



ORDER OF BUSINESS FOR MATTERS PRESENTED TO THE CITY CLERK PRIOR TO 10:00 A.M. ON MONDAY, JANUARY 24, 2022 FOR CONSIDERATION BY THE CITY COUNCIL AT A REGULAR MEETING ON WEDNESDAY, JANUARY 26, 2022 AT 12:00 P.M.

ROLL CALL

APPROVAL OF THE MINUTES

COMMUNICATIONS FROM HER HONOR, THE MAYOR:

- 0158** Message and order for your approval an order authorizing the issuance of refunding bonds in a principal amount not to exceed Two Hundred Million Dollars (\$200,000,000.00). The current conditions in the municipal bond market appears to be favorable for the City to potentially realize significant saving in debt service costs by refunding certain of its outstanding general obligation bonds.
- 0159** Message and order authorizing the City of Boston to accept and expend the amount of Twenty-Four Million One Hundred Fifty Four Thousand Five Hundred Eighteen Dollars and Eighty Five Cents (\$24,154,518.85) in the form of a grant, for the Federal FY2020 Staffing for Adequate Fire and Emergency Response (SAFER) grant, awarded by the Federal Emergency Management Agency to be administered by the Fire Department. The grant will fund training for a class of 85 recruits at the BFD Training Academy and reimbursement for their salaries for 36 months.
- 0160** Message and order authorizing the City of Boston (the “City”) to accept and expend the amount of Five Million Dollars (\$5,000,000.00) in the form of a grant (the “Grant Payment”), awarded by the United States Department of the Treasury, to be administered by the City’s Chief Financial Officer/Collector-Treasurer. The Grant Payment is made from the Coronavirus State and Local Fiscal Recovery Fund in the Treasury of the United States established by Section 9901 of the American Rescue Plan Act of 2021.

- [0161](#) Message and order authorizing the City of Boston to accept and expend the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the form of a grant for the FY 2021 National Sexual Assault Kit Initiative, awarded by the United States Department of Justice to be administered by the Police Department. The grant will fund three positions (Coordinator, Criminologist, and Victim Advocate) overtime, travel and sub-awards and training.
- [0162](#) Message and order authorizing the City of Boston to accept and expend the amount of Five Hundred Twenty Seven Thousand Five Hundred Eighty Six Dollars (\$527,586.00) in the form of a grant, for the FY21 Connected and Protect, awarded by the United States Department of Justice to be administered by the Boston Police Department. The grant will fund clinician-directed project coordinator, community partnerships for translation and outreach and staff cost for Section 12 activities carried out by the Boston Emergency Services Team in partnership with the BPD Street Outreach Unit.
- [0163](#) Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Ninety One Thousand Three Hundred Sixteen Dollars (\$491,316.00) in the form of a grant, for First Responders-Comprehensive Addiction and Recovery Act Cooperative Agreement, awarded by the U.S. Department of Health and Human Services to be administered by the Fire Department. The grant will fund a collaborative effort between the Boston Fire Department First Responders, The Mayor's Office of Recovery Services, the Boston Public Health Commission and community-based organizations to improve the City's response to opioid overdoses. Year 4 of a 4 year grant.
- [0164](#) Message and order authorizing the City of Boston to accept and expend the amount of Two Hundred Seventy Two Thousand Thirteen Dollars (\$272,013.00) in the form of a grant for FY2021 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.

- [0165](#) Message and order authorizing the City of Boston to accept and expend the amount of Two Hundred Thousand Dollars (\$200,000.00) in the form of a grant for the No Kid Hungry grant, awarded by Share Our Strength to be administered by the New Urban Mechanics. The grant will fund a Fellowship to pilot solutions for increased access to healthy food for children and families that experience economic insecurity and food insecurity.
- [0166](#) Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Twenty Five Thousand Dollars (\$125,000.00) in the form of a grant for the Federal FY21 Violence Against Women Act Stop grant, awarded by the United State Department of Justice, passed through the MA Executive Office of Public Safety & Security, to be administered by the Police Department. The grant will fund a Civilian Violence Advocate who provides services for victims in Jamaica Plain, East Boston, Charlestown and overtime for all Domestic Violence Advocates.
- [0167](#) Message and order authorizing the City of Boston to accept and expend the amount of Seventy Thousand Dollars (\$70,000.00) in the form of a grant, for the FY21 Sustainable Materials Recovery Program/Recycling Dividend, awarded by the MA Office of the Attorney General to be administered by the Public Works Department. The grant will fund a cost-benefit analysis of programs that utilized economic incentives to increase residential waste diversion in Boston Small Business Relief Fund.
- [0168](#) Message and order authorizing the City of Boston to accept and expend the amount of Three Thousand Two Hundred Fifty Dollars (\$3,250.00) in the form of a grant for the National Arts Program Exhibit, awarded by the National Arts Program Foundation to be administered by the Office of Arts & Culture. The grant will fund cash awards to the winners of the City's National Arts Program exhibit.

REPORTS OF PUBLIC OFFICERS AND OTHERS:

- [0169](#) Communication was received from Timothy J. Smyth, Executive Officer, Boston Retirement Board re: Certification and Transmittal to City Council of Boston Retirement System Calendar Year 2022 Operating Budget.

- [0170](#) Notice was received from the Mayor of the appointment of Segun Idowu as Secretary of the Boards for the Dudley Square Realty Corporation, The Bruce C. Bolling Municipal Center and the Ferdinand Building Development Corporation.
- [0171](#) Notice was received from the Mayor of the appointment of Justin Sterritt, as President of the Boards for the Dudley Square Realty Corporation, The Bruce C. Bolling Municipal Center and the Ferdinand Building Development Corporation.
- [0172](#) Notice was received from the Mayor of the appointment of Brianna Millor as Chief of Civic Engagement.
- [0173](#) Notice was received from the Mayor of the appointment of Enrique Pepen as Director of the Office of Neighborhood Services.
- [0174](#) Notice was received from the Mayor of the appointment of Dion Irish as Treasurer of the Boards for the Dudley Square Realty Corporation, The Bruce C. Bolling Municipal Center and the Ferdinand Building Development Corporation.
- [0175](#) Notice was received from the Mayor of the appointment of Stephen Alkins, as a member of the Boston School Committee for a term expiring January 1, 2026.
- [0176](#) 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 December 15, 2021.
- [0177](#) Notice was received from the Mayor of the appointment of Justin Sterritt as Trustee of the Franklin Park Maintenance Trust Fund.
- [0178](#) Notice was received from the Mayor of the appointment of Rickie Thompson as Trustee of the Franklin Park Maintenance Trust Fund.
- [0179](#) Notice was received from the Mayor of the appointment of Justin Sterritt as Chairperson of the Franklin Park Maintenance Trust Fund.
- [0180](#) Notice was received from the Mayor of the reappointment of Katherine P. Craven as a Member of the City of Boston Public Facilities Commission.
- [0181](#) Notice was received from the Mayor of the reappointment of Lawrence D. Mammoli as a member of the City of Boston Public Facilities Commission.

- [0182](#) Notice was received from the Friends of the Public Gardens of the appointment of Abby Mason as Trustee of the Boston Common Maintenance Trust Fund.
- [0183](#) Notice was received from Councilor Edwards of her resignation from the Boston City Council effective April 30, 2022 at 11:59 p.m.
- [0184](#) Notice was received from the City Clerk of a Vacancy in the City Council District 1 seat effective April 30, 2022.

MOTIONS, ORDERS AND RESOLUTIONS:

- [0185](#) **Councilor Mejia and Bok offered the following:** Petition for a Special Law re: An Act Granting the City of Boston the Authority to Provide Legal Voting Rights in Municipal Elections for City of Boston Residents Aged 16 and 17 Years Old.
- [0186](#) **Councilor Arroyo offered the following:** Petition for a Special Law re: An Act Providing Certain Retirement Benefits for the Widow of a Former Firefighter of the City of Boston.
- [0187](#) **Councilor Arroyo and Mejia offered the following:** Petition for a Special Law re: An Act Relative to Reorganization of the Boston School Committee.
- [0188](#) **Councilor Arroyo and Mejia offered the following:** Ordinance Preventing Wage Theft in the City of Boston.
- [0189](#) **Councilor Arroyo and Breadon offered the following:** Ordinance Establishing Protections for the City of Boston Tree Canopy.
- [0190](#) **Councilor Bok offered the following:** Order for a hearing regarding increasing public housing in the City of Boston.
- [0191](#) **Councilor Bok offered the following:** Order for a hearing regarding zoning relief for affordable projects.
- [0192](#) **Councilor Bok offered the following:** Order for a hearing regarding using planning and land-use tools for public good.
- [0193](#) **Councilor Bok offered the following:** Order for a hearing regarding reducing barriers to securing rental housing in Boston.
- [0194](#) **Councilor Bok and Breadon offered the following:** Order for a hearing regarding a review of COVID-19 recovery funds.
- [0195](#) **Councilor Bok offered the following:** Order for a hearing regarding a city-level Conservation Corps for Boston.

- 0196** Councilor Bok offered the following: Order for a hearing regarding municipal broadband for the City of Boston.
- 0197** Councilor Mejia offered the following: Order for a hearing addressing civil rights in the creation of sanctuary safe spaces in Boston.
- 0198** Councilor Mejia offered the following: Order for a hearing addressing sexual assault and harassment in Boston Public Schools.
- 0199** Councilor Mejia offered the following: Order for a hearing on state receivership for Boston Public Schools.
- 0200** Councilor Mejia offered the following: Order for a hearing on government transparency and accountability towards surveillance equipment.
- 0201** Councilor Breadon offered the following: Order for a hearing regarding the Jackson/Mann and Horace Mann BPS school communities.
- 0202** Councilor Breadon offered the following: Order for a hearing regarding the BCYF Jackson Mann Community Center and services in Allston-Brighton.
- 0203** Councilor Breadon offered the following: Order for the City of Boston to submit a Count Question Resolution Operation case to the United States Census Bureau.
- 0204** Councilor Bok and Breadon offered the following: Order for a hearing regarding homeownership assistance including for first-generation homebuyers.
- 0205** Councilor Flynn offered the following: Order that rules of the Boston City Council be adopted for the Municipal Years 2022-2023.

PERSONNEL ORDERS:

- 0206** Councilor Flynn for Councilor Arroyo offered the following: Order for the appointment of temporary employee Judnise Guillett in City Council effective December 11, 2021.
- 0207** Councilor Flynn for Councilor Louijeune offered the following: Order for the appointment of temporary employee Emily Polston in City Council.
- 0208** Councilor Flynn for Councilor Louijeune offered the following: Order for the appointment of temporary employee Jesse Purvis in City Council effective January 24, 2022.

- 0209** Councilor Flynn for Councilor Lara offered the following: Order for the appointment of temporary employees Stephanie Serrata and Dillon Tedesco in City Council.
- 0210** Councilor Flynn for Councilor Murphy ordered the following: Order for the appointment of temporary employee Thomas Mannion and David Mareira in City Council effective January 29, 2022.
- 0211** Councilor Flynn for Councilor Murphy offered the following: Order for the appointment of temporary employee Stephen Graham III in City Council effective January 22, 2022.

GREEN SHEETS:

01/26/22 Legislative Calendar for January 26, 2022.

CONSENT AGENDA:

- 0212** Councilor Breadon offered the following: Resolution congratulating Christine Tieri.
- 0213** Councilor Breadon offered the following: Resolution in memory of Michael Georgopoulos.
- 0214** Councilor Breadon offered the following: Resolution in memory of Kathleen Woods-Georgopoulos.
- 0215** Councilor Bok offered the following: Resolution in memory of Anna Adams.
- 0216** Councilor Louijeune offered the following: Resolution congratulating Haitian-Americans United, Inc. for the 23rd Annual Haitian Independence Day Gala.
- 0217** Councilor Louijeune offered the following: Resolution in memory of Emmanuel Adonis.
- 0218** Councilor Louijeune offered the following: Resolution in memory of Eva Williams.
- 0219** Councilor Louijeune offered the following: Resolution in memory of Elizabeth Leah Frederique.
- 0220** Councilor Louijeune offered the following: Resolution congratulating Ten Haitian Artists in Recognition of Still Art Rises II - First Haitian Women's Exhibit at City Hall Presented By Haitian Artists Assembly of Massachusetts.
- 0221** Councilor Worrell offered the following: Resolution declaring January 18th "Willie O'Ree Day" in the City of Boston.



City of Boston
Mayor Michelle Wu

January 24, 2022

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval an Order authorizing the issuance of refunding bonds in a principal amount not to exceed Two Hundred Million Dollars (\$200,000,000). The current conditions in the municipal bond market appear to be favorable for the City to potentially realize significant savings in debt service costs by refunding certain of its outstanding general obligation bonds.

The practicality of and debt service savings associated with refunding bond issues are extremely sensitive to bond market conditions, particularly interest rates.

I urge your Honorable Body to pass this Order as expeditiously as possible so that the City will be positioned to issue refunding bonds on short notice and thereby garner savings in its debt service payments.

Sincerely,

A handwritten signature in black ink, appearing to be "Michelle Wu", written over a horizontal line.

Michelle Wu
Mayor of Boston

**CITY OF BOSTON
IN CITY COUNCIL**

AN ORDER AUTHORIZING REFUNDING BONDS IN AN AMOUNT NOT TO EXCEED TWO HUNDRED MILLION DOLLARS (\$200,000,000).

ORDERED: That, in order to reduce interest costs, the Collector-Treasurer, with the approval of the Mayor, is authorized to issue refunding bonds pursuant to Section 13 of Chapter 643 of the Acts of 1983 as amended (the "Act") to refund such portion of the outstanding bonds or other obligations of the City as the Collector-Treasurer, with the approval of the Mayor, may select; that the refunding bonds shall be issued in an amount not to exceed Two Hundred Million Dollars (\$200,000,000) in order to pay the principal, redemption premium, if any, and interest on the bonds or other obligations to be refunded and other costs provided in Section 13 of the Act; that, if determined by the Collector/Treasurer, with the approval of the Mayor, the refunding bonds may be issued as special obligations of the City as provided in Section 8 of the Act or as provided in Section 11 of the Act; and that the Collector-Treasurer, with the approval of the Mayor, is authorized to execute such documents as may be necessary or desirable to issue and sell the refunding bonds, including, without limitation, one or more trust or security agreements pursuant to Section 9 of the Act.

**I HEREBY CERTIFY
THE FORGOING, IF SET FORTH IN
THE ABOVE FORM, WAS DONE IN
ACCORDANCE WITH LAW.**

BY


**ADAM CEDERBAUM
CORPORATION COUNSEL**



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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 TWENTY-FOUR MILLION ONE HUNDRED FIFTY-FOUR THOUSAND FIVE HUNDRED EIGHTEEN DOLLARS AND EIGHTY-FIVE CENTS (**\$24,154,518.85**) in the form of a grant, Federal FY 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant, awarded by Federal Emergency Management Agency to be administered by the Fire Department.

The grant would fund training for a class of 85 recruits at the BFD Training Academy and reimbursement for their salaries for 36 months.

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,

Michelle Wu
Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND Federal FY 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant FUNDS, AWARDED BY Federal Emergency Management Agency.

WHEREAS, the Federal Emergency Management Agency, is being petitioned for the issuance of funds to the Fire Department; and

WHEREAS, the funds in the amount of TWENTY-FOUR MILLION ONE HUNDRED FIFTY-FOUR THOUSAND FIVE HUNDRED EIGHTEEN DOLLARS AND EIGHTY-FIVE CENTS (**\$24,154,518.85**) would fund training for a class of 85 recruits at the BFD Training Academy and reimbursement for their salaries for 36 months. 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 Federal Emergency Management Agency, Federal FY 2020 Staffing for Adequate Fire and Emergency Response (SAFER) Grant award not to exceed the amount of TWENTY-FOUR MILLION ONE HUNDRED FIFTY-FOUR THOUSAND FIVE HUNDRED EIGHTEEN DOLLARS AND EIGHTY-FIVE CENTS (**\$24,154,518.85**).

Docket #

**In City Council
Passed**

City Clerk

Mayor

Approved

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

by Adam Cederbaum

Adam Cederbaum
Corporation Counsel



City of Boston
Mayor Michelle Wu

January 24, 2022

TO THE CITY COUNCIL

Dear Councilors:

I hereby transmit for your approval an Order authorizing the City of Boston (the "City") to accept and expend the amount of Five Million Dollars (\$5,000,000) in the form of a grant (the "Grant Payment"), awarded by the United States Department of the Treasury, to be administered by the City's Chief Financial Officer/Collector-Treasurer.

This Grant Payment is made from the Coronavirus State and Local Fiscal Recovery Fund in the Treasury of the United States established by Section 9901 of the American Rescue Plan Act of 2021. The Grant Payment would fund the City's urgent COVID-19 relief and recovery efforts, such as the Small Business Relief Fund 2.0 (the "Fund"), which has issued more than \$28.6 million in grants to more than 5,600 businesses since April 2020. Accepting the Grant Payment will permit the Fund to provide assistance to an estimated 300 additional local, small businesses in Boston. Businesses can apply for two types of grants of up to \$10,000: a Relief Grant to mitigate financial hardship caused by COVID-19 pandemic, and/or a Growth Grant to support future business planning.

I urge your Honorable Body to adopt this Order so that the City 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 "Michelle Wu".

Michelle Wu
Mayor of Boston

**CITY OF BOSTON
IN CITY COUNCIL**

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND A GRANT FUNDED THROUGH THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUND AND AWARDED BY THE UNITED STATES DEPARTMENT OF THE TREASURY.

WHEREAS: the United States Department of the Treasury is being petitioned for the issuance of funds to the City of Boston under Section 602 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021; and

WHEREAS: Pursuant to Section 9901, Title VI of the Social Security Act (42 U.S.C. 801 et seq.) was amended by adding at the end the following: "SEC. 602. CORONAVIRUS STATE FISCAL RECOVERY FUND," and funds in the amount of Five Million Dollars (\$5,000,000) are available as a direct payment to the City.

ORDERED: That the City of Boston, acting by and through its Mayor, be, and hereby is, authorized in accordance with section 53A of chapter 44 of the Massachusetts General Laws, to accept and expend the United States Department of the Treasury payments to State, Local, and Tribal governments not to exceed the amount of Five Million Dollars (\$5,000,000) for the purpose of addressing negative economic impacts caused by the COVID-19 pandemic on small businesses in Boston through the Small Business Relief Fund 2.0.

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

BY _____

**ADAM CEDERBAUM
CORPORATION COUNSEL**

AM



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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 TWO MILLION FIVE HUNDRED THOUSAND DOLLARS **(\$2,500,000.00)** in the form of a grant, FY 2021 National Sexual Assault Kit Initiative, awarded by the United States Department Of Justice to be administered by the Police Department.

The grant would fund three positions (Coordinator, Criminologist, and Victim Advocate), overtime, travel, sub-awards and training.

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,

Michelle Wu
Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY 2021 National Sexual Assault Kit Initiative 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 TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) would fund three positions (Coordinator, Criminologist, and Victim Advocate), overtime, travel, sub-awards and training. 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, FY 2021 National Sexual Assault Kit Initiative award not to exceed the amount of TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00).

Docket # _____

In City Council Passed _____

City Clerk

Mayor

Approved _____

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

by Adam Cederbaum

Adam Cederbaum
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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 TWENTY-SEVEN THOUSAND FIVE HUNDRED EIGHTY-SIX DOLLARS (**\$527,586.00**) in the form of a grant, FY21 Connect and Protect, awarded by the United States Department Of Justice to be administered by the Police Department.

The grant would fund clinician-directed project coordination, community partnerships for translation and outreach, and staff costs for Section 12 activities carried out by the Boston Emergency Services Team in partnership with the BPD Street Outreach 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,

Michelle Wu
Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY21 Connect and Protect 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 FIVE HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED EIGHTY-SIX DOLLARS (**\$527,586.00**) would fund clinician-directed project coordination, community partnerships for translation and outreach, and staff costs for Section 12 activities carried out by the Boston Emergency Services Team in partnership with the BPD Street Outreach 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 the United States Department Of Justice, FY21 Connect and Protect award not to exceed the amount of FIVE HUNDRED TWENTY-SEVEN THOUSAND FIVE HUNDRED EIGHTY-SIX DOLLARS (**\$527,586.00**).

Docket #

**In City Council
Passed**

City Clerk

Mayor

Approved

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

by *Adam Cederbaum*

Adam Cederbaum
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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 NINETY-ONE THOUSAND THREE HUNDRED SIXTEEN DOLLARS (\$491,316.00)** in the form of a grant, First Responders - Comprehensive Addiction and Recovery Act Cooperative Agreement, awarded by U.S. Health and Human Services to be administered by the Fire Department.

The grant would fund a collaborative effort between Boston Fire Department first responders, the Mayor's Office of Recovery Services, the Boston Public Health Commission, and community-based organizations, to improve the City's response to opioid overdoses. Year 4 of a 4 year grant.

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,

Michelle Wu
Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND First Responders - Comprehensive Addiction and Recovery Act Cooperative Agreement FUNDS, AWARDED BY U.S. Health and Human Services.

WHEREAS, the U.S. Health and Human Services, is being petitioned for the issuance of funds to the Fire Department; and

WHEREAS, the funds in the amount of FOUR HUNDRED NINETY-ONE THOUSAND THREE HUNDRED SIXTEEN DOLLARS (**\$491,316.00**) would fund a collaborative effort between Boston Fire Department first responders, the Mayor's Office of Recovery Services, the Boston Public Health Commission, and community-based organizations, to improve the City's response to opioid overdoses. Year 4 of a 4 year grant. 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. Health and Human Services, First Responders - Comprehensive Addiction and Recovery Act Cooperative Agreement award not to exceed the amount of FOUR HUNDRED NINETY-ONE THOUSAND THREE HUNDRED SIXTEEN DOLLARS (**\$491,316.00**).

Docket #

**In City Council
Passed**

City Clerk

Mayor

Approved

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

by Adam Cederbaum

Adam Cederbaum
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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 TWO HUNDRED SEVENTY-TWO THOUSAND THIRTEEN DOLLARS **(\$272,013.00)** in the form of a grant, FY2021 DNA Capacity Enhancement and Backlog Reduction Program, awarded by the United States Department Of Justice to be administered by the Police Department.

The grant would fund two Criminalist positions, overtime, lab supplies, and continuing education expenses.

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,

Michelle Wu
Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY2021 DNA Capacity Enhancement and Backlog Reduction Program 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 TWO HUNDRED SEVENTY-TWO THOUSAND THIRTEEN DOLLARS (**\$272,013.00**) would fund two Criminalist positions, overtime, lab supplies, and continuing education expenses. 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, FY2021 DNA Capacity Enhancement and Backlog Reduction Program award not to exceed the amount of TWO HUNDRED SEVENTY-TWO THOUSAND THIRTEEN DOLLARS (**\$272,013.00**).

Docket # _____

**In City Council
Passed** _____

City Clerk

Mayor

Approved _____

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

by *Adam Cederbaum*

Adam Cederbaum
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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 TWO HUNDRED THOUSAND DOLLARS (**\$200,000.00**) in the form of a grant, No Kid Hungry, awarded by Share Our Strength to be administered by the New Urban Mechanics.

The grant would fund a Fellowship to pilot solutions for increased access to healthy food for children and families that experience economic insecurity and food insecurity.

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,

Michelle Wu
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 New Urban Mechanics; and

WHEREAS, the funds in the amount of TWO HUNDRED THOUSAND DOLLARS (**\$200,000.00**) would fund a Fellowship to pilot solutions for increased access to healthy food for children and families that experience economic insecurity and food insecurity. 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 TWO HUNDRED THOUSAND DOLLARS (**\$200,000.00**).

