head of the School Police officers and the Legal Advisor must submit a report to the Community Information-Sharing Oversight Board. Such report must contain:
 - A) The number of Historic Student Reports, including the format or file type of the report, description of each incident, disaggregated by race, ethnicity, gender, age, and grade level of each student who is named in the report;
 - B) The number of Historic Student Reports retained in accordance with Section 16-63.8c2A;
 - C) The number of Historic Student Reports destroyed in accordance with Section 16-63.8c2B and 16-63.8c2C;
 4. No more than one month after receiving such report, the Community Information-Sharing Oversight Board shall call a public hearing to discuss the Historic Student Reports. The Head of the School Police officers as well as individual School Police officers shall be present at such public hearing.
- d) Sections 16-63.3 and 16-63.5 shall take effect nine months after its adoption.



BOSTON CITY COUNCIL

Committee on Government Operations
Lydia Edwards, Chair

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

REPORT OF COMMITTEE CHAIR

October 20, 2021

Dear Councilors:

Docket #0397, ordinance on surveillance oversight and information sharing, was sponsored by Councilors Ricardo Arroyo and Michelle Wu, and referred to the Committee on March 3, 2021. The Committee held working sessions on April 22, 2021, August 19, 2021, and October 7, 2021. This matter is a refile from last year (Docket #0684) and the Committee held a hearing and a working session on this matter in 2020.

Summary of Legislation:

This legislation establishes standards for surveillance oversight and information sharing. The docket requires community involvement when surveillance is used and when the City acquires surveillance technology. The legislation limits information sharing between Boston Public Schools and the Boston Police Department. The legislation requires that the Mayor establish a surveillance use policy that applies to every City department and that the City Council approve the policy.

Information Gathered at the April 22 Working Session:

The following individuals participated on behalf of the Administration:

- David Elges, Chief of Information Officer, DoIT;
- Gregory McCarthy, Chief of Information Security Officer, DoIT;
- Kristopher Carter, Co-Chair New Urban Mechanics;
- Nayeli Rodriguez, Technologist for the Public Realm, New Urban Mechanics;
- Samuel DePina, Director of Operations, BPS;
- Superintendent Paul Donovan, Chief of the Bureau of Investigative Services, BPD.

The Committee was also joined by the following individuals: Valeria Do Vale, Student Immigrant Movement; Kade Crockford, Director of the Technology for Liberty Program, ACLU MA; Liz McIntyre, Esq., Staff Attorney, Director of the School to Prison Pipeline Intervention Project, Greater Boston Legal Services (GBLS); Elizabeth Badger, Esq., Senior Staff Attorney, PAIR Project; Nora Paul-Shultz, Unafraid Educators.

The Administration officials discussed the ordinance and its impact on the City and explained that management in surveillance oversight does not govern usage and that this ordinance would be difficult to implement citywide because of separate IT departments. Mr. Elges suggested changing the definition for monitoring of surveillance. Mr. Carter stated that the language requires more review and that it is necessary to look at the impact on BPS and BPD as these two entities require separate conversations. Mr. Carter suggested adopting public data trust principles and explained that the proposal's impact on City operations particularly in procurement practices and auditing needs to be examined. Ms. Rodriguez indicated that the City is interested in accomplishing the intent of the proposal. Mr. DePina referenced state legislative changes regarding the privacy of students. Superintendent Donovan expressed support for protecting civil liberties but suggested that the language in the proposal is too broad. Superintendent Donovan discussed the impact on BPD resources and how it protects the City. Superintendent Donovan suggested adding language to the purpose clause relating to appropriate use to improve delivery of services and public safety.

The Committee reviewed the language section by section. The Committee discussed "written report" in the *Definitions* section. Ms. Rodriguez referred to the citywide report requirement in the proposal and explained that in order to do that, the City needs to do an initial audit and maintain an audit annually. Ms. Rodriguez explained that this would require a significant amount of staff time. Superintendent Donovan inquired as to what qualifies as surveillance use technology. Superintendent Donovan stated that the language in the proposal is broad and could encompass everything that the BPD does such as FIO reports, booking reports, deployment of resources, and investigation of criminal activity. Superintendent Donovan addressed the exigent circumstances standard. Superintendent Donovan explained that the BPD is governed by case law concerning exigent circumstances and questioned that the ordinance does not define exigent circumstances and indicated that the language is vague.

The Committee reviewed the community involvement and control sections (sections k,l, m, and n). The BPD inquired as to why citizens in neighborhoods and individuals in public facilities are being treated differently. Kade Crockford explained that the expectation of privacy is different. Councilor Mejia inquired about the meaning of voluntary and asked about signage and asked about signage and surveillance in BPS.

Mr. Carter discussed information being embedded on apps and suggested having an exception for transportation and utility systems. Mr. Carter discussed third party software development and information that is voluntarily and willingly provided to the City and suggested adding language about consent to provide information. Ms. Rodriguez stated that BPD should be treated differently because the intent of the BPD and other City departments is different.. Ms. Rodriguez explained that surveillance and data collection for other City departments focuses on the operating needs of the City and assists the City with planning. Ms. Rodriguez explained that the City uses data to monitor energy use and planning to improve lives of residents and services.

The BPD inquired about how to protect the public with the current language because all cameras are fixed on public locations. Kade Crockford stated that transparency of surveillance does not require removal and that the provisions of the ordinance subjects surveillance to democratic scrutiny. Kade Crockford also explained that the concerns raised by Ms. Rodriguez would not be subject to the ordinance because there is no identification of people.

Mr. Carter raised concerns about the term “non-wearable” and “manually down-loaded” in *Exceptions and Exemptions*, 16-63.3, 2, C and “remotely accessed” in F. Mr. Carter expressed concerns because transportation companies use remote access. Mr. Carter suggested omitting the terms. Kade Crockford explained that the term “surreptitiously” should address concerns. Councilor Flynn supported increased funding for public works should this ordinance be implemented. Kade Crockford explained that under the proposal, if surveillance technology cannot identify individuals then it is not surveillance data and if the technology has the ability to identify individuals then it is surveillance data for purposes of the ordinance.

The Chair inquired about section N and questioned why City employees would not want to know if they were being monitored. The Chair raised concerns about consistency in the ordinance concerning surveillance of City employees explaining that City employees have rights to privacy and does not see the exception as fair. Councilor Flynn agreed in the interest of basic fairness that the policy should be consistent.

Superintendent Donovan stated that the BPD uses cameras as a tool for prevention purposes. Superintendent Donovan explained that cameras in buildings and outside buildings and parks are essential tools for the City in protecting the public. Superintendent Donovan expressed concern that under this proposal the City Council would have the power to deny the surveillance use policy. Superintendent Donovan stated that the BPD is fine with oversight. Superintendent Donovan inquired about the exigent circumstances in Sections 3 and 4 under *Exceptions and Exemptions* and asked what would constitute exigent circumstances. Superintendent Donovan suggested eliminating the word “similar.” Kade Crockford explained that the intent was to provide flexibility with regard to case law. Kade Crockford explained that approval of the City Council would be needed before surveillance is used except where exigent circumstances exist and would need City Council approval to continue technology after exigent circumstances.

The Committee reviewed the surveillance use policy provisions. The BPD discussed subsection G, public access, and public records request. Superintendent Donovan explained that criminal defendants are subject to the discovery process and the BPD does not give information to defense attorneys access to criminal defendants. The Chair indicated that this concern could be addressed in the policy. Kade Crockford suggested that adequate staffing could develop policies and that there should be a centralization of policies to advance the City's needs and to protect the public. Mr. Elges and Ms. Rodriguez raised the issue that the cost will be continuing for the City and that it will not just be a one-time cost but ongoing in order to ensure compliance over time. Mr. Carter raised concern with the City Council approval provisions and explained that this could impact procurement cycles. Mr. Carter raised the issue of what would happen if the City Council does not vote and whether the policy would be effective by default. Ms. Rodriguez also explained that a 90 day time period for approval could add delays for procurement and supported a shorter wait time so as not to delay procurement. The BPD raised concerns about the safety of officers and protecting the integrity of ongoing investigations.

Information Gathered at the August 19 Working Session:

The following individuals were present on behalf of the Administration:

- David Elges, Chief Information Officer, DoIT;
- Kristopher Carter and Nigel Jacob, Co-Chairs New Urban Mechanics;
- Samuel DePina, Director of Operations, BPS;
- Superintendent Paul Donovan, Chief of the Bureau of Investigative Services, BPD.

Also joining the Committee were:

- Kade Crockford & Emiliano Falcon-Morano & Laura Rotolo (ACLU MA)
- Nora Paul-Schultz (Unafraid Educators)
- Elizabeth Badger (Senior Staff Attorney, PAIR Project)
- Sabrina Barroso (Lead Coordinator, SIM)
- Lena Papagiannis (Unafraid Educators)

Mr. Carter opened by explaining that substantive suggestions from the Administration's redline include provisions that limit the ordinance and address operational impacts to City departments for innocuous activities, as well as the addition of a provision that would create a working group to transparently address and discuss the surveillance needs and processes for other City departments not currently included in the ordinance. Superintendent Donovan noted that BPD is advocating for an additional, separate working group that would help review and discuss some of the impacts of the ordinance on BPD operations and public safety and provide a BPD perspective in that regard. The Committee discussed what the limits and goals of BPD's proposed working group would be, expressing concerns about it creating a loophole in the ordinance. The sponsors and advocates explained that should the working group be intended to be and written as an advisory group, as opposed to a vehicle to override council decisions, that would be an acceptable addition.

The Committee began reviewing the Administration's proposed changes to the ordinance line by line. Discussions and determinations included the following: an addition to the purpose section; limiting the applicability of the ordinance to fewer departments; edits to the following terms "Surveillance", "Surveillance Data", "Surveillance Technology"; Section 16-63.2 changes to the Surveillance Use Policy and Section 16-63.2, Surveillance Oversight Working Group. The Committee also discussed the addition of language to clarify the group's advisory capacity. The Administration added sections in 16-63.3(b)(1)(C) & (D). Mr. Carter explained that these additions may be moot given the department limitations/applicability provisions added. The Committee discussed in 16-63.3(b)(2)(C) concerns about the term "non-wearable" and "manually down-loaded", explaining that the Administration would want to ensure there are exceptions for education and training videos made by BPD and other City departments), which often involve wearable cameras, such as Go Pros, and require manual downloads from the cloud.

In 16-63.3(b)(2)(K): Mr. Carter explained striking the word “solely,” expressing concern about the inadvertent inclusion in the ordinance of cameras for construction project time-lapse footage. The Committee discussed where the applicability provisions could make this change unnecessary. In 16-63.3(b)(2)(O), (P), & (Q), the Administration proposed additional exceptions. Regarding (O), Superintendent Donovan argued that warrants are subject to judicial review and approval so there is already a layer of built-in oversight. The Committee discussed that this exception could effectively allow BPD to skirt the ordinance. In 16-63.3(b)(3)(B) & (C), the Chair expressed concern about the addition of language extending requirements through the end of a criminal investigation, noting that these can potentially last years and criminal conduct as a criteria is vague, and so would result in a very broad exemption. Superintendent Donovan explained that BPD is concerned about the implications of the ordinance on tried and true technology that BPD currently relies on and has been approved by the courts for investigations. He recommended that the Advisory Committee review situations for exigent circumstances, since it would be impossible to codify every potential situation. In 16-63.3(b)(3)(D): Councilors expressed objection to language allowing for extension requests to be forwarded to the Advisory Group should they be denied by the Council if the result effectively creates an appeals process. Councilors discussed that the Advisory Committee only provide additional review and recommendations, but the City Council still retains all decision-making authority. In 16-63.3(b)(3)(E), the Chair noted that information submitted to the City Council is public record, so granting exceptions to limit information sharing with the public would likely not be applicable. Superintendent Donovan explained that BPD would be concerned about releasing specific information to the public. The sponsors and advocates explained that the required information to be reported is meant to be specific only about the technology and its uses, and is not meant to include information about specific people or incidents. Superintendent Donovan suggested this be something that could be reviewed by the Advisory Committee. In 16-63.3(c)(4), the Administration proposed language additions to require Council action within 60 days, and language that would refer policies to the Advisory Committee if action is not taken. The Committee registered no objections, assuming, as before, that the Advisory Group has no override abilities and the Council retains the ultimate and only vote. Superintendent Donovan stated that the Advisory Group would only make recommendations to the Mayor. In 16-63.3(d)(1)(A), regarding the addition of “if specified”, the ACLU objected. Regarding the provision that forwards requests to the Advisory Committee if the City Council declines to accept funds, the Committee reiterated its non-opposition, assuming, as before, that the Advisory Group has no override abilities and the Council retains the ultimate and only vote. In 16-63.3(d)(2)(C): Similar to previous points, the Committee did not register objections to a 60 day deadline and use of the Advisory Committee, subject to the same caveats of no automatic approvals, Council retains only/ultimate authority. In 16-63.3(d)(2)(E), the BPD expressed concern about being required to submit specific information that could compromise individuals’ safety or investigations. The sponsor reiterated that the required specificity is not intended to be about specific incidents and identified people. Superintendent Donovan again suggested that the Advisory Committee could be involved in determining the appropriate level of specificity by

circumstance. He stated that BPD would feel comfortable without the word “generally” so long as the Advisory Group could have input into how specificity is defined and interpreted. In 16-63.4(a)(1)(B), the Administration proposed striking the words “true and credible”, explaining that BPD/BPS needs to investigate threats before it can be determined if something is true and/or credible. The sponsor suggested a compromise of striking the word true, but keeping the word credible. In 16-63.4(a)(1)(C): The Administration proposed adding “ammunition” and “other dangerous weapon[s]”. The sponsor and advocates expressed opposition to the additions. Administration officials urged the inclusion of ammunition, noting that BPD would be involved regardless if a student is found in possession of ammunition because BPD would be called to remove and store it. Regarding the definition of dangerous weapon, concerns were raised about the potential for overly broad interpretations. In 16-63.4(a)(1)(D), the Committee discussed the necessity of BPS discretion in applying this section. The Committee also discussed the word “suspected”. The difference between BPS creation of reports for internal purposes such as school counseling, and BPS sharing reports with BPD was discussed. In 16-63.4(a)(2), the Administration explained that the proposed change is to acknowledge that there are situations where gang membership is integral to a specific activity, for example recruitment or feuding among groups. It was explained that this would similarly require schools’ discretion, as the goal would be to limit this exception to threats directly related to gang membership. In 16-63.4(a)(5)(A), the Committee agreed that reports involving allegations of household abuse may be withheld from students’ families in certain circumstances. In 16-63.4(c)(3)(A) and 16-63.4(d)(2)(A), the Committee discussed addressing BPD concerns by including language regarding exigent circumstances. In 16-63.4(g)(2), the Committee discussed the purpose of this board. Superintendent Donovan explained that the inclusion of this representative would be to give a public safety perspective to help avoid unintended consequences of the ordinance on public safety, and noted also that if there is a goal for inclusion and partnership among BPD, BPS, and students and parents, then having a representative appointed by the Police Commissioner can be a way to help bridge the gap of miscommunication and discomfort felt by the community. The sponsors clarified that the role of the board is to ensure enforcement of the ordinance. The Chair suggested that if the intent of this board involves separation between BPS and BPD then BPD should not be included in the membership. In 16-63.5(b), the Administration expressed concern about meeting the deadlines for the first report. The Committee suggested keeping the deadline at 12 months (as initially written), but allowing for extension requests similar to in 16-63.3(b)(3)(D). In 16-63.5(c)(1), the Committee discussed the specificity of information required. The Committee agreed to not include the Administration’s suggestion to add the word “general.” The Committee also agreed not to strike the last phrase as suggested by the Administration. The sponsor also requested an additional requirement for disclosure about the length of time information is kept. In 16-63.5(c)(2) and 16-63.5(c)(7), Mr. Carter explained that the intent was likely for budgetary purposes for the whole program. In 16-63.5(d), Superintendent Donovan opined that departments should be given a chance to rectify something prior to the Council’s withdrawal of authorization. In 16-63.8(d), the Committee did not support the Administration’s proposal to extend the effective date, noting that there is an additional

effective date for reporting following the effective date of the ordinance, which adds up to 21 months total. A new section, 16-63.9, is included and would establish the Working Group described by Mr. Carter.

Information Gathered at the October 7 Working Session:

Based upon testimony from a previous hearing and working sessions, there are proposed language changes to the docket which would narrow the scope of the surveillance oversight provisions to apply to seven City Departments or entities as follows: the Boston Police Department, the Boston Parks Department Park Rangers, Boston Public Schools, Boston Public Health Commission, Boston Housing Authority, Boston Municipal Protection Services, and the Office of Emergency Management. Changes to the definition section and applicability clauses to the surveillance oversight portions clarifying which departments would be affected have been added as well as changes providing certain exemptions to the Boston Housing Authority (BHA) and the Boston Public Health Commission (BPHC). There is also an addition to the exception section for technology used to track equipment and vehicles.

The Committee discussed the changes since the last working session which include exceptions for the BPHC and BHA to provide consistency and clarity and exemptions to the Office of Emergency Management (OEM). The exemptions Q and R, relating to the OEM are too broad and the concerns are addressed in the exigent circumstances section. The BHA and the BPHC expressed concern about the application of exigent circumstances applying to them. The Committee discussed adding language to be clear that BHA and BPHC are included. Supt. Donovan brought up a concern with regard to student reports and the confiscation of dangerous weapons as well as Chief Neva Coakley. Chief Coakley explained that as of July 1, the school police lost their police powers and do not have the process currently to store any confiscated weapons without preparing a report to the BPD. Chief Coakley also explained that the school police had a name change and that to school safety there was a suggestion that a reference to the state statute defining dangerous weapons be added, Chief Coakley also stated that the school police officers are no longer referred to by that name so there will be edits to reflect the new name of school safety specialists. The Committee discussed that the advisory board cannot overturn the City Council and reviewed the language that establishes a process and makes it clear that the City Council either approves or disapproves the use of surveillance. The Committee discussed that the exigent circumstances section allows for the OEM and BPD to move forward with surveillance if needed. The ordinance is not about operations. It is about transparency and information about surveillance.

Summary of Amendments to Docket as Originally Filed:

A new provision is added to the purpose clause about public safety. The applicability of the ordinance will apply to the following entities: the Boston Police Department, the Boston Parks Department Park Rangers, Boston Public Schools, Boston Public Health Commission, Boston Housing Authority, Boston Municipal Protection Services, and the Office of Emergency Management. The definition of *Exigent Circumstances* is amended to include the head of the BHA's Police, or the head of the BPHC Police. This change is a result of a concern raised at the

October working session regarding the applicability of the exigent circumstances provisions to the BHA and the BPHC. The term school police officers has been replaced with the term school safety specialists throughout the docket. Two new bodies are established related to surveillance policy. First, the Surveillance Oversight Advisory Board would serve as an advisory body that reviews technology, surveillance use technologies, and surveillance technology funding that has been rejected by the Council. This Board reviews the matter at hand, presents recommendations to the Mayor, after which the Mayor can decide to send a modified request to the Council for reconsideration. The second body is the Surveillance, Data, and Privacy Working Group, which will work to increase transparency, accountability, and engagement around technology and use of data within City departments not covered by the ordinance. The new amendments also include language explicitly outlining the process if a technology, technology use policy, or technology funding has been rejected or not voted on by the Council in time (60 days).

Changes in the information sharing ordinance include the addition of possession of ammunition as a reason for which a student report can be created. The new version also adds that School Safety Specialists may collect, store, and share information about the unlawful distribution of alcohol or marijuana by a student if it is an amount greater than 30 grams of marijuana and 1 liter of alcohol. The ordinance has also added language to protect students that are the victims of abuse, and states that the ordinance in no way interferes with state-mandated reporting of sexual assault, sexual abuse, or abuse. The new version also allows for a 24 hour period in exigent circumstances either following the conclusion of the exigent circumstances or after BPS transmits the Student Report to BPD in which transmission of information need not be reported to the student or the family.

Add “while allowing for appropriate use to assist in the charge of improving delivery of services and public safety” (16-63.1). Added the Boston Parks Department Park Rangers throughout the ordinance as subject to the surveillance oversight regulations. Added a Surveillance Oversight Advisory Board throughout the ordinance. This body would review technology or technology policy use that has been rejected by the Council or not reviewed within 60 days. This body would study the matter, provide recommendations to the Mayor, and then the Mayor would be able to resubmit the technology or technology use policy to the Council for reconsideration. The body is made up of 5 individuals: 1 chosen by City Council President, 1 by ACLU, 1 by BPD Commissioner, 2 by the Mayor with the requirement that 1 chosen by mayor be an academic representative with expertise in technology.

“Manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously, that are used for non-law enforcement and non-investigatory purposes, and whose functionality is used for manually capturing and manually downloading video and/or audio recordings” is added in 16-63.3b2C and excludes the promotional videos and GoPro footage. “Devices exclusively capable of detecting radiation.” is added in 16-63.3b2O. This would apply to technology that is only used to detect radiation, rather than any technology that has the capability to detect radiation. The following new sections are added in 16-63.3b2, P and Q in exceptions and exemptions: P) Radio-frequency identification scanners (RFIDs) used for disaster patient tracking by the Boston Public Health Commission and Q) BPHC technology used to track BPHC owned or leased equipment and vehicles.

Added the BHA Police and the BPHC Police to the exigent circumstances section.

Added procedure in case the City Council does not approve the use of the proposed new surveillance capabilities in 16-63.3b4, 16-63.3c1. If the Council does not approve the use, the request is sent to the Surveillance Oversight Advisory Board, which will make recommendations to the Mayor. The mayor may then resubmit a modified request to the Council for approval. Add “within 60 days of submission. If the City Council does not approve the Surveillance Use Policy, the Policy shall be sent to the Surveillance Oversight Advisory Board who will make recommendations of improvement to the Mayor. Subsequent to receiving the recommendations from the Surveillance Oversight Advisory Board, the Mayor may at their discretion resubmit a modified request to the City Council for approval.” (16-63.3c4). This would require the Council to act on Surveillance Use Policy within 60 days of submission. If the Council does not act by then, the policy is sent to the Surveillance Oversight Advisory Board, which will make recommendations to the Mayor. The mayor may then resubmit a modified request to the Council for approval. Add “If the City Council declines to accept funds for Surveillance Technology the request to accept the funds shall be sent to the Surveillance Oversight Advisory Board who will make recommendations to the Mayor. Subsequent to receiving the recommendations from the Surveillance Oversight Advisory Board, the Mayor may at their discretion resubmit a modified request to the City Council for approval.” (16-63.3d). If the Council rejects the City’s request for funds related to surveillance technology, the matter will be sent to the Surveillance Oversight Advisory Board, which will make recommendations to the Mayor. The mayor may then resubmit a modified request to the Council for approval.

Add “The City Council shall have 60 days from the date of submission to approve or deny a request by majority vote for the acquisition or use of Surveillance Technology. If the City Council does not approve the acquisition or use of Surveillance technology the request shall be sent to the Surveillance Oversight Advisory Board who will make recommendations to the Mayor. Subsequent to receiving the recommendations from the Surveillance Oversight Advisory Board, the Mayor may at their discretion resubmit a modified request to the City Council for approval.” (16-63.3d2C). The Council has 60 days to approve acquisition/use of surveillance technology. If the council does not approve within 60 days or simply does not approve the use/acquisition, the matter will be sent to the Surveillance Oversight Advisory Board, which will make recommendations to the Mayor. The mayor may then resubmit a modified request to the Council for approval.

Modify to “A credible threat to the safety of the school arises that would amount to criminal conduct” (16-63.4a1B). The term “credible” was retained to make sure the policy is not too ambiguous. Modify to “A student is in possession of firearms and ammunition, or a dangerous weapon as listed in M.G. L. Chapter 269 section 10” (16-63.4a1C). Modify to “A student unlawfully possesses or uses controlled substances, provided those substances are not marijuana, nicotine, or alcohol, provided, however, that School Safety Specialists may collect, store and share information pertaining to unlawful distribution of alcohol or marijuana when a student has unlawfully distributed marijuana or alcohol on school grounds in excess of the following amounts: thirty (30) grams for marijuana and one (1) liter for alcohol.” (16-63.4a1D).

Add “Reports which involve allegations of parental/household abuse may also be withheld from students’ families if disclosure of the report is not in the best interest of the student. In cases of allegations of parental/household abuse, a copy of the Report shall be provided to

the student or a trusted adult of their choosing” (16-63.4a5A). This will protect students from abusive parents, while still allowing them to have a trusted adult present.

Add “Within 24 hours after the conclusion of the exigent circumstance or” which will allow a window of time (24 hours) in which BPD/BPS is not required to notify the student or family that a report was shared.

Add “Nothing in this section shall be construed to prevent or restrict reporting requirements around sexual assault, sexual abuse, and child abuse in accordance with Massachusetts General Laws.” (16-63.4i) which allows exemption for state mandated reporting in cases of sexual assault, sexual abuse, or abuse.

