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To: boardofaldermen@somervillema.gov

Cc: LOCUS PMO Working Group <locus-pmo-working-group@googlegroups.com>, Joseph Curtatone <mayor@somervillema.gov>, Tim Snyder <tsnyder@somervillema.gov>, Sunayana Thomas <stthomas@somervillema.gov>, Thomas Galligani <tgalligani@somervillema.gov>

Subject: letter on Community Benefits Ordinance

June 28, 2017

Board of Aldermen
City Hall
93 Highland Ave
Somerville, MA 02143

To the Honorable Members of the Board of Aldermen,

We understand that the Legislative Matters Committee of the Board of Aldermen continues to review potential amendments to the **Community Benefits Ordinance** (CBO), and we want to express some ideas for consideration based on the recent vote that occurred to form a Union Square Neighborhood Council.

As you likely know, the Union Square Neighborhood Council Working Group, of which some of us have been participants, is an all-volunteer committee comprised of Somerville residents, businesses, activists, and other stakeholders. After over six months of hard work, tough conversations, and many meetings, the Working Group presented a governance proposal to form a Union Square Neighborhood Council on Wednesday and Saturday of last week; however, the plan came up short of the two-thirds number of votes that organizers had hoped to secure before moving forward with candidate elections. Of the 221 people who cast votes following the Working Group's presentations, a total of 143 (64.7%) voted "yes" to the plan, 77 people voted "no," and one person abstained.

The concept of forming a neighborhood council dates to July 2015, when the City of Somerville began exploring the idea of forming a "place-management organization" that would represent all parties in the Union Square neighborhood and help facilitate the neighborhood's overall development agenda. The idea germinated, and now we are encouraged to see that the Legislative Matters Committee is refining legislation that will codify the standards and processes to form neighborhood councils across the city. **The experience of trying to form a Union Square Neighborhood Council points to some important challenges that may be applicable to all neighborhoods. Therefore, we urge you to finalize the CBO expeditiously, but with careful attention to finding ways to improve the process** We describe some areas requiring additional thought and attention in the following letter.

Free and Fair Elections

Unlike existing private community organizations and neighborhood groups, neighborhood councils are envisioned to be different because they would function, in some ways, like a new quasi-governmental entity through which Somerville's existing government would delegate specific responsibilities. This includes the exclusive ability to negotiate community benefits agreements (CBAs) with developers on behalf of a neighborhood. **Because a neighborhood council would have the responsibility to act on behalf of the entire neighborhood, it is critical that that an open participatory process be in place and the basic principles of free and fair elections be followed.** In the case of Union Square's recent vote, several electoral processes created the perception that it was not a free and fair election. Moreover, out of a neighborhood of 13,700 people, only 220 people voted. Despite the hard work and passion of

many volunteers, this suggests more needs to be done in the future to ensure there is sufficient voter education and outreach about the Neighborhood Council, its authority, geographic boundaries, and governance model.

Who Gets a Vote?

There is an important “threshold question” that needs to be answered about who may cast a vote to form a neighborhood council, thus establishing the council’s membership and charter (or bylaws). In the case of Union Square, **Somerville residents who do not live in the neighborhood desire the opportunity to vote on whether to form a Union Square Neighborhood Council, including a vote on the elements of the Council’s charter, voter eligibility, and the composition of the Council’s leadership body.** However, a fundamental principle of democracy (“*of the people, by the people, for the people*”) is the right to self-government. As Thomas Jefferson wrote in the Declaration of Independence, “**Governments are instituted among [People], deriving their just powers from the consent of the governed.**”

We think this principle of self-government is critical to establishing the political legitimacy necessary for a neighborhood council to function effectively and be accountable to a neighborhood. As such, we believe self-government must be embodied in the very processes that lead to the formation of a neighborhood council, whether in Union Square, or elsewhere in Somerville. Somerville already has a city-wide government that is responsible for city-wide governance. Neighborhood councils should exist to serve the neighborhoods themselves. Therefore, we commit to working with our fellow Neighborhood Council Working Group participants and the Legislative Matters Committee to identify ways to strengthen the right of self-government in the Union Square Neighborhood Council proposal as well as in the CBO more broadly.

Where do We go Next?

Many of us were early supporters of the Union Square Neighborhood Council, and we are committed to continuing to work collaboratively with neighborhood stakeholders to form a council for Union Square. We need a forum for the community to come together and “hash out” agreements and disagreements in a way that is structured, democratic, and accountable to the people of Union Square.

Having participated in this past week’s election, and the preceding meetings leading up to the vote, **we think there are foundational “rules of the road” that need to be established in the Community Benefits Ordinance,** so every neighborhood in Somerville isn’t launched into a protracted, divisive, multi-year battle over basic issues of fairness and governance. A lack of standards and guidance creates tremendous uncertainty and robs time and attention away from truly pressing matters facing neighborhoods such as housing affordability; job creation; a thriving small business community; strong schools, community organizations, and service agencies; more and better open space; and preparing Somerville for the environmental sustainability challenges of the future.