Docket # _____

In City Council Passed _____

City Clerk

Mayor

Approved _____

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

by Adam Cederbaum

Adam Cederbaum
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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-FIVE THOUSAND DOLLARS **(\$125,000.00)** in the form of a grant, Federal FY21 Violence Against Women Act STOP Grant, awarded by the United States Department Of Justice, passed through the MA Executive Office Of Public Safety & Security, to be administered by the Police Department.

The grant would fund a Civilian Domestic Violence Advocate who provides services for victims in Jamaica Plain, East Boston and Charlestown, and overtime for all the Civilian Domestic Violence Advocates.

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,

Michelle Wu
Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND Federal FY21 Violence Against Women Act STOP Grant FUNDS, AWARDED BY the United States Department Of Justice AND MA Executive Office Of Public Safety & Security.

WHEREAS, the the United States Department Of Justice and MA Executive Office Of Public Safety & Security, are being petitioned for the issuance of funds to the Police Department; and

WHEREAS, the funds in the amount of ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (**\$125,000.00**) would fund a Civilian Domestic Violence Advocate who provides services for victims in Jamaica Plain, East Boston and Charlestown, and overtime for all the Civilian Domestic Violence Advocates. 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, and MA Executive Office Of Public Safety & Security' Federal FY21 Violence Against Women Act STOP Grant award not to exceed the amount of ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (**\$125,000.00**).

Docket #

**In City Council
Passed**

City Clerk

Mayor

Approved

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

by *Adam Cederbaum*

Adam Cederbaum
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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 SEVENTY THOUSAND DOLLARS (**\$70,000.00**) in the form of a grant, FY21 Sustainable Materials Recovery Program/Recycling Dividends, awarded by MA Office of the Attorney General to be administered by the Public Works Department.

The grant would fund a cost-benefit analysis of programs that utilize economic incentives to increase residential waste diversion in Boston.

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,

Michelle Wu
Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND FY21 Sustainable Materials Recovery Program/Recycling Dividends FUNDS, AWARDED BY MA Office of the Attorney General.

WHEREAS, the MA Office of the Attorney General, is being petitioned for the issuance of funds to the Public Works Department; and

WHEREAS, the funds in the amount of SEVENTY THOUSAND DOLLARS (**\$70,000.00**) would fund a cost-benefit analysis of programs that utilize economic incentives to increase residential waste diversion in Boston. 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 Office of the Attorney General, FY21 Sustainable Materials Recovery Program/Recycling Dividends award not to exceed the amount of SEVENTY THOUSAND DOLLARS (**\$70,000.00**).

Docket #

**In City Council
Passed**

City Clerk

Mayor

Approved

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

by Adam Cederbaum

Adam Cederbaum
Corporation Counsel



**City Of Boston · Massachusetts
Office of the Mayor
Michelle Wu**

01-22-2022

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 THOUSAND TWO HUNDRED FIFTY DOLLARS (**\$3,250.00**) in the form of a grant, National Arts Program Exhibit, awarded by National Arts Program Foundation to be administered by the Office of Arts & Culture.

The grant would fund cash awards to the winners of the City's National Arts Program exhibit

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,

Michelle Wu
Mayor of Boston



City Council Order

AN ORDER AUTHORIZING THE CITY OF BOSTON TO ACCEPT AND EXPEND National Arts Program Exhibit FUNDS, AWARDED BY National Arts Program Foundation.

WHEREAS, the National Arts Program Foundation, is being petitioned for the issuance of funds to the Office of Arts & Culture; and

WHEREAS, the funds in the amount of THREE THOUSAND TWO HUNDRED FIFTY DOLLARS **(\$3,250.00)** would fund cash awards to the winners of the City's National Arts Program exhibit 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 Arts Program Foundation, National Arts Program Exhibit award not to exceed the amount of **THREE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$3,250.00)**.

Docket # _____

In City Council Passed _____

City Clerk

Mayor

Approved _____

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

by Adam Cederbaum

Adam Cederbaum
Corporation Counsel



Boston Retirement System

December 30, 2022

BOARD MEMBERS

Daniel J. Greene, Chair
Michael W. McLaughlin
Thomas V.J. Jackson
Michael D. O'Reilly
Maureen A. Joyce

EXECUTIVE OFFICER

Timothy J. Smyth, Esquire

Boston City Council
c/o Maureen Feeney, City Clerk
Boston City Hall, Room 601
Boston, MA 02201

Re: Boston Retirement System CY22 Operating Budget

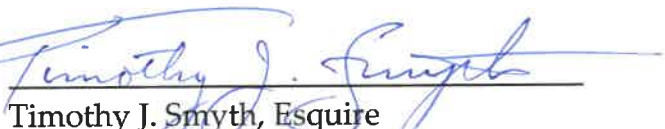
Dear Clerk Feeney:

Pursuant to G.L. ch. 32, §22(5), we file the enclosed CY22 operating budget with Boston City Council. There is no action required by City Council.

As you can see, the System's operating budget has decreased -14% from CY21. Massachusetts law provides that, "[s]aid budgets shall be funded solely from the investment income account of each system and without any further appropriation from the municipality, county or other governmental unit the current or former employees of which are served by said board." We note that unlike the City, the Boston Retirement System fiscal year is from January 1 to December 31.

Please let me know if you have any questions or concerns. We thank you for your customary assistance in these matters.

Respectfully submitted,
BOSTON RETIREMENT SYSTEM

By: 
Timothy J. Smyth, Esquire
Executive Officer

cc: Honorable Michelle Wu, Mayor of the City of Boston
Kim Janey, Boston City Council President
Justin Sterritt, City of Boston Chief Financial Officer
Enclosure.



City of Boston, Massachusetts

Office of the Mayor

MICHELLE WU

January 5, 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 authority vested in me by the by-laws of the Dudley Square Realty Corporation, the owner and developer of the Bruce C. Bolling Municipal Center, and the Ferdinand Building Development Corporation, jointly City-operated 501(c)(3) organizations, I hereby appoint the following Member as Secretary of the Boards:

Segun Idowu, Chief of Economic Opportunity & Inclusion, of 1513 Hyde Park Avenue in Hyde Park, Massachusetts, 02136.

Thank you for your attention to this matter.

Sincerely,

Michelle Wu
Mayor of Boston



City of Boston, Massachusetts
Office of the Mayor
MICHELLE WU

January 5, 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 authority vested in me by the by-laws of the Dudley Square Realty Corporation, the owner and developer of the Bruce C. Bolling Municipal Center, and the Ferdinand Building Development Corporation, jointly City-operated 501(c)(3) organizations, I hereby appoint the following Member as President of the Boards:

Justin Sterritt, Chief of Administration & Finance, of 31 Plainfield Street #3 in Jamaica Plain, Massachusetts, 02130.

Thank you for your attention to this matter.

Sincerely,

Michelle Wu
Mayor of Boston





RECEIVED
CITY CLERK'S OFFICE

City of Boston, Massachusetts
Office of the Mayor
Michelle Wu

January 3, 2022

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, 5.10, I hereby appoint Brianna Millor of 200 Hancock Street, Apartment 11, Boston, Massachusetts 02125, Chief of Civic Engagement, effective January 3, 2022.

Sincerely,

Michelle Wu
Mayor of Boston



City of Boston, Massachusetts
Office of the Mayor
Michelle Wu

January 3, 2022

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, 5.10, I hereby appoint Enrique Pepen, of 72 Cohasset Street, Apartment 1, Roslindale, Massachusetts 02131, Director of the Office of Neighborhood Services, effective January 3, 2022.

Sincerely,

Michelle Wu
Mayor of Boston

RECEIVED

JAN 03 2022 10:00 AM

CITY CLERK'S OFFICE
RECEIVED



City of Boston, Massachusetts
Office of the Mayor
MICHELLE WU

January 5, 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 authority vested in me by the by-laws of the Dudley Square Realty Corporation, the owner and developer of the Bruce C. Bolling Municipal Center, and the Ferdinand Building Development Corporation, jointly City-operated 501(c)(3) organizations, I hereby appoint the following Member as Treasurer of the Boards:

Dion Irish, Chief of Operations, of 34 Angell Street #2 in Dorchester, Massachusetts, 02124.

Thank you for your attention to this matter.

Sincerely,

Michelle Wu
Mayor of Boston





City of Boston, Massachusetts
Office of the Mayor
MICHELLE WU

January 11, 2022

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

Dear Madam Clerk,

Pursuant to the authority vested in me by Chapter 108 of the Massachusetts General Laws, Acts of 1991, I hereby appoint the following Member to the Boston School Committee:

Stephen Alkins of 47 Goodale Road, Unit 3, in Mattapan, Massachusetts, 02126.

This Member will serve a term expiring on January 1, 2026.

Thank you for your attention to this matter.

Sincerely,

Michelle Wu
Mayor of Boston



Office of the City Clerk

MAUREEN FEENEY
City Clerk

January 4, 2022

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 December 15, 2021, viz.

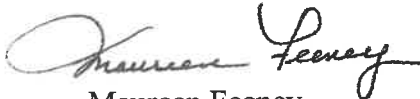
- 0600 Ordinance to Create a Task Force to Address Literacy Rates in the City of Boston.
Approved by the Mayor January 3, 2022
- 0639 Ordinance to create the Boston Commemoration Commission.
Approved by the Mayor January 3, 2022
- 1043 An Ordinance Amending City of Boston Code, Chapter XXIV, Boston Jobs and Living Wage Ordinance.
Approved by the Mayor December 22, 2021
- 1166 An order authorizing the City of Boston to appropriate the amount of One Million Two Hundred Twelve Thousand Dollars (\$1,212,000.00) for the purpose of paying the cost of a feasibility study and schematic design associated with the boiler and window and door replacement projects at certain Boston Public Schools. This includes the payments of all costs incidental or related thereto, and for which the City of Boston may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the Public Facilities Department on behalf of the Boston Public Schools.
Approved by the Mayor December 20, 2021
- 1167 Message and order authorizing the City of Boston to accept and expend the amount of Thirteen Million Five Hundred Twenty Thousand Dollars (\$13,520,000.00) in the form of a grant for the Federal FY21 Urban Areas Security Initiative, awarded by the United States Department of Homeland Security, passed through the MA Executive Office of Public Safety & Security, to be administered by the Mayor’s Office of Emergency Management. The fund will continue to support planning, exercises, trainings and operations that build regional capacities to help prevent, respond to and recover from threats or acts of terrorism, including Chemical, Biological, Radiological, Nuclear and Explosive incidents.

Approved by the Mayor December 20, 2021

- 1168 Message and order authorizing the City of Boston to accept and expend the amount of Two Million Seventy Thousand Eight Hundred Seventy Four Dollars (\$2,070,874.00) in the form of a grant for the FY22 Title III-C, 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 the City of Boston. These services are enhanced by Federal Nutrition Services Incentive Program and state Elder Lunch Program grants.
Approved by the Mayor December 20, 2021
- 1169 Message and order authorizing the City of Boston to accept and expend the amount of One Million Six Thousand Eight Hundred Seventy Five Dollars (\$1,006,875.00) in the form of a grant for the Federal FY22 Title III-B for Supportive Services, 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 the City of Boston.
Approved by the Mayor December 20, 2021
- 1170 Message and order authorizing the City of Boston to accept and expend the amount of Five Hundred Twenty Six Thousand One Hundred Twenty Dollars (\$526,120.00) in the form of a grant, for the FY22 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 Caregiver Services for older adults in the City of Boston.
Approved by the Mayor December 20, 2021
- 1171 Message and order authorizing the City of Boston to accept and expend the amount of Four Hundred Seventeen Thousand Eight Hundred Seventy Dollars (\$417,870.00) in the form of a grant, for the Federal FY22 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 cost for administration of Title III programs.
Approved by the Mayor December 20, 2021
- 1207 Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Six Thousand Five Hundred Seventy Five Dollars (\$106,575.00), in the form of a grant, for the FY22 DMH Co-Response Grant, awarded by the MA Department of Mental Health to be administered by the Boston Police Department. The grant will fund a full-time recovery coach/forensic peer specialist to assist Boston Police Department officers with Hub & Center of Responsibility meetings, citywide.
Approved by the Mayor December 20, 2021
- 1209 Message and order authorizing the City of Boston to accept and expend the amount of Seventy Two Thousand Six Hundred Dollars (\$72,600.00) in the form of a grant for the FY2022 Jail/Arrest Diversion Grant, awarded by the MA Department of Mental Health to be administered by the Boston Police Department. The grant will fund overtime cost to backfill Crisis Intervention Training and other mental health training for officers.
Approved by the Mayor December 20, 2021

- 1219 Petition for a special law re: An Act Regarding The Disability Pension for Matthew Morris.
Approved by the Mayor December 22, 2021
- 1220 Petition for a special law re: An Act Regarding The Disability Pension for Richard Cintolo.
Approved by the Mayor December 22, 2021
- 1221 Petition for a special law re: An Act Regarding The Disability Pension for Scott O'Brien.
Approved by the Mayor December 22, 2021
- 1239 Message and order authorizing the creation of a Sheltered Market Program in conformity with the requirements of G.L.C Chapter 30 B Section 18. This authorization applies to contracts for goods, professional services and support services. This authorization is for no more than 6 contracts which must be awarded by June 30, 2022. This Sheltered Market Program shall be available for disadvantaged minority and women owned vendors for whom there is a demonstrated "substantial Disparity" in the City's 2020 Disparity Study.
Approved by the Mayor January 3, 2022
- 1240 Message and order authorizing the City of Boston to accept and expend the amount of Three Hundred Ninety-Nine Thousand Dollars (\$399,000.00) in the form of a grant, for the East Boston Foundation Fund II, awarded by the Massachusetts Port Authority to be administered by the Age Strong Commission. The grant will fund Age Strong Commission's operation and management of the East Boston Senior Center.
Approved by the Mayor December 20, 2021
- 1273 Message and order authorizing the City of Boston to accept and expend the amount of One Hundred Sixty Thousand Dollars (\$160,000.00) in the form of a grant, for Immigrant Advancement Initiatives, awarded by the Donor Group to be administered by the department of Immigrant Advancement. The grant will fund programs, initiatives, events and small grants that enable immigrants to play an active role in the economic, civic, social and cultural life of the City of Boston.
Approved by the Mayor December 20, 2021
- 1274 Message and order to accept for the benefit of the City of Boston Mayor's Office of Emergency Management, a donation of a Shower Trailer from the Boston Public Health Commission valued at Thirty-Eight Thousand Seven Hundred Eighty-One Dollars (\$38,781.00).
Approved by the Mayor December 20, 2021

Respectfully,



Maureen Feeney
City Clerk



RECEIVED
CITY OF BOSTON, MASSACHUSETTS
OFFICE OF THE MAYOR
MICHELLE WU
JAN 18 2022

January 18, 2022

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

Dear Madam Clerk:

Pursuant to the authority vested in me by Article V, Section 5.1 of the Franklin Park Maintenance Trust Fund, Declaration of Trust, signed October 31, 2018, **I hereby appoint Justin Sterrit of 31 Plainfield Street Boston, Massachusetts, 02130 as Trustee to the Franklin Park Maintenance Trust Fund, effective immediately.**

This member will serve a term expiring on the second Friday of January 2024.

Thank you for your attention on this matter.

Sincerely,

Michelle Wu
Mayor of Boston



RECEIVED
CITY CLERK'S OFFICE
JAN 18 9 32 AM '22
City of Boston, Massachusetts
Office of the Mayor
Michelle Wu

January 18, 2022

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

Dear Madam Clerk:

Pursuant to the authority vested in me by Article V of Section 5.1 of the Franklin Park Maintenance Trust Fund, Declaration of Trust, signed October 31, 2018, **I hereby appoint Rickie Thompson of 18 Blake Street Hyde Park, Massachusetts, 02136 as Trustee to the Franklin Park Maintenance Trust Fund, effective immediately.**

This member will serve a term expiring on the second Friday of January 2024.

Thank you for your attention on this matter.

Sincerely,

Michelle Wu
Mayor of Boston



RECEIVED
CITY OF BOSTON, MASSACHUSETTS

OFFICE OF THE MAYOR
MICHELLE WU

January 18, 2022

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

Dear Madam Clerk:

Pursuant to the authority vested in me by Article V, Section 5.1 of the Franklin Park Maintenance Trust Fund, Declaration of Trust, signed October 31, 2018, I hereby **appoint Justin Sterrit of 31 Plainfield Street Boston, Massachusetts, 02130 as Chairperson to the Franklin Park Maintenance Trust Fund**, effective immediately.

This member will serve a term expiring on the second Friday of January 2024.

Thank you for your attention on this matter.

Sincerely,

Michelle Wu
Mayor of Boston



City of Boston, Massachusetts
Office of the Mayor
Michelle Wu

January 12, 2022

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

Dear Madam Clerk,

Pursuant to the authority vested in me by Section 12 of Chapter 642 of the Acts of 1966 of the Massachusetts General Laws, I hereby re-appoint the following Member to the City of Boston Public Facilities Commission:

Katherine P. Craven of 171 Walnut Hill Road, Chestnut Hill, Massachusetts 02467.

This Member will serve a term expiring upon written statement to the City Clerk.

Thank you for your attention to this matter.

Sincerely,

Michelle Wu
Mayor of Boston





City of Boston, Massachusetts
Office of the Mayor
Michelle Wu

January 12, 2022

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

Dear Madam Clerk,

Pursuant to the authority vested in me by Section 12 of Chapter 642 of the Acts of 1966 of the Massachusetts General Laws, I hereby re-appoint the following Member to the City of Boston Public Facilities Commission:

Lawrence D. Mammoli. of 618 E 6th Street South Boston, Massachusetts 02127.

This Member will serve a term expiring upon written statement to the City Clerk.

Thank you for your attention to this matter.

Sincerely,

Michelle Wu
Mayor of Boston



FRIENDS
OF THE
PUBLIC GARDEN

Leslie Singleton Adam
Chair

Colin Zick
First Vice Chair

Valerie Burns
Vice Chair

Abigail Mason
Vice Chair

Catherine Bordon
Secretary

James Bordewick
Treasurer

Elizabeth Vizza
President

January 12, 2022

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

Dear Madam Clerk:

Pursuant to the authority vested in our organization by Section 5.1 of The Boston Common Maintenance Trust Fund, Declaration of Trust, signed October 31, 2018, Friends of the Public Garden hereby designates the following Trustee to The Boston Common Maintenance Trust Fund:

Abby Mason of 72 Chestnut Street, Boston, Massachusetts.

This member will serve a term expiring on the second Friday of January, 2024.

Thank you for your attention to this matter.

Sincerely,

Elizabeth Vizza
President

- DIRECTORS**
 Gordon Burnes
 Claire Corcoran
 Kate Enroth
 Alexandra Hastings
 Elizabeth Johnson
 Frank Mead
 Barbara Moore
 Anne Mostue
 Jeffrey Mullan
 Beatrice Nessen
 Katherine O'Keeffe
 Margaret Pokorny
 Brent Shay
 Anne Swanson
 Roger Tackeff
 Eugenie Walsh

Henry Lee
President Emeritus

- HONORARY**
 Ann K. Collier
 Nina Doggett
 Barbara Hostetter

- EX OFFICIO**
 Jim Hood
 Molly Sherden
 Sherley Smith
 Marty Walz

cc: Margaret Dyson
Trust Manager
City of Boston Treasury Department

BOSTON MA
JAN 18 11:06
CITY CLERK'S OFFICE
RECEIVED



Boston City Council

LYDIA EDWARDS
Councilor - District 1

January 21, 2022

Maureen Feeney
City Clerk
City of Boston
1 City Hall Square, Room 601
Boston, MA 02201

Re: Letter of Resignation

It has been an honor to serve as the District 1 City Councilor. I hereby irrevocably resign from my position as the Boston City Councilor for District 1 as of 11:59 pm on April 30, 2022.

Sincerely

A handwritten signature in cursive script that reads "Lydia Edwards".

Lydia Edwards



Office of the City Clerk

MAUREEN FEENEY
City Clerk

January 24, 2022

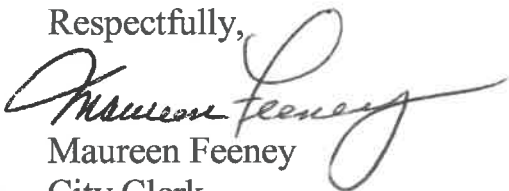
To The City Council

Councilors:

In accordance with Section 15 of Chapter 452 of the Acts of 1948 your body is hereby notified that a vacancy has occurred in the District One City Council seat, effective April 30, 2022, and a special election must be held for the purpose of nominating a district councilor to fill that position for the remainder of the term. (Charter 15A)

Attached is the excerpt from the Chapter 233 of the Acts of 1993. This special legislation, regarding the filing of vacancies on the City Council, amends Section 15 and adds new Section 15A and 15B to Chapter 452 of the Act of 1948.

Respectfully,



Maureen Feeney
City Clerk

Offered by City Councilors Julia Mejia and Kenzie Bok



CITY OF BOSTON

IN THE YEAR TWO THOUSAND TWENTY ONE

HOME RULE PETITION

WHEREAS, While there is often the narrative that young people are the leaders of tomorrow, young people play an equally important role in our democracy today and deserve a vote that reflects their contributions to our City; *and*

WHEREAS, People under the age of 18 already have to step up and be the adults in the room in a lot of different ways (e.g. hosting community forums, holding elected officials accountable, serving in leadership positions) with the exception of voting; *and*

WHEREAS, At the same time, a lot of decisions that directly impact young people are being made without their direct consent---they pay taxes but don't have a say in how they are spent; they can be tried as adults but are treated as minors in other courts of law; they are expected to advocate on behalf of their schools but are not given an equal voice to do so; *and*

WHEREAS, Support for lowering the voting age has seen support from neighboring cities and towns as well as from Congresswoman Ayanna Pressley, whose push to lower the voting age saw broad support from members of the House of Representatives; *and*

WHEREAS, Cities and towns throughout Massachusetts have endeavored to lower the voting age for municipal elections through Home Rule Petitions, including Somerville, Brookline, and Cambridge; *and*

WHEREAS, The time has come to acknowledge the critical role that young people play in our City and grant them the right to have a say in how our City is run; ***NOW THEREFORE BE IT***

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, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

PETITION FOR A SPECIAL LAW RE:

**AN ACT GRANTING THE CITY OF BOSTON THE AUTHORITY TO
PROVIDE LEGAL VOTING RIGHTS IN MUNICIPAL ELECTIONS FOR
CITY OF BOSTON RESIDENTS AGED 16 AND 17 YEARS OLD**

SECTION 1.

Notwithstanding the provisions of section 1 of chapter 51 of the General Laws or any other general or special law, rule or regulation to the contrary, any individual aged 16 or 17 years old residing in the City of Boston, who is ineligible to vote due to age under state law, but who is otherwise eligible to vote under state law, may upon application have their names entered on a list of voters established by the board of election commissioners for the City of Boston. Such individuals on the list of voters may vote in any election for local offices and local ballot questions in accordance with this Act. For the purposes of this Act, "local voters" are anyone who is eligible to vote pursuant to this Act in a local election or upon a local ballot question in the City of Boston.

SECTION 2.

Said board of election commissioners shall establish a separate registration list for local voters who shall fill out an alternative registration form. Upon turning eighteen, each local voter shall be taken off the separate list and notified that he or she must register as a regular voter in accordance with state law, regulations, and guidelines, in order to be eligible to vote. Said board shall create and print, at the city of Boston's expense, the special registration form needed for the purpose of registering local voters.

SECTION 3.

Said board is hereby authorized to promulgate regulations, guidelines and forms to implement the purpose of this act.

SECTION 4.

If a local ballot question appears on a state election ballot, the board shall print a separate ballot for the local ballot question at the expense of the City of Boston.

SECTION 5.

The City of Boston is hereby authorized to pass ordinances to implement the purpose of this act subject to all the provisions of the Boston city charter.