Add “Should the Council withdraw authorization for a previously approved surveillance technology, the Mayor may request that the Surveillance Oversight Advisory Board meet to discuss the City Council’s concerns and provide recommendations to the Mayor. The mayor at their discretion may resubmit a modified request to the City Council for approval.” in 16-63.5d. If the Council withdraws its authorization for a technology that was previously approved, the matter will be sent to the Surveillance Oversight Advisory Board, which will make recommendations to the Mayor. The mayor may then resubmit a modified request to the Council for approval.

Under 16-63.5, Annual Surveillance Report, a report is required within 18 months after the effective date of the ordinance and annually thereafter.

Add in “16-63.9 Establishment of a Surveillance, Data, and Privacy Working Group” section. This would create a separate working group that would work towards creating surveillance oversight mechanisms for every department not covered in this ordinance. Group seats must be filled within one month of ordinance passage and would need to produce its recommendations within one year of adoption of the ordinance. The group will include: 1 rep from New Urban Mechanics, 1 from DoIT, 1 from City Council President, 1 from ACLU, 1 from community chosen by SIM, and 1 chosen by Mayor. The group will dissolve after producing recommendations.

Rationale and Recommended Action:

The docket in its amended draft will provide protections on surveillance use, establishes transparency standards, community involvement, oversight of public funds while preserving the use of surveillance for public safety purposes. The docket in its amended version reflects a collaboration among the sponsors, the advocacy groups, and the Administration. Based upon testimony from a previous hearing and working sessions, there are proposed language changes to the docket which would narrow the scope of the surveillance oversight provisions to apply to seven City Departments or entities as follows: the Boston Police Department, the Boston Parks Department Park Rangers, Boston Public Schools, Boston Public Health Commission, Boston Housing Authority, Boston Municipal Protection Services, and the Office of Emergency Management. Changes to the definition section and applicability clauses to the surveillance oversight portions clarifying which departments would be affected have been added as well as changes providing certain exemptions to the Boston Housing Authority and the Boston Public Health Commission. There is also an addition to the exception section for technology used to track equipment and vehicles.

The docket in its amended draft maintains the objective of transparency when surveillance is used.

By the Chair of the Committee on Government Operations, to which the following was referred:

Docket #0397, ordinance on surveillance oversight and information sharing,

submits a report recommending that this docket **ought to pass in a new draft.**

For the Chair:

A handwritten signature in black ink that reads "Lydia Edwards". The signature is written in a cursive style and is positioned above the printed name.

Lydia Edwards, Chair
Committee on Government Operations



CITY OF BOSTON IN CITY COUNCIL

WHEREAS, Governments around the world are responding to the COVID-19 pandemic with an unprecedented use of surveillance tools, despite public health and privacy experts agreeing that public trust is essential to an effective response to the pandemic; *and*

WHEREAS, Surveillance technology and electronic data gathering can be useful tools for advancing effective delivery and analysis of constituent services, public safety and security; *and*

WHEREAS, Usage of surveillance technology must include safeguards with accountability to the public in order to protect privacy rights and civil liberties; *and*

WHEREAS, Boston Public Schools should be welcoming and safe environments for all students regardless of immigration status or race. Due to COVID-19, Boston Public Schools has transitioned entirely to online learning where it is expected that even after returning to in-person learning, technology will be a larger part of education; *and*

WHEREAS, As people in Boston and across the state are sheltering in place, we are growing more dependent on technology to connect us to each other and to our government; *and*

WHEREAS, Cities around the country such as Cambridge, Somerville, Santa Clara, and Providence have created ordinances governing the acquisition and use of surveillance technology and electronic data in order to protect the civil liberties of their citizens while allowing for appropriate use to assist in the charge of improving delivery of services and public safety; *and*

WHEREAS, As more municipalities move toward electronic data collection used to manage assets and resources efficiently and new technologies are becoming available, the public would benefit from proactive discussion of current practices and future acquisitions. *NOW, therefore be it ordained by the City Council of Boston as follows:*

That the City of Boston Code, Ordinances, be amended in Chapter XVI by adding the following after 16-62:

16-63: ORDINANCE ON SURVEILLANCE OVERSIGHT AND INFORMATION SHARING

16-63.1 Purpose: The purpose of this ordinance is to provide accountability, transparency, and oversight regarding the acquisition and use of Surveillance Technology and Surveillance Data by the City of Boston and its agencies and officers, and to protect privacy, civil rights, and racial and immigrant justice while allowing for appropriate use to assist in the charge of improving delivery of services and public safety.

16-63.2 Definitions:

The following definitions apply to this Ordinance:

Annual Surveillance Report means a written report submitted by the Mayor’s office on an annual basis concerning specific Surveillance Technology used during the previous year and containing the information set forth in this ordinance by the following City Departments and Agencies: the Boston Police Department, the Boston Parks Department Park Rangers, Boston Public Schools, Boston Public Health Commission, Boston Housing Authority, Boston Municipal Protection Services, and the Office of Emergency Management.

Exigent Circumstances means the police commissioner, the police commissioner’s designee, the head of BHA’s Police, or the head of the BPHC Police’s good faith and reasonable belief that an emergency involving danger of death, physical injury, or significant property damage or loss, similar to those that would render it impracticable to obtain a warrant, requires the use of the Surveillance Technology or the Surveillance Data it provides. The use of Surveillance Technology in Exigent Circumstances shall not infringe upon an individual’s right to peacefully protest or exercise other lawful and protected constitutional rights.

Identifiable Individual means an individual whose identity can be revealed by data, including Surveillance Data, or revealed by data when it is analyzed and/or combined with any other type of record.

Surveillance means the act of observing or analyzing the movements, behavior, or actions of Identifiable Individuals.

Surveillance Data means any electronic data collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology acquired by the City or operated at the direction of the City.

Surveillance Technology means any device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, associational, or similar information specifically associated with, or capable of being associated with, any identifiable individual or group; or any system, device, or vehicle that is equipped with an electronic surveillance device, hardware, or software.

- a) Examples of Surveillance Technology include, but are not limited to:
1. International mobile subscriber identity (IMSI) catchers and other cell-site simulators;
 2. Automatic license plate readers;
 3. Electronic toll readers;
 4. Closed-circuit television cameras except as otherwise provided herein;
 5. Biometric Surveillance Technology, including facial, voice, iris, and gait-recognition software and databases;
 6. Mobile DNA capture technology;
 7. Gunshot detection and location hardware and services;
 8. X-ray vans;
 9. Video and audio monitoring and/or recording technology, such as surveillance cameras;
 10. Surveillance enabled or capable light bulbs or light fixtures;
 11. Tools, including software and hardware, used to gain unauthorized access to a computer, computer service, or computer network;
 12. Social media monitoring software;
 13. Through-the-wall radar or similar imaging technology;
 14. Passive scanners of radio networks;

15. Long-range Bluetooth and other wireless-scanning devices;
16. Thermal imaging or “forward-looking infrared” devices or cameras;
17. Electronic database systems containing Surveillance Data about Identifiable Individuals;
18. Radio-frequency identification (RFID) scanners; and
19. Software designed to integrate or analyze data from Surveillance Technology, including surveillance target tracking and predictive policing software.

Surveillance Technology Impact Report means a written report submitted by the Mayor’s office with a request for approval of acquisition or use of Surveillance Technology, and which includes, at a minimum, the requirements set forth in this ordinance.

Surveillance Use Policy means a policy for the City’s use of Surveillance Technology, approved by the Corporation Counsel and the Mayor’s office, and submitted by the Mayor’s office to and approved by the City Council. The Surveillance Use Policy shall at a minimum satisfy the requirements set forth in this ordinance.

Technology-Specific Surveillance Use Policy means a policy governing the City’s use of a specific Surveillance Technology not already covered under the City’s Surveillance Use Policy, approved by the Corporation Counsel and the Mayor, and submitted by the Mayor to the City Council with a Surveillance Technology Impact Report under this ordinance.

BPS means the Boston Public Schools.

BPS personnel means any employee or agent of the Boston Public Schools, excluding School Safety Specialists.

School Safety Specialists means any officials or employees that belong to the Boston Public Schools Department of Safety Services or any other security and enforcement personnel, and that may or may not be licensed by the Boston Police Department as special police officers.

BPD means the City of Boston Police Department.

Student Report means a written record that is not an educational record protected under FERPA and that is created by School Safety Specialists or by BPS personnel and that pertains to a student. Student Reports include but are not limited to School Safety Reports, BPD Form 1.1 Incident Reports, Field Interrogation and Observation Reports, Intelligence Reports, and Face Sheets. Student Reports also include informal emails, texts, and other electronic messages that describe or contain details pertaining to student activity.

Historic Student Reports mean Student Reports that they have created or produced prior to the Effective Date of this ordinance.

Serious bodily harm means bodily injury that results in permanent disfigurement, loss or impairment of a bodily function, limb or organ, or substantial risk of death.

Surveillance Oversight Advisory Board is a group comprised of five individuals, one representative to be chosen by each of the following: the president of the City Council, the Massachusetts American Civil Liberties Union, and the Boston Police Commissioner; and two representatives chosen by the Mayor, at least one of whom shall be an academic representative with expertise in technology and public policy issues. The Board shall serve as an advisory body to host further discussion and provide recommendations on surveillance issues to the Mayor.

16-63.3 Community Control Over Surveillance

a) Applicability

This section shall ~~only~~ apply to the following City departments and agencies: the Boston Police Department, Boston Public Schools, Boston Public Health Commission, the Boston Parks Department Park Rangers, Boston Housing Authority, Boston Municipal Protection Services, and the Office of Emergency Management.

For the purpose of this section, the word “City” shall mean the City departments and agencies listed above.

b) Exceptions and Exemptions

The following situations are exceptions and exemptions from this ordinance.

1. The following do not constitute Surveillance Data and are exempted from the requirements of this Ordinance:
 - A) Surveillance Data acquired where the individual knowingly and voluntarily consented to provide the information, such as submitting personal information for the receipt of City services; and
 - B) Surveillance Data acquired where the individual was presented with a clear and conspicuous opportunity to opt-out of providing the information.
2. Surveillance Technology does not include the following devices, software, or hardware, which are exempt from the requirements of this ordinance, unless the devices, hardware, or software are modified to include additional surveillance capabilities:
 - A) Routine office hardware, such as televisions, computers, and printers, that are in widespread public use and will not be used for any surveillance or surveillance- related functions;
 - B) Parking ticket devices (PTDs) and related databases;
 - C) Manually-operated, non-wearable, handheld digital cameras, audio recorders, and video recorders that are not designed to be used surreptitiously, that are used for non-law enforcement and non-investigatory purposes, and whose functionality is used for manually capturing and manually downloading video and/or audio recordings;
 - D) Cameras installed in or on a police vehicle;
 - E) Cameras installed pursuant to state law authorization in or on any vehicle or along a public right-of-way solely to record traffic violations or traffic patterns, provided that the Surveillance Data gathered is used only for that purpose;
 - F) Surveillance devices that cannot record or transmit audio or video or be remotely accessed, such as image stabilizing binoculars or night vision goggles;
 - G) City databases that do not and will not contain any Surveillance Data or other information collected, captured, recorded, retained, processed, intercepted, or analyzed by Surveillance Technology;
 - H) Manually-operated technological devices that are used primarily for internal City communications and are not designed to surreptitiously collect Surveillance Data, such as radios and email systems;

- I) Parking access and revenue control systems, including proximity card readers and transponder readers at City-owned or controlled parking garages;
 - J) Card readers and key fobs used by City employees and other authorized persons for access to City-owned or controlled buildings and property;
 - K) Cameras installed on City property solely for security purposes, including closed-circuit television cameras installed by the City, to monitor entryways and outdoor areas of City-owned or controlled buildings and property for the purpose of controlling access, maintaining the safety of City employees and visitors to City buildings, and protecting City property;
 - L) Security cameras including closed-circuit television cameras installed by the City to monitor cashiers' windows and other cash-handling operations and to maintain the safety of City employees and visitors to such areas;
 - M) Cameras installed solely to protect the physical integrity of City infrastructure; or
 - N) Technology that monitors only City employees in response to complaints of wrongdoing or in order to prevent waste, fraud, or abuse of City resources.
 - O) Devices exclusively capable of detecting radiation.
 - P) Radio-frequency identification scanners (RFIDs) used for disaster patient tracking by the Boston Public Health Commission.
 - Q) BPHC technology used to track BPHC owned or leased equipment and vehicles
3. Notwithstanding the provisions of this ordinance, BPD, BHA Police, or BPHC Police may temporarily acquire or temporarily use Surveillance Technology in Exigent Circumstances for a period not to exceed 30 days without following the provisions of this chapter before that acquisition or use. However, if these bodies acquire or use Surveillance Technology in Exigent Circumstances under this section, the BPD Commissioner, BHA Head of Police, or BPHC Head of Police must:
- A) Report that acquisition or use to the City Council in writing within 30 days following the end of those Exigent Circumstances;
 - B) Submit a Surveillance Technology Impact Report, and, if necessary, a technology-specific Surveillance Use Policy to the City Council regarding that Surveillance Technology within 30 days following the end of those Exigent Circumstances; and

- C) Include that Surveillance Technology in the Department or Agency's next Annual Surveillance Report to the City Council following the end of those Exigent Circumstances.
 - D) If the Department or Agency is unable to meet the 30-day timeline to submit a Surveillance Technology Impact Report and, if necessary, a technology-specific Surveillance Use Policy to the City Council, the Department or Agency must notify the City Council in writing requesting to extend this period. The City Council may grant extensions beyond the original 30-day timeline to submit a Surveillance Technology Impact Report, and, if necessary, a technology-specific Surveillance Use Policy.
 - E) Any Surveillance Technology Impact Report, and, if necessary, any Technology-Specific Surveillance Use Policy submitted to the City Council under this subsection shall be made publicly available on the City's website upon submission to the City Council.
 - F) Any Surveillance Technology Impact Report and, if necessary, technology-specific Surveillance Use Policy submitted to the City Council under this section may be redacted to the extent required to comply with an order by a court of competent jurisdiction, or to exclude information that, in the reasonable discretion of the Commissioner of police, if disclosed, would materially jeopardize an ongoing investigation or otherwise represent a significant risk to public safety and security provided, however, that any information redacted pursuant to this paragraph will be released in the next Annual Surveillance Report following the point at which the reason for such redaction no longer exists.
4. A City department head may apply a technical patch or upgrade that is necessary to mitigate threats to the City's environment. The department shall not use the new surveillance capabilities of the technology until the requirements of this ordinance are met, unless the Mayor, or their designee, determines that the use is unavoidable; in that case, the Mayor shall request City Council approval as soon as possible. The request shall include a report to the City Council of how the altered surveillance capabilities were used since the time of the upgrade. If the City Council does not approve the use of the proposed new surveillance capabilities, the request shall be sent to the Surveillance Oversight Advisory Board who will make recommendations to the Mayor. Subsequent to receiving the recommendations from the Surveillance Oversight Advisory Board, the Mayor may at their discretion resubmit a modified request to the City Council for approval.

c) Surveillance Use Policy

1. The Mayor shall submit to the City Council for its review and approval a proposed Surveillance Use Policy applicable to each applicable City Department that possesses or uses Surveillance Technology before the effective date of this ordinance. If the City Council does not approve the use of the proposed new surveillance capabilities, the request shall be sent to the Surveillance Oversight Advisory Board who will make recommendations to the Mayor. Subsequent to receiving the recommendations from the Surveillance Oversight Advisory Board, the Mayor may at their discretion resubmit a modified request to the City Council for approval.
2. Any Surveillance Use Policy submitted under this section shall be made publicly available upon submission to the City Council.
3. A Surveillance Use Policy shall at a minimum specify the following:
 - A) Purpose: the specific purpose(s) for the Surveillance Technology;
 - B) Authorized use: the uses that are authorized, the rules and processes required before that use, and the uses that are prohibited;
 - C) Data collection: the Surveillance Data that can be collected by the Surveillance Technology;
 - D) Data access: the individuals who can access or use the collected Surveillance Data, and the rules and processes required before access or use of the information;
 - E) Data protection: the safeguards that protect information from unauthorized access, including, but not limited to, encryption, access-control, and access-oversight mechanisms;
 - F) Data retention: the time period, if any, for which information collected by the Surveillance Technology will be routinely retained, the reason that retention period is appropriate to further the purpose(s), the process by which the information is regularly deleted after that period has elapsed, and the conditions that must be met to retain information beyond that period;
 - G) Public access: if and how collected Surveillance Data can be accessed by members of the public, including criminal defendants;
 - H) Information and data-sharing: if and how other City or non-City entities can access or use the Surveillance Data, how information is shared among City agencies or between City agencies and non-City entities and organizations, including any required justification and legal standard necessary to do so, and any obligation(s) imposed on the recipient of the Surveillance Data;

- I) Training: the training, if any, required for any individual authorized to use the Surveillance Data or technology or to access information collected by the Surveillance Technology, including whether there are training materials;
 - J) Oversight: the mechanisms to ensure that the Surveillance Use Policy is followed, including, but not limited to, identifying personnel assigned to ensure compliance with the policy, internal record keeping of the use of the technology or access to information collected by the Surveillance Technology, audit requirements or procedures, technical measures to monitor for misuse, any independent person or entity with oversight authority, and the sanctions for violations of the policy;
 - K) Legal Authority: the statutes, regulations, or legal precedents, if any, that control the collection, capturing, recording, retaining, processing, interception, analysis, release, or disclosure of Surveillance Data and technology; and
 - L) Child Rights: special considerations specific to Surveillance Technology and Surveillance Data pertaining to minor children.
4. The City Council shall vote to approve or deny the Surveillance Use Policy by a vote of a simple majority within 60 days of submission. If the City Council does not approve the Surveillance Use Policy, the Policy shall be sent to the Surveillance Oversight Advisory Board who will make recommendations of improvement to the Mayor. Subsequent to receiving the recommendations from the Surveillance Oversight Advisory Board, the Mayor may at their discretion resubmit a modified request to the City Council for approval.

d) Surveillance Technology Impact Report and Technology-Specific Surveillance Use Policy

1. The Mayor's office must seek and obtain approval from the City Council as set forth in this section prior to the City acquiring, using, or entering into an agreement to acquire, share or otherwise use, unapproved Surveillance Technology or Surveillance Data as defined in this ordinance.

- A) The City may seek, but not accept, funds for Surveillance Technology without approval from the City Council, provided that the City shall notify the City Council of the funding application at the time it is submitted, and include in this notification the deadline of the funding opportunity and details regarding the nature of the Surveillance Technology for which funding is sought. If the City Council declines to accept funds for Surveillance Technology the request to accept the funds shall be sent to the Surveillance Oversight Advisory Board who will make recommendations to the Mayor. Subsequent to receiving the recommendations from the Surveillance Oversight Advisory Board, the Mayor may at their discretion resubmit a modified request to the City Council for approval.
- 2. Acquisition of Surveillance Technology by applicable City departments. Unless exempted or excepted from the requirements of this ordinance, any applicable City department intending to acquire new Surveillance Technology or Surveillance Data, including but not limited to procuring that Surveillance Technology without the exchange of monies or other consideration, or use Surveillance Technology or Surveillance Data for a purpose or in a manner not previously approved, shall, prior to acquisition or use, obtain council approval of the acquisition or use. The process for obtaining approval shall be as follows:
 - A) The City department shall submit a Surveillance Technology Impact Report, and, if necessary, a Technology-Specific Surveillance Use Policy, as described below, to the Mayor's office for review and approval.
 - B) If the request is approved by the Mayor's office, the Mayor's office shall submit the request, including copies of the City department's Surveillance Technology Impact Report and, if applicable, Technology-Specific Surveillance Use Policy, to the City Council for review.
 - C) The City Council shall have 60 days from the date of submission to approve or deny a request by majority vote for the acquisition or use of Surveillance Technology. If the City Council does not approve the acquisition or use of Surveillance technology the request shall be sent to the Surveillance Oversight Advisory Board who will make recommendations to the Mayor. Subsequent to receiving the recommendations from the Surveillance Oversight Advisory Board, the Mayor may at their discretion resubmit a modified request to the City Council for approval.
 - D) Contents of Surveillance Technology Impact Report. A Surveillance Technology Impact Report submitted shall include all of the following:
 - E) Information describing the Surveillance Technology and how it works;

- F) Information on the proposed purpose(s) for the Surveillance Technology;
 - G) Information describing the kind of surveillance the Surveillance Technology will conduct and what Surveillance Data will be gathered, including a detailed accounting of which entities may have access to any Surveillance Data, under what circumstances (e.g. ongoing automated access, subject to an informal request, subject to subpoena, subject to a warrant, etc.);
 - H) The location(s) the Surveillance Technology may be deployed and when;
 - I) A description of the privacy and anonymity rights affected and a mitigation plan describing how the department's use of the equipment will be regulated to protect privacy and anonymity, and to limit the risk of abuse;
 - J) The potential impact(s) on privacy in the City; the potential impact on the civil rights and liberties of any individuals, communities or groups, including, but not limited to, communities of color or other marginalized communities in the City, and a description of a plan to address these impact(s);
 - K) An estimate of the fiscal costs for the Surveillance Technology, including initial purchase, personnel and other ongoing costs, and any current or potential sources of funding; and
 - L) An explanation of how the Surveillance Use Policy will apply to this Surveillance Technology and, if it is not sufficiently applicable, a Technology-Specific Surveillance Use Policy.
3. A Technology-Specific Surveillance Use Policy shall be required if the purpose, authorized use, data collection, data access, data protection, data retention, public access, third-party data sharing, training, or oversight of the requested Surveillance Technology differ from the standards in the Surveillance Use Policy submitted under Sections 16-63.3c and 16-63.3d.
- A) A Technology-Specific Surveillance Use Policy shall not conflict with any provision of the City's Surveillance Use Policy.
 - B) To the extent a conflict arises between the provisions of the City's Surveillance Use Policy and a Technology-Specific Surveillance Use Policy, the City's Surveillance Use Policy shall govern. A Technology-Specific Surveillance Use Policy shall include all of the elements of the Surveillance Use Policy as outlined in Section 16-63.3b.
- ~~4.~~ Any Surveillance Technology Impact Report, and, if necessary, Technology-Specific Surveillance Use Policy submitted to the City Council under Sections 16-63.3c and 16-63.3d shall be made publicly available on the City's website upon submission to the council.

16-63.4 Boston Public Schools And Boston Police Department Information-sharing Policy

- a) School Safety Specialists shall not collect, store, or share information pertaining to students except by creating and sharing Student Reports in accordance with this Chapter.
 1. Student Reports shall only be created when:
 - A) Serious bodily harm to an individual has occurred as a result of willful conduct by a student;
 - B) A credible threat to the safety of the school arises that would amount to criminal conduct;
 - C) A student is in possession of firearms as defined in Chapter 269 section 10 (j), ammunition, or a dangerous weapon as defined in M.G.L. Chapter 269 section 10 (b); or
 - D) A student unlawfully possesses or uses controlled substances, provided those substances are not marijuana, nicotine, or alcohol, and further provided, however, that School Safety Specialists may collect, store and share information pertaining to unlawful distribution of alcohol or marijuana when a student has unlawfully distributed marijuana or alcohol on school grounds in excess of the following amounts: thirty (30) grams for marijuana and one (1) liter for alcohol.
 2. School Safety Specialists may not create a Student Report relating to matters that are not described above.
 3. Student Reports shall not contain information pertaining to:
 - A) Immigration status;
 - B) Citizenship;
 - C) Address and/or neighborhood of residence;
 - D) Religion;
 - E) National origin;
 - F) Students' native or spoken language;
 - G) Suspected, alleged, or confirmed gang involvement, affiliation, association, or membership;
 - H) Participation in school activities, extracurricular activities outside of school, sports teams, or school clubs or organizations;
 - I) Degrees, Honors, or Awards; or
 - J) Post-high school plans.

4. Before creating the Student Report, the School Safety Specialists must discuss the writing of the report with the Principal(s) or Head(s) of School of (i) the school(s) where the subject(s) of the report is/are enrolled and (ii) the school where the School Safety Specialists writing the report is assigned to work. The required Principals or Heads of School must document in writing that the incident at hand merits a report under the criteria in Section 16-63.4a.
 5. Principals and Heads of School of (i) the school(s) where the subject(s) of the report is/are enrolled and (ii) the school where the School Safety Specialists writing the report is assigned to work must receive copies of all Student Reports written under this section immediately upon writing.
 - A) Within 24 hours of the writing of a Student Report under this section, the relevant Principals and/or Heads of School must provide a copy of the report, with any necessary redactions to protect student privacy, to every student referenced by name in the Report, as well as to those students' families. Reports which involve allegations of parental/household abuse may also be withheld from students' families if disclosure of the report is not in the best interest of the student. In cases of allegations of parental/household abuse, a copy of the Report shall be provided to the student or a trusted adult of their choosing.
- b) Rules for Student Information Sharing
1. School Safety Specialists and BPS personnel shall not transmit to or share with BPD or any other outside entities any information about students, including but not limited to Student Reports, through any official or unofficial channels, including but not limited to text, phone, email, database, and in-person communication, except if the transmission or sharing is done (i) pursuant to Section 16-63.4c or (ii) in Exigent Circumstances pursuant to Section 16-63.4d.
- c) Transmitting information to the BPD and other entities outside the Boston Public Schools
1. BPS personnel and School Safety Specialists may not send information relating to Boston Public Schools students to the Boston Regional Intelligence Center (BRIC), federal immigration authorities, federal law enforcement agencies, or any law enforcement fusion center under any circumstances, except where required by state or federal law.
 2. BPS personnel may not transmit to the BPD any student information, including but not limited to a Student Report, unless in response to a judicial warrant issued upon a finding of probable cause, as required under MGL c. 269, sec. 10(j) and MGL c. 71, sec. 37L, or as otherwise required by state or federal law. Nothing in this ordinance shall limit the ability of Boston Public Schools to release information as required by state or federal laws and regulations.

