

# City of Cambridge

In City Council June 25, 1984

**The** ORDINANCE

**Committee**

comprised of the entire membership of the City Council

to which

was referred a proposed amendment to the General Ordinances of the City of Cambridge providing for construction jobs for Cambridge residents, minorities and women, relative to the implementation of Cambridge Employment Plan by Employment Resources, Inc. and the Community Development Department met on Tuesday, June 19, 1984 at eight o'clock and fifteen minutes p. m. in the City Council Chamber.

Presiding, Councillor David Sullivan, Chairman, Committee on Ordinances.

The Chair called for the proponents to appear and the committee heard from Councillor Vellucci who had submitted a City Council Order on May 14, 1984 together with a copy of the proposed ordinance.

Councillor Vellucci informed the committee that his proposal defined "resident" as any person whose principal place is where the person normally eats and sleeps and is within the city limits of Cambridge and where the person is subject to a Massachusetts resident income tax and said residency has occurred for at least six months. He further stated that his proposal defined "minority person" as including those persons who are Black, Hispanic Asian, or Native American, or Cape Verdean.

Councillor Vellucci stated that his proposal implemented a policy that any construction projects, funded in whole or in part by city, state or federal funds or federal grant the city expends or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed in accordance with the contract provided as follows:

That no less than twenty-five percent of the total manhours in each trade shall be performed by actual Cambridge residents;

That no less than twenty-five percent of those employee manhours shall be performed by minorities;

That no less than ten percent of those employee manhours shall be performed by women.

# REPORT

Committee on Ordinances

RE: Employment Resources, Inc.

*City Solicitor  
- opinion requested -  
Copy to City Solicitor*

*Letter requesting opinion sent to City Solicitor  
with copy of this Committee report + of the  
petition as passed for 2nd Reading. 6/29/84.  
copy also placed aside for C.D. Sullivan for his  
In City Council, Council package  
for the week of  
June 25, 1984 August 13 '84.  
mk*

*6/25/84  
Report Received  
Proposed ordinance  
Passed to a  
second Reading on  
motion of E. Velloci  
Copy enclosed*

He also stated that contracts with a value in excess of \$250,000.00 shall be performed only by contractors who are affiliated with apprenticeship programs approved by the Commonwealth of Massachusetts and that all contractors bidding on such projects provide a written commitment to employ a specific number of apprentices satisfactory to the city.

In his proposal Employment Resources Incorporated shall be designated as the Agency responsible for the implementation of the ordinance with the Community Development Department being responsible for the compliance and enforcement of the ordinance and that prior to any commencement of any construction project, capital works or city economic development plan both agencies shall review spending plans for the projects and to identify the number of job positions in all categories that will be created for the projects.

The Employment Resources, Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to comply with the ordinance.

Along with compliance and enforcement of the ordinance, Community Development shall have the duties to require all contractors and subcontractors to submit weekly workforce charts, negotiate with all contractors/developers in order to identify and classify construction jobs and shall impose sanctions upon contractors and subcontractors as follows:

- suspension of payments
- termination of any and all contracts
- recovery by the city of one percent of the contract award price as liquidated damages and
- denial in participation of future contracts for not less than three years.

Councillor Vellucci further stated that there would be a subcommittee to review all reports made by Employment Resources, Inc. and the Community Development Department with the power to make recommendations to both Agency and department. He further stated that any independent agency operating on behalf of the city shall comply with the ordinance and that funding would be provided to establish a position in Employment Resources, Inc. to implement this ordinance and said position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry.

No one else appeared in favor at the call of the Chair.

The Chair called for the opposition to appear and be heard.

No one appeared in opposition at the call of the Chair.

At this time Councillor Vellucci moved that the proposed amendment to the General Ordinances be referred to the City Council, without recommendation, for consideration at its meeting of June 25, 1984.

There being no opposition the ordinance was so referred.

The hearing adjourned at eight o'clock and eighteen minutes p. m. on motion of Councillor Wolf.

For the Committee,

*David E. Sullivan*

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Councillor David Sullivan,  
Chairman.

#1 4B

# City of Cambridge

MASSACHUSETTS

In City Council

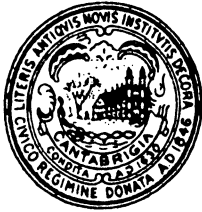
9/10/

1984

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf	✓			
Mayor Russell	✓			

9 0 0

*[Handwritten signature/initials]*



# CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF  
THE CITY CLERK

September 13, 1984

Russell B. Higley, Esquire  
City Solicitor  
City Hall  
Cambridge, MA

Dear Sir:

Enclosed you will find the following:

1. Proposed loan order which was adopted by the City Council at its meeting of September 10, 1984.
2. Proposed amendment to Chapter Twenty-Four of the General Ordinances of the City of Cambridge by adding a new article entitled "Implementation of the Cambridge Employment Plan By the Community Development Department and the Employment Resources, Inc." which was passed to be ordained at the City Council at its meeting of September 10, 1984.