SECTION 6.

Nothing in this act shall be construed to confer upon local voters the right to vote for any state or federal office or any state or federal ballot questions.

Filed in Council: 1/26/2022

Offered by City Councilor Ricardo Arroyo



CITY OF BOSTON IN CITY COUNCIL

IN THE YEAR TWO THOUSAND TWENTY ONE

HOME RULE PETITION

WHEREAS: LeRoi Rodriguez, a former firefighter of the city of Boston, died as a result of injuries sustained while performing the essential duties of a firefighter; *NOW THEREFORE BE IT*

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, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**PETITION FOR A SPECIAL LAW RE:
AN ACT PROVIDING CERTAIN RETIREMENT BENEFITS FOR THE WIDOW OF A
FORMER FIREFIGHTER OF THE CITY OF BOSTON**

Section 1. Notwithstanding section 100 of chapter 32 of the General Laws or any other general or special law to the contrary, and to promote the public good, there shall be paid a line of duty death benefit from the Boston Retirement Board to Maria Rodriguez, the widow of LeRoi Rodriguez, a former firefighter of the city of Boston who died as a result of injuries sustained while performing the essential duties of a firefighter. The benefits shall be paid and administered in accordance with section 100 of chapter 32 of the General Laws. Maria Rodriguez shall receive a lump sum payment from the Boston Retirement Board equal to the total accumulated retirement deductions paid by LeRoi Rodriguez into the annuity savings fund.

Section 2. Such line of duty death benefit shall be paid to Maria Rodriguez and consist of an annual amount of pension equal to the amount of salary which would have been paid to said Fire Lieutenant LeRoi Rodriguez had he continued in service as a Boston Firefighter. This line of duty death benefit shall maintain parity with the Boston firefighters collective bargaining pay increases. In case of any surviving eligible children there shall be paid to Maria Rodriguez the sum of three hundred and twelve dollars per annum for each such child until such time as all such children have attained age eighteen or have attained age twenty-two if a full-time student.

Section 3. Notwithstanding any general or special law, rule, or regulation to the contrary, the surviving children of LeRoi Rodriguez, a deceased firefighter in the City of Boston, shall be eligible for original appointment to the Boston Fire Department and shall be considered survivors under section 26 of chapter 31 of the General Laws. In order to have their names so certified, said surviving children must first pass the written and physical examinations required of all candidates for entrance to the fire service.

Section 4. This act shall take effect upon passage.

Filed in Council: January 26, 2022

Offered by City Councilors Ricardo Arroyo and Julia Mejia



CITY OF BOSTON IN CITY COUNCIL

IN THE YEAR TWO THOUSAND TWENTY ONE

HOME RULE PETITION

- WHEREAS*, The Boston School Committee is the governing body of the Boston Public Schools (BPS) and is responsible for defining the vision, mission, and goals of BPS, the annual operating budget, hiring, managing and evaluating the Superintendent, and setting and reviewing district policies and practices; *and*
- WHEREAS*, For over 200 years following the formation of the first 21-member Boston School Committee in 1789, citizens of Boston elected school committees with between five and 116 members; and
- WHEREAS*, Upon passage of Chapter 605 of the Acts of 1982, the School Committee was restructured to resemble the constitution of the City Council with 13 members total, four members elected at-large and nine elected for each district; *and*
- WHEREAS*, In November 1989, an advisory ballot question asking Boston voters whether the elected school committee should be changed to a mayor-appointed school committee narrowly passed by a margin of just 670 votes citywide; and
- WHEREAS*, In 1991, the City of Boston passed a Home Rule Petition, which went on to become Chapter 108 of the Acts of 1991, resulting in the first appointed school committee in December 1991 and the consolidation of the powers of the school committee into the office of the Mayor; and
- WHEREAS*, Every municipality in Massachusetts, except Boston, elects its school committee; *and*
- WHEREAS*, In June 2021, a Suffolk University and Boston Globe poll found that residents overwhelmingly oppose an appointed school committee, with only 6 percent of Boston voters supporting an appointed body; and
- WHEREAS*, Elected school committees place the power of community representation on education matters back into communities, allowing for people from diverse backgrounds to have their voices heard and for those in power to be held accountable; ***NOW THEREFORE BE IT***

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, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**PETITION FOR A SPECIAL LAW RE:
AN ACT RELATIVE TO REORGANIZATION OF THE BOSTON SCHOOL
COMMITTEE**

Chapter 108 of the Acts of 1991 is hereby stricken and replaced with the following:

Section 1.

Notwithstanding sections one hundred and twenty-eight to one hundred and thirty-four, inclusive, of chapter forty-three of the General Laws or any other general or special law to the contrary, the school committee of the city of Boston as presently constituted is hereby restructured and thereafter each member shall be elected or appointed as provided herein.

Section 2.

Subject to the provisions of this act, the composition of the school committee of the city of Boston shall transition to a thirteen member school committee to be phased in as follows:

- a) September 6, 2022: an eight-member hybrid elected/appointed school committee composed of seven (7) members appointed by the Mayor of Boston and one (1) voting student member elected by the Boston Public Schools student population through the Boston Student Advisory Council.
- b) January 8, 2024: an eleven-member hybrid elected/appointed school committee composed of seven (7) members appointed by the Mayor of Boston, one (1) voting student member elected by the Boston Public Schools student population through the Boston Student Advisory Council, and three (3) at-large members elected citywide during the 2023 Boston municipal elections.
- c) January 5, 2026: a thirteen (13) member elected school committee composed of nine (9) district members and three (3) at-large members elected during the 2025 Boston municipal elections. One (1) voting student member shall be elected by the Boston Public Schools student population through the Boston Student Advisory Council. The nine (9) district seats shall correspond to the electoral districts for Boston City Councilors in accordance with districting and residency laws established in Chapter 605 in the Acts of 1982.

The members of the school committee shall at all times during their terms of office be Boston residents. The mayor shall strive to appoint to the office of appointed school committee member

individuals who reflect the ethnic, racial and socioeconomic diversity of the city of Boston and its public school population.

Section 3.

All existing powers and duties hitherto exercised by the Boston school committee, including the powers and duties set forth in chapter 613 of the acts of 1987, shall henceforth be exercised by the temporary hybrid elected/appointed school committee and the thirteen (13) member elected school committee, including the student member.

Section 4.

The term of office of the members of the school committee shall be four (4) years and shall commence on the first day of the municipal year, except for the student member. The student member shall have a term of office of one (1) year and shall commence on June 1 and expire on May 31. Upon the election or appointment of all members, the city clerk shall administer the oath of office to the school committee and they shall subscribe in the book kept by the city clerk in accordance with the provisions of St. 1948, c. 452, s.11A, as amended by Acts of 1951, c. 376 s. 1.11A and as further amended by Acts of 1983, c.342, s.1. The office of each committee member shall become vacant upon the expiration of the term of said member. Any appointed member whose term of office shall expire may be considered for reappointment, but only if renominated by the nominating panel. All member offices shall automatically become vacant on January 5, 2026 regardless of unexpired terms. The vacant offices shall be filled by elected school committee members chosen during the 2025 Boston municipal elections. A president of the school committee shall be elected annually by its members at the first meeting in each municipal year. In the event that the president is unable to complete their term, a new president shall be elected by committee members for the unexpired term.

Section 5.

Notwithstanding any special or general law to the contrary, the members of the school committee elected or appointed pursuant to this act shall not have the authority to hire personal staff; provided, however, that a paid administrative assistant may be appointed by the president of the school committee.

Section 6.

This section shall only apply to appointed members of the school committee until the transition to a fully elected committee is complete, upon which the nominating panel shall be disbanded.

There shall be in the city of Boston a nominating panel composed of thirteen (13) members whose sole function shall be to nominate persons for consideration by the mayor for appointment to the school committee. Representation on the panel and the selection of said members shall be as follows:

- a) Four parents of children in the Boston Public Schools system as follows: (i) one parent who shall be selected by the citywide parents council; (ii) one parent who shall be selected by a citywide educational coalition; (iii) one parent who shall be selected by the Boston Special Needs Parent Advisory Council; and (iv) one parent who shall be selected by the bilingual education citywide parent advisory council.
- b) One teacher in the Boston Public School system who shall be selected by the Boston Teachers Union from its membership.
- c) One headmaster or principal in the Boston Public School system who shall be selected by the Boston Association of School Administrators and Supervisors from its membership.
- d) One representative from the Boston business community as follows: one representative each shall be selected by the private industry council, the Boston Municipal Research Bureau, and Boston Chamber of Commerce from their respective memberships. Such representatives shall serve on a rotating basis as follows: the representative from the private industry council shall serve for the first year of the first term of the nominating panel; the representative from the Boston Municipal Research Bureau shall serve for the second year of the first term of the nominating panel; the representative from the Boston Chamber of Commerce shall serve for the first year of the second term of the nominating panel; and so forth.
- e) One president of a public or private college or university who shall be selected by the chancellor of higher education of the commonwealth.
- f) One person shall be the commissioner of education of the commonwealth.
- g) Four persons shall be appointed by the mayor

The members of the nominating panel shall be selected from time to time no later than September thirtieth and shall serve for a term of two (2) years, except as otherwise provided in this section. In the event that any member does not complete his or her term for any reason, the person or entity who selected such member shall select another person in like manner to complete the unexpired term.

Section 7.

This section shall only apply to appointed members of the school committee until the transition to a fully elected committee is complete, upon which the nominating panel shall be disbanded.

The nominating panel annually shall from among its membership elect a chairman who shall forthwith file a list of the name and addresses of the members of the panel with the city clerk. The panel shall meet in public for the sole purpose of deliberating upon, hearing public comment with respect to, and finally selecting a list of nominees to be presented to the mayor from time to time. Each nominee shall be a resident of Boston at the time of such nomination. The panel shall strive to nominate individuals who reflect the ethnic, racial and socioeconomic diversity of the city of Boston and its public school population.

On the first Wednesday of October of every year the nominating panel shall convene to select not fewer than three (3) but no more than (5) five nominees for each appointed office of school committee member that shall become vacant on the first day of the next municipal year. No later than the first Monday in December of each year, the panel shall present to the mayor a list containing the names and addresses of the said nominees for each term of office to commence on the first day of the next municipal year; provided, however, should the panel fail to present said list to the mayor by said first Monday in December, the mayor shall have the power to appoint any person they deems suitable to the office of school committee for the term to commence in the following January.

Section 8.

Upon notice provided by the City Clerk that a vacancy exists in the office of any appointed school committee member due to death or resignation, the panel shall convene within ten (10) days of such notice and shall, within thirty days after so convening, select and present to the mayor a list containing the names and addresses of not fewer than three (3) but not more than five (5) nominees. Within fifteen (15) days after such presentment, the mayor shall appoint a school committee member to serve the unexpired term of the vacant office; provided, however, should the panel fail to present said list within said thirty days, the mayor shall have the power to appoint any person they deem suitable to the vacant office to serve said unexpired term.

If a vacancy occurs in the office of any elected school committee member, except for the student member, due to death or resignation more than one hundred and eighty (180) days prior to a regular municipal election, the city clerk shall provide notice of the vacancy; the City of Boston shall, within ten (10) days of such notice, adopt an order calling a special preliminary election for the purpose of nominating an elected school committee member for the unexpired term, which election shall be held on a Tuesday, not less than sixty-two (62) nor more than seventy-six (76) days after the adoption of such order. The two candidates receiving the greatest number of votes at the special preliminary election shall be deemed nominated and their names shall be placed on the ballot for the special municipal election, which election shall be held twenty-eight (28) days following the special preliminary election.

Section 9.

This act shall not be amended or repealed except by special act passed in conformance with article 89 of the amendments to the constitution of the commonwealth.

Section 10.

The provisions of this act shall take effect immediately upon passage.

Filed in Council: January 26, 2022

Offered by Councilors Ricardo Arroyo and Julia Mejia



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 (MG.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: January 26, 2022

Offered by Councilors Ricardo Arroyo and Liz Breadon



CITY OF BOSTON IN CITY COUNCIL

ORDINANCE ESTABLISHING PROTECTIONS FOR THE CITY OF BOSTON TREE CANOPY

- WHEREAS:** In September 2020, the City of Boston released a Tree Canopy Assessment, which analyzed tree cover changes in the City from 2014-2019 and evaluated which neighborhoods have ample tree cover and which areas have the most potential for increased tree cover; *and*
- WHEREAS:** Twenty-seven percent of Boston's land is covered by tree canopy, with higher concentrations in the neighborhoods of Hyde Park, Jamaica Plain, and West Roxbury; *and*
- WHEREAS:** While the report found that Boston's tree canopy remained relatively stable overall from 2014-2019, it also found that the southern and eastern neighborhoods have suffered the highest relative tree canopy losses especially in Hyde Park, Roslindale, Mattapan, and West Roxbury; *and*
- WHEREAS:** The 2020 Tree Canopy Assessment found that more tree canopy was lost on residential land than any other land use type; *and*
- WHEREAS:** Protecting urban tree canopy is an important way to mitigate detrimental environmental effects such as heat island effect, flooding, air pollution, and more; *and*
- WHEREAS:** The City of Boston experienced two heat waves in 2021, including a record high temperature of 100 degrees on June 30th, making it the hottest June in Boston's history; *and*
- WHEREAS:** In the City of Boston, neighborhoods that have high concentrations of Black, Latinx, Asian, Indigenous, immigrant, and low-income communities are disproportionately impacted by negative environmental effects that affect their health and quality of life; *and*
- WHEREAS:** Residents in the City of Boston deserve to have a public, accessible, and transparent way to learn about changes to tree canopy in their neighborhoods; *and*

WHEREAS: Preserving existing tree canopy and planting new trees in areas where tree canopy is low or has been removed are the most effective ways to protect future tree canopy and build climate and environmental resiliency; **NOW**

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

That the City of Boston Code, Ordinances be amended in *Chapter VII* by adding the following after *7-14*:

7-15: ESTABLISHING PROTECTIONS FOR THE CITY OF BOSTON TREE CANOPY

7-15.1 PURPOSE: The preservation of existing tree canopy and replenishment of depleted tree canopy is intended to prevent adverse climate effects such as heat island effect, flooding, air pollution, and more, as well as improve the quality of living for residents in the City of Boston.

7-15.2 APPLICABILITY: The terms and provisions of this ordinance shall apply to trees within the City of Boston that are located on city-owned property, private property, or in the public right of way.

7-15.3 DEFINITIONS:

Caliper means a measurement of the tree trunk diameter used when purchasing tree plantings measured at twelve inches (12”) above the ground.

Capital Improvement Project means a major, non-recurring expenditure that generally meets all of the following criteria: M.G.L. c. 44, s. 7 and s. 8 permit the City to issue bonds to finance the expenditure, the expenditure is a facility or object or asset costing more than \$50,000, and the expenditure will have a useful life of ten years or more for infrastructure, buildings, and parks.

City Tree means a tree located on property owned by the City of Boston, including Public Shade Trees, trees in City parks, and trees on the grounds of City buildings.

Diameter at Breast Height (DBH) means the diameter of a tree trunk measured in inches at a height of four and a half (4.5) feet above the ground. For multiple trunk trees, DBH is the aggregate diameter of the trunks.

Invasive Plant means a plant that is both a non-native and able to establish on many sites, grow quickly, and spread to the point of disrupting plant communities or ecosystems, including but not limited to the trees listed on the Massachusetts Prohibited Plant List.

Park Project means a project involving the renovation and maintenance of existing parks and City-owned open spaces and the development of new parks and open spaces within the City of Boston. City-owned open spaces include parks, community gardens, playgrounds, school yards, library lawns, cemeteries, public plazas, triangles, and squares.

Private Tree means a tree located on private property.

Public Shade Tree means a tree located in the public way, as defined in the Massachusetts General Laws (M.G.L.) c.87, section 5.

Removal means the intentional cutting down of any tree, including all other acts which cause actual or effective removal through damaging, poisoning, or other direct or indirect actions that result in the death of the tree. This includes, but is not limited to, excessive pruning.

Replacement Caliper means the replacement caliper for Significant Trees shall be at least equal to the DBH of the tree removed.

Significant Tree means any living tree that is not an Invasive Plant and is eight inches (8") or more in DBH.

7-15.4 TREE WARDEN: The Tree Warden shall be an employee of the City, appointed by the Mayor, subject to confirmation by the City Council, for a term of three years.

1. The Tree Warden shall be qualified for the role as defined in M.G.L. c. 41 s.106, and also according to the standards established and published by the Massachusetts Tree Wardens and Foresters Association.
2. The duties and responsibilities of the Tree Warden shall conform to M.G.L. c. 87 and shall include, but not be limited to, the following:
 - a. Management of all trees within public rights-of-way and on City property.
 - b. Granting or denying and attaching reasonable conditions to all permits required under this ordinance.
 - c. Posting notices and holding public hearings for the Removal of Public Shade Trees and City Trees as required by this ordinance.
 - d. Enforcement of this ordinance.

7-15.5 SENIOR URBAN FORESTRY AND LANDSCAPE PLANNER: The Senior Urban Forestry and Landscape Planner shall be an employee of the City, appointed by the Mayor.

1. The Senior Urban Forestry and Landscape Planner shall be a Certified Arborist by the Massachusetts Arborist's Association, the International Society of Arboriculture, or any successor of either organization.

2. The duties and responsibilities of the Senior Urban Forestry and Landscape Planner shall include, but not be limited to, the following:
 - a. Seeking grants or other assistance concerning the preservation and maintenance of the City's tree canopy.
 - b. Develop and publish policies, regulations, tree inventory, manuals, and other data and documents necessary to carry out the purposes and intent of this ordinance.
 - c. Supervising the planting and care of City Trees to ensure that such planting and care meets these rules, regulations and standards.
 - d. Assisting and working closely with the Tree Warden to help the Tree Warden fulfill their responsibilities.

7-15.6 URBAN FORESTRY COMMITTEE: The Urban Forestry Committee will be charged with advising with respect to the management and maintenance of all existing and new trees and shrubs on all public grounds and public ways of the City of Boston.

1. Urban Forestry Committee Membership:
 - a. This Committee shall consist of the following members:
 - i. The Senior Urban Forestry and Landscape Planner
 - ii. The Tree Warden
 - iii. Nine (9) members of the public, with at least one member demonstrating expertise in the field of urban forestry, at least one member demonstrating expertise in the field of landscape design, and two members shall be between the ages of fourteen and seventeen at the time of their appointment or re-appointment
 - b. The Committee members will each serve a term of three years
 - c. Committee members shall be selected by the Mayor and subject to confirmation by the Boston City Council.
2. The duties of the Urban Forestry Committee shall be as follow:
 - a. Review planting policies for trees and shrubs on public grounds and public ways of the City of Boston, appraise the appropriateness of such plantings, their placement, and the type of maintenance necessary. The Urban Forestry Committee shall also review those planting proposals which it deems significant for trees and shrubs on public grounds and public ways of the City of Boston.
 - b. Have the ability to comment during any City of Boston permitting review process.
 - c. Elect to review issues related to the health, effective maintenance, and protection of existing trees and shrubs on public grounds and public ways of the City of Boston, recommend solutions to any problems identified with such plantings, update the tree inventory with detailed information, and support all public education and outreach by:
 - i. Promoting knowledge and awareness of the benefits of trees in the City;
 - ii. Developing and maintaining a website;
 - iii. Developing and maintaining a noteworthy tree program;
 - iv. Developing educational materials regarding best management practices for tree care;
 - v. Supporting City staff in establishing a volunteer adopt-a-tree program;
 - vi. Supporting City staff during Arbor Day Celebrations; and

- vii. Considering and recommending incentives for tree planting and maintenance.
- d. Upon request of the applicant, this Committee shall consider and make recommendations to the Tree Warden on waivers for any required replantings or payments associated with the issuance of a Tree Permit.
- e. Keep records of trees planted and removed within the City of Boston and may issue regular reports on the overall status of the City's urban canopy.

7-15.7 CRITERIA FOR REMOVAL OF PUBLIC SHADE TREES: A public hearing may not be initiated under M.G.L. c. 87 section 3 to remove a Public Shade Tree unless the Tree Warden finds in writing that there is a public health, safety, or welfare basis for removing the Public Shade Tree, including but not limited to hardship to a property owner, economic development, facilitating the development of affordable housing, pedestrian access enhancement, transportation improvement, or public project development. Nothing in this section shall be construed to prevent the cutting, trimming, or removal of trees in accordance with M.G.L. c. 87 section 5.

7-15.8 NOTICE REQUIREMENTS FOR REMOVAL OF PUBLIC SHADE TREES: In addition to notice under M.G.L. c. 87 s. 3 for Removal of a Public Shade Tree, notice shall be given by the City by electronic notification where feasible and first-class mail to all property owners located within 150 feet of the Public Shade Tree proposed to be removed at least 14 days before the public hearing. To the extent feasible, the City shall notify all residents within 150 feet of the Public Shade Tree proposed to be removed by flyering at least 14 days before the public hearing. Notice shall also be given by placing notice on the City website at least 14 days before the public hearing. In the event that a public hearing is initiated under M.G.L. c. 87 s. 3 at the request of anyone other than the City, the requesting party shall pay for all costs of mailing and advertising, such costs to be determined by the City Clerk. The City Clerk may waive the costs if the requesting party demonstrated to the City Clerk that payment of the fee would cause financial hardship. Guidelines for determining financial hardship shall be established by the City Clerk. Applications for financial hardship shall be provided by the City Clerk.

7-15.9 TREE REPLACEMENT FOR PUBLIC SHADE TREES: Any healthy Public Shade Tree removed at the request of a property owner or agent thereof must be replaced within one year from the date of Removal. These replacement trees must be located at or near the location from which the tree was removed, and in no case shall trees planted in a different neighborhood qualify as replacements. The replacement trees must conform to the standards for size, species, and planting established by the Senior Urban Forestry and Landscape Planner.

7-15.10 STREET TREE STABILIZATION FUND: There shall be established a tree fund which shall be held in a separate identifiable account, and administered in accordance with applicable provisions of General Laws. Any payment required by this article shall be deposited in the Street Tree Fund and shall be used in accordance with this section.

1. Payment for planting replacement Public Shade Trees: Where a healthy Public Shade Tree is removed at the request of a property owner or agent thereof, solely for reasons of private financial gain or personal preference, the requesting party shall make a

contribution to the Street Tree Fund in an amount sufficient to pay for replacement trees as described in Section 7-15.9. This amount will be calculated using the schedule of costs established by the Senior Urban Forestry and Landscape Planner.

2. Maintenance of the Street Tree Fund: The Street Tree Fund shall be maintained in a separate account in accordance with state law. All sums deposited into such Fund shall be used solely for the purpose of buying, planting, and maintaining trees in the City. The Senior Urban Forestry and Landscape Planner shall expend these funds for tree planting, transplanting, care, and other tree-related needs.

7-15.11 COMPLIANCE WITH STATE LAW: All Public Shade Tree hearings shall comply with the applicable requirements set forth in M.G.L. c. 87 s. 3.

7-15.12 CRITERIA FOR REMOVAL OF CITY TREES: This section shall apply exclusively to City Trees, as set forth in the Section 7-15.3. Nothing in this section shall be construed to apply to Public Shade Trees within the City of Boston, whose care, maintenance, trimming, planting, and Removal are governed by the Public Shade Tree Law, M.G.L. c. 87, and the City of Boston Code of Ordinances Chapter 7-4.7. The public notice and meeting requirements for Public Shade Trees shall remain in full force and effect and are entirely unaffected by the language of this section.