3. Before BPS personnel or a School Safety Specialists transmits a Student Report created pursuant to Section 16-63.4a or any other information relating to a student to BPD or to any other entity outside of the Boston Public Schools in accordance with Sections 16-63.4c1 and 16-63.4c2, the following must take place:
 - A) Any student named in a Student Report or other record, and their parent or guardian, must be notified in writing that the Student Report they received pursuant to Section 16-63.4a5A will be transmitted to BPD or to the outside agency and receive an explanation of why the information reflected in the report is prompting the communication. All written materials must be provided in both English and the language spoken by the relevant student's parent or guardian.
 - B) The Boston Public Schools must schedule a meeting with the student and the student's parent or guardian as soon as practicable, and an interpreter of the family's choosing must be present for any party that requires one. The interpreter cannot be the student or other individual who is participating in the meeting in another capacity. If the family does not have a preferred interpreter, BPS must provide a qualified translator.
 - C) The Principals and Heads of School mentioned in Section 16-63.4a5A, the Superintendent, and the Legal Advisor for the School Department must review the Student Report and the Legal Advisor for BPS must verify that at least one of the criteria in Section 16-63.4a1 is present. If the Legal Advisor finds that the incident did not meet the criteria in Section 16-63.4a1, they must place a note in the record attesting to this fact, and the Student Report may not be transmitted to the BPD or any entity outside of BPS.
 - D) The student and family may have an attorney and/or advocate present at the meeting. At the moment the meeting is scheduled and requested, BPS must provide the family with a list of available legal services vetted by the Mayor's Office of Immigrant Advancement.
 - E) Students and families may amend a student's record by placing a note with information relating to any Student Report in which the student is named in the student's file.
- d) Transmission of information pursuant to Exigent Circumstances
 1. Within 12 hours after a School Safety Specialists transmits a Student Report created pursuant to Section 16-63.4a or any other information relating to a student to the BPD pursuant to the existence of Exigent Circumstances:

- A) The School Safety Specialists must notify the relevant Principal or Head of School that student information was shared with the BPD, and provide the relevant Principal or Head of School with a copy of the information shared;
- 2. Within 24 hours after the conclusion of the exigent circumstance or within 24 hours after BPS Personnel or a School Safety Specialists transmits a Student Report created pursuant to Section 16-63.4a or any other information relating to a student to the BPD pursuant to the existence of Exigent Circumstances, the relevant Principal or Head of School shall:
 - A) Notify in writing any student whose information or Student Report was shared and their parent or guardian that the student information was shared, and share a copy of the information transmitted and an explanation of the incident prompting the communication to BPD after the information was transmitted. All written materials must be provided in both English and the language spoken by the parent or guardian.
 - B) The relevant Principal or Head of School must schedule a meeting with the student and the student's parent or guardian as soon as practicable, and an interpreter/translator of the parent or guardian's choosing must be present for any party that requires one. The interpreter/translator cannot be the student or other individual who is participating in the meeting in another capacity. If the family does not have a preferred translator, BPS must provide a qualified translator.
 - I. The student and parent or guardian may have an attorney and/or advocate present at the meeting. At the moment the meeting is scheduled and requested, BPS must provide the family with a list of available legal services vetted by the Mayor's Office of Immigrant Advancement.
 - C) If the information shared was a Student Report, the Principals and/or Heads of School mentioned in Section 16-63.4a5, the Superintendent, and the Legal Advisor for the School Department must review the Student Report and the Legal Advisor for BPS must verify that at least one of the criteria in Section 16-63.4a1 is present. If the Legal Advisor finds that the incident did not meet the criteria in Section 16-63.4a1 they must place a note in the record attesting to this fact, and the BPD must be notified to the same within 3 business hours.
- e) School Safety Specialists shall not attend any meetings where officers or employees from U.S. Immigrations and Customs Enforcement are present, either in person or virtually.
- f) Transparency and Communication

1. Students, families, school administrators, teachers, and counselors must be made aware of this ordinance by including a copy of the ordinance in the Guide to Boston Public Schools.
- g) Community Information-Sharing Oversight Board
1. A community oversight board shall be created to provide oversight regarding the implementation of Section 16-63.4 of this ordinance.
 2. The board must include at least one representative from each of the following groups: a student chosen by the Boston Student Advisory Council, a parent or guardian chosen by the Citywide Parent Council, a parent or guardian chosen by the Boston Special Education Parent Advisory Council, a representative chosen by the Code of Conduct Advisory Council, a representative of the District English Learner Advisory Committee, a teacher chosen by the Boston Teachers Union, a local immigration advocate chosen by the Student Immigrant Movement (SIM), a civil rights advocate chosen by Lawyers for Civil Rights, and an immigration attorney familiar with the immigration consequences of criminal proceedings chosen by the Political Asylum/Immigration Representation Project.
 3. The Superintendent shall report monthly to the board:
 - A) The number of Student Reports created, disaggregated by school;
 - B) The number of Student Reports shared with any outside entity, disaggregated by school and receiving entity;
 - C) The number of Student Reports reviewed by the Legal Advisor for the School Department that did not meet the criteria specified in Section 16-63.4a1, disaggregated by school, and including the date of each incident, a description of each incident, the race, ethnicity, gender, age, and grade level of each student who is named in the report, the location of the incident, and whether the report was transmitted to BPD or to any other outside entity.
 - D) The number of Student Reports written under Section 16-63.4a, disaggregated by school, including the date of the incident, a description of the incident including the justification for the creation of the report per Section 16-63.4a1, the type of report, the race, ethnicity, gender, age and grade of each student who is named in the report, the location of the incident, and whether the report was transmitted to BPD or to any other outside entities.
 4. The board will review the information provided under Section 16-63.4g3 and may request that School Safety Specialists or District personnel respond to questions, either in writing or at a public meeting, relating to the information provided.

5. The board shall review the information for patterns and compliance with this ordinance. It shall issue findings and report such findings to the City Council and School Committee on a quarterly basis.
- h) Accountability and Training
1. All School Safety Specialists and school administrators must receive training on this policy, and the training will be designed in collaboration with the Student Immigrant Movement and Boston Teachers Union's Unafraid Educators. The training will also be provided by the Central Office and not by individual schools. Training materials will be made publicly available.
 2. All School Safety Specialists and BPS personnel, including school administrators, will sign an acknowledgment of responsibility for safeguarding student information under Section 16-63.4 of this ordinance, FERPA, and state student records law.
 3. All new School Safety Specialists will receive training on the requirements of Section 16-63.4 of this ordinance as part of their orientation.
 4. All School Safety Specialists must be trained every three years or at the discretion of the community oversight board.
 5. Any transfer of information about students in violation of Section 16-63.4 of this ordinance shall result in appropriate disciplinary action, up to and including dismissal, in accordance with the rules of collective bargaining.
 6. Should any School Safety Specialist be found to have violated this policy, the Superintendent will instruct the Chief of Safety Services to suspend all authorization of School Safety Specialists report submissions to BPD pending a full investigation of such violation.
- i) Nothing in this section shall be construed to prevent or restrict reporting requirements around sexual assault, sexual abuse, and child abuse in accordance with Massachusetts General Laws.

16-63.5 Annual Surveillance Report

- a) Applicability: This section shall apply to the following City departments and agencies: the Boston Police Department, Boston Parks Department Park Rangers, Boston Public Schools, Boston Public Health Commission, Boston Housing Authority, Boston Municipal Protection Services, and the Office of Emergency Management.

For the purpose of this section, the word "City" shall mean the City departments and agencies listed above.

- b) Within 18 months of the effective date, and annually thereafter, all applicable City departments shall submit to the Mayor an Annual Surveillance Report pertaining to each City department for which approval for the use of Surveillance Technology or Surveillance Data has been obtained under Sections 16-63.3c and 16-63.3d of this ordinance. Upon receipt of such reports, the Mayor shall promptly submit them to the City Council. Any Annual Surveillance Report submitted under this section shall be made publicly available on the City's website upon submission to the council.
- c) The Annual Surveillance Report submitted pursuant to this section shall include all of the following:
1. A description of how Surveillance Technology has been used, including whether it captured images, sound, or other information regarding members of the public who are not suspected of engaging in unlawful conduct;
 2. Whether and how often data acquired through the use of the Surveillance Technology was shared with local, state, and federal, the name of any recipient entity, the type(s) of data disclosed, any legal standard(s) under which the information was disclosed, and the justification for the disclosure;
 3. A summary of community complaints or concerns about the Surveillance Technology, if any;
 4. The results of any internal audits, any information about violations of the Surveillance Use Policy, and any actions taken in response other than to the extent that such inclusion would violate the privacy rights of an employee of the City;
 5. A detailed accounting of whether the Surveillance Technology has been effective at achieving its identified purpose;
 6. The number of public records requests received by the City seeking documents concerning Surveillance Technologies approved during the previous year;
 7. An estimate of the total annual costs for the Surveillance Technology, including personnel and other ongoing costs, and what source(s) of funding will fund the technology in the coming year, if known;
 8. Whether the civil rights and liberties of any communities or groups, including communities of color or other marginalized communities in the City are disproportionately impacted by the deployment of the Surveillance Technology; and
 9. A disclosure of any new agreements made in the past 12 months with non-City entities that may include acquiring, sharing, or otherwise using Surveillance Technology or the Surveillance Data it provides.

- d) Based upon information provided in the Annual Surveillance Report, the City Council shall determine whether the benefits to the applicable, impacted City department(s) and the community of the Surveillance Technology outweigh the financial and operational costs and whether reasonable safeguards exist to address reasonable concerns regarding privacy, civil liberties, and civil rights impacted by the deployment of the Surveillance Technology. If the benefits or reasonably anticipated benefits do not outweigh the financial and/or operational costs or civil liberties or civil rights are not reasonably safeguarded, the City Council may recommend modifications to the Surveillance Use Policy that are designed to address the City Council's concerns to the Mayor for their consideration; withdraw authorization for continued use of Surveillance Technology by a majority vote of the City Council; and/or request a report back from the Mayor regarding steps taken to address the City Council's concerns. Should the Council withdraw authorization for a previously approved surveillance technology, the Mayor may request that the Surveillance Oversight Advisory Board meet to discuss the City Council's concerns and provide recommendations to the Mayor. The mayor at their discretion may resubmit a modified request to the City Council for approval.
- e) Nothing in this ordinance shall prohibit the City Council from enacting a separate ordinance to ban or otherwise regulate any Surveillance Technology, whether previously approved or not.
- f) No later than May 31 of each year, the City Council shall hold a meeting to discuss the applicable City departments' Annual Surveillance Reports, and shall publicly release a report that includes a summary of all requests for approval of Surveillance Technology received by the City Council during the prior year, including whether the City Council approved or denied the City's request for acquisition or use of the Surveillance Technology.

16-63.6 Enforcement

- a) Enforcement officials: This ordinance shall be enforced by the Mayor's office or the Mayor's designee.
- b) Suppression: No data collected or derived from any use of Surveillance Technology in violation of this ordinance and no evidence derived therefrom may be received in evidence in any proceeding in or before any department, officer, agency, regulatory body, legislative committee, or other authority subject to the jurisdiction of the City of Boston.

- c) Cause of action: Any violation of this ordinance constitutes an injury and any person may institute proceedings for injunctive relief, declaratory relief, or writ of mandate in any court of competent jurisdiction to enforce this ordinance. An action instituted under this paragraph shall be brought against the City and, if necessary to effectuate compliance with this ordinance, any other governmental agency with possession, custody, or control of data subject to this ordinance.
- d) The City will address alleged violations of this ordinance in accordance with its usual practices, applicable law, and contractual obligations.
- e) Whistleblower protections. Subject to the limitations and requirements set forth in G. L. c. 149, §185 (the “Massachusetts Whistleblower Statute” or “Section 185”) as it may be amended from time to time, any City employee as defined in Section 185 who reports an alleged violation of this ordinance, shall be afforded protections against retaliation if applicable pursuant to Section 185, as set forth in and subject to the limitations and requirements of Section 185.
- f) Nothing in this ordinance shall be construed to limit or affect any individual’s rights under state or federal laws.

16-63.7 Severability

- a) The provisions in this ordinance are severable. If any part or provision of this ordinance, or the application of this ordinance to any person or circumstance, is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected by such holding and shall continue to have full force and effect.

16-63.8 Effective Date and Implementation

The effective date and implementation of the ordinance shall be as follows.

- a) The ordinance shall take effect and be implemented in the manner and ways described in this section.
- b) The ordinance shall take effect notwithstanding any other provision of law and shall supersede any prior law and regulation enacted by the City of Boston and/or any agreement entered into by the City of Boston or any of its agencies that are interpreted to be in conflict with its provisions.
- c) Sections 16-63.1, 16-63.2, 16-63.4, 16-63.6, and 16-63.7 shall take effect one month after its adoption in accordance with the following provisions:
 - 1. Every School Safety Specialist shall create a record of Historic Student Reports
 - 2. Within four months of the Effective Date:

- A) The Historic Student Reports that do not conform with Section 16-63.4a1 shall be destroyed, in both print and electronic form, provided that such destruction is permitted under the state law relating to retention of records.
 - B) The Historic Student Reports that conform with Section 16-63.4a1 can be retained, provided there is a previous certification by the BPS Legal Advisor that their creation meets such requirements.
 - C) All reports created more than 5 years ago shall be destroyed.
3. Within six months of the Effective Date, the Head of the School Safety Specialists and the Legal Advisor must submit a report to the Community Information-Sharing Oversight Board. Such report must contain:
- A) The number of Historic Student Reports, including the format or file type of the report, description of each incident, disaggregated by race, ethnicity, gender, age, and grade level of each student who is named in the report;
 - B) The number of Historic Student Reports retained in accordance with Section 16-63.8c2A;
 - C) The number of Historic Student Reports destroyed in accordance with Section 16-63.8c2B and 16-63.8c2C;
4. No more than one month after receiving such report, the Community Information-Sharing Oversight Board shall call a public hearing to discuss the Historic Student Reports. The Head of the School Safety Specialists as well as individual School Safety Specialists shall be present at such public hearing.
- d) Sections 16-63.3 and 16-63.5 shall take effect nine months after their adoption.

16-63.9 Establishment of a Surveillance, Data, and Privacy Working Group

- a) The Working Group shall be tasked with identifying a set of priorities and implementable objectives to increase the transparency, accountability, and engagement around the public deployment of technology and use of data within City of Boston Departments not covered by this ordinance.
- b) The Working Group will move forward sustainable policies to increase engagement on the topic of privacy and supply recommendations on professional development opportunities and training for City staff.
- c) The Working Group must produce recommendations for implementation within one year from the date of adoption to the Mayor and City Council.

- d) The Working Group shall comprise a representative from the Mayor's Office of New Urban Mechanics, a representative from the Department of Innovation and Technology, a representative from the City Council to be chosen by the Boston City Council President, a representative from the Massachusetts American Civil Liberties Union, a representative from the community-at-large to be chosen by SIM, and a representative appointed by the Mayor.
- e) The Working Group will dissolve upon the publication of recommendations to the Mayor and City Council.
- f) The Working Group seats shall be filled within one month of this ordinance's passage and the Group shall convene for its first meeting one month thereafter.

Filed in City Council: October 20, 2021



**City Of Boston · Massachusetts
Office of the Acting Mayor
Kim Janey**

09-19-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of ONE MILLION SIX HUNDRED THREE THOUSAND ONE HUNDRED TWELVE DOLLARS (**\$1,603,112.00**) in the form of a grant, American Rescue Plan Act, Title III-B, awarded by U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong.

The grant would fund Supportive Services for older adults in Boston, for the period 4/1/21 through 6/30/22.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND American Rescue Plan Act, Title III-B FUNDS, AWARDED BY U.S. Department of Health and Human Services AND MA Executive Office of Elder Affairs.

WHEREAS, the U.S. Department of Health and Human Services and MA Executive Office of Elder Affairs, are being petitioned for the issuance of funds to the Age Strong; and

WHEREAS, the funds in the amount of ONE MILLION SIX HUNDRED THREE THOUSAND ONE HUNDRED TWELVE DOLLARS (**\$1,603,112.00**) would fund Supportive Services for older adults in Boston, for the period 4/1/21 through 6/30/22. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the U.S. Department of Health and Human Services, and MA Executive Office of Elder Affairs' American Rescue Plan Act, Title III-B award not to exceed the amount of ONE MILLION SIX HUNDRED THREE THOUSAND ONE HUNDRED TWELVE DOLLARS (**\$1,603,112.00**).

Docket #

**In City Council
Passed**

City Clerk

Acting Mayor

Approved

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



BOSTON CITY COUNCIL

Committee on Boston's COVID-19 Recovery

Michael F. Flaherty, Chair

One City Hall Square ♦ 5th Floor ♦ Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ Fax: (617) 635-4203

REPORT OF COMMITTEE CHAIR

October 20, 2021

Dear Councillors:

The Committee held a hearing on Dockets #0994, #0995, #0996, #0997, #0999 and #1001, various grants under the American Rescue Plan to be administered by the Age Strong Commission. These orders were sponsored by Acting Mayor Janey and referred to the Committee on September 22, 2021. The Committee held a hearing on October 14, 2021 where public comment was taken. The dockets are described as follows:

Docket #0994, Message and order authorizing the City of Boston to accept and expend the amount of One Million Six Hundred Three Thousand One Hundred Twelve Dollars (\$1,603,112.00) in the form of a grant for the American Rescue Plan Act, Title III-B awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund Supportive Services for older adults in Boston, for the period 4/1/21 through 6/30/22.

Docket #0995, Message and order authorizing the City of Boston to accept and expend the amount of One Million Four Hundred Six Thousand Three Hundred Thirty One Dollars (\$1,406,331.00) in the form of a grant, for the American Rescue Plan Act-Title III-C Nutrition program, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund nutrition services for older adults in Boston, for the period 4/1/21 through 6/30/22.

Docket #0996, Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Twenty Three Thousand One Hundred Seventy Dollars (\$423,170.00) in the form of a grant for the American Rescue Plan Act- Title III-A, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund administration costs for planning and implementation by the Age Strong Commission, from 4/1/2021 to 9/14/2021.

Docket #0997, Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Ninety Four Thousand One Hundred Thirty Three Dollars (\$394,133.00) in the form of a grant for the American Rescue Plan Act, Title III-E, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age

Strong Commission. The grant will fund Family Caregiver Services for older adults in Boston, for the period 4/1/2021 through 6/30/22.

Docket #0999, Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Fifty Seven Thousand Five Hundred Twenty Two Dollars (\$157,522.00) in the form of a grant, for the American Rescue Plan Act, Title III-D, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund the Long-Term Care Ombudsman program, for the period 4/1/21 through 6/30/22.

Docket #1001, Message and order authorizing the City of Boston to accept and expand the amount of One Hundred Forty Thousand One Hundred Twenty-One Dollars (\$140,121.00) in the form of a grant, for the American Rescue Plan Act, Title III-D, awarded by the U.S. Department of Human Health and Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund preventative health services for older adults in Boston, for the period 4/1/21 through 6/30/22.

Information Gathered at the Hearing:

The following individuals from the Administration and the Age Strong Commission attended the hearing and offered comments: Commissioner Emily Shea; Francis Thomas, Director of A & F; and, Deputy Commissioner of Programs and Partnerships, Melissa Carlson. The Committee discussed how the funds would be used.

Commissioner Shea explained that the Age Strong Commission typically receives these funds every year through the Older Americans Act and that more money is available this year through the American Rescue Plan Act (“ARPA”). Commissioner Shea described the services that the funding is used for. The services include supportive services, nutrition services, caregiver services, administrative funds, and the Ombudsman program. Commissioner Shea explained that some funds will be used in-house but that a majority of the funds will be used for the aging services network. Commissioner Shea explained that the Age Strong Commission works with 24 grantees through an RFP process and that Age Strong partners with community organizations to run these programs and services. Commissioner Shea explained that the community organizations help reach a broader section of communities and to extend the network in order that older adults have access to the network at any time. Commissioner Shea explained that the funds will be put through the RFP process next spring with the funds going out in May. Commissioner Shea also stated that there may also be an RFP this year.. Commissioner Shea stated that the funds will go out to the organizations that are working with the City and that the funds through the ARPA may be used for outreach. Commissioner Shea also explained that there will be an RFP for mental health and wellness services for older adults.

The Chair inquired about distribution of the funds and whether any of the funds have been received. Commissioner Shea explained that some of the funds are cost reimbursement funds and can be billed back to April 1, 2021. Commissioner Shea stated that no funds have been spent. The Chair asked where the funds will be spent and how will the Age Strong Commission measure impact. Commissioner Shea explained that the funds will pass through to organizations that currently run the programs. Commissioner Shea explained that the standards are outlined in the Older Americans Act and that the Age Strong Commission follows the structures in that Act. Commissioner Shea stated that the extra funds will allow for outreach and that the scope of services and budget of grantees needs to be approved. Councilor Mejia asked about food insecurity, cultural competency, partnerships with small businesses, partnerships with nonprofits for caregivers, health services and incorporating mental health. Commissioner Shea explained

that the nutrition services is a multi-scope program that provides assessments, counseling services, and nutrition information in addition to meals. Commissioner Shea explained that the nutritional requirements are federal and state based. Commissioner Shea explained that the Age Strong Commission is working to have a webinar to bring in local restaurants that may be interested in the program. Commissioner Shea explained that the providers use best practices for home health and that with regard to caregivers the funds are used to help caregivers navigate services such as support services and that the funds are not connected to home health. Commissioner Shea explained that with regard to the health services under Title III D, the federal government has a list of healthy aging programs that can be paid with these funds. Councilor Breadon inquired about elder economic security issues and hiring health care and home care workers. Councilor O'Malley and Councilor Flynn expressed support for the Age Strong Commission and the various programs.

Rationale and Recommended Action:

Passage of these dockets will authorize increased funding to enhance the services provided by the Age Strong Commission. The additional funding will allow the Age Strong Commission to continue its work with outside community organizations throughout the City that provide supportive services for seniors and under the ARPA the City will be able to use funds for outreach services in order to ensure that seniors have access to the services network.

By the Chair of the Committee on Boston's COVID-19 Recovery, to which the following were referred:

- ***Docket #0994***, Message and order authorizing the City of Boston to accept and expend the amount of One Million Six Hundred Three Thousand One Hundred Twelve Dollars (\$1,603,112.00) in the form of a grant for the American Rescue Plan Act;
- ***Docket #0995***, Message and order authorizing the City of Boston to accept and expend the amount of One Million Four Hundred Six Thousand Three Hundred Thirty One Dollars (\$1,406,331.00) in the form of a grant, for the American Rescue Plan Act;
- ***Docket #0996***, Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Twenty Three Thousand One Hundred Seventy Dollars (\$423,170.00) in the form of a grant for the American Rescue Plan Act;
- ***Docket #0997***, Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Ninety Four Thousand One Hundred Thirty Three Dollars (\$394,133.00) in the form of a grant for the American Rescue Plan Act;
- ***Docket #0999***, Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Fifty Seven Thousand Five Hundred Twenty Two Dollars (\$157,522.00) in the form of a grant, for the American Rescue Plan Act; and,
- ***Docket #1001***, Message and order authorizing the City of Boston to accept and expand the amount of One Hundred Forty Thousand One Hundred Twenty-One Dollars (\$140,121.00) in the form of a grant, for the American Rescue Plan Act,

submits a report recommending that these orders **ought to pass.**

For the Chair:



Michael F. Flaherty, Chair
Committee on Boston's COVID-19 Recovery



**City Of Boston · Massachusetts
Office of the Acting Mayor
Kim Janey**

09-19-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of ONE MILLION FOUR HUNDRED SIX THOUSAND THREE HUNDRED THIRTY-ONE DOLLARS (**\$1,406,331.00**) in the form of a grant, American Rescue Plan Act - Title IIIC Nutrition, awarded by U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong.

The grant would fund nutrition services for older adults in Boston, for the period 4/1/21 through 6/30/22.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND American Rescue Plan Act - Title IIIC Nutrition FUNDS, AWARDED BY U.S. Department of Health and Human Services AND MA Executive Office of Elder Affairs.