Would you kindly review these proposed amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk

PEH/dl

Encs. Final Publication No. 2258  
Ordinance No. 1015

c.c. Councillor David Sullivan, Chairman, Committee on Ordinances  
Mr. Cellucci, Inspectional Services Dept.



# City of Cambridge

IN CITY COUNCIL

August 15, 1984

ORDERED:

That the Order adopted on March 28, 1983 appropriating the sum of \$3,438,700 for acquisition of land and construction of municipal outdoor recreational facilities as part of the Lechmere Canal Park Phase II project and the Front Park project be and hereby is amended to read as follows:

ORDERED:

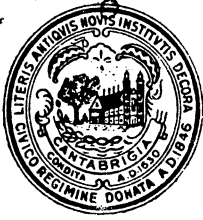
That \$4,463,700 is appropriated for acquisition of land and construction of municipal outdoor recreational facilities as part of the Lechmere Canal Park Phase II project and the Front Park project; that to raise this appropriation the Treasurer with the approval of the City Manager is authorized to borrow \$4,463,700 under General Laws, Chapter 44, Section 7(25); and that the City Manager is authorized to contract for and expend any federal or state aid available for the projects.

In City Council September 10, 1984.

Adopted by a yeas and nays vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge. "

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter Twenty-four entitled "Employment" is hereby amended by adding at the end thereof a new Article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and Employment Resources, Inc", which reads as follows:

IMPLEMENTATION OF THE CAMBRIDGE EMPLOYMENT PLAN BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE EMPLOYMENT RESOURCES, INC.

SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 3(b) below, as follows:
  - (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
  - (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
  - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;
- (2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
  - (iv) denial of any further participation in future contracts for no less than three years.

SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

SECTION 6 INDEPENDENT AGENCIES

Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

In City Council September 10, 1984.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;  
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

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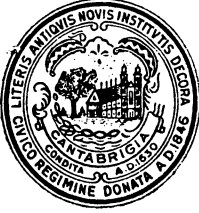
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In City Council September 10, 1984.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;  
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Eighty-Four

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  - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

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- jointly; (1) Review spending plans for such projects;
- (2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
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#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

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In City Council September 10, 1984.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;  
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE  
INTEROFFICE CORRESPONDENCE

To Russell B. Higley, City Solicitor

Date June 29, 1984

From Joseph E. Connarton, Deputy City Clerk

Reference

Subject Proposed amendment to the General Ordinances  
regarding the Implementation of the Cambridge  
Employment Plan

Pursuant to the request of the City Council at its meeting of Monday, June 25th, 1984, I am forwarding to you for your review and opinion a copy of the enclosed proposed amendment to the General Ordinances in Chapter 24 entitled "Employment", by adding at the end thereof a new Article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and Employment Resources, Inc.", which was passed to a second reading at the above referenced meeting.

I am also enclosing, for informational purposes, a copy of the report of the Committee on Ordinances after hearing held with regard to this proposed amendment on Tuesday, June 19th, 1984, (which report appeared on the City Council communication list of June 25th as item number 25).

Your very kind cooperation in this matter will be greatly appreciated, both by this office and the City Council.

PEH/mh

Enclosures: First Publication No. 2253

Report of the Committee on Ordinances dated 6/25/84

cc: Councillor David Sullivan, Chairman, Committee on Ordinances



# City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

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    - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
  - (c)
    - (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
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Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

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The Chair called for the opposition to appear and be heard.

No one appeared in opposition at the call of the Chair.

At this time Councillor Vellucci moved that the proposed amendment to the General Ordinances be referred to the City Council, without recommendation, for consideration at its meeting of June 25, 1984.

There being no opposition the ordinance was so referred.

The hearing adjourned at eight o'clock and eighteen minutes p. m. on motion of Councillor Wolf.

For the Committee,

*David E. Sullivan*

---

Councillor David Sullivan,  
Chairman.



# City of Cambridge

---

In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge. "

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter Twenty-four entitled "Employment" is hereby amended by adding at the end thereof a new Article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and Employment Resources, Inc.", which reads as follows:

IMPLEMENTATION OF THE CAMBRIDGE EMPLOYMENT PLAN BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE EMPLOYMENT RESOURCES, INC.

SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 3(b) below, as follows:
- (b) (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
- (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
- (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;  
(2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
  - (iv) denial of any further participation in future contracts for no less than three years.