1. Cutting down or removal of trees: No person, including but not limited to City employees, the Tree Warden, and their deputies shall cut down or remove any tree on City-owned property without the Tree Warden first holding a public hearing.
 - a. The Tree Warden, or their designee, shall post notice of the time and place of the public hearing in two or more public places in the City and upon the tree in question at least seven (7) days prior to the public hearing. This notice shall identify the size, type, and location of the trees to be cut down or Removed, and include a brief statement of the reason for the proposed action. Notice of this public hearing shall be sent to each City Councilor, all members of the Urban Forestry Committee, and published on the City website.
 - b. No later than 48 hours prior to the cutting down or Removal of any City Tree, a notice on brightly colored paper will be placed upon the tree stating the anticipated date on which the action is expected to occur.
 - c. Nothing in this section shall prohibit the Tree Warden, or their designee, from cutting down or Removing any tree which in their opinion is dead or dying or constitutes a threat to public health or safety.
2. Exceptions to the public notice and hearing requirements:
 - a. No public hearing shall be necessary prior to the Tree Warden, or their designee, curing down or removing trees measuring less than one and one-half inches (1½”) in diameter one foot from the ground on City-owned property.
 - b. Public projects that fall under Park Projects and Capital Improvement Projects shall be exempt if their public process included all of the following:
 - i. All public meetings at which cutting down or Removal of trees is discussed were duly noticed and advertised including, but not limited to, notice sent to all member of the Urban Forestry Committee

- ii. The public was provided reasonable opportunity to provide input regarding tree(s) to be cut down or removed.
- iii. Reasonable notice was posted on or around any trees to be cut down or removed at least two (2) weeks prior to such action taking place.

7-15.13 REMOVAL OF PRIVATE TREES: No person may remove any Significant Tree from private property without first obtaining a Tree Permit from the Tree Warden.

1. Application for a Tree Permit:
 - a. Applications must be made in writing on forms specified by the Tree Warden.
 - b. The Tree Warden, or their designee, will review applications for tree permits in accordance with the provisions of this article. The Tree Warden, or their designee, shall date stamp or otherwise record the date of filing of each application for a tree permit. The Tree Warden, or their designee, shall complete the review of each Tree Permit application no later than thirty (30) business days after the submission of a completed application. In the event that this review is not completed within the time required by this ordinance, and if the applicant did not request a waiver of fees or replanting, the permit shall be considered issued.
 - c. The application shall include a plan showing the location, species, and DBH of each tree on the property, and must indicate clearly which trees are to be Removed.
 - d. If replacement trees are to be planted, the plan shall indicate the planned location, species, and size of any replacement trees to be planted. In order to qualify as replacements, trees must be planted on the same or adjacent lot, and must conform to species and planting standards as defined by the Senior Urban Forestry and Landscape Planner. Trees planted in the adjacent right-of-way or otherwise located on public property shall not be considered suitable for consideration as replacement trees.
 - e. There shall be no fee or charge to submit an application for a tree permit.
2. Conditions for Granting a Tree Permit:
 - a. Removal of Significant Trees: If any Significant Trees are to be Removed, the plan must show planting of new trees equal to the total Replacement Caliper of those trees.
 - b. Payment instead of Replacement: Payment to the Street Tree Fund may be made in lieu of planting some or all of the Replacement Trees, according to a cost schedule established by the Senior Urban Forestry and Landscape Planner. Such fees shall be based on the actual costs associated with purchasing, planting, and maintaining the City's Public Shade Trees. Payment must be made prior to issuance of the permit.
 - c. Request for Waiver: The application for a Tree Permit shall allow the applicant to request a waiver of the requirement for replanting or payment.
 - d. Hearing of Request for Waiver: The Tree Warden, or their designee, shall hear requests for such waivers within sixty (60) days of the date the application was received. This hearing may take place at a public meeting of the Urban Forestry Committee. The applicant shall have the opportunity to speak and to answer questions. The Committee may, at the request of the applicant, make a

recommendation to approve or deny the waiver. Examples of reasons supporting a waiver include, but are not limited to: financial hardship associated with the care and upkeep of the trees; unreasonably high requirements for replacement or repayment; and ongoing or reasonably foreseen damage or risk from the trees.

The Tree Warden shall consider such recommendation considering whether or not to grant the waiver. If the waiver is approved, a Tree Permit will be issued within ten (10) business days of the close of the hearing

- e. Owner-Occupants: the owner-occupant of a lot containing a one, two, or three-family dwelling, who resides at the same property as demonstrated by issuance of, or good faith application for, a valid Residential Exemption shall at their request, be granted a waiver of the requirement for replanting or payment with no need for a hearing.
 - f. Departure of Owner-Occupant: If at any point during the 18 consecutive months following the issuance of a Tree Permit the owner no longer resides at that address, and if the requirements for replanting or payment were waived based on said owner-occupancy status as described above, then said waiver shall be revoked. In the case, the owner or, if the property has been sold, the new owner, shall be required to obtain a Tree Permit either for a replanting plan to make full payment within thirty (30) days of the fees that were waived.
3. Standards for Replacement Trees:
- a. Replacement Trees must be planted within eighteen (18) months from the date the tree permit is issued, or prior to transfer of property ownership, whichever comes first.
 - b. Replacement trees must be of the same or similar species and size as described in the application for the Tree Permit, and must be planted according to standards established by the Senior Urban Forestry and Landscape Planner.
 - c. In the event that trees of the size and species that were described in the application for the Tree Permit cannot be obtained at the time of planting, multiple smaller replacement trees may be planted with the authorization of the Tree Warden.
 - d. If a replacement tree dies within eighteen (18) months from the date of planting, it must be replaced. The person planting the tree shall provide documentation as to the date of the planting and file the same with the Tree Warden within fifteen (15) days of the planting of said replacement tree.
4. Exceptions to the Tree Permit Requirement:
- a. Emergencies: If any tree shall be determined to be in a hazardous condition so as to immediately endanger the public health, safety, or welfare or cause an immediate disruption of public services and require immediate Removal without delay, verbal authorization may be given by the Tree Warden to remove such tree, and the tree may be removed without obtaining a written permit as otherwise required by this ordinance. The Tree Warden shall record in writing each such verbal authorization, and shall present these written notes at the next meeting of the Urban Forestry Committee.
 - b. Waiver: The requirements of this article may be waived by the Tree Warden during the period of an emergency such as a hurricane, tornado, windstorm, flood, or similar threat to life and property.

5. Enforcement:
 - a. If a Significant Tree is Removed without a Tree Permit, the property owner must apply for a Tree Permit within 30 days of the Removal. Each business day thereafter, until an application is filed, shall constitute a separate violation of this ordinance.
 - b. Stop work order: Upon notice that trees are being removed without a Tree Permit, such work shall be immediately stopped by the Director of Inspectional Services or designee. The stop work order shall be in writing and shall be mailed to the owner of record of the property and posted at the front to the property in a conspicuous location, and if possible, given to the owner of the lot involved, or to the owner's agent, or to the person doing the work, and shall state the conditions under which work will be permitted to resume.
 - c. Injunctive relief: Whenever there exists reasonable cause to believe that a person is violating any applicable provision of this article, the City may institute a civil action for a mandatory or prohibiting injunction in a court of competent jurisdiction ordering the defendant to correct the unlawful condition or to cease the unlawful use of the property.
6. Penalties:
 - a. For each offense under this ordinance the person in violation shall be subject to a \$100 fine.
 - b. Failure to make payment of any fines may result in the revocation, suspension, or denial of any local license or permit, including renewals and transfers.
7. Safety of Life and Property: Nothing in this ordinance shall be construed to prevent a property owner from acting to Remove any Significant Tree, with written or oral authorization from the Tree Warden, that is an immediate and pressing health or safety hazard; that is dead or dying; or that is damaging existing structures or property; or could do so if it were to fall. In such cases, the Tree Warden may authorize immediate removal in writing or verbally, with written record to the Urban Forestry Committee as soon as practicable.

7-15.14 EFFECTIVE DATE: The provisions of this ordinance shall take effect 90 days after passage.

Filed in Council: January 26, 2022

Offered by Councilor Kenzie Bok



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING INCREASING PUBLIC HOUSING IN THE CITY OF BOSTON

WHEREAS: In July 2020, Councilor Bok proposed that the Boston Housing Authority (BHA) make use of its federal authority to build, buy, or certify up to 2464 more public housing units and immediately begin receiving federal subsidies for each one, thereby taking advantage of an untapped federal resource to increase our number of permanent deeply affordable units up to Boston's Faircloth Limit; *and*

WHEREAS: Since then, BHA and the Mayor's Office of Housing have worked with Councilor Bok to take steps towards utilizing this untapped federal resource, including by commissioning a capacity study of BHA land where additional public housing units could be constructed and issuing a Request for Proposals to offer this public housing subsidy as a funding component for affordable housing transformation projects; *and*

WHEREAS: Adding new public housing units affirms that public housing is long-term public infrastructure that truly preserves our communities; *and*

WHEREAS: Public housing secures public health, by providing stable homes for low-income families, seniors, and people with disabilities, and the pandemic has highlighted our need for more such housing, as Boston has scrambled to expand our shelter capacity and called on landlords to house homeless families with vouchers; *and*

WHEREAS: Boston built much of its public housing early in the federal program, enabling the creation of public housing communities in almost every neighborhood of the City, communities that have become one of the only anchors for low-income people and people of color as many parts of the City have gentrified; *and*

WHEREAS: The rent structure of public housing enables people to stay housed even when experiencing shocks like the illness or job loss brought on by the COVID-19 crisis, and families who gain access to public housing are immediately able to spend more on food and healthcare for their children (Gubits *et al*, 2016); *and*

WHEREAS: More than 50,000 families are waiting for a Boston Housing Authority (BHA) public housing unit, demonstrating great need despite federal disinvestment; *and*

WHEREAS: A stark reduction in the federal supply of public housing began in the 1970s, when President Richard Nixon declared a moratorium on its new construction, and continued in 1999, when President Bill Clinton signed into law the Faircloth Amendment to the Housing Act of 1937, legally limiting the number of public housing units that could

receive capital and operating subsidies from the U.S. Department of Housing and Urban Development (HUD) to the number operated by each housing authority on October 1, 1999, known as a “Faircloth Limit”; *and*

WHEREAS: Recognizing the need for government reinvestment in public housing, several federal politicians have proposed repealing the Faircloth Amendment to allow housing authorities to build new public housing beyond their Faircloth Limits, including most recently a repeal amendment introduced by Representative Alexandria Ocasio Cortez (D-N.Y.) that passed the U.S. House in July 2020; *and*

WHEREAS: Boston need not wait on Washington: the Boston Housing Authority’s Faircloth Limit is 12,086 units, but due to redevelopment in the 2000s that de-densified Boston’s public housing stock, the BHA only has 9622 public housing units receiving HUD capital and operating subsidies, also known as ACC units; *and*

WHEREAS: The BHA could therefore designate up to 2464 new ACC units, and could also transform new ACC units through HUD’s Rental Assistance Demonstration (RAD) program to make them more financially sustainable, or take advantage of further HUD funds if they become available from the Biden Administration; *and*

WHEREAS: Such federal subsidies provide a reliable source of guaranteed income for landlords, even within times of economic uncertainty, so that converting units within existing buildings to ACC or RAD units could help prevent evictions and foreclosures, especially as the supply of federal vouchers remains limited; *and*

WHEREAS: Boston could also use these federal subsidies in combination with the City’s Inclusionary Development Policy (IDP) or its Acquisition Opportunity Program (AOP) to secure deeper long-term affordability—including for families making 30% of area median income or less—within either large-scale new redevelopment projects or existing apartment buildings scooped off the speculative market; *and*

WHEREAS: Boston should build new public housing units on public land, at existing housing developments, on vacant lots, or above other public assets, as a way to truly utilize the full value of public land for public good in every corner of the City, including neighborhoods from which people of color and low-income people have been historically excluded in violation of fair housing; *NOW THEREFORE BE IT*

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss progress towards increasing our number of public housing units up to the City of Boston’s Faircloth Limit, and that members of the Administration from BHA, BPDA, and the Mayor’s Office of Housing, along with housing advocates, affordable housing developers, and the public, be invited to testify.

Filed on: January 7, 2022

Offered by Councilors Kenzie Bok



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING ZONING RELIEF FOR AFFORDABLE PROJECTS

...

WHEREAS: The City of Boston is in a housing crisis, with 49.6% of Boston area renters “rent-burdened” by putting more than 30% of their income toward housing costs, more than 50,000 families on the waiting list for a Boston Housing Authority public housing unit, and a growing population of Black, Brown, immigrant, and low-income renters at risk of eviction, especially with the loss of recent eviction moratorium protections; *and*

WHEREAS: Decent and affordable housing is a social determinant of health, with well-documented direct and indirect effects on respiratory health, sleep quality, educational attainment, ability to access and maintain a suitable job, stress levels and feelings of isolation, mood, and many other aspects of wellbeing; *and*

WHEREAS: The COVID-19 pandemic has underscored the public health need to ensure that all of Boston’s residents have access to decent and affordable housing, including deeply affordable housing for residents that are homeless or unstably housed, and a Housing-First approach for those facing other challenges; *and*

WHEREAS: Often the individuals most in need of housing are underrepresented in community planning and development processes, as documented in a 2018 study by Einstein, Palmer, and Glick, frequently leading across Massachusetts to the delay or altogether rejection of much-needed affordable projects; *and*

WHEREAS: The current Article 80 development review process outlined in Boston’s zoning code and administered by the Boston Planning & Development Agency does not reduce or streamline requirements for proposed all-affordable developments; *and*

WHEREAS: Such projects, once they win approval, are also then frequently delayed by lawsuits, a problem which the state’s new Housing Choice law also sought to tackle by requiring such lawsuits to post a significant bond; *and*

WHEREAS: A recent example of this problem is the legal suit against a joint project proposed by the Pine Street Inn and The Community Builders with strong community support, a lawsuit which delayed and threatened the financing of this much-needed supportive affordable housing development; *and*

WHEREAS: To reduce these kinds of lawsuits and prevent the use of parking requirements as a bad-faith effort to stall affordable housing projects, Councilors Bok and O'Malley filed "An order regarding a text amendment to the Boston zoning code with respect to parking minimums for affordable housing" which in 2021 was unanimously passed by the Boston City Council, approved by the BPDA Board and Zoning Commission, and signed by the Mayor on December 22, 2021; *and*

WHEREAS: This change in zoning will remove one barrier to building affordable housing in the City of Boston, but there remains a great need to explore the many other potential options for reasonable zoning relief for affordable developments, including an affordable housing zoning overlay such as those recently taken up in the cities of Cambridge and Somerville, other forms of density bonusing, the SMART Housing Program implemented by the City of Austin, Texas which includes an expedited review process for affordable project proposals, or the many other incentives for building affordable housing utilized by municipalities throughout the country; *NOW THEREFORE BE IT*

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss options for zoning relief for affordable projects including zoning overlays, density bonusing, and expedited Article 80 review processes for affordable projects, and that representatives from the Department of Neighborhood Development, the Boston Housing Authority, and the Boston Planning & Development Agency, along with housing advocates, developers of affordable housing, and the public, be invited to testify.

Filed on: January 7, 2022

Offered by Councilor Kenzie Bok



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING USING PLANNING AND LAND-USE TOOLS FOR PUBLIC GOOD

WHEREAS: The City of Boston and the Boston Planning and Development Agency (BPDA) have a variety of urban planning and land-use tools that could be better leveraged and utilized to benefit the public; *and*

WHEREAS: The BPDA’s existing M.G.L. Chapter 121B “urban renewal” zones must be voted upon by the Council before April 2022, a process which should include ending a number of these zones while maintaining some targeted extensions in order to avoid losing key planning and land-use tools and restrictions for the public good in those areas; *and*

WHEREAS: In the 1980s, the Boston Redevelopment Authority (now d/b/a BPDA) used its M.G.L. Chapter 121B “urban renewal” powers to enable the Dudley Street Neighborhood Initiative (DSNI) to assemble a land trust in a 60-acre area — the first time such governmental powers were used on behalf of a non-profit anywhere in the country; *and*

WHEREAS: Since then, community land trusts (CLTs) have blossomed across the United States, and new ones have sprung up in Boston — but with very limited access to land; *and*

WHEREAS: Boston should build on its past tradition and use BPDA tools to help secure more land for the community purposes and long-term affordability that CLTs can ensure; *and*

WHEREAS: Boston should also use BPDA tools to acquire more parcels for public purposes including for public, deeply affordable, and cooperative housing, and for preservation of historical and cultural treasures, and as an extension of the Parks Department’s new Parcel Priority Plan to acquire more space for urban wilds, rain gardens, urban farms, urban forestry, and other sustainable uses; *and*

WHEREAS: Many of the older ground-leases that Boston granted in order to spur economic development in the 1960s and 1970s were negotiated to very much favor the private lessee and therefore regrettably generate little revenue for the public, such as the lease at Faneuil Hall; *and*

WHEREAS: Certain long-term ground-lease terms have, however, generated significant returns for the public as values have increased with redevelopment, such as the 2% transaction fee provision attached to transfers of condominiums on BPDA land in the Charlestown Navy Yard; *and*

WHEREAS: In some cases, the Land Disposition Agreements (LDAs) attached to BPDA parcels have resulted in major benefits to the public, such as long-term housing affordability or the creation of the Boston Public Market; *and*

WHEREAS: Both the BPDA Department of Real Estate and the Boston Housing Authority's (BHA) Department of Real Estate Development have in recent years worked to ensure that new long-term ground leases are structured much more favorably for the public interest, in closer imitation of models across Europe, the United Kingdom, and even within Boston at the Massachusetts Port Authority (Massport); *and*

WHEREAS: Today's City of Boston, BPDA, BHA, and Boston Public Health Commission (BPHC) ground-leases should be written to ensure that the long-term value of public land is captured by the public, meaning that in addition to base rent, the public should share in long-term escalating private profits from the site through regular "participation rent" and through "transaction rent" on every occasion of a sale; *and*

WHEREAS: Substantial portions of these long-term public profits should be reinvested in public goods of obvious utility to the public, in addition to supporting regular public agency budgets; *and*

WHEREAS: City deed restrictions and ground-leases should also be structured to provide preferential options for conversion to cooperative or community land trust structures whenever possible; *and*

WHEREAS: The public should also share in the benefits when the long-term financial value of private land is majorly enhanced through public "up-zoning"; *and*

WHEREAS: Such benefits should include increasing the ratio of required affordable housing for PDAs, PDA Master Plans, and major rezoning proposals in order to tether density and affordability; *NOW THEREFORE BE IT*

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss utilizing the full extent of our planning and land use tools for the public good, as well as both conclusion and extension of the BPDA's "urban renewal" zones, and that representatives from BPDA, BHA, BPHC, the Department of Neighborhood Development, the Public Facilities Department, community land trust groups, and the public be invited to testify.

Filed on: January 7, 2022

Offered by Councilor Kenzie Bok



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING REDUCING BARRIERS TO SECURING RENTAL HOUSING IN BOSTON

WHEREAS: While initiatives currently underway in the City of Boston under our Office of Fair Housing and Equity will assist with identifying unlawful discrimination against renters in Boston, additional steps are needed to remove legal discrimination and barriers to obtaining adequate, safe, and stable housing; *and*

WHEREAS: Major barriers to obtaining housing that are currently legal in the City of Boston include credit screenings and criminal background checks, as well as large security deposits and deposits or fees required to fill out rental applications; *and*

WHEREAS: Municipalities including Minneapolis and St. Paul, MN, and Portland, OR have undertaken credit screening reform by introducing tenant screening criteria for credit checks that minimizes the impact of a low or nonexistent credit score on a prospective tenants' eligibility, and allows for supplemental information and additional factors to be considered, while New York City no longer requires credit checks for those applying to the city's affordable housing; *and*

WHEREAS: While credit screening requirements already made securing housing difficult for low-income and unbanked individuals, including those with housing vouchers, prior to the COVID-19 pandemic, reforms to credit screening by landlords are especially needed as the economic impacts of the COVID-19 pandemic continue to increase the number of Boston residents that may face eviction or may have had to rely on credit cards to pay for basic needs; *and*

WHEREAS: Many city, state, and nonprofit agencies are working to get Boston's families that are currently homeless, living in shelters, living in overcrowded conditions, or otherwise unstably housed housing vouchers; however, the Boston Housing Authority and FamilyAid reported in an October 2020 Housing Committee hearing, that credit checks remain a barrier to securing housing even with federal, state, and local governments that guarantee an individuals' rent; *and*

WHEREAS: Municipalities including Seattle, Washington, Portland, Oregon, Detroit, Michigan, Minneapolis, Minnesota, and Washington, D.C. have or are currently undertaking reforms to criminal history screening criteria for housing including limiting the types of criminal records landlord can access, when in the screening process landlords can access them, and what types of criminal offenses landlords can reject applicants for; *and*

WHEREAS: Currently, landlords in Boston can access an extensive criminal record check which includes cases where a 17 year-old was tried as an adult, misdemeanors when either the conviction or release date is within five years, and felony charges when either the conviction or release date is within ten years; *and*

WHEREAS: According to the Prison Policy Initiative, formerly incarcerated individuals are at increased risk of homelessness when compared to the general population, with those that have been incarcerated once experiencing homelessness at rates seven times higher and those that have been incarcerated more than once experiencing homelessness at rates 13 times higher, trends which perpetuate the “revolving door” of homelessness and incarceration; *and*

WHEREAS: Formerly incarcerated women, particularly Black women, experience even higher rates of homelessness than formerly incarcerated men, putting them at risk of returning to an abusive partner or otherwise unsafe environment to gain shelter; *and*

WHEREAS: Reforms to credit history screening and criminal background checks by landlords, as well as limits on application, security, and other fees or deposits would reduce the barriers to obtaining affordable and decent housing for many of Boston’s residents; *NOW THEREFORE BE IT*

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss reforms to credit checks and criminal background checks in applications for private, public, and subsidized housing, as well as regulating costly application fees or deposits, and that representatives from the Department of Neighborhood Development, the Office of Housing Security, the Boston Housing Authority, and the public be invited to testify.