WHEREAS, the U.S. Department of Health and Human Services and MA Executive Office of Elder Affairs, are being petitioned for the issuance of funds to the Age Strong; and

WHEREAS, the funds in the amount of ONE MILLION FOUR HUNDRED SIX THOUSAND THREE HUNDRED THIRTY-ONE DOLLARS (**\$1,406,331.00**) would fund nutrition services for older adults in Boston, for the period 4/1/21 through 6/30/22. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the U.S. Department of Health and Human Services, and MA Executive Office of Elder Affairs' American Rescue Plan Act - Title IIIC Nutrition award not to exceed the amount of ONE MILLION FOUR HUNDRED SIX THOUSAND THREE HUNDRED THIRTY-ONE DOLLARS (**\$1,406,331.00**).

Docket #

**In City Council
Passed**

City Clerk

Acting Mayor

Approved

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Acting Mayor
Kim Janey**

09-19-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of **FOUR HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED SEVENTY DOLLARS (\$423,170.00)** in the form of a grant, American Rescue Plan Act - Title IIIA, awarded by U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong.

The grant would fund administration costs for planning and implementation by the Age Strong Commission, from April 1 to September 14, 2021.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND American Rescue Plan Act - Title IIIA FUNDS, AWARDED BY U.S. Department of Health and Human Services AND MA Executive Office of Elder Affairs.

WHEREAS, the U.S. Department of Health and Human Services and MA Executive Office of Elder Affairs, are being petitioned for the issuance of funds to the Age Strong; and

WHEREAS, the funds in the amount of FOUR HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED SEVENTY DOLLARS (**\$423,170.00**) would fund administration costs for planning and implementation by the Age Strong Commission, from April 1 to September 14, 2021. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the U.S. Department of Health and Human Services, and MA Executive Office of Elder Affairs' American Rescue Plan Act - Title IIIA award not to exceed the amount of FOUR HUNDRED TWENTY-THREE THOUSAND ONE HUNDRED SEVENTY DOLLARS (**\$423,170.00**).

Docket #

**In City Council
Passed**

City Clerk

Acting Mayor

Approved

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Acting Mayor
Kim Janey**

09-19-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of THREE HUNDRED NINETY-FOUR THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS (**\$394,133.00**) in the form of a grant, American Rescue Plan Act, Title III-E, awarded by U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong.

The grant would fund Family Caregiver services for older adults in Boston, for the period 4/1/21 through 6/30/22.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND American Rescue Plan Act, Title III-E FUNDS, AWARDED BY U.S. Department of Health and Human Services AND MA Executive Office of Elder Affairs.

WHEREAS, the U.S. Department of Health and Human Services and MA Executive Office of Elder Affairs, are being petitioned for the issuance of funds to the Age Strong; and

WHEREAS, the funds in the amount of THREE HUNDRED NINETY-FOUR THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS (**\$394,133.00**) would fund Family Caregiver services for older adults in Boston, for the period 4/1/21 through 6/30/22. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the U.S. Department of Health and Human Services, and MA Executive Office of Elder Affairs' American Rescue Plan Act, Title III-E award not to exceed the amount of THREE HUNDRED NINETY-FOUR THOUSAND ONE HUNDRED THIRTY-THREE DOLLARS (**\$394,133.00**).

Docket #

**In City Council
Passed**

City Clerk

Acting Mayor

Approved

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Acting Mayor
Kim Janey**

09-19-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of ONE HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED TWENTY-TWO DOLLARS (**\$157,522.00**) in the form of a grant, American Rescue Plan Act, Title III-D, awarded by U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong.

The grant would fund the Long-Term Care Ombudsman program, for the period 4/1/21 through 6/30/22.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND American Rescue Plan Act, Title III-D FUNDS, AWARDED BY U.S. Department of Health and Human Services AND MA Executive Office of Elder Affairs.

WHEREAS, the U.S. Department of Health and Human Services and MA Executive Office of Elder Affairs, are being petitioned for the issuance of funds to the Age Strong; and

WHEREAS, the funds in the amount of ONE HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED TWENTY-TWO DOLLARS (**\$157,522.00**) would fund the Long-Term Care Ombudsman program, for the period 4/1/21 through 6/30/22. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the U.S. Department of Health and Human Services, and MA Executive Office of Elder Affairs' American Rescue Plan Act, Title III-D award not to exceed the amount of ONE HUNDRED FIFTY-SEVEN THOUSAND FIVE HUNDRED TWENTY-TWO DOLLARS (**\$157,522.00**).

Docket # _____

**In City Council
Passed** _____

City Clerk

Acting Mayor

Approved _____

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Acting Mayor
Kim Janey**

09-19-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of ONE HUNDRED FORTY THOUSAND ONE HUNDRED TWENTY-ONE DOLLARS **(\$140,121.00)** in the form of a grant, American Rescue Plan Act, Title III-D, awarded by U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong.

The grant would fund preventative health services for older adults in Boston, for the period 4/1/21 through 6/30/22.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND American Rescue Plan Act, Title III-D FUNDS, AWARDED BY U.S. Department of Health and Human Services AND MA Executive Office of Elder Affairs.

WHEREAS, the U.S. Department of Health and Human Services and MA Executive Office of Elder Affairs, are being petitioned for the issuance of funds to the Age Strong; and

WHEREAS, the funds in the amount of ONE HUNDRED FORTY THOUSAND ONE HUNDRED TWENTY-ONE DOLLARS (**\$140,121.00**) would fund preventative health services for older adults in Boston, for the period 4/1/21 through 6/30/22. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the U.S. Department of Health and Human Services, and MA Executive Office of Elder Affairs' American Rescue Plan Act, Title III-D award not to exceed the amount of ONE HUNDRED FORTY THOUSAND ONE HUNDRED TWENTY-ONE DOLLARS (**\$140,121.00**).

Docket # _____

**In City Council
Passed** _____

City Clerk

Acting Mayor

Approved _____

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



**City Of Boston • Massachusetts
Office of the Acting Mayor
Kim Janey**

09-24-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of FIVE HUNDRED THOUSAND DOLLARS (**\$500,000.00**) in the form of a grant, FY21 Gus Schumacher Nutrition Incentive Program, awarded by National Institute of Food and Agriculture- USDA to be administered by the Office of Food Access.

The grant would fund projects to increase the purchase of fresh fruits and vegetables by low-income SNAP consumers.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY21 Gus Schumacher Nutrition Incentive Program FUNDS, AWARDED BY National Institute of Food and Agriculture- USDA.

WHEREAS, the National Institute of Food and Agriculture- USDA, is being petitioned for the issuance of funds to the Office of Food Access; and

WHEREAS, the funds in the amount of FIVE HUNDRED THOUSAND DOLLARS (**\$500,000.00**) would fund projects to increase the purchase of fresh fruits and vegetables by low-income SNAP consumers. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the National Institute of Food and Agriculture- USDA, FY21 Gus Schumacher Nutrition Incentive Program award not to exceed the amount of FIVE HUNDRED THOUSAND DOLLARS (**\$500,000.00**).

Docket # _____

In City Council
Passed _____

City Clerk

Acting Mayor

Approved _____

I hereby certify that the foregoing, if passed in the above form, will be in accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



BOSTON CITY COUNCIL

Committee on Strong Women, Families, and Communities

Liz Breadon, *Chair*

REPORT OF COMMITTEE CHAIR

October 19, 2021

Dear Councilors:

The Committee on Strong Women, Families, and Communities was referred the following dockets for consideration:

Docket #0958, Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Thousand Dollars (\$100,000.00) in the form of a grant for the No Kid Hungry, awarded by Share Our Strength to be administered by the Office of Food Access. The grant will fund school-based food programs (BosFoodLove) and the Community Hub Schools Initiative.

Docket #1014, Message and order authorizing the City of Boston to accept and expend the amount of Five Hundred Thousand Dollars (\$500,000.00) in the form of a grant for the FY21 Gus Schumacher Nutrition Incentive Program, awarded by the Nation Institute of Food and Agriculture-USDA, to be administered by the Office of Food Access.

These matters were sponsored by the Administration, and were referred to the Committee on September 15, 2021 (#0958) and September 29, 2021 (#1014).

Summary

Docket #0958 requests approval to authorize the City of Boston to accept and expend the amount of One Hundred Thousand Dollars (\$100,000.00) in the form of a grant for the No Kid Hungry, awarded by Share Our Strength to be administered by the Office of Food Access. The grant will fund school-based food programs (BosFoodLove) and the Community Hub Schools Initiative.

Docket #1014 requests approval to authorize the City of Boston to accept and expend the amount of Five Hundred Thousand Dollars (\$500,000.00) in the form of a grant for the FY21 Gus Schumacher Nutrition Incentive Program, awarded by the Nation Institute of Food and Agriculture-USDA, to be administered by the Office of Food Access. The grant would fund projects to increase the purchase of fresh fruits and vegetables by low-income SNAP consumers

Information Received at Hearing

The Committee held a hearing on Dockets #0958 and #1014 on Friday, October 1, 2021. Catalina Lopez-Ospina, Director, Office of Food Access (OFA) provided testimony on behalf of the Administration.

Director Lopez-Ospina discussed Docket #1014 and stated that OFA was awarded a grant from the FY21 Gus Schumacher Nutrition Incentive Program through the National Institute of Food and the United States Department of Agriculture in the amount of \$500,000 to be administered over the next three years. She stated that this grant will be used to fund an expansion of the Boston Double Up Bucks program, a SNAP incentive program where individuals can get 50 percent off fresh fruits and vegetables with their EBT card at participating grocery stores and corner stores. Specifically, this new funding will allow for additional store locations to participate in the Boston Double Up Bucks program. Currently there are 12 stores participating in this program in neighborhoods across the city with the anticipation of an additional 4 to 6 more stores with this new funding.

Director Lopez-Ospina discussed Docket #0958 and stated that OFA was awarded \$100,000 in the form of a grant from No Kid Hungry through Share Our Strength. This grant will be used to increase funding for the BosFoodLove program which aims to increase the participation of breakfast and lunch opportunities at Boston Public Schools and Charter school students and families. Specifically, this funding will assist in providing culturally appropriate for in school settings and to extend the full-time manager position of the BosFoodLove program to improve engagement with youth and community members and organizations.

Committee Chair Recommended Action

As Chair of the Committee on Strong Women, Families, and Communities, I recommend moving the listed docket from the Committee to the full Council for discussion and formal action. At that time, my recommendation to the full Council will be that this matter **OUGHT TO PASS**.



Liz Breadon, Chair
Committee on Strong Women, Families,
and Communities



City of Boston
Mayor Kim Janey

September 27, 2021

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval an Order authorizing the City of Boston to accept and expend the amount of Seven Hundred Fifty Thousand Dollars (\$750,000) in the form of a Land and Water Conservation Fund grant awarded by the National Park Service, and passed through the Massachusetts Division of Conservation Services, to be administered by the Boston Parks and Recreation Department.

The grant will be used for improvements at Malcolm X Park that will make paths, entrances, and play areas compliant with the Americans with Disabilities Act.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Janey".

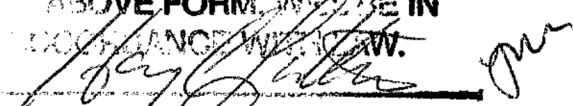
Kim Janey
Acting Mayor of Boston

**CITY OF BOSTON
IN CITY COUNCIL**

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND A GRANT OF SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) FROM THE NATIONAL PARK SERVICE LAND AND WATER CONSERVATION FUND FOR IMPROVEMENTS TO MALCOLM X PARK.

ORDERED: That the City of Boston, acting by and through its Commissioner of the Boston Parks and Recreation Department, be, and hereby is, authorized in accordance with Section 53A of Chapter 44 of the Massachusetts General Laws, to accept and expend a grant from the National Park Service Land and Water Conservation Fund in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000) for the purpose of making paths, entrances and play areas compliant with the Americans with Disabilities Act.

HEREBY CERTIFY THAT
FOREGOING, IF PASSED IN
ABOVE FORM, WILL BE IN
COMPLIANCE WITH LAW.


NEIL G. LUTHIN
CORPORATION COUNSEL



**City Of Boston • Massachusetts
Office of the Acting Mayor
Kim Janey**

06-25-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of SIX HUNDRED SEVENTY-TWO THOUSAND SIX HUNDRED EIGHTY-FIVE DOLLARS AND SIXTY CENTS (**\$672,685.60**) in the form of a grant, FY22 YouthWorks, awarded by MA Executive Office of Labor and Workforce Development, passed through the Economic Development & Industrial Corporation of Boston, to be administered by the Youth Engagement & Employment.

The grant would fund the Summer 2021 Success Link Employment Program.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY22 YouthWorks FUNDS, AWARDED BY MA Executive Office of Labor and Workforce Development AND Economic Development & Industrial Corporation of Boston.

WHEREAS, the MA Executive Office of Labor and Workforce Development and Economic Development & Industrial Corporation of Boston, are being petitioned for the issuance of funds to the Youth Engagement & Employment; and

WHEREAS, the funds in the amount of SIX HUNDRED SEVENTY-TWO THOUSAND SIX HUNDRED EIGHTY-FIVE DOLLARS AND SIXTY CENTS (**\$672,685.60**) would fund the Summer 2021 Success Link Employment Program. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the MA Executive Office of Labor and Workforce Development, and Economic Development & Industrial Corporation of Boston' FY22 YouthWorks award not to exceed the amount of SIX HUNDRED SEVENTY-TWO THOUSAND SIX HUNDRED EIGHTY-FIVE DOLLARS AND SIXTY CENTS (**\$672,685.60**).

Docket #

**In City Council
Passed**

City Clerk

Acting Mayor

Approved

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



**City Of Boston • Massachusetts
Office of the Acting Mayor
Kim Janey**

06-25-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of FOUR HUNDRED SEVENTY-SIX THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS (**\$476,666.00**) in the form of a grant, FY21 Title IIIC Supplemental, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong.

The grant would fund nutrition services for Boston elders.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY21 Title IIIC Supplemental FUNDS, AWARDED BY the U.S. Department of Health and Human Services AND MA Executive Office of Elder Affairs.

WHEREAS, the the U.S. Department of Health and Human Services and MA Executive Office of Elder Affairs, are being petitioned for the issuance of funds to the Age Strong; and

WHEREAS, the funds in the amount of FOUR HUNDRED SEVENTY-SIX THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS (**\$476,666.00**) would fund nutrition services for Boston elders. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the the U.S. Department of Health and Human Services, and MA Executive Office of Elder Affairs' FY21 Title IIIC Supplemental award not to exceed the amount of FOUR HUNDRED SEVENTY-SIX THOUSAND SIX HUNDRED SIXTY-SIX DOLLARS (**\$476,666.00**).

Docket #

**In City Council
Passed**

City Clerk

Acting Mayor

Approved

I hereby certify that
the foregoing, if passed in
the above form, will be in
accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel



**City Of Boston • Massachusetts
Office of the Acting Mayor
Kim Janey**

09-24-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of ONE MILLION SEVEN HUNDRED SIXTY-EIGHT THOUSAND THREE HUNDRED SEVENTY-EIGHT DOLLARS AND FIFTY-SIX CENTS (**\$1,768,378.56**) in the form of a grant, FY22 State Elder Lunch Program, awarded by MA Executive Office of Elder Affairs to be administered by the Age Strong.

The grant would fund nutrition services for up to 283,394 older adults in the City of Boston at \$6.24 per meal.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY22 State Elder Lunch Program FUNDS, AWARDED BY MA Executive Office of Elder Affairs.

WHEREAS, the MA Executive Office of Elder Affairs, is being petitioned for the issuance of funds to the Age Strong; and

WHEREAS, the funds in the amount of ONE MILLION SEVEN HUNDRED SIXTY-EIGHT THOUSAND THREE HUNDRED SEVENTY-EIGHT DOLLARS AND FIFTY-SIX CENTS (**\$1,768,378.56**) would fund nutrition services for up to 283,394 older adults in the City of Boston at \$6.24 per meal. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the MA Executive Office of Elder Affairs, FY22 State Elder Lunch Program award not to exceed the amount of ONE MILLION SEVEN HUNDRED SIXTY-EIGHT THOUSAND THREE HUNDRED SEVENTY-EIGHT DOLLARS AND FIFTY-SIX CENTS (**\$1,768,378.56**).

Docket # _____

**In City Council
Passed** _____

City Clerk

Acting Mayor

Approved _____

I hereby certify that the foregoing, if passed in the above form, will be in accordance with law.

by Henry C. Luthin
Henry C. Luthin
Corporation Counsel



**City Of Boston • Massachusetts
Office of the Acting Mayor
Kim Janey**

07-19-2021

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston to accept and expend the amount of ONE HUNDRED TWENTY THOUSAND DOLLARS (**\$120,000.00**) in the form of a grant, Community Compact IT Grant, awarded by MA Executive Office of Administration & Finance to be administered by the Dpt of Innovation & Technology.

The grant would fund enhanced technology monitoring and configuration management that leverages artificial intelligence and machine learning.

I urge your Honorable Body to adopt this Order so that the City of Boston may accept the funds expeditiously and expend them upon award for the purposes for which they are granted.

Sincerely,

Kim Janey
Acting Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND Community Compact IT Grant FUNDS, AWARDED BY MA Executive Office of Administration & Finance.

WHEREAS, the MA Executive Office of Administration & Finance, is being petitioned for the issuance of funds to the Dpt of Innovation & Technology; and

WHEREAS, the funds in the amount of ONE HUNDRED TWENTY THOUSAND DOLLARS (**\$120,000.00**) would fund enhanced technology monitoring and configuration management that leverages artificial intelligence and machine learning. Therefore be it

ORDERED: that the Mayor, acting on behalf of the City of Boston be, and hereby is authorized, pursuant to section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the MA Executive Office of Administration & Finance, Community Compact IT Grant award not to exceed the amount of ONE HUNDRED TWENTY THOUSAND DOLLARS (**\$120,000.00**).

Docket # _____

In City Council Passed _____

City Clerk

Acting Mayor

Approved _____

I hereby certify that the foregoing, if passed in the above form, will be in accordance with law.

by *Henry C. Luthin*

Henry C. Luthin
Corporation Counsel

OFFERED BY COUNCILOR BOK, Arroyo, Baker, Breadon, Campbell, Edwards, Flaherty,
Flynn, Flaherty, Mejia, Wu and O'Malley



CITY OF BOSTON IN CITY COUNCIL

AN ORDINANCE TO CREATE THE BOSTON COMMEMORATION COMMISSION

WHEREAS, Boston has the opportunity to use the upcoming 250th anniversary of 1776 in 2026, the upcoming 400th anniversary of the founding of Boston in 2030, and other significant historical anniversaries for all our local communities to tell the full range of our history, including the struggles and accomplishments of Boston's Black, immigrant, female, Indigenous, and LGBTQ communities who are too often left out of the official narrative; *and*

WHEREAS, The organization Revolutionary Spaces recently modeled such an approach with its commemoration of the 250th anniversary of the 1770 Boston Massacre, which centered on the diverse individuals who were killed and resulted in the commission of a new play about Crispus Attucks by Boston-based playwright Miranda ADEkoje; *and*

WHEREAS, Bostonians like George Middleton — an African-American who built the oldest standing house on Beacon Hill, served in the American Revolution, and pushed for equal school rights for Black children as early as 1800 — were central to the early days of the Republic and ought to be better known; *and*

WHEREAS, Upcoming anniversaries provide Boston with an opportunity to both plan commemorative events and update to local and state laws concerning historic buildings in ways that marshal investment and attention to more fully preserve and honor a history that includes all Bostonians, not only white, affluent, and well-known historical figures; *and*

WHEREAS, Creating tourism, events, and exhibits around historically significant anniversaries can help to boost the local economy in the wake of the COVID-19 pandemic, and if planning is inclusive and intentional, the city can ensure local, minority, women, and LGBTQ owned businesses in every neighborhood are promoted and able to benefit, as will the diverse community of local hospitality workers; *and*

WHEREAS, Exhibits in the Boston Public Library's branch libraries and engaging local historical curricula in the Boston Public Schools afford the opportunity to make every Bostonian feel ownership over and connection to the City's history in its

full depth and diversity, and to expose young people to the empowering and enriching possibilities of historical research and narrative; *and*

WHEREAS, For us to truly preserve all of Boston’s history, our City’s mechanisms for historic preservation and our inventories of Boston’s physical history must be revamped so as to ensure that less well-resourced areas are also receiving preservation attention and protection; *and*

WHEREAS, To make the best use of this opportunity to revitalize and revolutionize our approach to our local history, and to leverage related available federal, state, and private funds, Boston must begin the conversations now and establish a Boston Commemoration Commission to lay out a road-map for the next ten years leading up to the City’s 400th anniversary; **NOW, THEREFORE**

Be it ordained by the City Council of Boston as follows:

Section 1.

The City of Boston Code, Ordinances, Chapter VII shall be amended by adding at the end thereof, the following new section and subsections.

7-15 Boston Commemoration Commission.

7-15.1 Purpose.

The purpose of this ordinance is to establish the Boston Commemoration Commission. The purpose of this ordinance and the Boston Commemoration Commission is to develop a plan to celebrate upcoming historical anniversaries, including, but not limited to the United States Sestercentennial and the 400th anniversary of Boston, while investing in Boston’s historical resources. The intent of this ordinance is to ensure that celebrations and anniversaries of historical events are inclusive, historically accurate, and celebrate the diverse history of Boston.

7-15.2 Establishing the Boston Commemoration Commission.

The Boston Commemoration Commission will include members appointed by the Mayor with approval of the City Council, including:

1. One (1) member who represents a tourism-related Boston business outside downtown
2. One (1) member who represents a tourism-related Boston business in the downtown area
3. One (1) member from a community archive seeking to preserve a diverse history
4. One (1) member from a non-profit institution with major Boston historical holdings
5. One (1) member representing a Neighborhood Historic District
6. One (1) member involved in local history in a neighborhood without a Historic District
7. One (1) member affiliated with the Native American Indian Center of Boston, or another individual with expertise in Indigenous history
8. One (1) member affiliated with the Museum of African American History, or another individual with an expertise in local Black history

9. One (1) member with an expertise in local Asian American and Pacific Islander (AAPI) history
10. One (1) member with an expertise in local European immigrant history
11. One (1) member with an expertise in local Latinx history
12. One (1) member with an expertise in local women's history
13. One (1) member with an expertise in local LGBTQ history
14. One (1) member with an expertise in local intellectual history
15. One (1) member from the Boston National Historic Park
16. One (1) member from the Massachusetts Historical Society
17. One (1) member from the Boston Preservation Alliance
18. One (1) member from Revolutionary Spaces
19. One (1) member from the Greater Boston Convention & Visitors Bureau
20. One (1) member and one (1) alternate who is a hospitality worker
21. One (1) member of the Boston Legislative Delegation

And the following people or their designees, ex officio:

22. Chief of Economic Development
23. Chief of Arts and Culture
24. Director of the Mayor's Office of Tourism, Sports, and Entertainment
25. Chief Academic Officer of the Boston Public Schools
26. The City Archivist
27. President of the Boston Public Library
28. Chief of Environment, Energy, and Open Space
29. Executive Director of the Landmarks Commission
30. Chair of the Landmarks Commission
31. Director of the Boston Planning and Development Agency
32. Collector-Treasurer, as steward of the Community Preservation Trust Fund
33. A Boston City Councilor designated by the Council President

The Boston Commemoration Commission will include, but not be limited to, the following Subcommittees: (1) Events and Trails, (2) Timelines, Exhibits, and Curricula, and (3) Legislation and Preservation Tools. Members of the Boston Commemoration Commission appointed by the Mayor (members #1 through #21) shall be assigned to at least one Subcommittee. The Boston City Council member shall sit on any Subcommittees on which the Councilor requests membership. The remaining ex-officio members shall be assigned to Subcommittees as follows:

- Members 22 through 24 (Chief of Economic Development, Director of the Mayor's Office of Tourism, Sports and Entertainment, Chief of Arts and Culture, or their designees) shall be assigned to the Events and Trails Subcommittee.

- Members 25 through 27 (Chief Academic Officer of the Boston Public Schools, City Archivist, President of the Boston Public Library, or their designees) shall be assigned to the Timelines, Exhibits and Curricula Subcommittee.
- Members 28 through 32 (Chief of Environment, Energy, and Open Space, Executive Director of the Landmarks Commission, Chair of the Landmarks Commission, Director of the Boston Planning and Development Agency, Collector-Treasurer, or their designee) shall be assigned to the Legislation and Preservation Tools Subcommittee.

The City shall assign the equivalent of two (2) full-time staff: one (1) half-time staff person to coordinate the Commemoration Commission as a whole, and one (1) half-time staff person to coordinate each of the three above-enumerated Subcommittees, with these staff persons to be drawn from such City departments as may be most appropriate.

The Boston Commemoration Commission’s full meetings will be open for any organizational member of Revolution 250 and/or of state-level Commissions focused on commemorating Massachusetts history to attend.

The Boston Commemoration Commission shall serve without compensation. Members will elect a Chair for the Boston Commemoration Commission every year with a simple majority vote. If there is a tie, the alternate hospitality worker member shall cast a vote.

The Boston Commemoration Commission will exist until June 30, 2031.