#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



# CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF  
THE CITY CLERK

June 26, 1984

Russell B. Higley, Esquire  
City Solicitor  
City Hall  
Cambridge, MA

Dear Sir:

Enclosed you will find proposed amendments which were passed to be ordained at the City Council meeting of June 25, 1984 as follows:

1. Proposed amendment of the General Ordinances of the City of Cambridge in Chapter Two entitled "Administration", Article XVI entitled "Cambridge Historical Commission".
2. Proposed amendment to the General Ordinances of the City of Cambridge in Chapter Eight entitled "Civil Defense" by striking out the words "Civil Defense" and substituting in place thereof the words "Emergency Management Agency".
3. Proposed amendment to the General Ordinances of the City of Cambridge in Chapter Two entitled "Administration", Article XXII entitled "Officers Generally", section 2-191 entitled "List of Salaries in General" providing for a salary increase for the City Council and the Mayor.
4. Proposed amendment to the Zoning Ordinances of the City of Cambridge by inserting a new subsection 5.53 in the subsection entitled "Special Dimensional Regulation".

June 26, 1984

Also at the City Council meeting of June 25, 1984 the following two amendments to the General Ordinances of the City of Cambridge were passed to a second reading, as follows:

1. Chapter Fifteen entitled "Police Department" by adding a new Article IV entitled "City of Cambridge Police Review and Advisory Board".
2. Chapter Twenty-Four entitled "Employment" by adding a new article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and the Employment Resources, Inc.".

Would you kindly review these proposed amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

---

Paul E. Healy, City Clerk.

PEH/d1

Encs. Ordinance No. 1009  
Ordinance No. 1010  
Ordinance No. 1011  
Ordinance No. 1012  
First Publication No. 2252.  
First Publication No. 2253



# City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

*Be it ordained by the City Council of the City of Cambridge as follows:*

Chapter Two, entitled "Administration," Article XVI, entitled "Cambridge Historical Commission," Section 2-147, entitled "Powers and Duties of the Commission," is hereby amended as follows:

Section 2-147(J), entitled "Procedures for Demolition of a Significant Building as Determined by the Cambridge Historical Commission to be Historically or Architecturally Detrimental," sub-section 3.4 is hereby amended so that the first two sentences thereof read as follows:

3.4 If the Commission Staff shall have made an initial determination that a building which is the subject to the application is or may be a significant building, the Commission shall review the application and such initial determination at a public meeting of the Commission for which the Commission shall cause to be published in a newspaper of general circulation in Cambridge notice that such application will be considered. Such notice, which shall specify the address of the subject building, shall be published in an issue of such newspaper distributed in the week preceding the week in which such meeting is held, or in an earlier week....

Section 2-147(K), entitled "Establishment of Neighborhood Conservation Districts and Protected Landmarks," sub-section 4 (Designations) is hereby amended by striking out the words "the Cambridge Chronicle," as they appear in the fourth paragraph thereof, and substituting therefor the words "a newspaper of general circulation in Cambridge."

In City Council June 25, 1984.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;  
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Eighty Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1982 and now designated as "The Code of the City of Cambridge".

*Be it ordained by the City Council of the City of Cambridge as follows:*

Chapter Eight entitled "Civil Defense" is hereby amended by striking out in Section 8-1 the second sentence and substituting therefor "The department may also be referred to as the 'Emergency Management Agency'".

Chapter Eight, sections 8-2, 8-5, 8-6, 8-7, 8-9, 8-10, 8-11, 8-12 are hereby amended by striking out the words "Civil Defense" wherever it appears and substituting therefor the words "Emergency Management".

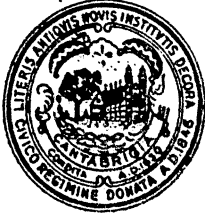
Chapter Eight, section 8-8, is hereby amended by striking out the words "Director of Civil Defense" and substituting therefor the words "Director of Emergency Management".

In City Council June 25, 1984.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 2;  
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter Two entitled "Administration", Article XXII entitled "Officers Generally", Section 2-191 entitled "List of Salaries in General", is hereby amended by striking out the provisions of Ordinance Number 990 ordained by the City Council on December 27, 1982 providing for the salaries of the Mayor and the City Council Members and substituting in place thereof a new salary schedule which reads as follows:

Each member shall receive the following salaries and are to be paid montly or weekly, unless otherwise stated:

	<u>Minimum</u> Annual <u>Salary</u>	<u>Maximum</u> Annual <u>Salary</u>
Mayor		\$19,432
City Council Member		\$18,129

The effective date of the this ordinance shall be January 1, 1984.

In City Council June 25, 1984.