Filed on: January 6, 2022

Offered by Councilors Kenzie Bok and Liz Breadon



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING A REVIEW OF COVID-19 RECOVERY FUNDS

WHEREAS: In 2021, the City Council took an unprecedented leadership role in the City of Boston's budget process to ensure that the FY22 operating budget not only dedicated \$55 million in American Rescue Plan Act (ARPA) funding to offset local revenue declines, but was also accompanied by \$50 million in ARPA funds for various pandemic-related emergency needs and an additional \$31.5 million in ARPA funds appropriated to tackle some of the City's greatest challenges including housing, climate, and the public health crisis at Massachusetts Avenue and Melnea Cass Boulevard; *and*

WHEREAS: In an effort to mitigate the catastrophic impacts of the COVID-19 pandemic, the Federal Government passed several impactful relief packages, all of which money must be responsibly appropriated and accounted for; *and*

WHEREAS: The CARES Act of March 2020 was a \$2.2 trillion stimulus from which the City of Boston received over \$181 million, including the Coronavirus Relief Fund, Federal Emergency Management Agency Funds, the Elementary and Secondary School Emergency Relief Fund (ESSER Fund), and other smaller funds, all of which the City acted quickly to utilize in FY20 and FY21 for pandemic response; *and*

WHEREAS: The Coronavirus Response and Relief Supplemental Appropriations Act of December 2020 was a \$900 billion stimulus from which the City of Boston received over \$150 million, including the Elementary and Secondary School Emergency Relief Fund (ESSER Fund II) and dedicated funds for Emergency Rental Assistance and Housing; *and*

WHEREAS: American Rescue Plan Act (ARPA) of March 2021 was a \$1.9 trillion stimulus from which the City of Boston expects to receive more than \$800 million over four years, all of which funds must be spent by the end of calendar year 2024; *and*

WHEREAS: The ARPA funds included Local Fiscal Recovery Funds, Elementary and Secondary School Emergency Relief Fund (ESSER Fund III), and further funding to be utilized for Emergency Rental Assistance Relief and Housing; *and*

WHEREAS: ARPA requires that cities submit to the U.S. Treasury an interim report, quarterly project and expenditure reports, annual recovery plan performance reports; *and*

WHEREAS: The City of Boston launched a community engagement initiative, the Equitable Recovery Coordinating Committee, to oversee the allocation and disbursement of ARPA funds informed by public feedback through the Boston Equitable Recovery Taskforce, and has established a dashboard detailing ARPA funding use; *and*

WHEREAS: In accordance with federal compliance and reporting requirements to support transparency, responsibility, and equity in use of these vital fiscal resources, the City submitted an interim report as well as a Annual Recovery Plan dated August 31, 2021, and is expected to submit quarterly project and expenditure reports and annual performance reports; *and*

WHEREAS: Under ARPA, funding from the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program is subject to the requirements specified in the Final Rule released by the U.S. Treasury on January 6, 2022 and taking effect on April 1, 2022, which stipulate provisions to assist recipients and stakeholders and expand eligible uses of SLFRF funds; *and*

WHEREAS: On December 13, 2021, Governor Baker signed Chapter 102 of the Acts of 2021, An Act Relative to Immediate COVID-19 Recovery Needs, approving over \$4 billion in federal coronavirus relief funding and state surplus funds; *and*

WHEREAS: In November 2021, the voters of Boston overwhelmingly approved a binding ballot question concerning a Charter Amendment, affirming that the Mayor and City Council would hold budgetary powers together and granting the Council the ability to amend appropriation orders; *and*

WHEREAS: It is of utmost importance that members of the Boston City Council, residents, and stakeholders are actively engaged in the City's supplemental appropriation processes of state and federal coronavirus relief funds to ensure an equitable and effective recovery in the City of Boston; *NOW THEREFORE BE IT*

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss the status of state and federal coronavirus fiscal recovery funds and reporting requirements, and that representatives of the mayoral administration including from the Administration and Finance Cabinet, the Equitable Recovery Coordinating Committee, Boston Equitable Recovery Taskforce, and any other interested members of the public be invited to attend.

Filed on: January 20, 2022

Offered by Councilor Kenzie Bok



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING A CITY-LEVEL CONSERVATION CORPS FOR BOSTON

- WHEREAS:* Mayor Wu has made accelerating and achieving the City of Boston’s climate goals a major objective of her Administration, which will require significant new mechanisms of implementation in order to be successful; *and*
- WHEREAS:* The Civilian Conservation Corps, one of the most successful programs under President Franklin D. Roosevelt’s New Deal, created 3 million jobs, planted over 2 billion trees, and completed many other conservation-focused projects; *and*
- WHEREAS:* In 2019, Representative Alexandria Ocasio-Cortez and Senator Ed Markey introduced the “Green New Deal” resolution in Congress, including a federal green jobs program, which the Boston City Council supported through a resolution introduced by Councilors Matt O’Malley and Michelle Wu, and which then-Councilor Wu built upon in her “Order for a Hearing Regarding Implementing a Boston Green New Deal and Just Recovery”; *and*
- WHEREAS:* In March 2020, climate and policy experts published “A Green Stimulus to Rebuild Our Economy” in response to the economic effects of the COVID-19 pandemic, suggesting a Clean Water Corps and a Civilian Conservation Corps; *and*
- WHEREAS:* Other cities including Philadelphia, Los Angeles, Seattle, and Austin have or are implementing city-level Conservation Corps; *and*
- WHEREAS:* Over 2020 and 2021, Councilors Bok and Wu held several hearings and working sessions on a city-level Conservation Corps, highlighting the Boston nonprofits and community development corporations that have successful programs for training youth and adults in urban forestry, urban wilds maintenance, and green stormwater infrastructure, along with national organizations focused on career pipelines for green jobs; *and*
- WHEREAS:* In June of 2021, as Chair of the Ways and Means Committee, Councilor Bok led the inclusion of \$4 million in the City budget, funded through the American Rescue Plan Act, for a pilot green jobs program here in Boston; *and*
- WHEREAS:* In September 2021, Councilor Bok and Rev. Mariama White-Hammond, Chief of Environment, Energy, and Open Space, visited the Philadelphia PowerCorps program, and in October 2021, the City announced an interdepartmental partnership between the Environment Department, the Office of Workforce Development (OWD), the Department of Youth Engagement and Employment (YEE), Boston Centers for Youth & Families (BCYF), the Office of Returning Citizens (OCR), and others to launch a pilot green jobs program on the PowerCorps model, and hire an Executive Director of the program; *and*

Filed on: January 20, 2022

- WHEREAS:* A Conservation Corps workforce could partner with city workers and trade unions to accelerate progress on the goals set out in the “Climate Action Plan” including improved stormwater management through green infrastructure, retrofitting existing buildings to net zero building standards, increasing solar, maintaining and planting trees, preparing our waterfront communities for storms and sea-level rise, and expanding the curbside composting pilot to a city-wide program; *and*
- WHEREAS:* The COVID-19 pandemic has had serious economic impacts on the City of Boston, yet despite these economic challenges the City still has a favorable bond rating, and investing in capital projects is one of the most substantial “countercyclical” things that we can do through the local budgeting process; *and*
- WHEREAS:* Boston is not yet on track to achieve carbon neutrality by 2050, but in the “2019 Boston Climate Action Plan Update”, the city took a significant step by setting a goal to “develop a carbon emissions performance standard to decarbonize existing large buildings”, which would significantly reduce emissions through building retrofits, resulting in a BERDO 2.0 ordinance passed in September 2021; *and*
- WHEREAS:* In order to conduct the necessary deep energy retrofits and electrification of an estimated of buildings in Boston to comply with BERDO 2.0 and anticipated Net Zero Carbon zoning, Boston will need a specialized workforce, so a Conservation Corps program that recruits and trains residents would help to ensure equity in this emerging industry, and could provide pathways to City of Boston and good union jobs for a more diverse set of residents, consistent with the goals of the Boston Residents Job Policy; *and*
- WHEREAS:* The City of Boston should lead by example, by retrofitting more existing municipal buildings and utilizing a Conservation Corps for aspects of these capital projects; *and*
- WHEREAS:* Other cities, including New York City and Philadelphia have robust plans to establish green stormwater infrastructure systems city-wide, which they expect to save billions of dollars as compared to grey infrastructure stormwater systems; *and*
- WHEREAS:* Installation of green stormwater infrastructure city-wide would require additional workforce capacity, which could be provided through a Conservation Corps, along with significant capital investment; *and*
- WHEREAS:* Boston has committed to creating an Urban Forest Plan to protect and expand Boston’s tree canopy, and a Conservation Corps could expand the city’s capacity to plant and care for our urban forest, rather than relying on outside contractors; *and*
- WHEREAS:* A Conservation Corps could allow Boston to complete more capital projects that are environmentally focused, including retrofits of municipal buildings, expanding and caring for green space and our urban forest, and installation of green stormwater infrastructure, as well as employ and train Boston residents, and allow Boston to meet its sustainability goals; *NOW THEREFORE BE IT*
- ORDERED:* That the appropriate committee of the Boston City Council hold a hearing to discuss progress towards a city-level Conservation Corps program in Boston, and that representatives from the Environment Department, OWD, YEE, BCYF, OCR, the Green Jobs Community Advisory Board, relevant union representatives, the Boston Clean Energy Coalition, environmental advocates, and the public be invited to testify.

Offered by Councilor Kenzie Bok



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING MUNICIPAL BROADBAND FOR THE CITY OF BOSTON

WHEREAS: The City of Boston should use the public right-of-way to build out a municipal broadband network, to secure affordable and high-quality internet access for all Bostonians; *and*

WHEREAS: Internet is becoming for the modern city as essential a public utility as water and sewer, yet too many Bostonians without it are locked out of school, public meetings, critical information, and key services; *and*

WHEREAS: Consistent high-speed internet is fast becoming a core piece of economic development infrastructure for which cities are judged by businesses and potential residents alike; *and*

WHEREAS: One option the city should explore to establish municipal broadband is the expansion of the BoNet work already done to lay fiber connections between many municipal buildings; *and*

WHEREAS: BoNet is a fibre to node (FTTN) system that currently connects 270 sites, all of which are municipal buildings such as schools and libraries; *and*

WHEREAS: BoNet is a “dark fiber” network, meaning it utilizes fiber that is not connected to any internet service provider (ISP), and as of 2014, was saving the city around \$2,428,000 annually; *and*

WHEREAS: As Susan Crawford details in *Fiber: The Coming Tech Revolution—and Why America Might Miss It*, fiber optic cables are consistently some of the most effective and long lasting ways of transporting data and the process of installing fiber optic cables is important for any city attempting to create municipal broadband; *and*

WHEREAS: While the installation of fiber is quite expensive, models that claim municipal broadband is not cost-effective are based on short time horizons and don’t take into account the enormous but difficult-to-calculate benefits of more efficient access to knowledge; *and*

WHEREAS: The United States is falling behind many other countries in terms of internet access and speed, with South Korea, Japan, China, Singapore, Hong Kong, and many Nordic countries all having close to 100% fiber coverage; *and*

WHEREAS: Several municipalities in the United States are taking a leadership role in improving broadband access for their residents, including Chattanooga, Tennessee, Wilson, North Carolina, Santa Monica, California, and Otis, Massachusetts; *and*

WHEREAS: Throughout the legislative sessions of 2020 and 2021, and particularly during the Boston City Council's Legislative Budget Review process for fiscal year 2022, the Boston City Council has advocated for municipal broadband; *and*

WHEREAS: In June and July of 2021, the Boston City Council took an unprecedented leadership role and passed a supplementary budget utilizing funds awarded to Boston under the American Rescue Plan Act (ARPA), which included funding for a study of municipal broadband investments; *and*

WHEREAS: One way to pilot municipal broadband would be to extend the City's fiber network to the household level in Boston Housing Authority developments; *and*

WHEREAS: Private companies have had too much control in the regulation of broadband to date, and we must move past costly private control of the internet, a critical resource, for the sake of democratic equality; *NOW THEREFORE BE IT*

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss moving towards municipal broadband for the City of Boston, including progress towards the study on municipal broadband funded in the City Budget for Fiscal Year 2022, and that representatives from the Department of Innovation and Technology, the Boston Human Rights Commission, and the public be invited to testify.

Filed on: January 20, 2022

Offered by City Councilor Julia Mejia



**CITY OF BOSTON
IN CITY COUNCIL**

**ORDER FOR A HEARING ADDRESSING CIVIL RIGHTS IN
THE CREATION OF SANCTUARY SAFE SPACES IN BOSTON**

WHEREAS, Boston is a city whose history represents both the successes and the struggles experienced by immigrants across the United States and one that has benefited from residents who hail from all parts of the world, and;

WHEREAS, In light of the resurfacing of ICE encounters in addition to new data made public regarding the presence of ICE in the city of Boston, it is imperative for the Boston City Council to hear from advocates and act in the best interests of our immigrant constituency, and;

WHEREAS, Under the current federal administration, encounters with the Immigration and Customs Enforcement (ICE) agency have risen, and;

WHEREAS, According to Lawyers for Civil Rights, 135 incident reports were shared with ICE between 2014 and 2017, and;

WHEREAS, Numerous studies have been published scrutinizing the propensity of racial profiling during police encounters in Boston, including a study published in 2015 by the ACLU which noted that 63% of BPD Police-Civilian encounters targeted black people, despite making up less than 25% of the population, and;

WHEREAS, The BPD has not published Field Interrogations and Observations since 2017, impeding meaningful conversations and policies which seek to improve transparency and accountability, and;

WHEREAS, Legislation filed by the Boston City Council in 2017 sought to address these civil rights violations and limit the number of public spaces in which ICE can intercept immigrants, and;

WHEREAS, Fear of deportation deters immigrants from being civically engaged and hinders personal, social, and financial growth, and;

WHEREAS, We have a responsibility to protect our most vulnerable and uphold one of our most basic civil rights, ***NOW THEREFORE BE IT***

ORDERED,

That the appropriate committee of the Boston City Council holds a hearing to examine the impact on civil rights that these events have had on immigrant residents as well as to solicit public feedback in the creation of sanctuary safe spaces. Representatives from the City of Boston, Boston Public Schools, the Boston Police Department, the Boston Teachers Union, immigrant advocacy groups such as MIRA, the ACLU, members of the public, and any other interested parties shall be invited and are encouraged to attend.

Filed in Council: 1/26/2022

Offered by City Councilor Julia Mejia



**CITY OF BOSTON
IN CITY COUNCIL**

**ORDER FOR A HEARING ADDRESSING SEXUAL ASSAULT AND
HARASSMENT IN BOSTON PUBLIC SCHOOLS**

- WHEREAS,*** According to the Boston Public Schools Code of Conduct, last updated in 2016, incidents of unwelcoming sexual advances and requests for sexual favors happen when a rejection is made explicitly or implicitly, conditions of sexual advances are connected to academic achievement, benefits, or privileges, or such act interfere with a student’s education by creating a hostile environment; *and*
- WHEREAS,*** A 2017 study by the Department of Justice’s National Criminal Justice Reference service found that 10% of K-12 students will experience sexual misconduct in their academic career; *and*
- WHEREAS,*** As of 2019, The Department of Education was investigating 279 cases of sexual assaults in K-12 schools while the Center for Disease Control reported in 2018 that more than 20% of female and 10% of male high school students experienced dating violence. The CDC also reported that 33% of women first experienced sexual violence between the ages of 11 - 17; *and*
- WHEREAS,*** The Department of Education released new Title IX rules for how school districts must handle reports in May 2020, but groups such as the American Psychological Association and the National Women’s Law Center strongly reject these regulations stating that it will silence survivors; *and*
- WHEREAS,*** During a Boston City Council Committee hearing on School Resource Officers, countless students shared their experience of sexual assault and expressed frustration with the lack of action or accountability by Boston Public Schools; *and*

WHEREAS, Too often there is an assault-to-prison pipeline, where students who are survivors of sexual assault are punished for noncompliance with attendance and academic performance in criminal justice settings, indicating the need to dismantle the “model survivor” mentality; *and*

WHEREAS, Boston Public Schools is responsible for over 54,000 students and there is a clear need to follow up on the efforts being made to investigate and protect survivors; ***NOW THEREFORE BE IT***

ORDERED,

That the appropriate committee of the Boston City Council holds a hearing to examine how sexual assaults and misconduct are handled by the Boston Public School Administration. Representatives from the City of Boston, Boston Public Schools, the Boston Police Department, youth leaders, members of the public, and any other interested parties shall be invited and are encouraged to attend.

Filed in Council: 1/26/2022

Offered by City Councilor Julia Mejia



**CITY OF BOSTON
IN CITY COUNCIL**

**ORDER FOR A HEARING ON STATE RECEIVERSHIP FOR
BOSTON PUBLIC SCHOOLS**

- WHEREAS,** In February of 2020, the Department of Elementary and Secondary Education (DESE) published a review, finding that 34 of BPS schools had student populations which scored in the lowest 10% on the state’s MCAS standardized exam, which triggered fears that the state would push for receivership of Boston Public Schools; *and*
- WHEREAS,** In response to this report, Superintendent Brenda Cassellius worked to develop a Memorandum of Understanding (MOU) with DESE, outlining several goals and initiatives, including bolstering support for students with special needs, establishing equitable access to student supports, and focusing on academic improvements in the lowest-performing schools; *and*
- WHEREAS,** Since the MOU was agreed to, many of these improvements have been underway, including the hiring of dozens of family liaisons, social workers, and other funding for wraparound support; *and*
- WHEREAS,** While many improvements still need to be done, some members of the Board of Elementary and Secondary Education (BESE) have once again called for state receivership of Boston Public Schools; *and*
- WHEREAS,** State receivership of Boston Public Schools has received opposition from parents, students and educators, and other local leaders; *and*
- WHEREAS,** While the Commonwealth has taken receivership of school districts in the past, the districts which are still under receivership—Southbridge for the past five years, Holyoke for the past six years, and Lawrence for the past nine years—remain among the 10 lowest-ranked school districts in the state; *and*
- WHEREAS,** According to DESE-published data, BPS has outperformed all the DESE-controlled receivership districts in both ELA and Math, at both the elementary and secondary levels, both before and during the pandemic; *and*

WHEREAS, 75% Boston Public Schools students are Black and Latinx and we need local school authorities who best understand the community to lead and fight for the academic achievement of BPS students; *and*

WHEREAS, While the Boston Public Schools has an Office of Equity working to implement a racial equity protocol across the district, the Commonwealth of Massachusetts Department of Education does not use a racial equity protocol; *and*

WHEREAS, Research by Domingo Morel points to the fact that ‘predominantly Black school districts are more likely to be taken over, and that cities with a greater share of Black city council members are more likely to face takeovers;’ *and*

WHEREAS, Previous state interventions in Boston Public Schools, with the Dever and the Holland, have similarly produced few improvements, unchecked suspensions, and a 50% decrease in Latinx teachers and the destruction of the dual language program at the Dever; *and*

WHEREAS, BPS in each of the last four years has had higher teacher retention rates than the receivership districts under direct DESE control, with rates particularly low in Holyoke and Southbridge, raising serious questions about the disruptive impact of state intervention on both the workforce and students; *and*

WHEREAS, The City of Boston has declared racism a public health crisis and we have an obligation as a City to ensure that students in Boston Public Schools are on a pathway to academic success and that the people closest to the issue are able to determine what success looks like; ***NOW THEREFORE BE IT***

ORDERED:

That the appropriate committee of the Boston City Council holds a hearing regarding state receivership of Boston Public Schools. Representatives from the City of Boston, Boston Public Schools, the Boston Teachers Union, BEJA, youth leaders, members of the public, and any other interested parties shall be invited and are encouraged to attend.

Filed in Council: 1/26/2022

Offered by City Councilor Julia Mejia



**CITY OF BOSTON
IN CITY COUNCIL**

**ORDER FOR A HEARING ON GOVERNMENT TRANSPARENCY
AND ACCOUNTABILITY TOWARDS SURVEILLANCE
EQUIPMENT**

- WHEREAS,** One of the fundamental responsibilities of the Boston City Council to to ensure that there is accountability, transparency, and accessibility in all city business, including the appropriation of funds to any given department; *and*
- WHEREAS,** In December of 2021, an article was published detailing the purchase and use of a cell site simulator purchased by the Boston Police Department using a “hidden pot of money,” likely obtained through civil asset forfeiture; *and*
- WHEREAS,** According to the article, the cell site simulator, also known as a “stingray” was purchased by the BPD in 2019 for a total price of \$627,000 and mimics a commercial cell phone tower, allowing the BPD to access a person’s location and potentially identifying information from their cell phone; *and*
- WHEREAS,** The purchase was not disclosed to the City Council during its budget deliberations and the only city revue for the purchase of this equipment came from the Procurement Department; *and*
- WHEREAS,** According to internal investigative reports, there have been 98 instances since 2017 in which BPD has used a cell site simulator. Forty-one of those involved “exigent” circumstances in which a warrant wasn’t necessary; *and*
- WHEREAS,** Although the Boston City Council recently passed a surveillance oversight ordinance, it is unclear if notice of this purchase would have ever been made public; *and*
- WHEREAS,** A number of purchases made by the Boston Police Department, and other departments, even those using public money, are often redacted and made inaccessible to the public; *and*
- WHEREAS,** The Boston City Council has an obligation to ensure accountability, transparency, accessibility, and oversight over City Departments and city spending, especially

in regards to technology that can spy on Boston residents; ***NOW THEREFORE
BE IT***

ORDERED:

That the appropriate committee of the Boston City Council holds a hearing regarding government transparency, accessibility, and oversight over surveillance technology purchases. Representatives from the City of Boston, including Boston Police Department, as well as community advocates, including the ACLU, are encouraged to attend.

Filed in Council: 1/26/2022



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING THE JACKSON/MANN AND HORACE MANN B.P.S. SCHOOL COMMUNITIES

WHEREAS, The Armington Street site in Allston shared by the Jackson/Mann K-8 School and the Horace Mann School for the Deaf and Hard of Hearing opened in 1975, and the Boston Centers for Youth and Families (BCYF) Jackson Mann Community Center opened in 1976; *and,*

WHEREAS, The Jackson/Mann School is a Boston Community Hub School, a model which ensures wraparound services, integrated student supports, expanded learning time and opportunities, active family and community engagement, collaborative leadership, curriculum grounded in critical pedagogy, and a Community Hub School staff member supports the school community; *and,*

WHEREAS, The Horace Mann School for the Deaf was founded in 1869 and is the oldest public day school for the Deaf and hard of hearing in the United States, celebrating its 150th anniversary in 2019, with a rich history of providing quality education for the Deaf and hard of hearing as the first and only “dual-language school” in the U.S. to teach both American Sign Language and English; *and,*

WHEREAS, The Horace Mann School is the only public school serving Deaf students in Massachusetts, and has an established ecosystem of connected programs and services in Allston-Brighton, including partnerships with Boston College and Boston University, making it essential that the School remain in the Allston-Brighton community; *and,*

WHEREAS, Both school communities provide essential programs serving student populations with unique needs, with the Jackson/Mann being a special education inclusion school with an Applied Behavior Analysis (ABA) autism program and multilingual Sheltered English Instruction (SEI) program, and the Horace Mann School serving students with distinctive cultural and linguistic identities, providing learning environments and instructional methodologies that reflect individual learning styles enabling them to achieve their fullest potential; *and,*

WHEREAS, The City of Boston and Boston Public Schools (BPS) have allocated \$1 billion to school infrastructure through the BuildBPS initiative’s 10-Year Educational and Facilities Master Plan for new construction, major renovations, and facilities improvements; *and,*

WHEREAS, In fall 2018, BPS requested the City’s Public Facilities Department commission an external full-scale building assessment of the Jackson/Mann facility, resulting in an independent engineering report, and an April 2019 letter from the BPS Interim Superintendent identified the necessity to initially vacate the Jackson

Mann facility following the 2020-2021 academic year, impacting both school communities and the BCYF Community Center, but with the assurance that all three would relocate on-site after construction of a new building; *and*,

WHEREAS, After initially discussing a relocation of and search for swing space for both the Jackson/Mann and Horace Mann schools, BPS announced in May 2021 that the Jackson/Mann School would be closed altogether, and that Jackson/Mann students are promised priority in the school assignment process for the 2022-2023 school year; *and*,

WHEREAS, BPS announced an intention that as part of Phase II of BuildBPS for K-6 Expansions and New Buildings, the current Jackson/Mann building site would be repurposed to house a new Allston-Brighton PK-6 school, reflective of a larger trend in BPS of gradually phasing out middle schools and have elementary and high schools absorb grades 6-8; *and*,

WHEREAS, On December 15, 2021, the Boston School Committee voted to close the Jackson/Mann K-8 School at the end of the 2021-2022 school year with five votes in favor and two abstentions; *and*,

WHEREAS, It is essential for BPS to ensure a Community Hub School returns to the Jackson/Mann site when a new facility is completed, and that the Horace Mann School remain in the Allston-Brighton community; *and*,

WHEREAS, The cooperation and commitment of all City agencies involved is essential to ensure a holistic and transparent community engagement process to ensure the present Armington Street site remains dedicated to a state-of-the-art school site and community center serving the Allston-Brighton community, and that all students, families, and educators are involved; **NOW, THEREFORE BE IT**

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to discuss the present status and most recent updates affecting the Jackson/Mann and Horace Mann school communities, and that representatives of the Boston Public Schools, Public Facilities Department, students and their families, school officials, educators, and the public be invited to attend.