The Boston Commemoration Commission shall first convene within sixty (60) days of the effective date of this ordinance. Should there be a vacancy or resignation in any of the above positions, the Mayor will appoint a new representative from another equally relevant office or organization within ninety (90) days. Members of the Boston Commemoration Commission will remain members as long as the Commission exists or unless voted to be removed by a majority vote of the Commission.

7-15.3 Responsibilities and Authorities of the Boston Commemoration Commission.

The primary responsibility of the Boston Commemoration Commission is to ensure that Boston’s celebrations of significant upcoming historic anniversaries, as well as Boston’s preservation policies and tools, are robust and inclusive of all history, including the history of Indigenous, Black, immigrant, LGBTQ, and other historically marginalized communities. The Boston Commemoration Commission will a) lead and coordinate the work of commemorating upcoming historical anniversaries that are significant to Boston, b) collaborate with state-level commemoration and historic commissions, c) ensure that the City applies in a timely and robust

fashion for any available Federal or State funds, d) fulfill the goals of its subcommittees, as detailed below, and e) carry out any other tasks relevant to its primary responsibility.

The goals of the Events and Trails Subcommittee include planning events that educate participants on the diverse history of Boston and determining how to promote historic anniversaries and acquire related public and private funds to benefit tourism, historic sites, and economic development in Boston, including by promoting minority, women, and LGBTQ owned businesses, and by supporting the formation of historical trails and tours that extend beyond the downtown area. Within the first year of convening, the Subcommittee shall produce an initial actionable plan of next steps in support of commemorative events to fall between 2022 and 2026, to be approved by vote of the full Commission and presented to the City Clerk.

The goals of the Timelines, Exhibits, and Curricula Subcommittee include identifying a timeline of significant historical events in Boston to be commemorated over the coming years, planning exhibits throughout the city that educate participants on the diverse history of Boston, determining how to save, process, and highlight Boston's rich archival resources, and incorporating archival history and commemorative activities into the Boston Public School Curriculum. Within the first six months of convening, the Subcommittee shall produce an initial timeline of key occasions to be the focus of the Commission's commemorative work through December 31, 2030, to be approved by vote of the full Commission and presented to the City Clerk.

The goals of the Legislation and Preservation Tools Subcommittee include proposing a plan for a complete citywide historic building survey that would inventory Boston's built history across all of its neighborhoods, recommending reforms for the Article 85 process, suggesting adjustments to better align funds from the Community Preservation Trust with the aims of equitable citywide historic preservation, and putting forward other policy changes that would enable the city to have a more comprehensive, equitable, and effective historic preservation process. Within the eighteen months, the Subcommittee shall produce an initial report summarizing such proposals, to be approved by vote of the full Commission and presented to the City Clerk.

This Commission will meet Quarterly. Additional meetings may be held to work on specific issues as they relate to the overall work of this Commission. The Special Commission will file a bi-annual (every 6 months) progress report with the Clerk to update the City and community on their progress. Any plans, timelines, and proposals presented by the Commission to the Clerk may be adjusted and refined by vote of the Commission over the course of its existence.

Subcommittees will meet monthly or more often as needed, and may invite such guests as the membership deems appropriate. The Commission Subcommittee members will serve without compensation.

At any point, the Commission may be called upon to testify to and update the City Council on their progress.

If the Commission determines necessary, the Special Commission is authorized to continue meeting beyond June 30, 2031, provided the Special Commission continues to provide bi-annual reports to the Clerk.

The Commission reports submitted to the Clerk and any documents pertaining to the governing of the Commission will be publicly available.

Section 2.

The provisions of this ordinance are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions, which remain in full force and effect.

Section 3.

The provisions of this ordinance shall be effective immediately upon passage.

Filed on: May 3, 2021

Offered by Councilor Ricardo Arroyo



CITY OF BOSTON IN CITY COUNCIL

ORDINANCE PREVENTING WAGE THEFT IN THE CITY OF BOSTON

WHEREAS: Labor and employment practices such as illegal misclassification of employees, lack of economic and social benefits associated with regular employment, and off-the-books employment are harmful to employee rights; *and*

WHEREAS: Wage theft is often accompanied by employer tax and insurance fraud, with employers failing to pay their payroll taxes and workers compensation premiums; *and*

WHEREAS: In June 2021, a UMass Amherst study estimated that in Massachusetts, misclassification of employees in the construction industry had led to \$24.5 million to \$40.6 million in shortfall in the state's unemployment insurance fund for 2019; *and*

WHEREAS: The City of Boston spends hundreds of thousands of dollars each year for procurement of various goods, services, and labor across every City department and agency; *and*

WHEREAS: The high cost of wage theft to the City, its business community, and its residents impedes the City's economic development and growth; *and*

WHEREAS: Requiring city contractors, subcontractors and bidders to comply with applicable federal and state wage laws, strengthens the City's ability to hire vendors that treat their employees fairly; *and*

WHEREAS: Due to the pervasiveness of wage theft in the construction industry, significant financial incentives are necessary to motivate property owners and their general contractors to take steps sufficient to ensure that wage theft does not occur on their projects; *and*

WHEREAS: Prohibiting the City from contracting with debarred vendors for the period of debarment will help to ensure that City resources are not used to support house vendors debarred for wage law violations; *and*

WHEREAS: Studies have repeatedly shown that wage theft is concentrated among low-wage workers, and particularly women, minorities, non-US citizens, and non-union workers; *and*

WHEREAS: The Boston City Council has a duty to protect employees from predatory employer practices like wage theft; **NOW THEREFORE**

Be it ordained by the City Council of Boston as follows:

That the City of Boston Code, Ordinances be amended in **Chapter XXIV** by adding the following after **24-14**:

25-1: Ordinance preventing wage theft in the City of Boston

Section 1. Purpose

The purpose of this ordinance is to provide municipal legislative guidelines to enforce state and federal regulations around fair contracting practices. This ordinance will lay out requirements for municipal contracts with City of Boston departments and agencies.

Section 2. Definitions

“Boston resident” -- means any person for whom the principal place of residence is within the City of Boston during the entirety of time the person works on a Public Construction Project within the City of Boston. Proof of such residence may include, but is not limited to, the following: a valid Massachusetts Driver’s License or Massachusetts Identification Card, utility bills, proof of voter registration, or such other proof acceptable to the City of Boston.

“Employee” – a natural person who performs work for an employer operating within the geographic boundaries of the City of Boston.

“Employer” – any natural person or business, whether or not incorporated or unincorporated who suffers or permits another to work (1) in the City of Boston, (2) under contract to which the City of Boston or one of its Departments is signatory, or (3) who otherwise maintains a commercial presence in the City of Boston. This definition excludes:

- i) The United States as a corporation wholly owned by the government of the United States; and
- ii) The Commonwealth of Massachusetts, its subdivisions and corporate bodies.

“Employ,” including as used in the term “employment” – to suffer or permit to work.

“Minimum wage” – as defined in M.G.L. c. 151, § 1 as well as any other state or federal statute or regulation establishing a minimum fair wage for particular occupations or classes of workers.

“Overtime” – as defined in M.G.L. c. 151, § 1A

“Prevailing wage” – as defined in M.G.L. c. 149, §§ 26-27H.

“Timely Payment of Wages” – as defined by G.L. c. 149, § 148.

“Wage” – as defined by M.G.L. c. 149, § 148.

“Wage Theft” – an action by an Employer, his officers, agents or employees causing the Employer not to make a timely and/or complete payment of wages, to pay the minimum wage or prevailing wage, or to pay overtime earned and owing to an employee.

“Application” – an initial application or renewal of a license or permit.

“City Contractor” – an Employer who holds or seeks to hold a contract for goods, services or labor with the City of Boston.

“Administrative Citation” – a civil citation issued by the attorney general pursuant to M.G.L. c. 149 § 27C, a civil citation issued by the Department of Labor pursuant to 29 U.S.C. § 201 et seq. and/or 29 C.F.R. § 578, or any other civil citation for violation of M.G.L. c. 149 or c. 151 and/or 29 U.S.C. § 201 et seq. issued by any other federal, state or local administrative agency.

“Stop work order” – as defined in M.G.L. c. 152, § 25C and 452 C.M.R. § 8.00.

“TIF Agreement”—a tax increment financing agreement, as such term is defined by M.G.L. c.23A, § 3A, c. 40, § 59, and 760 C.M.R. 22.00 et seq.

“TIF Plan”—a tax increment financing plan, as such term is defined by 760 C.M.R. 22.00 et seq.

“EACC”—Economic Assistance Coordinating Council, as defined by M.G.L. c. 23A, § 3A and established by M.G.L. c. 23A, § 3B.

“Procurement Agent” -- any responsible City official that negotiates and authorizes municipal contracts for City of Boston departments and agencies.

Section 3. Wage Theft Advisory Committee

1. Membership

There shall be established a Wage Theft Advisory Committee, comprised of one (1) designee submitted by the Boston City Council, one (1) designee submitted by the Mayor, and one (1) representative from various advocacy groups. Members of the Wage Theft Advisory Committee may be reappointed annually and must be appointed no later than the second meeting of the new year.

2. Duties

The Wage Theft Advisory Committee will meet at least once every two months to review Wage Theft Complaints and provide advice to the City Council on the implementation and effectiveness of the wage theft ordinance. In addition, each year the Committee shall elect from among its members a volunteer Secretary who shall receive wage theft complaints from the Attorney General's office and received by the Corporation Counsel's office, and coordinate any response to such complaint that is required by the Ordinance. In addition, members of the Wage Theft Advisory Committee may offer education, guidance, and referrals to employees affected by wage theft in Boston at City-sponsored events and in collaboration with other City departments.

3. Reporting Requirements

The City of Boston shall publish an annual report, through the Wage Theft Advisory Committee detailing all wage theft complaints received and action taken in response to such complaints, including specifically the status or final disposition of each complaint, where available. The report shall also include civil and criminal judgments issued by the state and federal courts, administrative citations, and final administrative orders, including but not limited to debarments, against Employers pursuant to M.G.L. c. 149 and M.G.L. c. 151, if known.

4. Conflict of Interest

For purposes of this ordinance no member of the Wage Theft Advisory Committee shall participate in any proceeding concerning a beneficiary, a covered vendor, or a covered employee, if the member or any member of his or her immediate family has a direct or indirect financial interest in said individual or in the award of a service contract, subcontract or assistance or the granting of relief to said individual.

Section 4. Wage Theft Complaint Process.

1. Filing and Receipt of Complaints

The City of Boston, at the office of the Corporation Counsel shall receive complaints of violations of state law under G.L. c. 149 and c. 151. The Corporation Counsel's Office shall assist workers in filing complaints and referring the complaint to the appropriate agencies. Complaints may be filed by an affected employee or any other person.

2. Required Communication with Attorney General's Office

On a biannual basis, a representative from the City will request to meet with the Office of the Attorney General to discuss complaints involving City employers and to better coordinate on issues of wage theft in the City.

3. Required Communication with Other City Departments

The Corporation Counsel's Office shall forward each complaint submitted to the City of Boston Procurement Department, the Inspectional Services Department, and the Boston City Council to the Wage Theft Advisory Committee. If the complaint pertains to work performed at any property subject to a TIF Agreement, the Corporation Counsel's office shall also send a copy to the EACC.

Section 5. Requirements for City Contractors

1. RFP/Bid and Successful Bidder Requirements

Every Request for Proposals (RFP) or bid issued by the Procurement Agent shall include the certification and disclosure requirements imposed by this Section.

- A) Every RFP or bid issued by the Procurement Agent shall notify bidders that they have an affirmative duty to report any criminal or civil judgment, administrative citation, or final administrative determination for wage theft against the bidder or any of its subcontractors entered within the five (5) years prior to bid submission, as well as any debarments against the bidder or any of its subcontractors in effect while its bid is pending to the City, and shall further notify bidders that if they are the successful bidder, they and any of their subcontractors have an affirmative duty to report any criminal or civil judgement, administrative citation, final administrative determination, order, or debarment against the bidder or any its

subcontractors while their contract with the City is in effect, within five (5) business days of receipt. The RFP or bid will identify the Procurement Department as the department to whom this must be reported.

- B) Every RFP or bid issued by the Procurement Agent shall notify bidders that they may not contract with the City if they have been either voluntarily or involuntarily debarred by the federal government, any agency of the Commonwealth of Massachusetts or any other state, or any municipal body—including, but not limited to, the City of Boston for the entire term of the debarment. Such RFPs or bids shall also notify bidders that they may not use any subcontractor who has been debarred by the federal government or any state or municipal government during the period of that subcontractor's debarment.
- C) Bidders that are subject to municipal, state, or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions will be deemed not responsible and their bids or proposals shall be rejected. Such bidders shall be deemed not responsible for the entire term of debarment or other stated time period. During the term of a Contract, upon a finding or order of such debarment or prohibition, the City may terminate the contract.
- D) Successful bidders must either:
 - 1) Provide a certification of compliance as required by this Section. To the extent that the bidder has been in business for less than five years it shall provide a certification certifying compliance for the entire period of time for which the entity has been in existence; or
 - 2) To the extent a judgment, citation, or final administrative order has been issued against a bidder within five years prior to its bid, provide a copy of the same, in addition to documentation demonstrating that all damages, fines, costs, and fees have been paid. In addition, the bidder must post a bond, to be maintained for the life of the contract, as specified by this Section.
- E) Successful bidders must agree to post the notice available at <https://www.mass.gov/doc/massachusetts-wage-hour-laws-poster/download> in a conspicuous location accessible to all of their employees. To the extent not all employees would have reasonable access to the notice if posted in a single location by the successful bidder, the successful bidder must inform the Procurement Agent or other City department of the number and location of

postings in order to ensure that the successful bidder provides reasonable notice to all of their employees and agrees to make those additional postings.

2. Certification and Disclosures

The Procurement Agent entering into contracts on behalf of the City shall adopt the attached certification and disclosure requirement for all applicants providing:

- A) That an applicant certify to the Purchasing Agent that neither they nor any of their subcontractors have been subject to a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment resulting from a violation of M.G.L. c. 149, G.L. c. 151, or 29 U.S.C. § 201 et seq. within five (5) years of their application;
- B) In the alternative, the applicant shall disclose to the Procurement Agent any such criminal or civil judgment, administrative citation, administrative determination, or debarment and include a copy of the same in their applications.
- C) The Procurement Department, when issuing an RFP or bids shall notify applicants that they have an affirmative duty to report any criminal or civil judgment, administrative citation, final administrative determination, order, or debarment against them or any of their subcontractors related to Wage Theft and occurring while the contract is in effect to the department within five (5) business days of receipt.

3. Reporting and Notice Requirements During the Contract Term

- A) Upon request by the Procurement Agent, all City Contractors shall furnish their monthly certified payrolls to the City's Procurement Agent for all employees working on City contracts.
- B) To the extent a contract is for a term of one year or more, a City Contractor will provide the Procurement Agent with a certification compliant with this Section on the effective date of the contract and at each anniversary thereof until the contract expires.
- C) All City Contractors will furnish to the Procurement Agent any criminal or civil judgment, administrative citation, final administrative determination, order, or debarment related to Wage Theft and issued during the term of their contract(s)

with the City against the City Contractor or its subcontractors within five (5) business days of receipt.

- D) To the extent required as set forth in this ordinance, all City Contractors shall maintain a wage bond for the term of the contract(s) with the City.

4. Wage Bonds

- A) Any successful bidder or City Contractor or subcontractor who has had a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment, resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq. or any other state or federal laws regulating the payment of wages within five (5) years prior to the date it submits its bids or proposals, and that is not otherwise prohibited from public contracting shall be required by the City to obtain a wage bond or other form of suitable insurance in an amount equal to the aggregate of one year's gross wages for all employees employed on the specific City of Boston contract. Such bond must be maintained for the terms or extensions of any Contract, and proof of such bond must be provided upon request by the City.
- B) If a license or permit holder has had such license or permit revoked, suspended, or denied pursuant to this section, the City of Boston shall require the license or permit holder to deposit a bond of no less than \$5,000. The bond shall be payable to the City of Boston and shall be conditioned that the license or permit holder shall, for a definite future period, not exceeding two years, pay its employees in accordance with the provisions listed in this section, and shall be further conditioned upon the payment by the license or permit holder to its employees of any final judgment, settlement agreement, or other decision ordering the payment of wages based on allegations of violations of any of the laws set forth in this section. If, within 14 days after demand for the bond, the license or permit holder fails to deposit the bond, City of Boston may suspend, revoke, or deny such license or permit until the bond has been properly deposited with the City of Boston.
- C) Any City Contractor or subcontractor that receives a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment, resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq., or any other state or federal laws regulating the payment of wages during the term of the Contract, and that is not otherwise prohibited from public contracting,

shall be required by the City to obtain a wage bond or other form of suitable insurance in an amount equal to the aggregate of one year's gross wages for all.

5. Suspension or Revocation of Contract/Wage Theft as Material Breach of Conditions in RFP or Bid

If a City Contractor is found to be in violation of M.G.L. c. 149, G.L. c. 151, or 29 U.S.C. §201 et seq., or this Section, and therefore in breach of its contract with the City, the City may take one or more of the following actions:

- A) Revocation of City Contractor's contract with the City;
- B) Suspension of City Contractor's contract with the City;
- C) Imposing conditions on any future contracts with the City, including, but not limited to, the posting of a wage bond and other reasonable requirements.

6. Requirements for Successors-in-Interest

The requirements of this Section, including any sanctions imposed herein, that are applicable to any Employer shall also be applicable to, and effective against, any successor Employer that (i) has at least one of the same principals or officers as the prior Employer; and (ii) is engaged in the same or equivalent trade or activity as the prior Employer.

Section 6. Requirements for Licensees and Prospective Licensees

1. Requirements for License Applicants

Any application filed by an Employer to the Licensing Board for any license issued pursuant to M.G.L. c. 138 or M.G.L. c. 140 may be denied if, during the five-year period prior to the date of the application, the applicant Employer has been subject to a federal or state criminal or civil judgment, administrative citation, order, debarment, or final administrative determination resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq., or any other state or federal laws regulating the payment of wages. Each such applicant shall certify that she has not been found guilty, liable or responsible, in the past five years, in any judicial or administrative proceeding, for any violation of any of the laws set forth above.

2. Requirements for License Holders

Any license or permit issued by the Licensing Board under M.G.L. c. 138 or M.G.L. c. 140 to an Employer may be modified, suspended or revoked if, during the term of the license or permit, the licensee or permittee Employer has been subject to a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq. or any other state or federal laws regulating the payment of wages. The City will conduct a hearing within 30 days from the time it becomes aware of a final determination.

3. Posting Requirements

Any Employer for whom there is has been a final determination that the employer is in violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq. or any other state or federal laws regulating the payment of wages shall post notice of such a violation. Using a form provided by the City and displaying it on-site, in a conspicuous and accessible location, and in English and the primary language of the employee(s) at the particular workplace. The posting shall remain in place until any determination or judgement of wage theft is paid in full including all related fees and penalties. An employer found in violation of an order to post notice under this section shall be liable to a fine of not more than \$300.00. Each day during which a violation exists shall constitute a separate offense.

4. Conciliation Process

In order to facilitate compliance, the City of Boston, shall provide a conciliation process for employers who have been found in violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq. or any other state or federal laws regulating the payment of wages. In lieu of license revocation, the City of Boston will arrange a meeting within 30 days at the request of the parties and during this period any revocation of a license shall be held in abeyance. If the employer agrees to a payment plan to pay off any judgment, the City will not take any action to revoke or suspend the employer's license. During the course of any conciliation process, the employer will follow the posting requirements in Section 6, subsection 3 of this ordinance.

5. Wage Bonds for License Holders

Employers granted a License or Permit that have disclosed a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq. or any other state or federal laws regulating the payment of wages within five (5) years prior to the date they submit their applications, or Employers granted a License or Permit who

become subject to a federal or state criminal or civil judgment, administrative citation, final administrative determination, order, or debarment resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq., or any other state or federal laws regulating the payment of wages during the term of the License or Permit, shall be required by the City to obtain a wage bond or other form of suitable insurance in an amount of no less than \$5,000 an up to a maximum aggregate of one year's gross wages for all employees, based on an average of its total labor costs for the past two years. Such bond must be maintained for the terms or extensions of any License or Permit, and proof of such bond must be provided upon request by the City. Failure to comply with this Subsection may constitute grounds for modification, suspension, and/or revocation of the license or permit.

6. Requirements for Successors-in-Interest

The requirements of this Section, including any sanctions imposed herein, that are applicable to any Employer shall also be applicable to, and effective against, any successor Employer that (i) has at least one of the same principals or officers as the prior Employer; and (ii) is engaged in the same or equivalent trade or activity as the prior Employer.

Section 7. Requirements for Tax Increment Financing (TIF) Agreements

In addition to any other conditions that may be required in connection with tax increment financing or housing development exemption relief granted by the City, each Tax Increment Financing Agreement and each Housing Development Exemption Agreement entered into between the City and the recipient of such relief shall be subject to and shall include the following set of mandatory conditions:

1. It shall be a special and material condition of this Agreement that any construction manager, general contractor or other lead or prime contractor, or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier or other person that is engaged to perform the construction work during the term of this Agreement on the property that is the subject of this Agreement (hereinafter, collectively and individually, the “contractor”) shall comply with the following qualifications and conditions at all times during their performance of work on the property:
 - A) The contractor has not been debarred or suspended from performing construction work by any federal, state or local government agency or authority in the past five years;

- B) The contractor has not been found within the past five years by a court or governmental agency in violation of any law relating to providing workers compensation insurance coverage, misclassification of employees as independent contractors, payment of employer payroll taxes, employee income tax withholding, earned sick time, wage and hour laws, prompt payment laws, or prevailing wage laws;
- C) The contractor must maintain appropriate industrial accident insurance sufficient to provide coverage for all the employees on the project in accordance with M.G.L. c.152 and provide documentary proof of such coverage as part of the application process, or prior to commencing any work to the Inspectional Services Department to be maintained as a public record;
- D) The contractor must properly classify employees as employees rather than independent contractors and treat them accordingly for purposes of minimum wages and overtime, workers' compensation insurance coverage, unemployment taxes, social security taxes and state and federal income tax withholding (M.G.L. c.149, §148B on employee classification);
- E) The contractor must comply with M.G.L. c. 151, §1A and M.G.L. c. 149, § 148 with respect to the payment of wages;
- F) The contractor must be in compliance with the health and hospitalization requirements of the Massachusetts Health Care Reform law established by Chapter 58 of the Acts of 2006, as amended, and regulations promulgated under that statute by the Commonwealth Health Insurance Connector Authority; and
- G) The contractor shall not discriminate against citizens of states other than Massachusetts in hiring individuals for the project but, as between prospective employees who are residents of Massachusetts, however, shall give preference to residents of the City of Boston.
- H) The applicant shall submit a list to the City of all the expected contractors to work on the project as part of the applicant's request for tax relief. The list shall include the name of the primary contact, the Contractor's address and either a phone number or email address. The applicant will provide a final all inclusive list to the City within 30 days of the conclusion of the project.
- I) The applicant and/or the contractor must submit monthly to Inspectional Services Department certified payrolls for all contractors. A certified payroll format will be

provided by the City that includes the employees full name, address, identifying number, gender and race, and which tabulates hours worked for females, people of color and residents of the City. Each contractor shall provide a copy of the OSHA 10 card for every employee attached to the first certified payroll they submit on which the employee appears.

- J) The contractor must make arrangements to ensure that each employee of every contractor and subcontractor of any tier entering or leaving the project individually completes the appropriate entries in a daily sign-in and sign-out log. The sign in/out log shall include: the location of the project; current date; printed employee name; signed employee name; name of employee's employer and the time of each entry or exiting. Such sign-in and sign-out logs shall be provided to the City on a weekly basis with the certified payrolls and shall be a public record.
 - K) The contractor agrees to attend all regularly scheduled and/or special meetings convened by the City for the purpose of reviewing workforce hiring commitments set out by Chapter 4-4.2 of the Boston City Code (Promoting Minority and Women-Owned Business Enterprises in the City of Boston).
 - L) Complaints concerning compliance with the qualifications and conditions set forth above shall be directed to the Inspectional Services Department responsible for project compliance, who shall investigate the complaint and make a determination as soon as administratively feasible and notify the complaining party and the contractor and applicant or its designee. Such complaints must be submitted in writing no later than 270 days following the completion of the construction project.
2. If any person or entity subject to the foregoing qualifications and conditions fails to comply with any of them with respect to work on the property, the parties agree that such an event materially frustrates the public purpose for which this Agreement and any certification by the state was intended to advance. In such an event, the City shall petition the appropriate state agency or body for revocation of the certification and, upon such revocation, the tax relief provided by this Agreement shall be terminated and the property owner shall pay to the City an amount equal to the value of the tax relief already received under this Agreement.
 3. The applicant certifies as part of the application process that any contractor or subcontractor previously determined by the City or by any court or agency to have violated any of the obligations set forth in this section for the previous five years shall not be hired to perform work on the project.

