

Union Square Neighborhood Council - Meeting March 15, 2018

Attendance

USNC Voting Members:

Rachel Weil, Jacob Kramer, Pennie Taylor, Michele Hansen, Tori Antonino, Ben Baldwin, Ann Camara, Mike Firestone, Ben Bradlow, Andrea Lizama, Ganesh Uprety, Erik Neu, Afruza Akther, Mike Firestone

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Neighborhood Resident Members: Andy Greenspon, Simon Hill, Jessica Eshleman, Peter Insley, Gary Trujillo

Co-Facilitators: Rachel Weil

Agenda

1. Welcome and Introductions
 - Rachel welcomed the group and started off introductions
2. CBA Report (20m)
 - Ben Bradlow- Report was released last night (3/14) so not everybody had a chance to read it. No decision will be made tonight
 - Report available here:
<https://docs.google.com/document/d/1keW-7dP9P2PjBNMQRO51dGFrPuZDq38BA1vahK2Ze5c/edit>
 - Overall- the report is a summary of its inputs, not a value-laden proposal
 - Fifth section is a summary of inputs from the CBA summits and prior processes (LOCUS and Union United processes)
 - Sixth section maps out next steps to negotiations
 - i. Timeline is a reproduction of the one agreed to on 3/1 USNC meeting
 - ii. Selecting negotiating team- Board will have a call for nominations. Proposed nomination deadline- April 8. Selection of negotiating team April 15.
 - There is a spreadsheet with all of the data collected from the CBA summits- this is available for those who want to dig deeper
 - There is a folder with the documents referenced in the report
 - Jacob- I would like to discuss approval of the timeline for the negotiations committee timeline
 - i. Jessica- We may want a backup plan in case the BOA decision on USNC recognition gets held up
 1. Ben Bradlow-Amendment to the covenant that would allow the BOA to designate USNC for negotiation with US2 is going ahead. It doesn't seem like this will hold us up.
 - ii. Pennie- I think negotiation nominees should be required to submit a CV

- iii. Michele- Is the size of the negotiation committee in line with typical CBA negotiations? Should there be observer or team of observers?
- iv. Pennie- what is the timeline for acceptance of the report
 - 1. Ben Bradlow- In theory, it could be accepted at the next meeting
 - a. Tori- The board should have a couple of weeks to review the report.
- v. Andy Greenspon- Composition of the negotiating team is where the USNC is at risk of fracturing the community consensus. Currently it's unclear how the vote for the negotiating team will be conducted.
- vi. Andrea- How many people have access to the report and will it be translated into other languages?
 - 1. Pennie- Agreed. Do we have the capacity to translate?
- vii. Pennie- Can we put out a call for nominations before approval of the report?
 - 1. Jacob-That would help us hold to the timeline.
- viii. Ben Bradlow- I am wary of opening the call for negotiation committee nominations immediately. There have been concerns about things not getting circulated well enough in advance. We don't need to approve all criteria before issuing the call for nominations.
 - 1. Peter- We can approve the criteria for selections prior to issuing the call.
 - 2. Erik Neu- When you put out a request for qualifications you can develop a more specific RFP later. We can immediately put out a heads up for negotiating committee nominations and then get more specific later.
- ix. Michele- Can we get a committee chosen within a week of nomination submission?
 - 1. Yes
- x. Gary- Can we send out a preliminary announcement to get people interested in the negotiating committee
- xi. Pennie- One thing that is ill-defined is what the commitment is for a member of the neg. committee.
- xii. Pennie- Negotiating skills is one qualification that should be included in the description
- xiii. Jacob- I don't hear any major objections to saying that we will be looking for negotiation committee members
- xiv. Andrea- We can scale the timeline depending on how many submissions we get

