

To: Somerville's Urban Forestry Committee
CC: Luisa Oliveira
From: Chris Dwan
Date: February 19, 2020

Fellow committee members,

On January 16 of this year, members of the Urban Forestry Committee (UFC) received a message from Luisa Oliveira, the city's Director of Public Space and Urban Forestry. That message expressed concern about our compliance with open meeting law and cautioned us against "*expressing opinions that represent the UFC when the Committee has not gone through a deliberation to express that opinion.*"

This sort of vague, blanket caution can have a chilling effect on conversation, so Althea Northcross and I met with Ms. Oliveira and Malik Drayton at city hall on January 23 to try to understand the underlying concern.

I am pleased to report that there have been no violations, large or small, of open meeting law by any member of this committee.

The concern behind the email was valid, but distinct from open meeting law. The city needs us to be unambiguous, particularly when speaking with city council members, about whether we are representing our own opinions or those of the committee. We are, of course, welcome to participate in the public dialogue – we just need to make it clear who we are representing.

The specific example given was the recent request for funds for the Central Hill Campus project. Recall that the city was kind enough to brief us on this project at our meeting on November 21. I remember a healthy back-and-forth conversation with no need for the formality of a vote or memo from the committee. A week later, on November 28, the mayor asked the city council to allocate \$300,000 to Ms. Oliveira's department to get the project started. This was discussed at the finance committee meeting on December 3.

The minutes of that meeting are available on the city's website. They do mention us, and the minutes make it clear that the input was from "a member of the committee" rather than from the committee as a whole:

President Ballantyne mentioned concerns by a member of the Urban Forestry Committee regarding some of the plantings and was told that the grass mixture selected is more pollinator friendly and that this information was made known at the Urban Forestry Committee meeting.

In those same minutes, it is clear that there was considerable time pressure to get this funding approved, which caused discomfort for the chair of the finance committee:

Chairman White pointed out that this item was presented to the Council just over a month before the deadline date and said that the Council shouldn't be an after-thought.

At the end of those minutes, another Councilor proposed a workaround that would allow time for the city to provide the information needed for a decision without slipping the end-of-year deadline:

Because of the need for information, Councilor Ewen-Campen moved that the items relating to this matter ... be reported out by the Committee without a recommendation to provide the administration the opportunity to provide additional information. The Committee unanimously approved the Motion.

The topic was discussed on December 12, at the very next meeting of the full City Council. Ms. Oliveira's department received their funds by unanimous approval.

I agree with Counselor White's remark – under this tight a timeline it is hard to imagine that our comments could have led to meaningful changes in the plans. I know that none of us are here to serve as a rubber stamp on the city's plans. In the future, I hope that we will get more lead time on these sorts of decisions so that we can make a real impact, going forward.

I will also make a practice of asking the committee whether we want to make formal comments on presentations, as we did with the recent tree hearing. I look forward to hearing, tomorrow night, whether that memo led to any changes in the city's plans. I think that this practice of quick, decisive memos when we are unanimously agreed will help to make it clear where the committee stands.

I thank all of you for your willingness to serve. It is my great honor to work with you, and I look forward to seeing you soon.

Sincerely,
Chris Dwan