4. In the event the owner of the property challenges the termination of the tax relief provided by this Agreement and/or the revocation by the state of any certification, the owner shall set aside in an escrow account an amount equal to the full amount of the tax savings that previously would have accrued under this Agreement while any such challenge remains pending. The owner of the property shall have a continuing obligation to contribute to the escrow account amounts equal to the additional tax savings that accrue under this Agreement while its challenge remains pending. The owner shall promptly provide to the City with documentation of its compliance with this obligation. The conditions of the escrow account shall provide that, in the event the owner is unsuccessful in its challenge, the funds in the account shall be paid to the City. The owner's obligations under this subsection shall be judicially enforceable. It is the intent of the parties that the residents of this municipality are third party beneficiaries of this Agreement, and that it may be enforced in a civil proceeding brought by not less than ten (10) taxable inhabitants.

Section 8. Municipal Construction Contracts

Whenever the City of Boston is procuring construction services subject to the provisions of M.G.L. Chapter 149, Chapter 149A or Chapter 30, §39M, the following shall be incorporated into the procurement documents and made part of the specifications and contract. Any person, company or corporation shall acknowledge, in writing, receipt of said requirements with their bid or proposal.

1. All bidders or proposers, contractors, and subcontractors and trade contractors, including subcontractors that are not subject to M.G.L. Chapter 149, §44F, (the "contractor") under the bidder for projects subject to M.G.L. Chapter 149, §44A(2), M.G.L. Chapter 30, §39M and, proposers under M.G.L. Chapter 149A, shall as a condition for bidding or subcontracting verify under oath and in writing at the time of bidding or submittal in response to an RFP or in any event prior to entering into a contract or subcontract at any tier, that they comply with the following conditions for bidding, contracting or subcontracting and, for the duration of the project, shall comply with the following requirements and obligations:
 - A) The contractor shall not have been debarred or suspended from performing construction work by any federal, state or local government agency or authority in the past five (5) years;
 - B) The contractor shall not have been found within the past five (5) years by a court or governmental agency in violation of any law relating to providing workers

compensation insurance coverage, misclassification of employees as independent contractors, payment of employer payroll taxes, employee income tax withholding, earned sick time, wage and hour laws, prompt payment laws, or prevailing wage laws;

- C) The contractor shall maintain appropriate industrial accident insurance sufficient to provide coverage for all the employees on the project in accordance with M.G.L. Chapter 152 and provide documentary proof of such coverage included with the contractor's submitted bid to the Inspectional Services Department to be maintained as a public record;
- D) The contractor shall properly classify employees as employees rather than independent contractors and treat them accordingly for purposes of prevailing wages and overtime, workers' compensation insurance coverage, unemployment taxes, social security taxes and state and federal income tax withholding. (M.G.L. Chapter 149, §148B on employee classification).
- E) The contractor shall comply with M.G.L. Chapter 151, §1A and M.G.L. Chapter 149, § 148 with respect to the payment of wages;
- F) The contractor shall not discriminate against citizens of states other than Massachusetts in hiring individuals for the project but, as between prospective employees who are residents of Massachusetts, however, shall give preference to residents of the City of Boston. The City shall provide the contractor with local instructions on the preferred means to publicize employment opportunities to City residents.
- G) The contractor must make arrangements to ensure that each employee of every contractor and subcontractor of any tier entering or leaving the project individually completes the appropriate entries in a daily sign-in/out log. The sign in/out log shall include: the location of the project; current date; printed employee name; signed employee name; name of employee's employer and the time of each entry or exiting. The log shall contain a prominent notice that employees are entitled under state law to receive the prevailing wage rate for their work on the project. Such sign-in/out logs shall be provided to the City on a weekly basis with the certified payrolls and shall be a public record.
- H) The contractor, prior to bidding or, if not subject to bidding requirements, prior to performing any work on the project, shall sign under oath and provide to the City a certification that they are not debarred or otherwise prevented from bidding for

or performing work on a public project in the Commonwealth of Massachusetts or in the City.

- I) The contractor must be in compliance with the health and hospitalization requirements of the Massachusetts Health Care Reform law established by Chapter 58 of the Acts of 2006, as amended, and regulations promulgated under that statute by the Commonwealth Health Insurance Connector Authority; and
 - J) The contractor must submit weekly to the Inspectional Services Department certified payrolls for all employees. A certified payroll format will be provided by the City that includes the employees full name, address, identifying number, gender and race, and which tabulates hours worked for females, people of color and residents of the City. Each contractor shall provide a copy of the OSHA 10 card for every employee attached to the first certified payroll they submit on which the employee appears.
 - K) The applicant and contractor agrees to attend all regularly scheduled and/or special meetings convened by the City for the purpose of reviewing workforce hiring commitments in Chapter 8-9 of the Boston City Code (Establishing the Boston Residents Jobs Policy).
2. A proposal or bid submitted by any general bidder or by any trade contractor or subcontractor under the general bidder or proposer that does not comply with any of the foregoing conditions for bidding shall be rejected, and no subcontract for work outside the scope of M.G.L. Chapter 149, §44F shall be awarded to a subcontractor of any tier that does not comply with the forgoing conditions.
 3. All bidders or proposers and all trade contractors and subcontractors under the bidder or proposer who are awarded or who otherwise obtain contracts on projects subject to M.G.L. c.149, §44A(2), c 149A, or c.30, §39M shall comply with each of the obligations set forth in paragraph A above for the entire duration of their work on the project, and an officer of each bidder or subcontractor under the bidder shall certify under oath and in writing on a weekly basis that they are in compliance with such obligations.
 4. Any proposer, bidder, trade contractor or subcontractor under the bidder or proposer that fails to comply with any one of obligations set forth in Section 8, subsection 1 above for any period of time shall be, at the sole discretion of the City, subject to one or more of the following sanctions: (1) cessation of work on the project until compliance is obtained; (2) withholding of payment due under any contract or subcontract until compliance is

obtained; (3) permanent removal from any further work on the project; (4) liquidated damages payable to the City in the amount of 5% of the dollar value of the contract.

5. In addition to the sanctions outlined above, a proposer, general bidder or contractor shall be equally liable for the violations of its subcontractor with the exception of violations arising from work performed pursuant to subcontracts that are subject to M.G.L. c.149, §44F. Any contractor or subcontractor that has been determined by the City or by any court or agency to have violated any of the obligations set forth above shall be barred from performing any work on any future projects for six months for a first violation, three years for a second violation and permanently for a third violation

Section 9. Municipal Building Permits

In addition to any other conditions that may be required in connection with the issuance of building permits under the Inspectional Services Department, each building permit issued in connection with the construction, reconstruction, installation, demolition, maintenance or repair of any commercial building estimated to cost not less than \$10 Million or in connection with a residential building with 75 or more units shall be subject to and shall include the following set of mandatory permit conditions:

1. It shall be a material condition of this Permit that any construction manager, general contractor or other lead or prime contractor, or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier or other person or entity that is engaged to perform the construction work on the property that is the subject of this Permit (hereinafter, collectively and individually, the “contractor”) shall comply with the following qualifications and conditions at all times during their performance of work on the project:
 - A) The contractor has not been debarred or suspended from performing construction work by any federal, state or local government agency or authority in the past five years;
 - B) The contractor has not been found within the past five years by a court or governmental agency in violation of any law relating to providing workers compensation insurance coverage, misclassification of employees as independent contractors, payment of employer payroll taxes, employee income tax withholding, wage and hour laws, prompt payment laws, or prevailing wage laws;
 - C) The contractor must maintain appropriate industrial accident insurance sufficient to provide coverage for all the employees on the project in accordance with G.L.

c.152 and provide documentary proof of such coverage to the Inspectional Services Department to be maintained as a public record;

- D) The contractor must properly classify employees as employees rather than independent contractors and treat them accordingly for purposes of minimum wages and overtime, workers' compensation insurance coverage, unemployment taxes, social security taxes and state and federal income tax withholding. (M.G.L. c.149, §148B on employee classification);
 - E) The contractor must comply with M.G.L. c. 151, §1A and M.G.L. c. 149, § 148 with respect to the payment of wages; and
 - F) The contractor must be in compliance with the health and hospitalization requirements of the Massachusetts Health Care Reform law established by Chapter 58 of the Acts of 2006, as amended, and regulations promulgated under that statute by the Commonwealth Health Insurance Connector Authority.
2. If any person or entity that is subject to the foregoing fails to comply with any of the qualifications and conditions with respect to work on the project, this Permit shall be deemed temporarily suspended and all construction work on the entire project shall cease immediately upon issuance of a stop work order by the Inspectional Services Department or their designee until further notice.
 3. In the event the permit is granted, the applicant for the permit shall be responsible for ensuring that all contractors performing construction work on the property comply with the conditions set forth in this section for the duration of work on the project. If any person or entity that is subject to those Minimum Mandatory Conditions fails to comply with any of the qualifications and conditions with respect to work on the project, and in addition to any other penalties or consequences provided by law, the Inspectional Services Department or their designee shall issue a stop work order with respect to all construction work on the entire project until the violation is remedied. Once the Inspectional Services Department or their designee determines that the violation has been remedied, he/she shall withdraw the stop work order and construction on the project may proceed.

Section 9. Worker Safety

1. Safety Concerns and History

The City of Boston in issuing a permit or a license is hereby authorized to deny any application or revoke or suspend a permit or license including renewals issued to any person, corporation or business entity with a history of engaging in unsafe, hazardous or dangerous practices based on work safety histories or safety concerns. Work safety histories or safety concerns shall include information obtained by affidavit for each permit application and shall include Occupational Safety and Health Administration violation reports or other information presented to or documented by the City of Boston. As part of the permit application, any person, corporation or business entity applying for a permit must present a signed affidavit informing the department issuing the permit or license of any and all Occupational Safety and Health and Administration violations, currently outstanding or resolved.

Section 10. Severability

If any provision of this Ordinance, or the application of such provision to any person or circumstances, shall be enjoined or held to be invalid, the remaining provisions of this Ordinance, or the application of such provisions to persons or circumstances, other than that which is enjoined or held invalid shall be not affected thereby.

Filed in Council: October 13, 2021

Offered by City Councilor Julia Mejia



**CITY OF BOSTON
IN CITY COUNCIL**

**ORDER FOR A HEARING ON THE STATUS OF EARLY EDUCATION
AND CHILDCARE WORKERS**

WHEREAS, During the COVID-19 pandemic, the childcare industry lost nearly 350,000 workers nationwide and as of September of 2021 are still 126,000 workers short, roughly 88% of its pre-pandemic levels; *and*

WHEREAS, Childcare workers have returned to work at far fewer rates compared to other industries, including restaurants that have rebounded to around 92% of pre-pandemic staffing levels; *and*

WHEREAS, The loss of childcare workers is not just a nationwide issue as Boston saw an 11% drop in the number of seats available for children since the end of 2017, and had permanently lost 13% of its licensed childcare programs that were open pre-pandemic, according to a study published by the Boston Opportunity Council; *and*

WHEREAS, There are many reasons why childcare workers are not returning to work, from inadequate pay to risk of exposure to COVID to poor benefits; *and*

WHEREAS, An article published by the Economic Policy Institute found that the median hourly wage for child care workers is \$10.31, 39.3 percent below the \$17.00 median hourly wage of workers in other occupations and that only around 15% of childcare workers receive health benefits; *and*

WHEREAS, According to the US Bureau of Labor Statistics, the average yearly salary for a childcare worker is just \$25,460, below the poverty line for a family of four; *and*

WHEREAS, Around 60% of all childcare workers have at least some college education, meaning that, in many cases, in addition to struggling to make ends meet, many childcare workers are also struggling to pay off student debt; *and*

WHEREAS, The loss of childcare workers impacts not only the childcare industry, but all industries as around 1.7 millions mothers across the country have not yet returned to the workforce in order to take care of their children; *and*

WHEREAS, It is important to explore this workforce development issue to find ways for the City to take action to ensure that every family has access to childcare and every childcare worker receives a livable wage. **NOW THEREFORE BE IT**

ORDERED: That the appropriate committee of the Boston City Council hold a hearing on the status of early education and childcare workers. Representatives from the City of Boston, including the Mayor's Office of Workforce Development, as well as advocates, including SEIU 509 Family Child Care Providers, and any other interested parties are encouraged to attend.

Filed in Council: 10/20/2021



CITY OF BOSTON IN CITY COUNCIL

RESOLUTION IN SUPPORT OF S.874 AND H.1435, AN ACT PROMOTING HOUSING STABILITY AND HOMELESSNESS PREVENTION IN MASSACHUSETTS

- WHEREAS,** Since the state eviction moratorium expired in October 2020, over 23,000 households in Massachusetts have been served with eviction papers, and many tenants are unaware of their rights and legal protections both in and out of the courtroom; and
- WHEREAS,** According to the Massachusetts Trial Court, while 85% of landlords have legal representation, only 8% of tenants who are facing eviction are represented; and
- WHEREAS,** Access to critical legal resources, guidance and support from an attorney prior to a court eviction can protect families from being displaced by an illegal or unnecessary eviction, prevent homelessness, and create a path to housing stability; and
- WHEREAS,** The Massachusetts Right to Counsel Coalition is a broad coalition of municipal leaders, housing advocates, health care providers, teachers, property owners, and community groups that support legislation to provide a right to counsel in Massachusetts for those with low income who are facing eviction, and ensure access to resources and assistance that will prevent eviction and stabilize their housing; and
- WHEREAS,** Two Right to Counsel bills have been filed for the 2020-21 Session and assigned to the Joint Committee on Housing: S.874 'An Act promoting housing stability and homelessness prevention in Massachusetts' filed by Senator Sal N. DiDomenico; and H.1436 'An Act promoting housing stability and homelessness prevention in Massachusetts' filed by Representative David M. Rogers and Representative Michael S. Day, both of which provide full legal representation to tenants and owner-occupants with incomes at or below 80% of Area Median Income; and **NOW, THEREFORE BE IT**
- RESOLVED:** The Boston City Council hereby expresses its support for the Right to Counsel in Massachusetts and urges the State Legislature to pass the aforementioned bills in such a form as to support the goal of ensuring representation for individuals facing litigation in housing court.



OFFERED BY COUNCILORS ED FLYNN AND MICHELLE WU

CITY OF BOSTON IN CITY COUNCIL

RESOLUTION IN SUPPORT OF H. 3115 “AN ACT ENSURING EQUITABLE REPRESENTATION IN THE COMMONWEALTH”

- WHEREAS:** Having accurate data is critical for policy makers and service providers to craft policies and advocate for resources that can address disparities and challenges faced by different communities; *and*
- WHEREAS:** Currently, state agencies are not required to collect disaggregated data on race and ethnicity, and demographic data often do not reflect the diversity and nuance within a racial group such as the Asian American and Pacific Islander community, which includes numerous ethnic groups that each have its own needs; *and*
- WHEREAS:** H. 3115, sponsored by Representative Tackey Chan, would require state agencies to collect and publicize data for major ethnic groups within the Asian, Pacific Islanders, Black or African American, Latino, White or Caucasian groups; *and*
- WHEREAS:** The bill clarifies that individuals are not required to fill out this information, and mandates that people cannot be denied services for not choosing to participate. Any personal information is kept confidential and protected by state and federal privacy laws; *and*
- WHEREAS:** Disaggregated data that specifies ethnic subgroups would allow us to better understand the different needs between ethnic groups, as the needs of our most underserved groups often vary greatly and are rendered invisible without disaggregated data; *and*
- WHEREAS:** Policy and decision makers will be able to identify specific needs and challenges faced by each ethnic subgroup and come up with appropriate solutions with disaggregated data, such as providing the right interpreters to address language access needs at our schools and hospitals, as well as advocating for funding for certain diseases and mental health-related issues that disproportionately affect certain populations; *and*
- WHEREAS:** With the rise of hate crimes against the AAPI community due to the pandemic, it is critical that we change policies that continue to render our minority communities invisible. This bill would be a meaningful step in creating better visibility, insight and understanding into the lived experiences of our diverse communities, which will allow government agencies and health and social service providers to better serve their populations; *and*
- WHEREAS:** With the City of Boston’s majority-minority status, it is critical to ensure equitable representation on all aspects of services received by our residents; *and*

NOW THEREFORE BE IT ORDERED:

That the Boston City Council supports the passage of H.3115, “An Act Ensuring Equitable Representation in the Commonwealth” in the Massachusetts State Legislature, and urges the State Legislature to promptly pass this legislation.

Filed on: October 20, 2021

Offered by City Councilor Julia Mejia



**CITY OF BOSTON
IN CITY COUNCIL**

**A RESOLUTION RECOGNIZING OCTOBER
AS DYSLEXIA AWARENESS MONTH**

WHEREAS, Each year, October is recognized worldwide as Dyslexia Awareness Month, a time to come together to raise awareness, share resources, and tell stories about dyslexia successes; *and*

WHEREAS, The International Dyslexia Association defines dyslexia as “a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction;” *and*

WHEREAS, According to the National Institute of Health, Dyslexia impacts roughly 20%, or 1 in 5 people, with all different kinds of people experiencing it in a variety of forms from mild to severe; *and*

WHEREAS, As a result of COVID-19 and the emergence of remote learning, concerns about how we can best accommodate students with learning disabilities has arisen as a challenge that school districts like Boston Public Schools has had to take on; *and*

WHEREAS, Dyslexia won't stop you from achieving greatness; celebrities with dyslexia include: Octavia Spencer, Anderson Cooper, Cher, Whoopi Goldberg, Muhammed Ali, and others; *and*

WHEREAS, As a City Council, we acknowledge that dyslexic students deserve a free appropriate education that includes literacy and that we have an obligation to stand up for and accommodate and #AllMeansAll mentality, remembering that dyslexia; remembering that we have an obligation to uplift, value, and TEACH those who live with dyslexia; ***NOW THEREFORE BE IT***

RESOLVED,

That the Boston City Council recognize October as Dyslexia Awareness Month in the City of Boston.

Filed in Council: October 20, 2021

BOSTON CITY COUNCIL
CITY COUNCIL

October 6, 2021

Councilor O'Malley
(Councilor Essaibi George)

ORDERED: That effective Saturday, October 9, 2021 the following named person be, and hereby is, appointed to the position set against their name until Friday, November 19, 2021:

BiWeekly Payroll

| | | | |
|-------------|-----------|------------|-----------|
| Karen Foley | Secretary | \$2,932.70 | full time |
|-------------|-----------|------------|-----------|

BOSTON CITY COUNCIL
CITY COUNCIL

October 6, 2021

Councilor O'Malley
(Councilor Essaibi George)

ORDERED: That effective Saturday, October 16, 2021 the following named person be, and hereby is, appointed to the position set against their name until Friday, November 19, 2021:

BiWeekly Payroll

| | | | |
|----------------|-----------|----------|-----------|
| Danielle Foley | Secretary | \$400.00 | part time |
|----------------|-----------|----------|-----------|

BOSTON CITY COUNCIL
CITY COUNCIL

October 18, 2021

Councilor O'Malley
(Councilor Mejia)

ORDERED: That effective Saturday, October 23, 2021 the following named person be, and hereby is, appointed to the position set against their name until Friday, November 19, 2021:

BiWeekly Payroll

| | | | |
|-------------------------|-----------|------------|-----------|
| Sandra Sanchez Saavedra | Secretary | \$2,307.70 | full time |
|-------------------------|-----------|------------|-----------|



Boston City Council

Legislative Calendar for the October 20, 2021 Session

Sixty Day Orders

The following ordinances, appropriations and/or orders recommended by the Mayor for passage by the City Council become effective after the date specified unless previously acted upon¹

¹Section 17E of Chapter 452 of the Acts of 1948 (as amended):

The mayor from time to time may make to the city council in the form of an ordinance or loan order filed with the city clerk such recommendations as he may deem to be for the welfare of the city. The City Council shall consider each ordinance or loan order so presented and shall either adopt or reject the same within sixty days after the date when it is filed as aforesaid. If such ordinance or loan order is not rejected within sixty days, it shall be in force as if adopted by the city council unless previously withdrawn by the mayor.

Assigned for Further Action

On the Table

Unanswered Section 17F Orders²

Order requesting certain information under 17F re: BPD staffing. (Docket #0298)

Order requesting certain information under 17F re: Documents related to the investigation of former police officer and former president of the Boston Police Patrolmen's Association Patrick Rose Sr. (Docket #0593)

Order requesting certain information under 17F re: officers accused of misconduct. (Docket #0910)

Order requesting certain information under 17F re: fulfillment of FOIA requests since March 22, 2021. (Docket #0911)

2 - Section 17F of Chapter 452 of the Acts of 1948 (as amended):

The city council may at any time request from the mayor specific information on any municipal matter within its jurisdiction, and may request his presence to answer written questions relating thereto at a meeting to be held not earlier than one week from the date of the receipt of said questions, in which case the mayor shall personally, or through a head of a department or a member of a board, attend such meeting and publicly answer all such questions. The person so attending shall not be obliged to answer questions relating to any other matter.

Home Rule Petitions Not Responded to by the Mayor³

³Section 22 of Chapter 190 of the Acts of 1982:

Every order of the city council approving a petition to the general court pursuant to Clause (1) of Section 8 of Article 2 of the amendments to the Constitution of the Commonwealth shall be presented to the mayor who shall forthwith consider the same, and, within fifteen days of presentation, either approve it, or file with the city council a statement in detail of his reasons for not approving the same, including any objection based on form, on content, or both; provided, that no such order shall be deemed approved or in force unless the mayor affixes his signature thereto.

Matters in Committee

The following matters were previously filed with the City Council and have been referred to a committee. Matters in committee can be brought back before the City Council pursuant to City Council Rule 24. The following *definitions* describe different types of matters in committee:

- Ordinances:*** Local laws enacted by the Boston City Council and the Mayor that become part of the City Code of Ordinances.
- Loan Orders:*** Authorization for the City of Boston to incur debt and expend money for projects, purchases, or other obligations.
- Orders:*** Directives that authorize action. Orders are legally binding but are not part of the City Code of Ordinances.
- Home Rule Petitions:*** Requests for special acts that concern a particular municipality. Home Rule Petitions require approval of the Boston City Council and Mayor, as well as passage by the state legislature.
- Order for a Hearing:*** A formal request sponsored by a councilor that a committee of the Boston City Council conduct a hearing about a particular matter, issue, or policy that impacts the City of Boston. An Order for a Hearing is not a law and is not voted on by the City Council. The only action concerning an Order for a Hearing that can be taken at a City Council meeting is the administrative action of placing it on file.
- Legislative Resolution:*** A recommendation concerning policy issues that may urge action on particular matters. Legislative resolutions have no legal effect. Legislative resolutions represent a particular position or statement by a Councilor, Councilors, or the City Council as a whole.