- xv. Ben Bradlow- There is some danger to having people submit applications already. If people start submitting, then the board could be accused of developing criteria in part based on the qualifications of those nominated. An initial proposal informing the public about the negotiations committee may create additional unnecessary confusion.
1. Ben Baldwin- Could just get people in touch with e.g. Ben Bradlow who could keep a master list of people interested in being nominated
- xvi. Jacob- I withdraw my proposal. Folks should take all the time they need this week and submit feedback to Ben Bradlow. Then we can fully dive in at the next USNC meeting and issue a call for neg.committee nominations at the end of next week's meeting.
1. Tori- I think people need more than a week to review the document.
 - a. Michele- If we were deciding what the final asks to US2 will be we would need more than a week but htis is just a summary of inputs. We should be able to stick to the week of review.
 2. Ann- Are we still having workshops
 - a. Yes, about CBAs in general but not about this document
- xvii. Jacob- Pending approval of the report, we will open nominations for the negotiating committee.
- xviii. Erik- Where does the step of further refining what we want for the negotiating team fit into the timeline?
1. Jacob- That will be incorporated into the final draft of the document. If folks have more edits send them to the CBA Committee.
 2. Andy Greenspon- There is limited time to be able to submit edits in time for them to be incorporated and disseminated to the board before next meeting.
- xix. Mike Firestone- Process for negotiations will not be 3 hours in a room 1 time and then a CBA presented to the USNC. It will be an iterative process. This report is important for setting the table and is a strong draft. Their primary concern is that we not delay ourselves knowing how long it will take. We should make a good faith effort to get comments in by next week and if people think we are in good shape we can approve it. Or vote to make further changes.
- xx. Ben- The process of approving this report is merely to perform the due diligence of presenting what we have heard.
- xxi. Rachel- 1 week to review the report no matter when the next USNC meeting is.

- xxii. Ben Bradlow- Request that the secretary issue tonight an email via TinyLetter and USNC Public requesting any comments on this report be submitted by Tuesday
 - 1. Mike Firestone- and come to the meeting on Thursday to participate in the discussion where we finalize it.
 - 2. Tori- I prefer a week
- 3. Discussion of USNC Incorporation as non-profit (30m)
 - o Mike Firestone- This is the incorporation meeting as required in the bylaws.
 - o Mike- I propose we incorporate as a nonprofit 501(c)(3) organization
 - i. We are not for profit and not a government entity
 - ii. A 501(c)(3) means that we are fundamentally charitable in nature
 - 1. We are already envisioned this way in our own bylaws. "Shall operate exclusively in furtherance of charitable purposes"
 - 2. The revised covenant also envisions us this way
 - 3. Pennie- Comparable orgs are 501c3, similar in scope and political activity
 - 4. Our mission is charitable in nature
 - iii. Mike- Something that might come up- What about a 501c4?
 - 1. There is no clear line between which is which. These are tax distinctions.
 - 2. Are we more like a public benefitting org or more like a homeowners association? HOA is often a 501c4 because the only ones getting benefits are people in the HOA. This org envisions itself benefitting all of the public in the public community.
 - 3. Pennie- Lobbying- 501c3s are limited in the amount of lobbying they can do (engaging w/ elected officials). only 20% of their time. Zoning and planning boards do not count. Lobbying applies to changing laws(legislature, board of aldermen, congress, etc)
 - iv. Pennie- Must apply to attorney generals office
 - v. Benefits of 501c3
 - 1. Donations are tax exempt
 - 2. opens up opportunities for grants
 - vi. Issues with 501c3
 - 1. Cannot endorse individual political candidates
 - o Tori- why is zoning not included in lobbying?
 - i. Examining proposals and writing letters is not lobbying. Spending time meeting with members of the board of aldermen to change zoning, however, would be.

- Erik Neu- CBA ordinance advocating for where funding should be allocated is not lobbying
- Michele- We may do something like support tenant right of first refusal
 - i. Mike- I am making the legal recommendation that we go for 501c3 while being mindful of constraints. Only a small portion of what we do could be considered lobbying.
- Jacob- Is it allowed to have a politician attend or speak at our events.
 - i. Mike-They can come speak about their priorities and learn from us
- Ben Bradlow- Many great similar examples of why 501c3 can work. How long will it take to incorporate?
 - i. Mike Firestone- By tomorrow we should have an incorporation ID number. Need to open a bank account, register with the IRS and the attorney generals office
 - ii. Pennie- Once we get this together I will need two people to help open the bank account.
- Ann- Did we have to submit bylaws to the secretary of states office for purposes of incorporation?
 - i. Pennie- We referenced the bylaws to describe the structure of the committees.
 - ii. Ann- Ok, so not the whole bylaws?
 - iii. Pennie- No
- Pennie- Can we endorse Our Revolution, who endorses candidates?
 - i. Mike- We shouldn't endorse OR, we should support particular mission campaigns such as funding for public transport.
- Michele Motion to accept the proposal to incorporate as a 501c3
 - i. Mike Firestone- Seconded
 - ii. Vote: 12 ayes, 0 nays
- 4. Union Sq site visit March 17, 10am at Bloc11 followed by Zoning discussion with Dan Bartman(10 m)
 - Tori- BEC will provide printed copies of maps from US zoning overhaul and CDSP, orient people and give expectations of how things are going to look. We will inform the group on phasing for the development.
 - Dan Bartman will be available from 12-2pm to answer questions on zoning.
 - Tori- We will work on sending an announcement tomorrow.
- 5. New Web Site Launch (5m)
 - Propose SomervilleUSNC.org-existing web site will be allowed to expire this summer. The old site will have a warning about the change before redirecting to the new site