Filed in City Council: January 20, 2022



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING THE B.C.Y.F. JACKSON MANN COMMUNITY CENTER AND SERVICES IN ALLSTON-BRIGHTON

- WHEREAS,** The Boston Centers for Youth and Families (BCYF) Jackson Mann Community Center has provided educational, cultural, social, recreational, and critically important community services to diverse residents of Allston-Brighton of all ages since 1976; and,
- WHEREAS,** The BCYF Jackson Mann Community Center shares its site with the Jackson/Mann K-8 School and the Horace Mann School for the Deaf and Hard of Hearing; and,
- WHEREAS,** The BCYF Jackson Mann is the only BCYF center serving Allston-Brighton's 77,000 residents, providing critical services including childcare, emergency shelter, cooling stations for elders in extreme heat, in addition to the facility being co-located with two schools and serving as an election poll site for five precincts of 7,500 voters; and,
- WHEREAS,** The City of Boston and Boston Public Schools (BPS) have allocated \$1 billion to school infrastructure through the BuildBPS initiative's 10-Year Educational and Facilities Master Plan for new construction, major renovations, and facilities improvements; and,
- WHEREAS,** In fall 2018, BPS requested the City's Public Facilities Department commission an external full-scale building assessment of the Jackson/Mann facility, resulting in an independent engineering report, and an April 9, 2019 letter from the BPS Interim Superintendent identified the necessity to initially vacate the Jackson Mann building following the 2020-2021 academic year, impacting the Jackson/Mann K-8 School, the Horace Mann School, and the BCYF Jackson Mann Community Center; and,
- WHEREAS,** The Jackson/Mann facility is anticipated to close following the 2021-2022 school year, and there is no clear plan in place for the BCYF Jackson Mann Community Center; and,
- WHEREAS,** BCYF, the Mayor's Office of Neighborhood Services, and the Public Facilities Department have undergone extensive siting studies and community engagement processes for BCYF locations in the North End and presently in Dorchester; and,
- WHEREAS,** The cooperation and commitment of all City agencies involved is essential to ensure a holistic and transparent community engagement process to ensure the present Armington Street site remains dedicated to a state-of-the-art school site and community center serving the Allston-Brighton community; ***NOW, THEREFORE BE IT***
- ORDERED:** That the appropriate committee of the Boston City Council hold a hearing to discuss the public process of rebuilding the BCYF Jackson Mann Community Center and the current status of capital planning, and that representatives of the Boston Centers for Youth and Families, Boston Public Schools, the Public Facilities Department, members of the Jackson Mann Community Center board, the BCYF foundation, neighborhood organizations, residents, and members of the public be invited to attend.



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR THE CITY OF BOSTON TO SUBMIT A COUNT QUESTION RESOLUTION OPERATION CASE TO THE UNITED STATES CENSUS BUREAU

- WHEREAS,** The federal Census Bureau’s Count Question Resolution Operation (CQR) was initiated after the 1990 Census, providing an opportunity for local governmental units to request the review and correction of errors relating to population counts, and is the final operation by which updates to the Census data can be made; *and*
- WHEREAS,** On January 3, 2022, the Census Bureau began accepting and researching case submissions from local governmental units for the Count Question Resolution Operation until the June 30, 2023 deadline, and the Census Bureau will provide results to impacted governmental units by no later than September 30, 2023; *and*
- WHEREAS,** The federal Census Bureau also proposes to allow local governmental units to request the review of population counts specifically for group quarter facilities through a separate program, the 2020 Post-Census Group Quarters Review (2020 PCGQR), a special mechanism developed due to the unique circumstances pertaining to the 2020 Census; *and*
- WHEREAS,** While the CQR Operation will not revise data for the purposes of congressional apportionment or redistricting, official updates to Census enumeration data will inform future population estimates, assure the accurate distribution of federal funds, and provide improved demographic data for policy decision-making; *and*
- WHEREAS,** An accurate census count is instrumental in ensuring that federal funding for education, healthcare, housing and transportation, food and nutrition, and other social services reflect the full extent of the population's need; *and*
- WHEREAS,** In 2010, Boston had the ninth-highest share of people living in hard to count (HTC) Census tracts among the 100 largest U.S. cities, with populations unlikely to return census forms, including renters, students, and recent immigrants; *and*
- WHEREAS,** In the 2010 federal decennial Census, no Census tract in Boston had a self-response rate below 50 percent, but in the 2020 Census, 29 Census tracts had a self-response rate between 30.0 percent and 49.8 percent, with particular tracts containing large numbers of off-campus student populations; *and*
- WHEREAS,** The 2020 Census provided new challenges, including significantly lower federal funding than previous 10-year Census cycles which decreased preparation and outreach efforts, the option of online questionnaires provided a barrier to those without internet access, and the COVID-19 pandemic limited in-person outreach and canceled months of mail outreach; *and*

WHEREAS, Additional Census tracts with lower response rates reflected larger shares of foreign-born residents, and issues such as language barriers, mistrust of government, the uncertainty of a citizenship question, and the technological difficulties of responding online, may have contributed to an undercount of these traditionally hard to count populations; *and*

WHEREAS, The 2020 Group Quarters Census data reflected 5,000 fewer students than City data analyzed by the Department of Neighborhood Development, likely due to college students who shifted to study remotely during the pandemic; *and*

WHEREAS, In mid-March 2020, just before the April 1st Census Day, colleges and universities evacuated their campuses due to the onset of the coronavirus pandemic, and the Census Bureau instructed institutions to report their dormitory populations from administrative records for spring 2020; *and*

WHEREAS, Allston-Brighton, in particular, is a neighborhood that would be distinctly impacted by an undercount as its residents include large populations of renters (79 percent), college or post-graduate students (28 percent), and foreign-born residents (29 percent); *and*

WHEREAS, Analysis conducted by the Research Division of the Boston Planning and Development Agency found that according to the 2020 Census data, “Allston’s population fell by 5.9 percent, with a 40 percent decline in the group quarters population, suggesting that the college dorm population of Allston may not have been correctly counted in the wake of the pandemic evacuation”; *and*

WHEREAS, The Group Quarters Population concern is also reflected in the enumeration of the City’s correctional facilities, with the Suffolk County Department of Corrections records showing their two facilities housed approximately 500 additional residents than reported in the 2020 Census redistricting data; *and*

WHEREAS, On October 12, 2021, Mayor Kim Janey submitted a letter to the Branch Chief of the United States Census Bureau Count Questions Resolution Program, expressing the City of Boston’s intention to challenge the 2020 Census enumeration due to population count concerns related to college student and foreign-born populations; ***NOW, THEREFORE BE IT***

ORDERED: That the City of Boston in the Commonwealth of Massachusetts formally requests the United States Census Bureau to review enumeration of housing counts by 2020 Census tabulation block through the Count Question Resolution Operation; ***AND BE IT FURTHER***

ORDERED: That the Boston City Council respectfully requests Her Honor the Mayor appoint an appropriate designee to formally initiate and submit a Census Count Question Resolution case for the City of Boston, according to the process outlined by the Census Bureau, and keep the City Council and the public apprised of the progress and results.

Filed in City Council: January 20, 2022

Offered by Councilors Kenzie Bok and Liz Breadon



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING HOMEOWNERSHIP ASSISTANCE INCLUDING FOR FIRST-GENERATION HOMEBUYERS

WHEREAS: The racial wealth gap between white and Black residents in the Greater Boston Area is extremely large, with the Federal Reserve Bank of Boston finding in 2015 that the median net worth for white households was \$247,500 and only \$8 for Black households; *and*

WHEREAS: Net worth is closely tied to assets, most notably homeownership, and in the same report the Federal Reserve Bank of Boston determined that in Boston 79.1% of white households own a home, compared to 33.8% of U.S. Black households, 48.7% of Caribbean Black households, 29.4% of Cape Verdean households, 21.2% of Puerto Rican households, 17.3% of Dominican households, and 34% of other Hispanic households; *and*

WHEREAS: According to the Urban Institute, the homeownership gap, in addition to its impact on wealth, has negative repercussions for retirement, access to educational opportunities, and health outcomes; *and*

WHEREAS: In Boston, the homeownership gap has both been driven by and has perpetuated the harmful legacy of residential segregation, a dynamic which organizations like the Massachusetts Affordable Housing Alliance (MAHA) have worked to tackle over decades by successfully winning creation and implementation of the state's ONE Mortgage program for affordable homeownership through the Massachusetts Housing Partnership (MHP) and by pushing local banks to participate in order to serve more first-time homebuyers of color; *and*

WHEREAS: In 2015 and 2016, a coalition including MAHA, the Greater Boston Interfaith Organization (GBIO), and others began organizing to pass the Community Preservation Act (CPA) as a first step towards funding major new affordable homeownership programs in Boston, an effort which culminated in 2020 in the use of \$8 million in CPA and city budget funds to launch the ONE+ Boston program; *and*

WHEREAS: This ONE+ Boston program, funded by the City Council's 2020 budget vote, is already enabling many first-time Boston homebuyers to access down-payment assistance and better interest rates than any other available peer program; *and*

WHEREAS: According to reporting by Tim Logan of the Boston Globe on February 8, 2021, Mayor Walsh earmarked \$325,000 — \$250,000 reallocated from the Boston Police FY21 overtime budget — for a matching grant to provide additional assistance to first-generation homebuyers in Boston, representing an important shift from police funds to direct investment in our communities; *and*

WHEREAS: The first-in-the-nation matched savings program for first-generation homebuyers, called STASH and administered by MAHA, provides those first-generation homebuyers who qualify and contribute \$2,500 with \$5,000; *and*

WHEREAS: Because of racial disparities in intergenerational wealth transfers, expanding homeownership assistance and supports for first-generation homebuyers specifically is one of the most effective ways to directly target the racial wealth gap in Boston; *and*

WHEREAS: In 2021, the City finalized a new revolving loan fund to help people with less family wealth or savings to access share-loans to buy into cooperative housing, a move aimed at diversifying access to the housing stability and more modest opportunities to accrue equity that cooperatives can provide; *and*

WHEREAS: Many city councilors have expressed support for \$100 million in federal relief funds to be dedicated to affordable homeownership, an opportunity to really expand the City’s first-generation homeownership assistance as a mechanism for closing the racial wealth gap, along with the ONE+ Boston mortgage program, supports for cooperative housing share-loans, other first-time homebuyer programs, and potentially the creation of new affordable homeownership units;
NOW THEREFORE BE IT

ORDERED: That the appropriate committee of the Boston City Council hold a hearing to review the city’s homeownership assistance programs, including the city’s supports for first-generation homebuyers, the ONE+ Boston mortgage program, supports for financing and its new support for first-generation homebuyers, and that representatives from the Department of Neighborhood Development, MAHA, GBIO, MHP, and the public be invited to testify.

Filed on: January 24, 2022



CITY OF BOSTON

IN THE YEAR TWO THOUSAND AND TWENTY TWO

Order of Councilor Ed Flynn

ORDERED: That the attached rules be adopted as the Rules of the Boston City Council for Municipal Years 2022-2023.

Filed in City Council: January 26, 2022



Rules of the Boston City Council

Municipal Years 2022-2023

Filed January 26, 2022

General Rules

Meeting Time

Rule 1. Unless otherwise ordered from time to time, and except on holidays, the regular meeting of the city council shall be on Wednesdays at twelve o'clock noon in the Christopher A. Iannella council chamber, One City Hall Square, 5th Floor, Boston, unless otherwise determined by the council president. Special meetings may be called at the council president's discretion, upon a forty-eight (48) hour notice from the time the notices are posted by the Clerk, or relayed to each councilor's office in compliance with the open meeting law. Special meetings of the council may be called by the council president upon less than forty-eight (48) hours notice in the case of an emergency, in compliance with the open meeting law, and with the consent of two-thirds (2/3) of all members. A roll call vote will be taken at the beginning of a meeting called on less than forty-eight (48) hours notice to re-affirm that two-thirds (2/3) agreement to hold the special meeting.

Quorum

Rule 2. A quorum of the council shall consist of seven (7) members and any member may call for a roll call on the question of the presence of a quorum. If at any time, any meeting is called to order, or if during a meeting, a roll call shows less than a quorum, the presiding officer shall call a recess of not more than ten (10) minutes, after which time, if a quorum is not present, the meeting may be adjourned by the presiding officer.

Presiding Officer

Rule 3. The council president shall serve as presiding officer and shall assume the chair at the hour set by the previous adjournment, call the members to order after a roll call showing a quorum present, and proceed with the regular order of business. The council president shall select a president pro tempore to act in his or her absence and serve as vice chair of the committee of the whole. In the event of the absence of both the council president and the president pro tempore, the senior member by age shall preside. The term of the City Council President shall be two (2) years, co-terminus with the term of the City Council.

Appealing a Decision of the Chair

Rule 4. The presiding officer may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal from the decision of the chair, but no appeal shall be considered unless properly seconded. No other business except a motion to adjourn or to lie on the table shall be in order until the question on appeal has been decided. The question shall be put as follows:

"Shall the decision of the chair stand as the judgment of the council?"

The vote shall be by a roll call, and it shall be decided in the affirmative unless a majority of the votes is to the contrary.

Matters Properly Before Council

Rule 5. No motion or proposition of a subject different from the one under consideration shall be admitted under the color of an amendment. Any motion, order, or resolution which has been previously debated and acted upon in the current municipal year, or which conflicts with the city charter, federal, or state constitution or with rules prescribed by existing city ordinance, federal law or state law, or which in the opinion of the presiding officer does not have a direct bearing on the business of the council shall be referred to the committee of the whole, and shall not be further considered by the council except upon report by that committee. The decision of the chair may be appealed, but no appeal shall be considered unless properly seconded. No other business except a motion to adjourn or to lie on the table shall be in order until the question on appeal has been decided. Prior to the vote, the proponent of the motion, order or resolution shall have three (3) minutes to explain the issue and the need for the City Council to take action on the matter. Afterward, a recess of no more than two (2) minutes shall be called so that those members who share the opposite view, should they choose to, shall have the opportunity to select one of its members to speak for no more than two (2) minutes on the opposing view. After the debate, a vote on the matter shall be taken. The question shall be put as follows:

"Shall the decision of the chair stand as the judgment of the council?"

The vote shall be by a roll call, and it shall be decided in the affirmative unless a two-thirds (2/3) majority of all the members of the council is to the contrary.

The committee of the whole may report that any motion, order, or resolution, so referred to it, is out of order for the reasons contained in Rule 5, and its report shall be a final disposition of the matter, subject to an appeal. The same provisions as those governing appeals from rulings of the presiding officer shall govern such appeal.

Recess

Rule 6. The presiding officer may at any time, during debate or otherwise, declare a recess for not more than twenty (20) minutes, unless the presiding officer declares that the council will return to public session at a time certain. Such action shall not be subject to appeal, nor shall any motions apply thereto.

Propounding Motions

Rule 7. The presiding officer shall propound all motions in the order in which they are moved unless the subsequent motion shall be previous in its nature, provided that in naming sums and fixing time, the largest sum and longest term shall be put first.

Deciding Questions

Rule 8. Subject to the provisions of these rules, the presiding officer, without debate, shall decide all questions relating to priority of business.

Dividing a Question

Rule 9. The presiding officer, at the request of any member, shall make a division of a question when the sense will admit of it.

Doubting the Vote

Rule 10. The presiding officer shall declare all votes. If any member doubts a vote, the presiding officer shall cause the vote to be taken by a roll call.

Vacating the Chair

Rule 11. When the presiding officer wants to vacate the chair, he or she shall call on the president pro tempore to take the chair. In the absence of the president pro tempore, any member can be asked to assume the chair. The presiding officer may resume the chair at will.

Agenda

Rule 12. Any message, ordinance, resolution, vote, or other measure submitted for consideration by the council shall be filed with the clerk electronically with one (1) hard copy delivered to the clerk's office by ten o'clock AM two (2) days preceding the council meeting. Committee Chairs shall be required to submit Committee Reports to Central Staff by four o'clock PM the Friday preceding a regular council meeting if the report is to appear on the Committee Reports section of the next agenda. The clerk shall publish the agenda online no later than forty-eight (48) hours prior to the council meeting. With the exception of consent agenda items, all new councilor-sponsored filings shall be submitted by no more than two councilors. Other councilors may sign on to the legislation during the scheduled council meeting. Such submission is a prerequisite to any item's consideration at such meeting.

One copy of any order, ordinance, resolution or committee report (including consent agenda items, but not reports of the committee of the whole voted during a recess of a council meeting), provided that Rule 35 has been complied with in the case of reports of the committee chair, submitted by a councilor

shall also be delivered to the clerk's office by ten o'clock AM two (2) days preceding the Council meeting.

Duties of the Clerk

Rule 13. It shall be the duty of the clerk, acting as clerk and parliamentarian of the council, to prepare and cause to be printed for each meeting a listing of all matters submitted for consideration to the council, including the minutes of the previous meeting, in accordance with Rule 12; such listing shall be known as the agenda, and it shall be divided into two sections, the latter of which shall be known as the consent agenda.

The agenda shall include a section on "Matters Recently Heard – For Possible Action", which shall be a list of all actionable matters scheduled for public hearing between 9:00AM Monday and the beginning of the meeting that could reasonably be called for action at the meeting that week. Items not acted upon at that week's meeting will not be included in the minutes of the meeting and remain in committee for action at a later time through the regular committee report process. Committee chairs wanting to take action on matters included in this portion of the agenda shall call for the item during that portion of the meeting and ask for action and present a committee chair report recommending action at the meeting. The committee report will be entered into the record of the meeting. The agenda shall include a list of all pending council matters, such listing being also known as the "green sheets." The green sheets shall include a list of all thirty (30) and sixty (60) day orders, matters assigned for further action, matters on the table, unanswered 17F orders, home rule petitions not responded to by the mayor, and a listing of all matters currently assigned to committees. Said matters shall be listed in accordance with the order of business as described in Rule 17. Said agenda shall be delivered to the city messenger and it shall be the duty of the city messenger to compile the agenda, all matters listed on said agenda, the legislative calendar, and any other documents appropriate to the scheduled meeting. Such compilation shall be known as "the packet", and it shall be promptly delivered to the office of each council member and individuals or organizations identified by the council president. If for any reason "the packet" is not ready for distribution by noon two (2) days preceding the council meeting, the office of each council member shall be notified of such delay by the city messenger.

It shall be the duty of the clerk to post the agenda and the full documents corresponding to the specific docket numbers listed on the agenda on the city's web page no later than two business days (forty-eight (48) hours) preceding the scheduled meeting. If the Clerk's Office decides to post only a portion of an agenda item due to length, they must make a note on the attachment that the attachment is incomplete, and direct viewers to contact their office for the full document. Revised or amended dockets and late file matters shall be posted with the minutes within 48 hours of the conclusion of the meeting.

Corrections as to Form

Rule 14. The clerk, with the assistance of the corporation counsel if necessary, may make changes to correct the form of legislation once passed, but prior to its presentation to the mayor, provided however that its substance is not affected.

Items of the Same Matter

Rule 15. In the event that resolutions or orders concerning the same or similar subjects are filed with the clerk for consideration by the council, the clerk shall cause to have entered on the agenda only that resolution or order which was first filed and the name of the sponsor(s) to the similar resolution or order shall be added as a sponsoring member to the resolution or order which is placed on the agenda. Such action, however, shall not preclude any member from offering an amendment to the resolution or order.

Removal from the Consent Agenda

Rule 16. Resolutions of condolences and congratulations filed in accordance with Rule 37 shall be listed upon the consent agenda. Any member of the council may object to the clerk upon such a filing. The matter being objected to shall be removed from the consent agenda and placed on the agenda of the regular council business. No such resolution shall bear the name of any councilor not indicating consent to sponsorship.

All matters contained on the consent agenda shall be read as one and the question of adoption and passage of all said matters shall be by a single motion. The question shall be put as follows:

"The question now comes on approval of the various matters contained within the consent agenda."

Order of Business and Debate

Rule 17. At every regular meeting of the council, the order of business shall be as follows:

1. Council Accolades (See Rule 37)
2. Approval of Minutes
3. Communications from the mayor.
4. Petitions, memorials, and remonstrances.
5. Reports of public officers and others
6. Reports of committees and committee chairs.
7. Matters recently heard - for possible action.
8. Motions, orders, and resolutions.
9. Personnel Orders.
10. Pending council matters ("green sheets").

11. Consent agenda.
12. Remembrances (see Rule 37)

Motions and Orders

Rule 18. When a question is under debate, the following motions shall be entertained and shall have precedence in the order in which they are arranged:

1. To adjourn.
2. To lay on the table.
3. To move the previous question.
4. To close debate at a specified time.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Strike and Insert

Rule 19. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost shall not preclude amendment, or a motion to strike out and insert.

At the call of the president, motion(s) to amend shall be reduced to writing and copies given to members.

Three copies shall be given to the clerk.

Adjourn

Rule 20. A motion to adjourn shall be in order at any time except on an immediate repetition or pending a verification of a vote; and that motion, the motion to lie on the table, the motion to take from the table, and the motion for the previous question shall be decided without debate.

Remanding Matters to the Mayor

Rule 21. Any order, ordinance, resolution, vote, or other measure submitted by the mayor shall be rejected without prejudice, unless when it is filed with the clerk, it bears the certificate of the corporation counsel that, if adopted or passed in the form submitted by the mayor, it will be in accordance with the law. The council, at the discretion of the president, may remand a response from the mayor to a Section 17F request, if in the determination of the president the response does not comply with the request. A subsequent response shall be due within seven (7) days.

Withdrawal of Motions

Rule 22. After the presiding officer has put a motion on the floor, the presiding officer may withdraw it on the request of the sponsor, providing no objection.

Committee Assignment and Action

Rule 23. When a petition, order, or resolution relates to a subject that may properly be examined and reported upon by an existing committee of the council, such petition, order, or resolution, upon presentation, shall be referred to such committee by the president in consultation with the clerk. Any member offering a motion, order, or resolution referred to a committee may request that the chair of the committee set, within thirty days, a mutually agreeable date for a hearing. No hearing may be scheduled or conducted without the consent and the presence of the chair or his or her designee.

Calling of Matters in Committee

Rule 24. Within sixty (60) days after a matter is referred to a committee, it shall not be voted upon without the consent of the committee chair.

If after sixty (60) days after a matter is referred to a committee (unless referred under Rule 5), it may be called by nine (9) members of the council.

If after ninety (90) days after a matter is referred to a committee (unless referred under Rule 5), it may be called by seven (7) members of the council.

If after one hundred twenty (120) days after a matter is referred to a committee (unless referred under Rule 5), it may be called by five (5) members of the council.

As a part of the council meeting agenda, committee chairs may issue formal reports on dockets referred to his or her committee. When the meeting moves to the docket(s) that are the subject of the committee chair report, the clerk will read the docket(s) and the presiding officer will state:

“Absent objection, the report of the committee chair is accepted and the docket(s) is (are) properly before the body.”

If there is an objection, the clerk will conduct a roll call vote of the committee members to ascertain that a majority of the committee members support the call of the committee chair to remove the docket from committee for discussion and action by the full council.

The chair of a committee may call a docket out of his or her committee at any time and ask that a vote be taken on a matter (“calling from the green sheets”), provided that when such a call is made and before the discussion of the item, the presiding officer will state:

“Absent objection, the motion of the committee chair is accepted and the docket(s) is (are) properly before the body.”

If there is an objection, the clerk will conduct a roll call vote of the committee members to ascertain that a majority of the committee members support the call of the committee chair to remove the docket from committee for discussion and action by the full council.

Matters Placed on File at Year End

Rule 25. The clerk shall place on file any council-sponsored matter remaining in committee at the conclusion of the last meeting of the calendar year, including matters introduced and not voted upon at the last meeting of the calendar year. Sixty (60) day orders and mayoral filings shall be exempt from this rule. Items awaiting mayoral action, including unanswered 17F orders and Home Rule Petitions, that are more than two weeks old at the end of the municipal year will be removed from the green sheets.

Voting

Rule 26. In all votes the form of expression shall be "Ordered" for everything by way of command, and the form shall be "Resolved" for everything expressing opinions, principles, facts, or purposes.