2021 MATTERS IN COMMITTEE

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|--|---------|----------------|--|---------------|------------|-------|
| Arts, Culture, Tourism & Special Events | 0348 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Two Hundred Forty-Five Thousand Nine Hundred Dollars (\$245,900.00) in the form of a grant for the FY21 Local Culture Council Program, awarded by the Massachusetts Cultural Council to be administered by the Office of Arts & Culture. The grant will fund the Boston Cultural Council sub-grants. | 2 /24/2021 | 3/8/2021 | |
| Arts, Culture, Tourism & Special Events | 0399 | Essaibi-George | Order for a hearing regarding Gender Parity in the Naming of Public Art and Places. | 3 /3 /2021 | | |
| Boston's COVID-19 Recovery | 0735 | Essaibi-George | Order for a hearing regarding the Reopening Plan for City Operations | 6 /9 /2021 | | |
| Boston's COVID-19 Recovery | 0909 | Flaherty | Order for a hearing to discuss COVID-19 Recovery Funds. | 8 /18/2021 | | |
| Boston's COVID-19 Recovery | 0994 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of One Million Six Hundred Three Thousand One Hundred Twelve Dollars (\$1,603,112.00) in the form a grant for the American Rescue Plan Act, Title III-B awarded by the U.S. Department of Health and Human Services, passed though the MA Executive Office of Elder Affairs, to be administered the Age Strong Commission. The grant will fund Supportive Services for older adults in Boston, for the period 4/1/21 through 6/30/22. | 9 /22/2021 | 10/14/2021 | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|-----------------------------------|---------|---------|--|---------------|------------|-------|
| Boston's COVID-19 Recovery | 0995 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of One Million Four Hundred Six Thousand Three Hundred Thirty One Dollars (\$1,406,331.00) in the form of a grant, for the American Rescue Plan Act-Title III-C Nutrition program, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by Age Strong Commission. The grant will fund nutrition services for older adults in Boston, for the period 4/1/21 through 6/30/22. | 9 /22/2021 | 10/14/2021 | |
| Boston's COVID-19 Recovery | 0996 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Twenty Three Thousand One Hundred Seventy Dollars (\$423,170.00) in the form of a grant for the American Rescue Plan Act- Title III-A, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund administration cost for planning and implementation by the Age Strong Commission, from 4/1/2021 to 9/14/2021. | 9 /22/2021 | 10/14/2021 | |
| Boston's COVID-19 Recovery | 0997 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Ninety Four Thousand One Hundred Thirty Three Dollars (\$394,133.00) in the form of a grant for the American Rescue Plan Act, Title III-E, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund Family Caregiver Services for older adults in Boston, for the period 4/1/2021 through 6/30/22. | 9 /22/2021 | 10/14/2021 | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|---------|---|---------------|------------|------------------------------|
| Boston's COVID-19 Recovery | 0999 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Fifty Seven Thousand Five Hundred Twenty Two Dollars (\$157,522.00) in the form of a grant, for the American Rescue Plan Act, Title III-D, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund the Long-Term Care Ombudsman program, for the period 4/1/21 through 6/30/22. | 9 /22/2021 | 10/14/2021 | |
| Boston's COVID-19 Recovery | 1001 | Mayor | Message and order authorizing the City of Boston to accept and expand the amount of One Hundred Forty Thousand One Hundred Twenty-One Dollars (\$140,121.00) in the form of a grant, for the American Rescue Plan Act, Title III-D, awarded by the U.S. Department of Human Health and Services, passed though the MA Executive Office of Elder Affairs, to be administered by the Age Strong Commission. The grant will fund preventative health services for older adults in Boston, for the period 4/1/21 through 6/30/22. | 9 /22/2021 | 10/14/2021 | |
| Cenus & Redistricting | 0860 | Arroyo | Order for a hearing to discuss the redistricting process in the City of Boston. | 7 /21/2021 | 9/28/2021 | 9/29/21 Remains in Committee |
| City & Neighborhood Services | 0161 | Flynn | Order for a hearing to discuss the proliferation of electronic billboards in the City of Boston. | 1 /13/2021 | 2/25/2021 | |
| City & Neighborhood Services | 0182 | Bok | Order for a hearing regarding a supplemental sidewalk clearance program during snowstorms in Boston. | 1 /13/2021 | 3/16/2021 | 3/17/21 Remains in Committee |
| City & Neighborhood Services | 0221 | Flynn | Order for a hearing to discuss internet access and digital equity in the City of Boston. | 1 /27/2021 | | |
| City & Neighborhood Services | 0222 | Flynn | Order for a hearing to discuss water rescue infrastructure in the City of Boston. | 1 /27/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|----------------|---|---------------|------------|------------------------------|
| City & Neighborhood Services | 0310 | Essaibi-George | Order for a hearing regarding the Expanding the Services Available on 311. | 2 /3 /2021 | | |
| City & Neighborhood Services | 0352 | Petitioner | Petition of A Yankee Line, for a license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston. | 2 /24/2021 | 3/29/2021 | 3/31/21 Remains in Committee |
| City & Neighborhood Services | 0418 | Arroyo | Order for a hearing to discuss off-leash dog recreation spaces in the City of Boston. | 3 /10/2021 | 4/21/2021 | |
| City & Neighborhood Services | 0443 | Edwards | Order for a hearing on digital infrastructure and electronic city services. | 3 /17/2021 | | |
| City & Neighborhood Services | 0639 | Flynn | Order for a hearing to discuss increasing fines for large house parties disturbing neighbors' quality of life. | 5 /5 /2021 | 5/28/2021 | |
| City & Neighborhood Services | 0828 | Mayor | Petition of WeDriveU, Inc. for a license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston. | 6 /30/2021 | | |
| City & Neighborhood Services | 0829 | Mayor | Petition of WeDriveU, Inc. for a license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston. | 6 /30/2021 | | |
| City & Neighborhood Services | 0830 | Mayor | Petition of WeDriveU, Inc. for a license to operate motor vehicles for the carriage of passengers for hire over certain streets in Boston. | 6 /30/2021 | | |
| City & Neighborhood Services | 0863 | Flynn | Order for a hearing to discuss pest control and illegal dumping in the City of Boston. | 7 /21/2021 | 10/1/2021 | |
| City & Neighborhood Services | 0908 | Flynn | Order for a hearing to discuss ways for the City to increase communication access for people with disabilities to public-facing televisions | 8 /18/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---------------------|---------|----------------|--|---------------|------------|------------------------------|
| Civil Rights | 0147 | Mejia | Order for a hearing addressing civil rights in the creation of sanctuary safe spaces in Boston. | 1 /13/2021 | | |
| Civil Rights | 0165 | Flynn | Order for a hearing to discuss ways for the city to prevent and investigate incidents of hate crimes and discrimination. | 1 /13/2021 | 3/30/2021 | 3/31/21 Remains in Committee |
| Civil Rights | 0565 | Campbell | Order for a hearing regarding a local Truth and Reconciliation Commission. | 4 /14/2021 | | |
| Civil Rights | 0734 | Mejia | Order for a hearing regarding reparations and their impact on the civil rights of Black Bostonians. | 6 /9 /2021 | 10/26/2021 | |
| Education | 0145 | Mejia | Order for a hearing addressing sexual assault in Boston Public Schools. | 1 /13/2021 | | |
| Education | 0146 | Mejia | Order for a hearing addressing the relationship between school lunches and the achievement gap. | 1 /13/2021 | | |
| Education | 0150 | Mejia | Order for a hearing identifying restorative justice practices and the role of police in our schools. | 1 /13/2021 | | |
| Education | 0166 | Essaibi-George | Order for a hearing regarding the implementation of the #BPSReady Reopening Plan. | 1 /13/2021 | 3/23/2021 | 3/24/21 Remains in Committee |
| Education | 0168 | Essaibi-George | Order for a hearing regarding creating an admissions policy, improving partnerships, and changing funding for Madison Park Technical Vocational High School. | 1 /13/2021 | | |
| Education | 0170 | Essaibi-George | Order for a hearing regarding the work of the Boston Student Advisory Council and their policy agenda. | 1 /13/2021 | 2/23/2021 | 2/24/21 Remains in Committee |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|------------------|---------|----------------|--|---------------|------------|------------------------------|
| Education | 0171 | Essaibi-George | Order for a hearing regarding the governance structure of the Boston School Committee. | 1 /13/2021 | | |
| Education | 0176 | Essaibi-George | Order for a hearing regarding the review of Curriculum Resources and Standards in the Boston Public Schools. | 1 /13/2021 | | |
| Education | 0177 | Essaibi-George | Order for a hearing regarding the implementation of an Ethnic Studies Curriculum in the Boston Public Schools. | 1 /13/2021 | | |
| Education | 0178 | Essaibi-George | Order for a hearing regarding Libraries and Library Staff in the Boston Public Schools. | 1 /13/2021 | | |
| Education | 0179 | Essaibi-George | Order for a hearing regarding ensuring all Boston Public Schools have Full-time Mental Health and Social Emotional Support Specialists. | 1 /13/2021 | 3/11/2021 | |
| Education | 0180 | Essaibi-George | Order for a hearing regarding Special Education Services in the Boston Public Schools. | 1 /13/2021 | | |
| Education | 0211 | Arroyo | Order for a hearing regarding BPS exam school admissions policy and its impact on diverse enrollment. | 1 /27/2021 | | |
| Education | 0299 | Breadon | Order for a hearing regarding future plans for the Horace Mann School for the Deaf and Hard of Hearing. | 2 /3 /2021 | | |
| Education | 0358 | Campbell | Order for a hearing regarding summer learning opportunities and summer planning for the 2021-2022 school year for Boston Public Schools. | 2 /24/2021 | 4/12/2021 | 4/14/21 Remains in Committee |
| Education | 0359 | Campbell | Order for a hearing regarding the status of Universal Pre-K given the COVID-19 pandemic. | 2 /24/2021 | 4/16/2021 | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|--|---------|----------|---|---------------|------------|--|
| Education | 0360 | Campbell | Order for a hearing regarding services for English Learners and the LOOK Bill. | 2 /24/2021 | | |
| Education | 0862 | Arroyo | Order for a hearing to discuss safety conditions in Boston Public School classrooms during extreme temperatures. | 7 /21/2021 | 9/30/2021 | |
| Education | 1009 | Edwards | Order for a hearing on Boston Public Schools Bus Transportation Reliability. | 9 /22/2021 | | |
| Education | 1065 | Mejia | Resolution opposing State Receivership for Boston Public Schools. | 10/6 /2021 | | |
| Environment, Resiliency & Parks | 0218 | O'Malley | Order for a hearing to discuss the phases of implementing net-zero-carbon requirements for all new buildings in the City of Boston. | 1 /27/2021 | | |
| Environment, Resiliency & Parks | 0219 | O'Malley | Order for a hearing regarding the installation of solar panels on municipal parking lots and buildings. | 1 /27/2021 | | |
| Environment, Resiliency & Parks | 0297 | Bok | Order for a hearing regarding a City-level Conservation Corps for Boston. | 2 /3 /2021 | 3/8/2021 | Working Session 3/9/21, 3/10/21 Remains in Committee |
| Environment, Resiliency & Parks | 0361 | Flynn | Order for a hearing on the process for tree removals in the City of Boston. | 2 /24/2021 | | |
| Environment, Resiliency & Parks | 0691 | O'Malley | Order for a hearing to discuss an update on the City of Boston's Building Energy Reporting and Disclosure Ordinance (BERDO). | 5 /26/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|--|---------|----------------|---|---------------|------------|-------------------------------------|
| Environment, Resiliency & Parks | 1013 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) in the form of a Land Water Conservation Fund grant awarded by the National Park Service, passed through the Massachusetts Division of Conservation Services, to be administered by the Boston Parks and Recreation Department. The grant will be used for improvements at Malcolm X Park that will make paths, entrances, and play areas compliant with the Americans with Disabilities Act. | 9 /29/2021 | 10/18/2021 | |
| Environment, Resiliency & Parks | 1044 | Flynn | Order for a hearing to discuss investments in electric vehicle charging infrastructure & electrifying the City of Boston's vehicle fleet. | 10/6 /2021 | | |
| Government Operations | 0112 | Mayor | Message disapproving an ordinance amending Chapter 12-9 of the City of Boston Code, Ordinances, Regarding Human Rights, (Docket #0945), passed by the City Council December 16, 2020. | 1 /13/2021 | | 1/13/21 Assigned for further action |
| Government Operations | 0113 | Mayor | Message disapproving an ordinance Restricting the Use of Chemical Crowd Control Agents (CCCA) and Kinetic Impact Projectiles (KIP), passed by the City Council December 16, 2020. | 1 /13/2021 | | 1/13/21 Assigned for further action |
| Government Operations | 0169 | Essaibi-George | Petition for a Special Law re: Enfranchising the Boston School Committee Student Member. | 1 /13/2021 | | |
| Government Operations | 0217 | O'Malley | Order regarding a text amendment for the Greenbelt Protection Overlay District (GPOD). | 1 /27/2021 | | |
| Government Operations | 0228 | Essaibi-George | Ordinance relative to the establishment of an independent Mental Health Commission. | 1 /27/2021 | | |
| Government Operations | 0239 | Edwards | Order regarding a text amendment for Boston Zoning Code relative to affordable housing and jobs training exactions. | 1 /27/2021 | 3/4/2021 | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|------------------------------|---------|----------------|--|---------------|------------|---|
| Government Operations | 0261 | Wu | Ordinance requiring equitable COVID-19 vaccine distribution in the City of Boston. | 1 /27/2021 | 3/29/2021 | 3/31/21 Remains in Committee |
| Government Operations | 0296 | Bok | Petition for a special law re: The Boston Landmarks Commission. | 2 /3 /2021 | 2/8/2021 | 2/10/21 Remains in Committee, Working Session 2/18/21, Working Session 9/8/21 |
| Government Operations | 0303 | Wu | Ordinance Extending Paid Sick Leave for City of Boston Employees to Receive the COVID-19 Vaccine. | 2 /3 /2021 | 3/29/2021 | 3/31/21 Remains in Committee |
| Government Operations | 0370 | Edwards | Ordinance Establishing a Payment in Lieu of Taxes Program. | 2 /24/2021 | | |
| Government Operations | 0397 | Arroyo | Ordinance on Surveillance Oversight and Information Sharing. | 3 /3 /2021 | | 4/22/21 Working Session, 7/6/21 Working Session Canceled, 7/12/21 Working Session, 8/19/21 Working Session, 10/7/21 Working Session |
| Government Operations | 0400 | Essaibi-George | Petition for a Special Law regarding the Uniform Procurement Act. | 3 /3 /2021 | 4/8/2021 | |
| Government Operations | 0441 | Edwards | Ordinance relative to the investments of the City Treasury. | 3 /17/2021 | 9/30/2021 | |
| Government Operations | 0442 | Edwards | Ordinance expanding access to local democracy in the City of Boston. | 3 /17/2021 | 7/7/2021 | |
| Government Operations | 0479 | Mejia | Petition for a Special Law re: An Act Granting the City of Boston the Authority to Endow Legal Voting Rights in Municipal Elections for City of Boston Residents Aged 16 and 17 Years Old. | 3 /31/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|------------------------------|---------|----------|--|---------------|-------------------------|---|
| Government Operations | 0562 | Arroyo | Petition for a Special Law re: An Act Providing Certain Retirement Benefits for the Widow of a Former Firefighter in the City of Boston. | 4 /14/2021 | 9/20/2021 | 9/22/21 Remains in Committee |
| Government Operations | 0567 | Edwards | Order for a hearing regarding Biannual Review of the Boston employment commission and Boston Residents Jobs Policy. | 4 /14/2021 | 4/21/2021, 10/5/2021 | 10/6/21 Remains in Committee |
| Government Operations | 0592 | Flaherty | Order for a hearing to discuss the City of Boston medical leave policies and other related policies as it relates to COVID-19. | 4 /14/2021 | | |
| Government Operations | 0600 | Mejia | Ordinance to Create a Task Force to Address Literacy Rates in the City of Boston. | 4 /28/2021 | | |
| Government Operations | 0601 | Mejia | An ordinance to establish systems for tracking vacant commercial properties in the City of Boston. | 4 /28/2021 | | |
| Government Operations | 0604 | Campbell | Petition for a Special Law re: An Act Regarding the Disability Pension for Allen Curry. | 4 /28/2021 | | |
| Government Operations | 0638 | Bok | Ordinance to create the Boston Commemoration Commission | 5 /5 /2021 | 10/19/2021 | |
| Government Operations | 0685 | Bok | An Order Regarding a Text Amendment to the Boston Zoning Code with respect to parking minimums for affordable housing. | 5 /19/2021 | 10/5/2021 | 6/22/21 Working Session, 10/6/21 Remains in Committee |
| Government Operations | 0774 | Mejia | Ordinance Creating a Commission on Latino Men and Boys. | 6 /16/2021 | 8/20/2021 | |
| Government Operations | 0858 | Arroyo | Ordinance establishing protections for the City of Boston Tree Canopy. | 7 /21/2021 | 8/24/2021 | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|--|---------|---------|--|---------------|------------|------------------------------|
| Government Operations | 0882 | Mayor | Message and order for your approval a home rule petition to the General Courts entitled "Petition for a Special Law Re: An Act Relative to Real Estate Transfer Fees." | 8 /18/2021 | | |
| Government Operations | 0899 | Arroyo | Petition for a Special Law re: An Act Relative to Reorganization of the Boston School Committee. | 8 /18/2021 | | |
| Government Operations | 0900 | Bok | Ordinance to provide for legal representation of the Boston Groundwater Trust by the City of Boston Law Department. | 8 /18/2021 | | |
| Government Operations | 0901 | Breadon | Ordinance Regulating Predatory Towing Practices and Establishing a Towing Bill of Rights. | 8 /18/2021 | 10/28/2021 | |
| Government Operations | 0966 | Bok | Order for a hearing to discuss city protocols for providing public records. | 9 /15/2021 | | |
| Government Operations | 1005 | Edwards | Petition for a Special Law RE: An Act Relative to Boston and Non-Criminal Disposition of Fines. | 9 /22/2021 | | |
| Government Operations | 1043 | Edwards | An ordinance amending City of Boston Code, Chapter XXIV, Boston jobs and living wage ordinance. | 10/6 /2021 | | |
| Housing & Community Development | 0295 | Bok | Order for a hearing regarding the current state of cooperative housing in Boston and strategies for its further expansion. | 2 /3 /2021 | | |
| Housing & Community Development | 0328 | Bok | Order for a hearing regarding reducing barriers to securing rental housing in Boston. | 2 /10/2021 | | |
| Housing & Community Development | 0331 | Edwards | Order for a hearing regarding the state of affordable housing as to Boston's Inclusionary Development Policy. | 2 /10/2021 | 3/30/2021 | 3/31/21 Remains in Committee |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|--|---------|----------------|---|---------------|------------|------------------------------|
| Housing & Community Development | 0362 | Essaibi-George | Order for a hearing regarding existing residential unit diversity across Boston. | 2 /24/2021 | 4/1/2021 | |
| Housing & Community Development | 0365 | Bok | Order for a hearing regarding increasing public housing in the City of Boston | 2 /24/2021 | | |
| Housing & Community Development | 0367 | Bok | Order for a hearing regarding homeownership assistance including for first-generation homebuyers. | 2 /24/2021 | 8/10/2021 | |
| Housing & Community Development | 0499 | Flynn | Order for a hearing to discuss updates on the status and enforcement of the Short Term Rentals Ordinance. | 4 /7 /2021 | | |
| Housing & Community Development | 0861 | Arroyo | Order for a hearing to discuss predatory lending programs in the City of Boston. | 7 /21/2021 | | |
| Housing & Community Development | 1010 | Mayor | Message and order authorizing the City of Boston to apply for, and to accept and expend, the Federal Fiscal Year 2021 Continuum of Care grant funds from the U.S. Department of Housing and Urban Development in the amount not to exceed Forty Five Million Dollars (\$45,000,000.00) These funds will be used to support programs that provide services and housing to persons experiencing homelessness. | 9 /29/2021 | 10/21/2021 | |
| Housing & Community Development | 1024 | Breadon | Order for a Hearing to Review Rental Unit Conditions, Standards, and Inspections in the City of Boston. | 9 /29/2021 | | |
| Housing & Community Development | 1045 | Campbell | Order for a hearing regarding emergency housing transfers for those facing community-based violence. | 10/6 /2021 | | |
| Pilot Agreements | 0327 | Bok | Order for a hearing regarding increasing oversight, transparency, and coordination of PILOT community benefit offsets. | 2 /10/2021 | 6/14/2021 | 6/16/21 Remains in Committee |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|----------------|--|---------------|------------|------------------------------|
| Planning, Development & Transportation | 0152 | Mejia | Order for a hearing discussing the viability of late-night MBTA service in Boston. | 1 /13/2021 | | |
| Planning, Development & Transportation | 0163 | Flynn | Order for a hearing to discuss establishing a traffic master plan for South Boston. | 1 /13/2021 | | |
| Planning, Development & Transportation | 0181 | Bok | Order for a hearing regarding potential zoning amendments to be proposed by the Boston Groundwater Trust. | 1 /13/2021 | 2/19/2021 | |
| Planning, Development & Transportation | 0212 | Bok | Order for a hearing regarding zoning relief for 100% affordable and deeply affordable housing projects. | 1 /27/2021 | 3/30/2021 | 3/31/21 Remains in Committee |
| Planning, Development & Transportation | 0214 | Breadon | Order for a hearing regarding an Allston-Brighton Master Plan and Zoning Initiative. | 1 /27/2021 | 4/6/2021 | 4/7/31 Remain in Committee |
| Planning, Development & Transportation | 0330 | Flynn | Order for a hearing to discuss zoning and the community outreach process for life sciences laboratories in the City of Boston. | 2 /10/2021 | 7/27/2021 | |
| Planning, Development & Transportation | 0332 | Edwards | Order for a hearing regarding the coordination and community notice of the issuance of construction and utility permits. | 2 /10/2021 | | |
| Planning, Development & Transportation | 0356 | Mejia | Order for a hearing on Community Voice in Impact Advisory Groups. | 2 /24/2021 | 4/30/2021 | |
| Planning, Development & Transportation | 0363 | Essaibi-George | Order for a hearing regarding to review the procedures to alert a neighborhood to development-related meetings. | 2 /24/2021 | | |
| Planning, Development & Transportation | 0364 | Essaibi-George | Order for a hearing regarding the creation of publicly available developer profiles. | 2 /24/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|---------|--|---------------|------------|------------------------------|
| Planning, Development & Transportation | 0366 | Bok | Order for a hearing regarding using planning and land-use tools for public good. | 2 /24/2021 | | |
| Planning, Development & Transportation | 0371 | Edwards | Order regarding a text amendment to Article 5 of the Boston Zoning Code with respect to public service corporations. | 2 /24/2021 | | |
| Planning, Development & Transportation | 0372 | Edwards | Order for a hearing on the status of the Zoning Board of Appeals Executive Order and Home Rule Petition. | 2 /24/2021 | 8/17/2021 | 8/18/21 Remains in Committee |
| Planning, Development & Transportation | 0416 | Wu | Order for a hearing regarding Inclusion of Daycare Facilities zoning restrictions. | 3 /10/2021 | | |
| Planning, Development & Transportation | 0457 | Mayor | Message and order for the confirmation of the appointment of Annette Given, as an alternate member of the Beacon Hill Architectural Commission for a term expiring on May 1, 2025. | 3 /24/2021 | | |
| Planning, Development & Transportation | 0849 | Mayor | Message and order for your approval of the receipt of a Preservation Restriction Agreement on 41 Melrose Street, Boston, Ma 02116 by the Society for the Preservation of New England Antiquities d/b/a Historic New England. | 7 /21/2021 | 10/19/2021 | |
| Planning, Development & Transportation | 0993 | Edwards | Order for a Hearing regarding the status of the BPDA's Plan: East Boston Initiative | 9 /15/2021 | | |
| Planning, Development & Transportation | 1023 | Mayor | Communication was received from Susan L. Sullivan executive Director Newmarket Business Association regarding the proposed petition for Newmarket Business Improvement District. | 9 /29/2021 | | |
| Post Audit & Oversight | 0156 | Arroyo | Order for a hearing to audit the implementation of the "Invest in Boston" ordinance. | 1 /13/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|-----------------------------------|---------|----------|---|---------------|------------|------------------------------|
| Post Audit & Oversight | 0220 | Wu | Order for a hearing regarding Green and Social Bonds. | 1 /27/2021 | 3/26/2021 | |
| Post Audit & Oversight | 0302 | Wu | Order for a hearing regarding Good Food Purchasing at the City of Boston and Boston's anchor institutions. | 2 /3 /2021 | | |
| Post Audit & Oversight | 0320 | Mayor | Message and order for the confirmation of the appointment of Mary Catherine Bench as a member of the Audit Committee of the City of Boston for a term expiring November 1, 2023, filling the remainder of the unexpired term of Matthew Gorzkowicz, who has stepped down. | 2 /10/2021 | | |
| Post Audit & Oversight | 0321 | Mayor | Message and order for the confirmation of the appointment of Mark Williams as a member of the Audit Committee of the City of Boston, for a term expiring November 1, 2025. | 2 /10/2021 | | |
| Post Audit & Oversight | 0345 | Janey | Order for a hearing regarding Equity in The City of Boston Procurement and Purchasing | 2 /10/2021 | | |
| Post Audit & Oversight | 0357 | Wu | Order for a hearing regarding worker cooperatives. | 2 /24/2021 | | |
| Public Health | 0142 | Campbell | Order for a hearing regarding COVID-19 vaccines. | 1 /13/2021 | 2/9/2021 | 2/10/21 Remains in Committee |
| Public Health | 0162 | Flynn | Order for a hearing to discuss the creation of a frontline worker COVID-19 Health Registry. | 1 /13/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---------------|---------|----------------|---|---------------|------------|-------|
| Public Health | 0192 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Six Hundred Ninety-One Thousand One Hundred Ten Dollars (\$691,110.00) in the form of a grant, for the COVID-19 Response Grant, awarded by the Center for Tech and Civic Life to be administered by the Election Department. The grant funded planning and operating a safe and secure election administration in the City of Boston for the 2020 election. | 1 /27/2021 | | |
| Public Health | 0223 | Flynn | Order for a hearing to discuss public health disparities in Boston's communities of color. | 1 /27/2021 | | |
| Public Health | 0225 | Flynn | Order for a hearing to discuss ways for the City to be more proactive in providing services, educating the public, and raising awareness for those infected with HIV/AIDS. | 1 /27/2021 | | |
| Public Health | 0231 | Essaibi-George | Order for a hearing to examine Mental Health and Suicide Prevention Resources in the City of Boston. | 1 /27/2021 | | |
| Public Health | 0232 | Essaibi-George | Order for a hearing regarding the impact of COVID-19 on Recovery Services. | 1 /27/2021 | | |
| Public Health | 0233 | Essaibi-George | Order for a hearing regarding the Opioid Crisis. | 1 /27/2021 | | |
| Public Health | 0547 | Mayor | Message and order authorizing the City of Boston to accept and expend reimbursements in the amount of up to Six Million Dollars (\$6,000,000.00), from the Federal Emergency Management Agency and the Commonwealth of Massachusetts, for expenses related to the COVID-19 event. | 4 /14/2021 | | |
| Public Health | 0816 | Flynn | Order for a hearing on domestic violence and sexual assault in the City of Boston. | 6 /23/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|----------------|--|---------------|------------|------------------------------|
| Public Health | 0817 | Essaibi-George | Resolution in support of Assisted Outpatient Treatment (AOT) Legislation, Bill H.2121. | 6 /23/2021 | | |
| Public Safety & Criminal Justice | 0100 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Eight Hundred Fifty Thousand Dollars (\$850,000.00) in the form of a grant for the FY20 Boston Regional Intelligence Center Earmark, awarded by the MA Executive Office of Public Safety & Security to be administered by the Police Department. The grant will fund upgrading, expanding and integrating technology and protocols related to anti-terrorism, anti-crime, anti-gang and emergency responders. | 2 /26/2020 | | 20-0408 |
| Public Safety & Criminal Justice | 0101 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Thousand Dollars(\$300,000.00) in the form of a grant for the FY21 Byrne State Justice Assistance (JAAG) Grant, awarded by the United States Department of Justice, passed through the Massachusetts State Police/Crime Laboratory, to be administered through Police Department. The grant will fund Operation Shot Stopper, a partnership between the BPD Youth Violence Strike Force and the MA State Police Gang Unit. The initiative will focus on suppressing gun violence, targeting violent impact players and patrolling "hot spots". The partnership will develop and document intelligence and enhance community trust. | 12/9 /2020 | | 20-1141 |
| Public Safety & Criminal Justice | 0143 | Campbell | Order for a hearing regarding the Boston Police Department's gang database. | 1 /13/2021 | 3/9/2021 | 3/10/21 Remains in Committee |
| Public Safety & Criminal Justice | 0151 | Mejia | Order for a hearing discussing youth involvement in regards to police reform. | 1 /13/2021 | | |
| Public Safety & Criminal Justice | 0157 | Arroyo | Order for a hearing to discuss promoting public safety and better outcomes for young adults by raising the age of juvenile jurisdiction from 18 to 21. | 1 /13/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|----------------|---|---------------|------------|-------------------------------|
| Public Safety & Criminal Justice | 0158 | O'Malley | Order for a hearing to discuss racial disparities in the Field Interrogation and Observation (FIO) data by the Boston Police Department. | 1 /13/2021 | | |
| Public Safety & Criminal Justice | 0229 | Essaibi-George | Order for a hearing regarding access to Wellness Programs for First Responders. | 1 /27/2021 | | |
| Public Safety & Criminal Justice | 0230 | Essaibi-George | Order for a hearing regarding the expansion of the Boston Emergency Services Team. | 1 /27/2021 | | |
| Public Safety & Criminal Justice | 0307 | Campbell | Order for a hearing regarding implementation of the Boston Police Reform Task Force's recommendations and the State Police Reform Bill. | 2 /3 /2021 | 3/2/2021 | 3/3/21 Remains in Committee |
| Public Safety & Criminal Justice | 0417 | Campbell | Order for a hearing regarding inaccuracies in Analyze Boston's crime incident report datasets. | 3 /10/2021 | 4/13/2021 | 4/14/21/ Remains in Committee |
| Public Safety & Criminal Justice | 0845 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of One Million One Hundred Fifty Thousand Dollars (\$1,150,000.00) in the form of a grant for a comprehensive, inter-agency strategy that connects law enforcement, employment, education, public health and youth development agencies to reduce youth violence in the Commonwealth. This additional funding increases the total grant to \$2,300,000.00 over two years, awarded by the MA Executive Office of Health and Human Services to be administered by the Police Department. The grant will fund FY22 and FY23 Safe and Successful Youth Initiative. | 7 /21/2021 | 10/21/2021 | |
| Public Safety & Criminal Justice | 0954 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Four Million Dollars (\$4,000,000.00) in the form of a grant, for the FY22 Public Safety Answering Point Support and Incentive Grant, awarded by the MA Executive Office of Public Safety & Security to be administered by the Police Department. The Grant will fund costs associated with providing Enhanced 911 Services. | 9 /15/2021 | 10/21/2021 | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|----------|--|---------------|------------|-------|
| Public Safety & Criminal Justice | 0956 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Ninety-Nine Thousand Four Hundred Eighteen Dollars and Seventy-Three Cents (\$399,418.73) in the form of a grant for the FY22 State 911 Training Grant, awarded by the MA Executive Office of Public Safety & Security to be administered by the Police Department. The grant will fund the training and certification of Enhanced 911 Telecommunications staff. | 9 /15/2021 | 10/21/2021 | |
| Public Safety & Criminal Justice | 0967 | O'Malley | Order regarding Civilian Review Board nominations. | 9 /15/2021 | | |
| Public Safety & Criminal Justice | 1012 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00) in the form of a grant for the FY21 Securing the Cities, awarded by the United States Department of Homeland Security to be administered by the Police Department. The grant will fund Year 2 of the Securing the Cities grant project, which enhances the ability of the United States to detect and prevent terrorist attacks and other high-consequence events utilizing nuclear or other radiological materials that pose a threat to homeland security in high-risk urban areas. | 9 /29/2021 | 10/21/2021 | |
| Public Safety & Criminal Justice | 1036 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Two Hundred Thirty Nine Thousand Two Hundred Fifty Four Dollars (\$239,254.00) in the form of a grant, for the FY2020 DNA Capacity Enhancement and Backlog Reduction Program, awarded by the United States Department of Justice to be administered by the Police Department. The grant will fund two Criminalist positions, overtime, lab supplies, and continuing education expenses. | 10/6 /2021 | 10/21/2021 | |
| Rules & Administration | 0153 | Mejia | Order for a hearing on public hearings as they relate to government accountability and accessibility. | 1 /13/2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|----------------|--|---------------|------------|-------|
| Rules & Administration | 0504 | Edwards | Order for a hearing to review central staff policies, procedures, performance and regulations. | 4 /7 /2021 | 7/8/2021 | |
| Small Business & Workforce Development | 0144 | Mejia | Order for a hearing discussing the accessibility of small business outreach during and beyond the COVID-19 pandemic. | 1 /13/2021 | | |
| Small Business & Workforce Development | 0148 | Mejia | Order for a hearing on expanding access for minority business enterprises into high-volume commercial centers. | 1 /13/2021 | 4/22/2021 | |
| Small Business & Workforce Development | 0149 | Mejia | Order for a hearing on racism in retail stores in the City of Boston. | 1 /13/2021 | | |
| Small Business & Workforce Development | 0154 | Mejia | Order for a hearing on small business preparedness to reopen during the COVID-19 pandemic. | 1 /13/2021 | | |
| Small Business & Workforce Development | 0159 | Campbell | Order for a hearing regarding automobile insurance rates in Boston. | 1 /13/2021 | | |
| Small Business & Workforce Development | 0215 | Mejia | Order for a hearing discussing commercial vacancies in Boston. | 1 /27/2021 | 3/19/2021 | |
| Small Business & Workforce Development | 0224 | Flynn | Order for a hearing to discuss renewal fees for restaurants and food establishments during the COVID-19 pandemic. | 1 /27/2021 | | |
| Small Business & Workforce Development | 0301 | Flynn | Order for a hearing to discuss the impact of CORI on access to employment and other opportunities. | 2 /3 /2021 | | |
| Small Business & Workforce Development | 0311 | Essaibi-George | Order for a hearing regarding Elder Scamming Protections. | 2 /3 /2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|----------------|--|---------------|------------|------------------------------|
| Small Business & Workforce Development | 0313 | Essaibi-George | Order for a hearing regarding the Impact of Main Streets Organizations on Small Businesses during the COVID-19 Pandemic. | 2 /3 /2021 | | |
| Small Business & Workforce Development | 0398 | Flynn | Order for a hearing on the safety of construction sites in the City of Boston. | 3 /3 /2021 | 9/20/2021 | 9/22/21 Remains in Committee |
| Small Business & Workforce Development | 0471 | Flynn | Order for a hearing regarding Brookfield Asset Management's firing of 52 workers at the Nine Zero Hotel. | 3 /24/2021 | | |
| Small Business & Workforce Development | 0606 | Campbell | Order for a hearing regarding an Office of Labor Standards. | 4 /28/2021 | | |
| Small Business & Workforce Development | 0732 | Baker | Order for a hearing regarding maximizing workforce development opportunities in biotechnology for Boston residents. | 6 /9 /2021 | | |
| Strong Women, Families & Communities | 0234 | Essaibi-George | Order for a hearing to review the women-specific outreach and healthcare programming to combat the Opioid Crisis. | 1 /27/2021 | 5/4/2021 | 5/5/21 Remains in Committee |
| Strong Women, Families & Communities | 0312 | Essaibi-George | Order for a hearing regarding the SNAP Gap in Boston. | 2 /3 /2021 | | |
| Strong Women, Families & Communities | 0825 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Six Hundred Seventy Two Thousand Six Hundred Eighty Five Dollars and Sixty Cents (\$672,685.60) in the form of a grant for the FY22 YouthWorks, awarded by the MA Executive Office of Labor and Workforce Development, passed through the Economic Development & Industrial Corporation of Boston, to be administered by the Youth Engagement & Employment. The grant will fund the Summer 2021 Success Link Employment Program. | 6 /30/2021 | 10/18/2021 | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|---|---------|---------|---|---------------|------------|-------|
| Strong Women, Families & Communities | 0826 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Seventy Six Thousand Sixty Six Thousand Dollars (\$476,666.00) in the form of a grant for Nutrition Services for Boston elders, awarded by the U.S. Department of Health and Human Services, passed through the MA Executive Office of Elder Affairs to be administered by the Age Strong Commission. The grant will fund the FY21 Title IIIC Supplemental. | 6 /30/2021 | 10/18/2021 | |
| Strong Women, Families & Communities | 0958 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Thousand Dollars (\$100,000.00) in the form of a grant for the No Kid Hungry, awarded by Share Our Strength to be administered by the Office of Food Access. The grant will fund school-based food programs (BosFoodLove) and the Community Hub Schools Initiative. | 9 /15/2021 | 10/1/2021 | |
| Strong Women, Families & Communities | 1011 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of One Million Seven Hundred Sixty Eight Thousand Three Hundred Seventy Eight Dollars and Fifty Six Cents (\$1,768,378.56) in the form of a grant for the FY22 State Elder Lunch Program, awarded by the MA Executive Office of Elder Affairs to be administered by the Age Strong Commission. The grant will fund nutrition services for up to 284,394 older adults in the City of Boston at \$6.24 per meal. | 9 /29/2021 | 10/18/2021 | |
| Strong Women, Families & Communities | 1014 | Mayor | Message and order authorizing the City of Boston to accept and expend the amount of Five Hundred Thousand Dollars (\$500,000.00) in the form of a grant for the FY21 Gus Schumacher Nutrition Incentive Program, awarded by the National Institute of Food and Agriculture-USDA to be administered by the Office of Food Access. The grant will fund projects to increase the purchase of fresh fruits and vegetables by low-income SNAP consumers. | 9 /29/2021 | 10/1/2021 | |
| Veterans & Military Affairs | 0300 | Flynn | Order for a hearing to discuss services for women veterans. | 2 /3 /2021 | | |