- ii. Gary- A broader meeting will better inform the negotiating committee
 - iii. Ganesh- If we send the letter to US2, they may not talk with us if we are not officially recognized
 - 1. Tori- The covenant says that US2 will negotiate “in good faith” which should encourage them to come. Just to give an update and answer questions.
 - iv. Michele- What would be the harm of meeting with US2? It’s more information for the public, not just the board.
 - 1. Erik Neu- What, if anything, has changed with the open house? What’s up with MEPA timeline? What is the general timeline?
- o Jacob- We have two pending communications with US2. Letter Mike Firestone prepared and they were CC’ed on and the recognition of us as the negotiating party for the CBA.
 - i. Simon- The city and US2 know the context of the USNC discussions, we do not know their context.
 - ii. Andy- Those letters were cc’ed to US2 and they were not directly addressed. This board has not truly reached out to US2.
 - 1. Mike Firestone- The ball is in their court, they are due to respond to the letters they were cc’ed on. We also need to do another public meeting- wth Board of Aldermen to complete our designation process. We can do both of those things before we schedule a meeting with US2. We would want to pack this place for this meeting.
- o Pennie- Outside of dates and numbers, tone of the meeting might not be beneficial for our negotiating position. Has potential to be a contentious conversation. Can we get this information in other ways? Freedom of Information Act (FOIA)?
 - i. Ann- Agreed.
 - ii. Andy- I don’t think there would be much that we can FOIA. I don’t think there is anything a community member could ask that would screw up negotiations.
- o Michele- I think there is no harm in bringing US2 in. Community can ask pointed questions and we can judge whether they give honest answers.
- o Ben Bradlow- The question is timing and purpose. Very strongly underscore the timing issues presented by Mike Firestone. Once we are designated negotiating body, we are in a better position to coordinate a community meeting with US2. We could pursue this after the Aldermen designate USNC.
 - i. Mike Firestone- Update on our recognition process. City has notified Mike that it will not happen today- Given how modest

our proposed language changes are, we want it by next Thursday (3/22). Anything longer than 3 weeks would be indicative of intention to delay the process. We can't have our hearing until after the language has been approved.

- ii. Mike Firestone- Proposal to let Mike send an email to the BOA
 - 1. Ben Bradlow seconded
 - 2. vote: 12 aye, 0 nay
- o Rachel- Proposal to postpone further discussion of letters until after our recognition by the BOA
 - i. Andy Greenspon- If the aldermen vote to recognize us, would the board be willing to have them give an update? And, would the board allow them to give an update during the negotiations process?
 - 1. Also George Proakis is independent of this recognition process.
- 7. Zoning discussion (continued)
 - o Public hearing postponed to 4/3
 - o Discussion- postponed until next meeting
- 8. O&C Committee Social Event Planning (5m)
 - o The purpose of the event is to allow USNC members to spend time together informally, relax, and enjoy some entertainment
 - o We are hoping to bring out up to 60 people
 - o Saturday, April 28 7pm at the Greek American Social Club
 - o Musical entertainment- Ben Baldwin's band the Cellar Doors and more to come.
 - o Next O&C Meeting Tuesday evening 3/20 at 7pm Somerville Public Safety Building
- 9. Next meeting time and place (5m)
 - o Thursday, 3/22 7pm at the Argenziano Cafeteria
- 10. Public Comment (25 m)
 - o Due to discussion running over time, no public comment was presented
- 11. Adjourn