Summons of Members

Rule 27. Upon request for a roll call vote, the presiding officer shall hold open the calling for a period of no longer than five (5) minutes during which time the city messenger shall summon all members who are absent from the Iannella Council Chamber. The clerk shall call the names of the members in alphabetical order without interruption. Each member shall respond to his or her name when called by the clerk. No member shall be recorded after the name of the next member has been called in the prescribed manner, except by unanimous consent of all members present.

Majority Vote

Rule 28. Every member present when a question is put, unless he or she is excluded by interest, shall vote in the affirmative or negative or shall respond, "present," unless the council has for special reason excused that member from voting. Unless otherwise provided, seven (7) members of the council shall constitute a majority vote at a meeting of the council. For a hearing of the council, a majority of members present and voting shall constitute a majority.

Absence of Sponsoring Member

Rule 29. In the event that the sponsoring member of any order, resolution, or other matter, except the contents of the consent agenda, is not present when the clerk reads the matter, the presiding officer shall instruct the clerk to withdraw the matter from consideration at that meeting. The clerk will automatically re-file the document as a part of the regular agenda for the next council meeting.

Reconsideration

Rule 30. Once a vote or action has been taken, any member may only move reconsideration of the vote at the same meeting. Debate on motions to reconsider shall be limited to thirty minutes, and no member shall occupy more than five minutes. On a vote upon any subsidiary or incidental question, debate shall be limited to ten minutes, and no member shall occupy more than two minutes.

Limits on Reconsideration

Rule 31. When a motion to reconsider has been decided, that decision shall not be reconsidered, and no question shall be twice reconsidered unless it has been amended after the reconsideration; nor shall any reconsideration be had upon the following motions:

1. To adjourn.
2. The previous question.
3. To lay on the table.
4. To take from the table.
5. To close debate at a specified time.

A motion to reconsider may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider.

Two-Thirds Majority Required and Second Readings

Rule 32. All orders releasing rights, easements, or restrictions on land, all orders for the sale of land, all appropriations for the purchase of land, all loans, voted by the council shall require a vote of two-thirds (2/3) of all members of the council, and shall be passed only after two separate readings and by two separate votes, the second of said readings and votes to be had not less than fourteen (14) days after the first, except in cases in which a shorter period is authorized by law. Any order rescinding an order for any of the foregoing purposes shall require the same number of readings and votes as was required for the passage of the original order. All matters failing to receive a two-thirds (2/3) affirmative vote on the first vote shall be deemed to have been rejected without prejudice and removed from further consideration, unless reconsideration of the initial vote prevails.

Adoption of Matters on Day Introduced

Rule 33. No ordinance, substitution of an ordinance, order, or resolution may be adopted at the meeting at which it is submitted. This rule may only be suspended with unanimous consent. This rule applies only to matters not previously filed for council consideration and assigned to committee, and any related amendments or substitutions, and does not apply to reports of committee chairs or personnel orders.

Committees

Forty-Eight Hour Notice Required

Rule 34. No meeting, policy briefing, working session, or hearing of any committee, except the committee on ways and means, in accordance with the limitations of the state's open meeting law, shall be called upon less than forty-eight (48) hours notice (exclusive of legal holidays, Saturdays, and Sundays), unless otherwise allowed by the president in accord with the limitations of the state's open meeting law, from the time the council staff shall have electronically transmitted the notices and invitation letters or dispatched them by special messenger; provided that meetings of the committee of the whole may be held for a specific purpose(s) at the call of the president, at the completion of council business and prior to final adjournment of any meeting of the council without such notice. Only that specific item(s) for which a committee of the whole meeting, working session, or hearing has been called shall be in order at such meeting, working session, or hearing.

Only a committee chair may schedule a meeting, policy briefing, working session, or hearing or reserve time on the council's calendar for a meeting, policy briefing, working session, or hearing to be scheduled. Notice of all scheduled meetings, policy briefings, hearings, working sessions shall be posted by the clerk indicating the date, time and place in accordance with the requirements of the open meeting law. In addition, the notice shall include the item(s) or subject(s) to be discussed. Electronic notice shall be delivered to each councilor and other interested parties by council staff. The chair and members of any committee shall speak and question witnesses for not more than ten minutes at a time.

The conduct of members of the public at council meetings, and committee meetings, policy briefings, working sessions, and hearings, including those present to testify, shall be governed by Rules 41, 42 and 43 and shall be enforced by the council staff assigned to the meeting, policy briefing, working session, or hearing.

In the event a hearing is expected to last three or more hours, the chair shall allow members of the public, in the order in which they sign up, to offer testimony at the beginning, middle and end of the hearing. It shall be at the discretion of the chair to determine the appropriate time and how many individuals shall testify at the beginning and during the hearing with the remaining individuals being allowed to testify at the end of the hearing.

No committee, unless authorized by an order of the council, shall incur any expense, including, but not limited to, advertising and stenographic costs. Committee chairs requesting interpreter services will work with the staff director, recognizing there are budgetary limitations, to arrange for such services at the time the meeting, policy briefing, working session, or hearing is scheduled. No committee meeting, policy briefing, working session, or hearing, except the committee of the whole, the committee on rules

and administration, and the committee on ways and means, shall be conducted on the day of any regular meeting of the council. No committee, except the committee of the whole, committee on ways and means, or committee on rules and administration shall be allowed to schedule or conduct a meeting, policy briefing, working session, or hearing on the same day and time as a previously scheduled meeting, policy briefing, working session, or hearing of another committee.

No committee will hold any hearing, policy briefing, working session, or meeting after the last regular council meeting of the municipal year.

Committee Action

Rule 35. Each item listed on the weekly agenda that is to be reported out of committee must be accompanied by a report. The committee chair shall draft the report with the assistance of central staff committee liaisons. Committee liaisons will be responsible for keeping minutes of committee hearings, working sessions, meetings, and policy briefings in accordance with open meeting and public records requirements. Minutes shall include the following information: name of the committee, title of the event (meeting, working session, hearing, policy briefing), date, time of the call of the event, start time, end time, location, subject, committee/council members present, a summary of the discussion held, any decisions made, next steps to be taken, or votes taken, a list of all correspondence, documents or exhibits presented at the event, and items requested by councilors. The minutes are to be prepared by the committee liaison and presented to the chair for review and signature and filed within a reasonable timeframe of the conclusion of the hearing, meeting, policy briefing or working session. Reports of the committee chair or the committee must contain the following information: docket number, title, date referred, sponsor, date(s) of hearing, meeting, policy briefing, or working session (where applicable), a discussion of the provisions of the legislation, summary of information received at the hearing, meeting, policy briefing, or working session, and in the case of amended or substituted language, a discussion of the changes and the impacts on the original legislation, and the rationale for the recommended action.

The committee chair may issue an interim report to provide to the council information received regarding the topic or the status of a docket. This interim committee report does not recommend a final disposition of the docket, and will not dispose of the docket. The interim report will be filed in the same manner as all other documents. It will be filed as part of the Reports of Committee portion of the agenda, and will be placed on file. The docket remains in the assigned committee until final disposition.

Committee Hearings, Meetings, Policy Briefings, and Working Sessions

Rule 35A. Committee hearings refer to formal sessions of a committee at which representatives from the Administration, experts, or others from the public are invited to discuss and answer questions regarding a particular docket or subject matter as articulated in the hearing order assigned to that committee. A public comment period is required and subject to Rule 34.

Committee chairs or a quorum of committee members may schedule a meeting for the purpose of discussing ideas related to committee work, particular dockets, or other topics within the subject matter

of that committee. For committee meetings, public testimony is at the discretion of the Chair of the committee.

Committee policy briefings refer to less formal sessions in which a chair of a committee invites representatives from the Administration, experts and others from the public to participate in an open discussion about a particular policy issue. While there is no formal public comment period, members of the public are encouraged to attend policy briefings, and participate in the discussion.

Committee chairs may schedule working sessions for the purpose of revising legislation in committee, reviewing a proposed committee report, or to discuss with the committee the content of the legislation. The committee chair may schedule a working session under the requirements of the open meeting law and process established in Rule 34. The purpose of the working session will be to discuss and deliberate on proposed changes to the legislation before the committee. The changes outlined at that working session would then be incorporated into the legislation, and included in the committee report regarding the legislation. More than one working session may be held on the same legislation and working sessions may be scheduled to review more than one piece of legislation at the same time. Subject to the will of the chair, working sessions may be scheduled to occur at times separate from the hearings, or directly afterward. While members of the public may attend working sessions, there will be no public comment period. Public participation and draft materials at working sessions shall be limited to councilors and chair invitees.

Committee Appointment, Structure, and Role

Rule 36. All councilors shall be considered as members of each standing committee. The president of the council shall name those members of each committee, including its chair and vice-chair, who are authorized to vote on matters in the committee. All other members of each committee are not authorized to vote on such matters in the committee. A quorum of the committee shall be determined on the basis of voting members only.

The role of each committee shall be to provide a forum for in-depth review and analysis of all matters that come before city departments, boards, and agencies, and to provide a means for residents to address their concerns with regard to services provided by the city.

Committees shall focus upon: (1) public policy, (2) efficiency of service delivery, (3) equity with respect to that service delivery, (4) equity with respect to outcome and impact in order to address disparities, (5) cost containment, it being the goal of the city government to provide appropriate services while ensuring that public monies, which derive from our citizenry, are appropriated wisely and cautiously.

Committees of the Council

There shall be the following committees:

Committee on Arts, Culture, and Special Events, which shall concern itself with the encouragement of arts, culture and the creative economy, including cultural development, humanities, performing arts,

visual arts, film and filmmaking, music, public art, museums, arts education, arts organizations, creative-based companies, the support and funding of art and cultural amenities, opportunities to display and/or present works, and special events. The committee shall also concern itself with fostering the creative environment and reputation of the city, including support for public art, arts events, and festivals, development of programs to empower arts organizations and arts supporters, retaining creative talent and ideas, and other actions to make the city a cultural and creative hub. The committee shall exercise oversight with respect to the Boston Art Commission, Boston Arts Lottery Council, Boston Film Bureau, or its successors, all Cultural Districts, the Office of Arts and Culture, the Office of Tourism, Sports, and Entertainment, and all agencies, departments, and programs related to arts, culture, tourism, and special events.

Committee on Boston's COVID-19 Recovery, which shall exercise general oversight over and make recommendations on the City of Boston's distribution of state and federal COVID-19 relief funding and programs. The committee shall provide a forum and opportunity for the council to receive input from the community on the city's implementation and use of state and federal COVID-19 funding.

Committee on City Services and Innovation Technology, which shall concern itself with the delivery of municipal services to the city's residents and neighborhoods in order to promote improved service delivery and cost reductions with a focus on accessibility, including the activities of and provision of services to residents by communication, energy and water service providers, as well as the contracts and collective bargaining agreements for city services. The committee shall work to ensure equal and fair access to city services for all residents, regardless of race, color, national origin, national ancestry, language background, creed, sex, sexual orientation, gender identity and expression, age or disability. The committee shall concern itself with the infrastructure that facilitates broadband, wireless voice and data communications. The committee shall be responsible for monitoring issues arising from utility facilities and operations, and including facility siting, in order to ensure that consumers are provided with the most reliable service, at the lowest possible cost, and that ratepayers' rights are protected under federal, state and local regulations. The committee shall further concern itself with matters relating to motor vehicle parking, including the residential parking program and parking meters and other matters related to parking. The committee shall exercise oversight with respect to the Inspectional Services Department, Library Department, Office of Neighborhood Services, Public Works Department operations and programming, Transportation Department operations and enforcement, the Edward Ingersoll Browne Fund and the George Robert White Fund, the Boston Water and Sewer Commission, the Office of Cable Communications, Office of the Parking Clerk, Public Improvement Commission, the Commission for Persons with Disabilities, Office of New Urban Mechanics, and the Department of Innovation and Technology.

Committee on Civil Rights and Immigrant Advancement, which shall concern itself with matters relating to equal access to education, housing, employment and health care services. The committee shall also concern itself with advancing opportunities, equity, and wellbeing of our immigrant communities. The committee shall have jurisdiction over matters relating to city, state, and federal laws prohibiting discrimination. The committee shall concern itself with exploring the development of programs and/or legislation to ensure that all are able to safely and fully participate in the civic life of our city and our economy. The committee shall explore opportunities for city agencies,

non-governmental organizations, and individuals to work together to protect the civil rights and civil liberties of all Bostonians. The committee shall concern itself with promoting equal and fair access to public and private services and facilities for all residents, regardless of race, color, national origin, national ancestry, creed, sex, sexual orientation, gender identity and expression, age or disability. The committee shall work to ensure that city services and resources are accessible to our immigrant communities regardless of their preferred language, country of origins, and immigration status. The committee is charged with ensuring that language and communication access is integral to city services, resources, and policies. The committee shall have oversight with respect to the Office of Immigrant Advancement, the Commission on Persons with Disabilities, the Office of Women's Advancement, the Office of Civil Rights, the Human Rights Commission, the Equity Cabinet, the Office of Language and Communications Access, and all matters pertaining to language access with relevant city departments and agencies.

Committee on the Community Preservation Act, which shall concern itself with nominating members to the Community Preservation Committee (CPC) for consideration by the Boston City Council, including developing an open and transparent application process for interested candidates; providing a public forum to review and discuss the activities of the CPC; serving as liaison between the Boston City Council, CPC members, and the Director of the CPC, and providing additional input and transparency for the allocation of Community Preservation Act funds by the Community Preservation Committee.

Committee on Education, which shall concern itself with the quality of equitable educational services provided to all school-aged residents by the Boston Public Schools. The committee shall concern itself with examining the availability of services and programs for families of school-aged children. Further, the committee shall explore developing programs to provide assistance with academics and extracurricular activities for families. The committee shall monitor educational policy, in particular special education, bilingual education, and technical education, with the goal of eliminating opportunity and achievement gaps for students of color, English Language Learners, students with disabilities, and children living in poverty. The committee shall work to strengthen cooperation among city and state government, private enterprise, and institutions of higher learning, to provide students with the necessary education, training, and skills for further education and future career opportunities in the new economy. The committee shall exercise oversight with respect to the Boston School Department, educational based programs and all other city programs related to education.

Committee on Environmental Justice, Resiliency, and Parks, which shall concern itself with environmental justice issues of residents, including the impact of industry on quality of life. The committee shall concern itself with the natural resources of the city, issues of air, land, and water pollution, as well as recycling and other resource recovery efforts, issues related to waste disposal and land reclamation, and examine technologies and innovations regarding energy savings and efficiency. The committee shall also concern itself with open space conservation, access to recreational facilities and opportunities, and the administration and oversight of the Rose Kennedy Greenway. The committee shall have oversight of public parks, playgrounds, recreational facilities and matters generally impacting the Parks Department including but not limited to accessibility, maintenance, design and construction of new and existing public parks in the city. The committee shall have oversight of the Office of

Environment, Energy, and Open Space and matters related to climate change, resiliency, and sea level rise, as well as trash collection, recycling, and composting operations within Public Works.

Committee on Government Accountability, Transparency, and Accessibility, which shall concern itself with evaluating the efficiency, effectiveness, and accessibility of city operations and programs, including administrative compliance with legislative intent, and administrative regulations of departments, agencies, and programs. The committee shall select areas for review, establish goals and objectives, collect and analyze data, and report to the council with recommendations, including possible legislative and programmatic changes based on its review and analysis. The committee shall exercise oversight with respect to the Auditing Department and the Boston Finance Commission.

Committee on Government Operations, which shall concern itself with the organization and structure of city government, including departmental fees and charges. The committee shall have referred to it all proposed ordinances and special laws affecting the structure, duties and responsibilities of city departments, agencies and commissions. The committee shall also concern itself with the review of the city's policy regarding residency for city employees. The committee shall concern itself with encouraging cooperation between the city and other levels of government to reduce duplicative programs, coordinate efforts to provide services, and present the council's views on matters that have a direct bearing on the council's business. The committee shall also concern itself with the implementation of ordinances. In scheduling hearings and working sessions, the committee will coordinate with the chair of the committee whose jurisdiction covers the policy area discussed in the ordinance or special law. The committee shall exercise oversight with respect to the Boston Retirement Board, City Clerk, Election Department, Execution of Courts, Purchasing Department, Health Benefits and Insurance Program, Human Resources Department, Law Department, Medicare Payments, Office of the Mayor (except those components assigned to other committees), Pensions and Annuities, Residency Compliance Commission, Workers Compensation Program, and Office of Intergovernmental Relations.

Committee on Housing and Community Development, which shall concern itself with public policy involving the preservation, creation, and rehabilitation of housing in the city, including public housing programs. The committee is charged with evaluation of policies and programs of the city to ensure an adequate supply of affordable housing to advocate toward the goal of safe, decent, and affordable housing for all Boston residents. The committee shall also concern itself with promoting equal and fair access to housing for all residents, regardless of race, color, national origin, national ancestry, creed, sex, sexual orientation, gender identity and expression, age or disability. The committee shall concern itself with the care and well-being of residents experiencing homelessness and with issues relating to homeless shelters. The committee shall exercise oversight with respect to the housing policies and programs of the Boston Redevelopment Authority, the Department of Neighborhood Development, Boston Housing Authority, the Boston Housing Center, the Fair Housing Commission and the Emergency Shelter Commission.

Committee on Labor, Workforce, and Economic Development, which shall concern itself with the economic empowerment of our neighborhoods through employment opportunities, fair working conditions, and workforce development. The Committee shall concern itself with diversifying the City's

workforce and ensuring equity in the City's procurement processes. The committee shall concern itself with policy issues affecting Boston's workforce across all sectors. The committee shall also concern itself with issues related to organized labor and members of public and private collective bargaining units, including, but not limited to wages and hours, standards and statistics, job creation and retention, occupational health and safety, and the development of employment opportunities and training programs. The committee shall exercise oversight with respect to Boston Employment Commission, Boston Planning and Development Agency, Empowerment Zones Boston Redevelopment Authority Contract Compliance Office, Boston Resident Jobs Policy, Department of Neighborhood Development, Office of Business Development, Office of Jobs and Community Services, Office of Workforce Development, Office of Labor Relations, Inspectional Services Department, Zoning Board of Appeals, and Boston Fire Department Fire Prevention Division.

Committee on PILOT Agreements, Institutional and Intergovernmental Relations, which shall review the City's relationships and partnerships with institutions and government entities. The Committee will evaluate the efficacy of and compliance with the payment in lieu of taxes (PILOT) program and agreements entered into by the City of Boston, as well as institutional master plans submitted by tax-exempt academic, medical, and cultural institutions. The Committee shall concern itself with the methodology of the program, involvement of residents in determining community benefits, and engagement of area universities and colleges and their plans relating to development, expansion, student activities, and other relevant topics. The Committee will also work with the Office of Intergovernmental Relations to advocate, coordinate, and advance the City's partnerships with local, regional, and state agencies to advance the City's priorities.

Committee on Planning, Development and Transportation, which shall concern itself with the planning, physical development, and transportation access of the city, including financing, zoning, licensing, land use policy, the effects of development, and access to multimodal transportation and transit options throughout the city and its neighborhoods. The committee shall exercise oversight with respect to all commercial, medical, research, educational and large scale residential development and building projects, development without displacement, as well as historic preservation programs. The committee shall work to ensure community participation in the planning and development process, that residents and their institutional neighbors are both able to share in the city's benefits, and that the delivery of financial services are accessible, non-discriminatory and promote both small and large business and development throughout all neighborhoods. The committee shall exercise oversight with respect to the care, management, custody, and use of public lands and buildings, except parkland. The committee shall exercise additional oversight with respect to the Boston Industrial Development Finance Authority, the Boston Redevelopment Authority doing business as the Boston Planning and Development Authority, Department of Neighborhood Development, Economic Development and Industrial Corporation, Public Facilities Commission, Property and Construction Management Department, Zoning Board of Appeals, Zoning Commission, Back Bay Architectural Commission, Beacon Hill Architectural Commission, Freedom Trail Commission, and Landmarks Commission, Empowerment Zone Board, Back Streets Program, and Boston Medical Center. The committee shall also concern itself with the planning, infrastructure, operational, and regulatory policies of Boston's surface, air, and water transportation modes. The committee shall concern itself with all transportation matters relating to bicycles, pedestrians, and motor vehicles. The committee shall further concern itself

with matters relating to the Massachusetts Bay Transportation Authority and other agencies that furnish public transportation. The committee shall further concern itself with matters relating to the taxi industry and other transportation network companies. The committee shall concern itself with hackney and jitney licenses. The committee shall further concern itself with matters relating to operations at Logan International Airport and the Port of Boston. To further its initiatives, the committee shall foster working relationships and collaborate with related state and local agencies, including the Massachusetts Department of Transportation, the Massachusetts Port Authority, the Massachusetts Convention Center Authority, and the Boston Planning and Development Agency doing business as the Boston Redevelopment Authority. The committee shall exercise oversight with respect to Boston Bikes, the Boston Transportation Department, the Transportation Capital Program planning and policies, and the Boston Public Works Department's transportation-related programs and operations.

Committee on Public Health, Homelessness, and Recovery, which shall concern itself with the health and well-being of residents, eliminating disparities in health care services, as well as the equitable delivery of health services. The committee shall concern itself with all public health matters including, but not limited to, the COVID-19 pandemic, HIV and other infectious diseases, domestic and sexual violence, sexual harassment, child abuse and neglect, reproductive health, LGBTQ health, mentoring, trauma, hunger, human trafficking and social inequities in health. The committee shall concern itself with the care and well-being of individuals dealing with homelessness, mental and behavioral health issues, or seeking assistance with substance use disorders and recovery. The committee shall concern itself with issues impacting hospitals, community health centers, homeless shelters, public health nonprofits, and recovery programs. The committee shall work to enhance the quality and quantity of available programming financed by city, state and federal resources. The committee shall have oversight with respect to the Boston Public Health Commission, the Office of Recovery Services, and the Emergency Shelter Commission.

Committee on Public Safety and Criminal Justice, which shall concern itself with the adequate delivery of police and fire protection to all neighborhoods. The committee shall be responsible for evaluating, encouraging, and facilitating resident-driven efforts to prevent crime. The committee also shall concern itself with criminal justice policies including matters related to the reintegration and reentry of residents formerly incarcerated. The committee shall coordinate and work with county, state and federal agencies and community organizations to evaluate, explore and develop strategies, policies, and recommendations aimed at lowering the recidivism rate and incarcerated population while ensuring the public's safety. The committee shall also be concerned with all matters related to homeland security and efforts to protect residents against terrorism in any form. The committee shall exercise oversight with respect to the Boston Fire Department, Boston Police Department, Office of Emergency Preparedness, Emergency Medical Services, Emergency Storm Center, Public Safety Commission, Safe Neighborhood Initiative, Suffolk County Jail, Suffolk County House of Correction, anti-crime and criminal justice reform efforts financed by state and federal government sources, and county correctional matters.

Committee on Redistricting, which shall concern itself with issues relevant to city, state and federal redistricting of Boston. The committee shall concern itself with the redistricting for city council districts, including creating and facilitating process for community outreach; as well as assessing and selecting technology to be used to support city council redistricting efforts.

Committee on Rules and Administration, which shall concern itself with the rules and administrative functions of the council. The committee shall meet to discuss matters in accordance with M.G.L. c. 39, s. 23B (the state Open Meeting Law) and other issues internal to city council operations. The clerk, as clerk of the council, shall participate in committee meetings convened to address related rules or parliamentary issues at the request of the chair.