| Committee | Docket# | Sponsor | Docket Description | Date Referred | Hearing(s) | Notes |
|-------------------------|---------|----------------|---|---------------|------------|---|
| Ways & Means | 0164 | Flynn | Order for a hearing to discuss property taxes and assistance programs for seniors & long-term residents facing difficulties during COVID19. | 1 /13/2021 | 2/5/2021 | Working Session 3/8/21, 3/10/21 Remains in Committee |
| Ways & Means | 0167 | Essaibi-George | Order for a hearing regarding the Fiscal Year 2020 Boston Public Schools Transportation Budget. | 1 /13/2021 | 3/12/2021 | |
| Ways & Means | 0213 | Bok | Order for a hearing regarding Boston Police overtime. | 1 /27/2021 | 3/12/2021 | |
| Ways & Means | 0226 | Bok | Order for a hearing regarding a mid-year update on the City's FY21 fiscal status. | 1 /27/2021 | 2/11/2021 | |
| Ways & Means | 0329 | Bok | Order for a hearing regarding police contracts as policy documents. | 2 /10/2021 | | 3/23/21 Working Session, 3/24/21 Remains in Committee |
| Ways & Means | 0368 | Bok | Order for a hearing regarding investing Boston Saves funds. | 2 /24/2021 | | |

City of Boston
IN
CITY COUNCIL



OFFICIAL RESOLUTION

OFFERED BY CITY COUNCILOR MICHELLE WU

**BE IT RESOLVED, THAT THE BOSTON CITY COUNCIL
EXTENDS ITS CONGRATULATIONS ON:**

REPUBLIC OF CHINA DAY – OCTOBER 10, 2021

IN RECOGNITION OF:

**THE 110TH ANNIVERSARY OF THE FOUNDING OF THE REPUBLIC OF CHINA AND THE LASTING
FRIENDSHIP BETWEEN THE PEOPLE OF TAIWAN AND THE CITY OF BOSTON AND BE IT
RESOLVED THAT THE BOSTON CITY COUNCIL HEREBY EXPRESSES ITS CONGRATULATIONS AND
BEST WISHES FOR CONTINUED SUCCESS, THAT THIS RESOLUTION BE DULY SIGNED BY THE
PRESIDENT OF THE CITY COUNCIL AND ATTESTED TO AND A COPY THEREOF TRANSMITTED BY
THE CLERK OF CITY OF BOSTON.**

By: _____
Matt O'Reilly
President of the City Council

Attest: _____
Clerk of the City of Boston

Offered by: _____
Michelle Wu

OCTOBER 5, 2021

Date: _____

City of Boston IN

CITY COUNCIL

Official Resolution

presented by

Councilor Ed Flynn

Be it Resolved, that the Boston City Council
Extends its Congratulations and Recognition to

Jerry Rubin

In recognition of:

Your 15 years of leadership as CEO of the Jewish Vocational Service. We applaud your tireless commitment and steadfast dedication to building and expanding workforce training, particularly in service of our adult immigrant and non-native English speaking communities. Through your leadership, many of our hardworking neighbors have been able to find employment, establish a living, and contribute to our city and country. Your work has left an indelible impact in our city. We honor and thank you for your exceptional service and congratulate you on your well-deserved retirement!

and Be it further Resolved that the Boston City Council extends its best wishes for continued success; that this Resolution be duly signed by the President of the City Council and attested to and a copy thereof transmitted by the Clerk of the City of Boston.



By: *Matt O'Reilly*
President of the City Council

Attest: *Shaween Leoney*
Clerk of the City of Boston

Offered by: *Edward M. Flynn*

Date: *October 8th, 2021*

City of Boston IN CITY COUNCIL



IN TRIBUTE

THE BOSTON CITY COUNCIL EXTENDS ITS
DEEPEST SYMPATHY TO YOU AND YOUR
FAMILY IN THE PASSING OF YOUR LOVED ONE

Anne Marie Collins

IN WHOSE MEMORY ALL MEMBERS STOOD
IN TRIBUTE AND REVERENCE AS
THE COUNCIL ADJOURNED ITS MEETING OF

October 6th, 2021

SINCERELY,

Matt O'Reilly
CITY COUNCIL PRESIDENT



Attest *Alex Avantas*
Assistant City Clerk

Presented By

Edward M. Tully
Michael J. Elaherty

City of Boston IN CITY COUNCIL



Official Resolution

Be it Resolved, that the Boston City Council extended its Congratulations to:

Cynthia Woolcock

In Recognition of:

Your 13 years of service as Assistant Director and Director to The Veronica B. Smith Multi-Service Senior Center; and

Be it further Resolved that the Boston City Council extends its best wishes for continued success; that this Resolution be duly signed by the President of the City Council and attested to and a copy thereof transmitted by the Clerk of the City of Boston.



By: Matt O'Reilly
President of the City Council

Attest: Maureen Feeney
Clerk of the City of Boston

Offered by: Elizabeth Breeden

Date: October 13, 2021

City of Boston IN CITY COUNCIL



Official Resolution

Be it Resolved, that the Boston City Council extended its Congratulations to:

Saint Columbkille Parish

In Recognition of:

Its 150th anniversary

; and

Be it further Resolved that the Boston City Council extends its best wishes for continued success; that this Resolution be duly signed by the President of the City Council and attested to and a copy thereof transmitted by the Clerk of the City of Boston.

By: Matt O'Malley
President of the City Council

Attest: Maureen Feeney
Clerk of the City of Boston

Offered by: Elizabeth Breardon

Date: October 13, 2021



**Official Resolution
Of Councilor Matt O'Malley**

**Be it Resolved, that the Boston City Council
extends its Congratulations to:**

Detective James Coyne

**For 26 Years of Dedicated Service and Community
Leadership as a Member of the Boston Police Department**

**and Be it further Resolved that the Boston City Council
extends its best wishes for continued success in retirement;
that this Resolution be duly signed by the President of the
City Council and attested to and a copy thereof transmitted by
the Clerk of the City of Boston.**

1. Detective James Coyne
2. Detective Amy McClean-Spang
3. Sergeant Detective John Ford
4. Sergeant Detective William Duggan
5. Sergeant Detective Mark Vickers
6. Detective Dan Fagan
7. Sergeant Detective Catherine
Doherty
8. Detective Robert Costine
9. Detective Mike Kane
10. Sergeant Detective John Cunniffe
11. Detective Tyrone Camper
12. Detective Melody Nash
13. Detective Roque Heath
14. Sergeant Detective William Chinetti
15. Lieutenant Detective Eric Eversely
16. Detective John Cronin
17. Detective Melrose Samuels
18. Detective Steve Beath
19. Detective James Thompson
20. Detective Susan Antonucci-
Sementelli
21. Detective Don Johnson
22. Detective Thomas Keeley
23. Sergeant Detective Greg Gallagher
24. Sergeant Detective Kathy Doris
25. Detective Kevin Guy
26. Sergeant Detective Thomas Joyce
27. Detective John McCabe
28. Sergeant Detective Cecil Jones
29. Detective Fermain Cardona
30. Sergeant Detective John Hamilton
31. Detective Frank Pomodoro
32. Detective Joseph Trodella
33. Sergeant Detective Kevin Finn
34. Detective Charles Coleman
35. Sergeant Detective Edward Garvey
36. Sergeant Detective Martin Smiddy

37. Detective Vincent DiFazio
38. Sergeant Detective Brian Black
39. Sergeant Detective William Doogan
40. Sergeant Detective Thomas Lembo
41. Sergeant Detective Thomas
Detremonte
42. Detective Timothy O'Sullivan
43. Sergeant Detective Karl Strother
44. Sergeant Detective Kevin Power
45. Detective Renee Payne Callender
46. Detective James Rattigan
47. Sergeant Detective Steven Whitman
48. Detective Jeremiah Benton
49. Detective Robert Kenney
50. Sergeant Detective Wayne Clarke
51. Lieutenant Detective Charles Daly
52. Detective Steve Morgan
53. Detective Lisa Clarke-Morgan
54. Captain Detective Richard Sexton
55. Sergeant Detective Steven Downs
56. Detective James Simpson
57. Detective Arthur Hall Brewster
58. Detective Phyllis Carter

City of Boston

IN

CITY COUNCIL



Official Resolution

Be it Resolved, that the Boston City Council
extends its Congratulations to:

Filiberto Santiago

In Recognition of:

Your exceptional work at James P Timilty Middle School and within your community

and Be it further resolved that the Boston City Council
extends its best wishes for continued success; that this
Resolution be duly signed by the President of the City
Council and attested to and copy thereof transmitted by
the Clerk of the City of Boston.

By: _____
President of the City Council

Attest: _____
Clerk of the City of Boston

Offered by: Julia [Signature]

Date: October 20, 2021

City of Boston
IN
CITY COUNCIL



Official Resolution

Be it Resolved, that the Boston City Council
extends its Congratulations to:

Morning Star Baptist Church

In Recognition of:

40 years of exceptional service to the community

and Be it further resolved that the Boston City Council
extends its best wishes for continued success; that this
Resolution be duly signed by the President of the City
Council and attested to and copy thereof transmitted by
the Clerk of the City of Boston.

By: *Matt O'Malley*
President of the City Council

Attest: _____
Clerk of the City of Boston

Offered by: *Julia [Signature]*

Date: *October 17, 2021*

City of Boston

IN

CITY COUNCIL

Official Resolution

presented by

Councilor Ed Flynn

Be it Resolved, that the Boston City Council
Extends its Congratulations and Recognition to

Pattie Happnie

In recognition of:

Your 70th birthday and your invaluable service to the City of Boston for 16 years at the Boston Redevelopment Authority under Mayor Flynn's Administration. We thank you for your steadfast dedication and contribution to the City and its residents, as well as generously sharing your green convertible with Mayor Flynn in the St. Patrick's Day Parade! We wish you a very happy birthday on October 9th!

and Be it further Resolved that the Boston City Council extends its best wishes for continued success; that this Resolution be duly signed by the President of the City Council and attested to and a copy thereof transmitted by the Clerk of the City of Boston.

By: _____
President of the City Council

Attest: _____
Clerk of the City of Boston

Offered by: _____

Date: _____

**Official Resolution
Of Councilor Matt O'Malley**

**Be it Resolved, that the Boston City Council
extends its Congratulations to:**

Jackeline Peguero

In Recognition of:

**Her dedication to the community and in honor of
National Hispanic Heritage Month**

**and Be it further Resolved that the Boston City Council
extends its best wishes for continued success; that this
Resolution be duly signed by the President of the City
Council and attested to and a copy thereof transmitted by the
Clerk of the City of Boston.**

1. Jackeline Peguero
2. Alberto Vasallo
3. Dante Luna
4. Nurys Camargo
5. Lydia Rivera
6. Carlos Castillo
7. Efrain Toledano
8. Milagros "Millie" De Los Santos
9. Pilar Ortiz
10. Marcos Beleche
11. Mayra Duran
12. Luis Bravo
13. Gladys Oliveros
14. Regla González
15. Jose (Jesús) Garcia-Mota
16. Milagros Marte
17. Peter Cuenca
18. Mynor Perez
19. Claudia Osorio
20. Carlos Espinoza-Toro
21. Karolina Zeledon
22. Claudio Martinez
23. Alberto Vasallo
24. José Massó
25. Rosana Rivera

**Official Resolution
Of Councilor Matt O'Malley**

Be it Resolved, that the Boston City Council
extends its Congratulations to:

George O'Malley

In Recognition of:

His 72nd Birthday

and Be it further Resolved that the Boston City Council declares October 16, 2021 as "George O'Malley Day" in the City of Boston; that this Resolution be duly signed by the President of the City Council and attested to and a copy thereof transmitted by the Clerk of the City of Boston.

**Official Resolution
Of Councilor Matt O'Malley**

**Be it Resolved, that the Boston City Council
extends its Congratulations to:**

The Mulvey Family

In Recognition of:

**Mary Mulvey Jacobson's dedication,
commitment, and leadership in the City of Boston**

**and Be it further Resolved that the Boston City Council
declares October 16, 2021 as "Mary Mulvey Jacobson Day"
in the City of Boston; that this Resolution be duly signed by
the President of the City Council and attested to and a copy
thereof transmitted by the Clerk of the City of Boston.**

City of Boston

IN

CITY COUNCIL



IN TRIBUTE

THE BOSTON CITY COUNCIL EXTENDS ITS
DEEPEST SYMPATHY TO YOU AND YOUR
FAMILY IN THE PASSING OF YOUR LOVED ONE

James Cali

IN WHOSE MEMORY ALL MEMBERS STOOD
IN TRIBUTE AND REVERENCE AS
THE COUNCIL ADJOURNED ITS MEETING OF

September 20th, 2021

SINCERELY,

CITY COUNCIL PRESIDENT

Attest

Presented By

Lydia Edwards

City of Boston

IN

CITY COUNCIL



IN TRIBUTE

THE BOSTON CITY COUNCIL EXTENDS ITS
DEEPEST SYMPATHY TO YOU AND YOUR
FAMILY IN THE PASSING OF YOUR LOVED ONE

Tony DeMarco

IN WHOSE MEMORY ALL MEMBERS STOOD
IN TRIBUTE AND REVERENCE AS
THE COUNCIL ADJOURNED ITS MEETING OF

October 20, 2021



SINCERELY,

CITY COUNCIL PRESIDENT

Attest

Presented By

City of Boston

IN

CITY COUNCIL



IN TRIBUTE

THE BOSTON CITY COUNCIL EXTENDS ITS
DEEPEST SYMPATHY TO YOU AND YOUR
FAMILY IN THE PASSING OF YOUR LOVED ONE

Fernando Rafael Augusto de Silva

IN WHOSE MEMORY ALL MEMBERS STOOD
IN TRIBUTE AND REVERENCE AS
THE COUNCIL ADJOURNED ITS MEETING OF

September 20th, 2021

SINCERELY,

CITY COUNCIL PRESIDENT

Attest

Presented By

Lydia Edwards

City of Boston IN CITY COUNCIL



Official Resolution

Be it Resolved, that the Boston City Council extends its Congratulations and Recognition to

JOHN O'NEILL

for

Your retirement from the Age Strong Commission after 26 years

and Be it further Resolved that the Boston City Council extends its best wishes for continued success; that this Resolution be duly signed by the President of the City Council and attested to and a copy thereof transmitted by the Clerk of the City of Boston.

By: *Matt O'Reilly*
President of the City Council

Attest: _____
Clerk of the City of Boston

Offered by: *Michael P. Flaherty*

Date: _____