Ideas for Amending the CBO

We would like to offer the following ideas on how the CBO could provide a basic framework to empower neighborhood councils across Somerville to move forward and reduce some of the confusion and divisiveness that our neighborhood has experienced.

1. **Establish foundational elements of what a neighborhood council is and who has the right to vote to form a Neighborhood Council.** Consistent with the right of self-governance, we believe that only individuals who live or work in a

neighborhood's geographic boundaries should be able to give consent to formation of a neighborhood council. That doesn't mean we're suggesting that non-Union Square residents cannot or should not seek to influence the Council's decisions—quite the contrary. Many thoughtful, talented people from all over Somerville have contributed greatly to the plans for Union Square and the Neighborhood Council. Like other elected and appointed bodies, the Neighborhood Council should listen and deliberate on their concerns as well.

2. **Establish a city-administered process to invite community groups to apply for creating a neighborhood council.** Neighborhood groups demonstrating diverse representation (e.g. through attendance logs, letters of reference from community groups or individuals, co-signatories, etc.) should be encouraged to submit an application to form a Neighborhood Council, including a proposed charter (or bylaws), a proposed neighborhood boundary, and other foundational governance documents. The City should establish application processes and provide no-cost technical assistance on request to groups seeking to draft a charter. (Given the potential for overlapping neighborhood boundaries or areas being left out, the City may need to establish a process for administering neighborhood boundaries—including consideration of how neighborhoods are defined with respect to local business areas.) Timelines should also be established for the finalization and submission of materials being voted on to ensure the public has adequate time to review and debate the materials prior to an election.

3. **Administer neighborhood council elections using City resources.** Once the City has reviewed a group's application to form a neighborhood council, and has determined that it meets the foundational neighborhood council standards and requirements described in the CBO (through an "administrative review"), the City could then move forward with administering free and impartial elections. For example, neighborhood council charter elections could be scheduled to occur on Primary Day, and Neighborhood Council candidate elections could be scheduled on the General Election Day (November 7). Voting could occur within the same municipal balloting process that already occurs, or, if that is not feasible, separate neighborhood council polling stations could be set up in rooms or areas adjacent to municipal polling stations. Having the City's elections department administer neighborhood council elections by using free and fair election practices removes the perception of bias that can be created if neighborhood council organizers oversee and administer an election themselves. Moreover, the City must increase voter participation by using its resources to provide ample public notice and voter education through postal mailings, phone calls, text messages, and promotion in ResiStat newsletters.

4. **Change the Name of the Ordinance.** The CBO is about much more than community benefits. It's fundamentally about how neighborhood stakeholders can be empowered to take an active role in their community and bring about a shared vision for its future. We think the Legislative Matters Committee should consider adopting a title befitting the broader and higher aspirations of the ordinance.

Given the complexity, importance, and passion that goes into establishing a neighborhood council, we know that we will have additional ideas and concerns as this process moves forward. Many ideas will arise as we continue to participate in thoughtful dialogue with our neighbors and bring more people and voices into this process.

Lastly, It's important to acknowledge that people engage in the political process differently. Some invest their time and energy into community meetings, work groups, and direct political action. Others contact the Aldermen or the Mayor with their thoughts and concerns. And yet others simply vote. All of these are valid. **However people choose to engage in the political process, we commit to trying our hardest to work with everyone, including the Board of Aldermen, to engage thoughtfully, quickly, and with sincere respect for different viewpoints. Ultimately, we are all members of this community and are accountable to it.**

If you have any questions, we would be pleased to elaborate or discuss more.
Thank you,

Co-signers listed in the table below

CC:

Union Square Council Neighborhood Working Group
Joe Curtatone, Mayor of Somerville
Tim Snyder, Tom Galligani, Sunayana Thomas - City of Somerville

Co-signers of the Letter

#	Name	Address
1	Andy Greenspon	14 Boston St, Unit 3C
2	Pat McCormick	41 Vinal Ave
3	Philip Parsons	20 Bonner Ave
4	Jim McGinnis	26 Bow Street
5	Shu Talun	30 Boston Street
6	Tim Talun	30 Boston Street
7	Stuart Dash	41 Stone Ave
8	Rob Buchanan	16 Wesley Park
9	Zach Baum	17 Porter St Apt 1 (home), 30 Bow Street (work)
10	Emily Reichert	Greentown Labs, 28 Dane Street (work)
11	Bill Shelton	65 Boston Street

12	Mark Staloff	14 Greenville Street
13	Pat Berman	34 Columbus Ave
14	Lhadon Tethong	39 Boston Street
15	Dhon Phunkang	39 Boston Street
16	Sam Engelstad	34 Columbus Ave
17	Jacob Engelstad	34 Columbus Ave
18	Thinley Ghapontsang	53 Boston Street
19	Jampa Ghapontsang	53 Boston Street
20	Peter Sisk	27 Columbus Ave
21	Damon Sidel	10 Grand View Ave
22	Evelyn Rosenthal	93 Concord Ave. No. 2
23	Zac Zasloff	12 Munroe Street
24	Lori Zasloff	12 Munroe Street
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26	Mike Katz	3 Emerson Street
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