Committee on Small Business and Professional Licensure, which shall concern itself with the creation and growth of small business, entrepreneurship, and the innovation economy. The committee shall work to support thriving neighborhood commercial districts, including streamlining permitting and licensing, and fostering community economic development. The committee shall concern itself with reducing barriers for small business, focus on expanding access to capital for small businesses, and increasing support resources for small businesses. The committee shall exercise oversight with respect to the Main Streets Program, Consumer Affairs & Licensing Department, Boston Licensing Board, Small and Local Business Enterprise Office, Office of Food Initiatives, Food Truck Program, and Boston Fire Department Fire Prevention Division.

Committee on Strong Women, Families, and Communities, which shall concern itself with stabilizing communities with particular focus on girls and women. The Committee shall concern itself with the equitable delivery of human services and city programming for youth, families, and seniors. The committee shall work to encourage non-profit youth agencies to work with the city to help youth develop into productive and healthy adults. The committee shall concern itself with issues related to youth, including but not limited to summer jobs, youth activities, volunteerism, and youth violence. The committee shall have oversight with respect to Boston Centers of Youth and Families, the Boston Youth Fund, the Women's Commission, and the Age Strong Commission.

Committee on Veterans, Military Families, and Military Affairs, which shall concern itself with the city's programs for veterans, active military personnel and their families. The committee shall evaluate and examine the availability of programs for veterans and active military personnel. The committee shall evaluate the need for the implementation of new programs and services for veterans and active military personnel and their families. The committee shall have oversight with respect to the Veterans' Services Department, and the Veterans' Graves Division of the Parks Department.

Committee on Ways and Means, which shall exercise general oversight with respect to city revenues and expenditures and all other component units that comprise the government entity, as defined by the Governmental Accounting Standards Board. The committee may report to the council the cost of implementation of any order, ordinance, program, or other initiative pending before the body, and shall make such report whenever requested by another committee or directed to do so by the council. The committee shall have referred to it all matters concerning appropriations, the city budget, expenditures and loans. The committee shall review city policies and actions involving the purchase of financial services, deposits, borrowing, and investment. The committee shall concern itself with issues related to all city owned or leased facilities. The committee shall exercise oversight with respect to the Assessing Department, Auditing Department, the Office of Budget Management, the Treasury Department, and the Boston Finance Commission.

Committee of the Whole, which shall concern itself with any litigation involving the council and all other matters referred to it.

Council Accolades and Remembrances

Rule 37. The council, or any committee thereof, shall have the honor of recognizing persons, groups, and events of significant importance to the City of Boston. Any councilor wishing to honor such individuals or groups at the start of a council meeting shall notify the office of the council president in writing by four o'clock PM, one business day before the meeting. Councilors may honor individuals up to six (6) times per year. Two accolades will be allowed per meeting and each accolade should not exceed five minutes. Said notification shall include the names of the individuals or groups and the reason they are being honored. The council president, at the request of any councilor, shall ask the council to recognize and acknowledge a special guest or group of guests seated in the Council gallery.

Directly before the conclusion of a scheduled council meeting, councilors may request that the council adjourn in memory of persons with importance to the City of Boston. Any councilor wishing to do so shall notify the office of the council president in writing by 9:00AM the morning of the meeting. The councilor shall provide the name, with correct spelling and pronunciation where appropriate. The council president shall read the names of the councilor making the request and the people to be recognized.

Conduct in City Council

Rule 38. Every member about to speak shall signal the chair by electronic means provided and then wait until recognized by the chair. No member shall be recognized when away from his or her desk. In speaking, members shall address other members in one of the manners as follows: by the title Councilor and the member's surname, as the councilor from district (cite district number), or the at-large councilor from (neighborhood of residence) or as the chair of a particular committee, and shall confine themselves to the question, shall not use unbecoming, abusive, or non-parliamentary language, and shall avoid personalities. Any member who, in debate or otherwise, indulges in personalities or makes charges reflecting upon the character of another member, shall make an apology in open session at the meeting at which the offense was committed or at the next succeeding regular meeting. If the member fails to apologize, the president shall hold the member in contempt and suspend the member from further participation in debate and statement until an apology is made.

Order of and Time Limit on Speaking

Rule 39. No member shall speak more than once on a question when another member who has not spoken claims the floor and no member speaking shall, without consenting, be interrupted by another, except on a point of order. A member may speak upon a matter for no more than ten minutes, except as further limited by the provisions of this rule. A member who has not spoken on a matter shall have priority and recognition by the chair whenever said member shall rise.

Remarks by councilors at the time a petition, order, or resolution has been admitted, and assigned to a committee for review shall be limited to three minutes for the sponsor and two minutes for any other councilor. The appropriate time for questioning and debate is at public hearings and working sessions.

The clerk shall inform the president whenever a member has spoken longer than the allotted time under the prescribed time limits.

Conduct of Councilors - Generally

Rule 40. The Ethics Commission of the Commonwealth of Massachusetts enforces Chapter 268A of the Massachusetts General Laws -- The Conflict of Interest Law. The Conflict of Interest Law regulates the conduct of all councilors as municipal public officials and governs the conduct of municipal public officials. All councilors shall review and fully comply with each of the law's provisions. The clerk shall distribute a copy of said law at the start of each municipal year. The council president may arrange for trainings on conflict of interest laws, the open meeting law, and other topics as appropriate.

Rule 40A. Pursuant to the city charter and in accordance with the open meeting law, the council president may refer a matter to the council upon his/her determination that any member has engaged in conduct unbecoming a member of the Boston City Council or may be unqualified to sit on the body. A member may be unqualified by violating federal or state law, or any conditions imposed by the city's charter, which includes violating any provisions of the three oaths of office.

The council president shall automatically refer a matter to the council upon a felony conviction of any member by any state or federal court.

Any action by the council taken in response to any referral shall require a two-thirds (2/3) majority roll call vote and will be in accordance with local, state and federal law.

Members of the Public on Council Floor

Rule 41. No person except a member of the council at any time shall be permitted to occupy a seat in the Iannella council chamber or the seats designated for councilors at any city council meeting or hearing location of any member of the council. The city messenger shall strictly enforce this rule.

Staff on Council Floor

Rule 42. No person, except the staff of the clerk or council staff shall be allowed upon the council floor of the Iannella council chamber, the witness podium (microphone), or the doorways of the anteroom unless invited by the presiding officer. No person shall be permitted to speak, testify or otherwise participate in any council meeting, hearing, or working session unless permitted to do so by the presiding officer. Authorized staff members shall be allowed on the floor of the council only to directly communicate with a councilor or the clerk and should not remain on the floor. At other times, council staff should take a seat in the gallery or stand in the gallery. Members of the public are welcome in the

gallery of the Iannella Council Chamber when the council is in session, but no one will be admitted to the gallery after all seats are occupied. Members of the public are welcome into other city council hearing locations, but no one will be admitted unless seats or proper standing room exists in the interest of public safety. No demonstration of approval or disapproval from members of the public will be permitted (including, but not limited to signs, placards, banners, cheering, clapping, booing, etc.) and if such demonstrations are made, the gallery or public seating area will be cleared. The city messenger or council staff assigned to the hearing shall strictly enforce this rule. Any person, upon entering a council meeting or hearing for the purpose of viewing or testifying grants permission to the city council to record and televise their presence and testimony.

Electronic devices, including cell phones, must be turned off or put in silent mode upon entering the Iannella chamber or any city council hearing location, and any person violating this rule shall be asked to leave the chamber by the city messenger.

Members of the Press on Council Floor

Rule 43. Members of the press in attendance shall refrain from discussion within the Iannella Council Chamber with council members during a council meeting. No member of the press shall be allowed on the council floor without the consent of the presiding officer. The city messenger shall strictly enforce this rule.

Lobbying Activities

Rule 44. No person, who for compensation or reward acts to promote, oppose, or influence a matter pending before the council, shall be admitted at any time to the Iannella council chamber or anterooms unless said person has registered with the clerk as required by the Lobbyist Registration and Regulation Ordinance of the Boston City Code, Chapter 2, Section 2-15. All registered Lobbyists, Lobbying Entities and Clients who have registered with the city are available on the city's website to promote transparency in government.

Further Rules, Amendment, and Suspension

Rule 45. Unless inconsistent with any provision of these rules, the proceedings of the council shall be governed by Robert's Rules of Order, current edition.

Suspension of Rules

Rule 46. With the exception of Rule 5, all portions of the council rules that require compliance with the open meeting law, and portions of the rules mandated by city charter, which may not be suspended, and Rules 12, 33 and 35, which may be suspended only by unanimous consent, the foregoing rules shall not be altered, amended, suspended, or repealed at any time, except by a vote of two-thirds (2/3) of all members of the council. Provided, however, that Rule 12 may be suspended to introduce a matter on the day of a meeting only in the case of an order, ordinance, vote, committee report, or other measure submitted by the mayor or by a councilor calling for action by the council that is of any emergency

nature, namely that which imposes an imminent threat to the peace, health, or safety of the people or their property.

Adoption of Rules

Rule 47. The Rules of the City Council shall be adopted for a two-year term and shall be adopted by a majority roll call vote no later than the first regular meeting in February.

Motion to Lay on the Table

Rule 48. The motion to *Lay on the Table* shall only be in order to place a pending question aside temporarily. This matter shall be taken up for consideration no later than the next regularly scheduled meeting of the City Council; unless, when tabled the matter is postponed to a date certain. The motion to lay on the table requires a majority vote. A motion to lay a question on the table shall not be debatable. A motion to take a question from the table may be made by any member of the body and such motion shall not be debatable.

Power to Summons

Rule 49. Pursuant to chapter 233, section 8 of the General Laws, the City Council has the authority to summons witnesses to attend and testify and to produce books and papers at a hearing before the City Council. See also Section 17I of the Boston City Charter. An Order for Summons shall be filed by the Chair of the City Council Committee invoking the summons power or shall be filed by the Sponsor of the docket invoking the summons power. An Order for Summons shall state the reason for issuing the summons and the subject matter jurisdiction. The order shall be referred to the Committee of the Whole. Such order shall be taken up for consideration at the next City Council meeting or subsequent City Council meetings where the Council President shall bring the matter before the City Council for consideration. The chairperson of the standing committee shall sign a summons requiring a person to appear before a committee to be examined in reference to any matter within the scope of the inquiry being conducted by such committee.

Electronic Records

Rule 50. It is the policy of the city council to promote transparent governance and provide clear and easily accessible records of council actions. The city council shall, in consultation with the clerk, committee staff, and information technology employees of the city, seek to provide the following information, clearly enumerated independent of and separate from records of the council agenda and minutes: text of filed ordinances and resolutions, which shall include final copies of ordinances as adopted by the city council and/or mayor; amendments offered to proposed ordinances; and voting records of the councilors on resolutions, ordinances, amendments, acceptances and authorizations, collective bargaining agreements, and budgetary actions.

Separation of Powers in Event of Mayoral Vacancy

Rule 51. In the event that a mayoral vacancy should occur and require the City Council President to perform the duties of the Acting Mayor as specified in Section 11B of the Boston City Charter, the President Pro Tempore shall perform the duties of the Council President. In addition to presiding over Council meetings, the President Pro Tempore shall assume all powers of the Council President as dictated by these rules, for so long as the mayoral vacancy exists and the Council President is performing the duties of the Acting Mayor. These powers assumed by the President Pro Tempore shall include the power to call regular and special meetings, to authorize remembrances and accolades, to speak on behalf of the Council in a ceremonial capacity, to sign documents on behalf of the Council, to bring Orders for Summons before the Council, to remand a response to a 17F request, to assign matters to committees, to file personnel orders on behalf of other members and the Council as a whole, to enforce standards of Councilor conduct, to arrange trainings, to oversee and direct Council staff, to close or open the Council's central offices, to propose and manage the Council's operating budget, and to make determinations in regard to Council rules, protocols, operations, and personnel matters, in appropriate consultation with the Committee on Rules and Administration on changes to codified procedures and contractual obligations. The President Pro Tempore who is performing the duties of the Council President during a mayoral vacancy shall chair the Committee of the Whole and shall assume the Chair of the Committee on Rules and Administration in place of the Council President. The President Pro Tempore performing the duties of the Council President in these circumstances may use the style of 'President', and may designate another Councilor to preside in the President Pro Tempore's absence over meetings of the Council and of the Committee of the Whole. In the event that a vacancy should occur in the office of President Pro Tempore, whether by resignation, departure, or Council vote, the Council shall elect by simple majority another member to serve in the role of President Pro Tempore.

For so long as the mayoral vacancy exists, the Council President who is performing the duties of the Acting Mayor shall not vote or participate in Council meetings, hearings, or other sessions, shall make no committee chair, vice-chair, or membership assignments, and shall introduce matters to the Council docket only in the capacity of Acting Mayor. As the Council President remains a member of the Council, however, a quorum of the Council shall remain seven (7) members and a two-thirds majority of the Council shall remain nine (9) members. The Council President who is performing the duties of the Acting Mayor shall retain the physical office associated with the office of the Council President. In the event that a vacancy should occur in the office of Council President, whether by resignation, departure, or Council vote, a new Council President shall be elected by the procedure described in Section 17 of the Boston City Charter, to possess all powers of the office and to perform the duties of the Acting Mayor when a mayoral vacancy should exist.

BOSTON CITY COUNCIL
CITY COUNCIL

December 3, 2021

Councilor Janey
(Councilor Arroyo)

ORDERED: That effective Saturday, December 11, 2021 the following named person be, and hereby is, appointed to the position set against their name until Friday, February 18, 2022

BiWeekly Payroll

Judnise Guillet	Secretary	\$1,923.08	full time
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BOSTON CITY COUNCIL
CITY COUNCIL

January 10, 2022

Councilor Flynn
(Councilor Louijeune)

ORDERED: That effective Monday, January 3, 2022 the following named person be, and hereby is, appointed to the position set against their name until Friday, March 18, 2022.

BiWeekly Payroll

Emily Polston	Secretary	\$2,538.47	full time
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BOSTON CITY COUNCIL
CITY COUNCIL

January 18, 2022

Councilor Flynn
(Councilor Louijeune)

ORDERED: That effective Monday, January 24, 2022 the following named person be, and hereby is, appointed to the position set against their name until Friday, March 18, 2022.

BiWeekly Payroll

Jesse Purvis	Secretary	\$2,307.70	full time
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BOSTON CITY COUNCIL
CITY COUNCIL

January 18, 2022

Councilor Flynn
(Councilor Lara)

ORDERED: That effective Wednesday, January 12, 2022 the following named person be, and hereby is, appointed to the position set against their name until Friday, March 18, 2022.

BiWeekly Payroll

Stephanie Serrata	Secretary	\$660.00	part time
Dillon Tedesco	Administrative Asst.	\$750.00	part time

BOSTON CITY COUNCIL
CITY COUNCIL

January 21, 2022

Councilor Flynn
(Councilor Murphy)

ORDERED: That effective Saturday, January 29, 2022 the following named person be, and hereby is, appointed to the position set against their name until Friday, March 18, 2022.

BiWeekly Payroll

Thomas Mannion	Administrative Asst.	\$1,846.16	full time
David Mareira	Administrative Asst.	\$2,692.31	full time

BOSTON CITY COUNCIL
CITY COUNCIL

January 21, 2022

Councilor Flynn
(Councilor Murphy)

ORDERED: That effective Saturday, January 22, 2022 the following named person be, and hereby is, appointed to the position set against their name until Friday, March 18, 2022.

BiWeekly Payroll

Stephen Graham III	Secretary	\$1,615.39	full time
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Boston City Council

Legislative Calendar for the January 26, 2022 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

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.

2022 MATTERS IN COMMITTEE

Committee	Docket#	Sponsor	Docket Description	Date Referred	Hearing(s)	Notes
Planning, Development & Transportation	0100	Mayor	Message and order for the confirmation of the appointment of Vicki Kayser Rugo, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1108
Planning, Development & Transportation	0101	Mayor	Message and order for the confirmation of the appointment of Andrew F. Saxe, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1109
Planning, Development & Transportation	0102	Mayor	Message and order for the confirmation of the appointment of Marti A. Glynn, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1110
Planning, Development & Transportation	0103	Mayor	Message and order for the confirmation of the appointment of Kirsten Hoffman, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1111
Planning, Development & Transportation	0104	Mayor	Message and order for the confirmation of the appointment of Carole L. Mooney, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1112
Planning, Development & Transportation	0105	Mayor	Message and order for the confirmation of the appointment of Susan Goganian, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1113
Planning, Development & Transportation	0106	Mayor	Message and order for the confirmation of the appointment of Diana Parcon, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1114

Committee	Docket#	Sponsor	Docket Description	Date Referred	Hearing(s)	Notes
Planning, Development & Transportation	0107	Mayor	Message and order for the confirmation of the appointment of Christopher Hall, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1115
Planning, Development & Transportation	0108	Mayor	Message and order for the confirmation of the appointment of Lynn Smiledge, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1116
Planning, Development & Transportation	0109	Mayor	Message and order for the confirmation of the appointment of Earl Taylor, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1117
Planning, Development & Transportation	0110	Mayor	Message and order for the confirmation of the appointment of John Freeman, as a member of the Study Committee to prepare the report for the potential designation of a Withington House Architectural Conservation District.	10/27/2021		21-1118
Planning, Development & Transportation	0111	Mayor	Message and order for the confirmation of the appointment of Carole L. Mooney, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1119
Planning, Development & Transportation	0112	Mayor	Message and order for the confirmation of the appointment of Andrew F. Saxe, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1120
Planning, Development & Transportation	0113	Mayor	Message and order for the confirmation of the appointment of Diana Parcon, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1121

Committee	Docket#	Sponsor	Docket Description	Date Referred	Hearing(s)	Notes
Planning, Development & Transportation	0114	Mayor	Message and order for the confirmation of the appointment of Vicki Kayser Rugo, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1122
Planning, Development & Transportation	0115	Mayor	Message and order for the confirmation of the appointment of Earl Taylor, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District.	10/27/2021		21-1123
Planning, Development & Transportation	0116	Mayor	Message and order for the confirmation of the appointment of John Freedman, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1124
Planning, Development & Transportation	0117	Mayor	Message and order for the confirmation of the appointment of Marti A. Glynn, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1125
Planning, Development & Transportation	0118	Mayor	Message and order for the confirmation of the appointment of Christopher Hall, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1126
Planning, Development & Transportation	0119	Mayor	Message and order for the confirmation of the appointment of Kirsten Hoffman, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1127
Planning, Development & Transportation	0120	Mayor	Message and order for the confirmation of the appointment of Susan Goganian, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1128

Committee	Docket#	Sponsor	Docket Description	Date Referred	Hearing(s)	Notes
Planning, Development & Transportation	0121	Mayor	Message and order for the confirmation of the appointment of Lynn Smiledge, as a member of the Study Committee to prepare the report for the potential designation of a Swan House Architectural Conservation District. Referred to the Committee on Planning, Development & Transportation.	10/27/2021		21-1129

City of Boston IN CITY COUNCIL



Official Resolution

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

Christine Tieri

In Recognition of:

Her 100th Birthday

; 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: Edward M. Flynn

President of the City Council

Attest: Alex Guntoro

Clerk of the City of Boston

Offered by: Elizabeth Breeden

Date: January 21, 2022

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

Michael Georgopoulos

IN WHOSE MEMORY ALL MEMBERS STOOD
IN TRIBUTE AND REVERENCE AS
THE COUNCIL ADJOURNED ITS MEETING OF
Wednesday, January 26, 2022



SINCERELY,

Edward M. Flynn

CITY COUNCIL PRESIDENT

Attest *Alex Ginter*
Assistant City Clerk

Presented By *Elizabeth Breeden*

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

Kathleen Woods-Georgopoulos

IN WHOSE MEMORY ALL MEMBERS STOOD
IN TRIBUTE AND REVERENCE AS
THE COUNCIL ADJOURNED ITS MEETING OF
Wednesday, January 26, 2022



SINCERELY,

Edward M. Flynn

CITY COUNCIL PRESIDENT

Attest

Alex Gromatos

Assistant City Clerk

Presented By

Elizabeth Bredon

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

Anna Adams

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

January 3, 2022

SINCERELY,

CITY COUNCIL PRESIDENT



Attest

Presented By

City of Boston IN CITY COUNCIL



Official Resolution

Presented by

Councilor At-Large Ruthzee Louiseune

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

Haitian-Americans United, Inc.

In Recognition of:

23rd Annual Haitian Independence Day Gala

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: Edward M. Flynn
President of the City Council

Attest: Shawna Feeney
Clerk of the City of Boston

Offered by: _____

Date: January 21, 2022.

City of Boston IN CITY COUNCIL



In Tribute

Presented by

Councilor At-Large Ruthzee Louijeune

The Boston City Council Extends Its Deepest Sympathy To You and Your Family in the Passing of Your Loved One

Emmanuel Adonis

In Whose Memory All Members Stood In Tribute and Reverence as The Council Adjourned its Meeting Of

January 26, 2022

Sincerely



By: Edward M. Flynn
President of the City Council

Attest: Maureen Feeney
Clerk of the City of Boston

Offered by: _____

Date: January 21, 2022,

City of Boston IN CITY COUNCIL



In Tribute

Presented by

Councilor At-Large Ruthzee Louijeune

The Boston City Council Extends Its Deepest Sympathy To You and Your Family in the Passing of Your Loved One

Eva Williams

In Whose Memory All Members Stood In Tribute and Reverence as The Council Adjourned its Meeting Of

January 26, 2022

Sincerely



By: Edward M. Flynn
President of the City Council

Attest: Maurice J. Scaney
Clerk of the City of Boston

Offered by: _____

Date: January 21, 2022,

City of Boston IN CITY COUNCIL



In Tribute

Presented by

Councilor At-Large Ruthzee Louijeune

The Boston City Council Extends Its Deepest Sympathy To You and Your Family in the Passing of Your Loved One

Elizabeth Leah Frederique

In Whose Memory All Members Stood In Tribute and Reverence as The Council Adjourned its Meeting Of

January 26, 2022

Sincerely



By: Edward M. Flynn
President of the City Council

Attest: Maurice Lewis
Clerk of the City of Boston

Offered by: _____

Date: January 21, 2022,

City of Boston IN CITY COUNCIL



Official Resolution

Presented by

Councilor At-Large Ruthzee Louijeune

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

Ten Haitian Artists

In Recognition of:

**Still Art Rises II – First Haitian Women’s Exhibit at City Hall presented by
Haitian Artists Assembly of Massachusetts**

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: _____

Haitian Artists

Sabrina Sainté

Edna Chery

Andelite Fleurimond

Myriam Pitt

Mardy Florence

Michele David

Elliana Chery

Youveline Joseph

Joane Buteau

Mimi Désir

City of Boston IN CITY COUNCIL

Resolution of Boston City Councilor Brian Worrell

- WHEREAS:** Willie O'Ree made sports history when he became the first Black player to play in the National Hockey League (NHL) on January 18, 1958 while playing for the Boston Bruins against the Montreal Canadiens; *and*
- WHEREAS:** O'Ree is a decorated athlete, being inducted into the Hockey Hall of Fame, Canada's Sports Hall of Fame, and being honored with a Congressional Gold Medal; *and*
- WHEREAS:** O'Ree has been recognized for his dedication to the community and charitable causes, serving as the NHL's Diversity Ambassador and having the annual Willie O'Ree Community Hero Award in his honor to "recognize the individual who has worked to make a positive impact on his community, culture or society to make people better through hockey"; *and*
- WHEREAS:** Willie O'Ree is an inspirational leader whose lifelong contribution to sports, society, and equity have had far reaching impacts on our City, Commonwealth, and Nation; *and*
- WHEREAS:** The Boston Bruins will retire Willie O'Ree's number 22 in a game on January 18, 2022 against the Carolina Hurricanes;

Be it Therefore Resolved:

That the Boston City Council, declares January 18th "Willie O'Ree Day" in the City of Boston.

And, 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: Edward M. Flynn
President of the City Council

Attest: Alley Giambrone
Clerk of the City of Boston

Offered by: Brian Worrell

Date: _____