Passed to be ordained as amended by a yea and nay vote:-  
Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Clerk.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

*Be it ordained by the City Council of the City of Cambridge as follows:*

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

Amend Section 5.50, Special Dimensional Regulations, by inserting a new subsection 5.53 as follows:

5.53 In Residence A-1 and A-2 Districts only one structure containing a principal use shall be allowed on a lot.

Note: The purpose of this amendment is to ensure that all new construction of single-family detached dwellings in Residence A-1 and A-2 districts meet the intended lot and dimensional requirements for those districts. The ordinance currently allows more than one principal structure on a single lot. Therefore, as long as the minimum lot area per dwelling unit is met, it is possible to construct several single-family detached dwellings on a single lot through use of the condominium form of ownership. The proposed amendment requires that every new single-family dwelling in these districts meet all dimensional requirements including its own individual lot.

In City Council June 25, 1984.

Passed to be ordained by a yeas and nays vote: Yeas 6; Nays 3;  
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter Fifteen entitled "Police Department" is hereby amended by adding at the end thereof a new Article IV entitled "City of Cambridge Police Review and Advisory Board", which reads as follows:

ARTICLE IV. CITY OF CAMBRIDGE POLICE REVIEW AND ADVISORY BOARD.

1. City of Cambridge Police Review and Advisory Board

There shall be a five (5)-member City of Cambridge Police Review and Advisory Board (the "Board"). Members of the Board shall be appointed by the City Manager. The term of membership on the board is three (3) years. The City Manager may remove members of the Board only for cause. All members of the Board shall be residents of the City of Cambridge (the "City") for at least two (2) years prior to his or her appointment. As nearly as possible, the City Manager shall choose members of the Board so that the Board is representative of the various minority, ethnic and cultural groups within the City.

The Board shall elect a chairperson annually. The Board shall meet at the call of its chairperson, but shall meet at least once a month. Meetings of the Board shall be open to the public except when the Board, in its discretion, meets in executive session in private.

Members of the Board shall be compensated at a level established by the City Manager.

2. Duties of the City of Cambridge Police Review and Advisory Board

The Board shall have the following duties:

- a. In consultation with the Chief of Police and with the approval of the City Manager and Chief

- of Police, there shall be established policies, rules and regulations for the Department;
- b. The Board shall review the Department budget before it is submitted to the City Manager;
  - c. The Board shall receive and resolve, as provided in sections six (6) and seven (7) of this ordinance, any complaint concerning the operation of the Department;
  - d. The Board and Chief of Police shall make recommendations to the City Manager in matters concerning the discipline of employees of the Department;
  - e. The Board shall make an annual report to the City Manager, the mayor, city council, and to the public, of the Department's activities during the previous year, including the handling of crime and complaints, and of future plans;
  - f. The Board, with the assistance and approval of the City Solicitor, shall have the power to subpoena witnesses, administer oaths, take testimony, and require the production of evidence. The Board, through the Office of the City Solicitor, shall apply to the appropriate court to enforce a subpoena or order for

production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order. The Board may delegate in writing to a member of the Department or its staff the powers to administer oaths and take testimony. A delegation is revocable at the will of the Board and does not prevent exercise of any power by the Board.

3. Staff

- a. Secretary to the Board. The Board, with the approval of the City Manager, shall appoint a part-time secretary. The secretary shall attend Board meetings.
- b. Investigative Staff. The Board, with the approval of the City Manager, shall also appoint an investigator and such additional staff of investigators if it is necessary. The investigators shall not have been an employee or elective or appointive officer of the city within three (3) years prior to appointment. They must possess skills and experience necessary for investigative work.
- c. Other Staff. The Board, with the approval of the City Manager, from time to time under

contract in accordance with existing regulations and law, such additional staff as is necessary to carry out its duties (and only after a showing need and good cause to the City Manager).

All members of the staff are under the direction of the Board and the Chief of Police.

4. Duties of the Chief of Police.

The Chief of Police shall administer the Department pursuant to existing, policies, rules and regulations.

The Chief of Police shall:

- a. Organize the Department with the recommendations and advice of the Board, and with the final approval of the City Manager;
- b. Recommend rules, regulations, and procedures to the Board for its review and recommendations;
- c. Recommend to the City Manager an annual budget for the Department after having submitted it to the Board for review;
- d. Recommend to the City Manager all hirings, promotions, commendations, transfers, and discipline of employees of the Department;
- e. Recommend to the City Manager suspensions and discharges of employees of the Department;

- f. File complaints against employees of the Department with the Board secretary;
- g. Direct employees of the Department in the performance of their duties;
- h. Except as otherwise advised by the Board or because of existing law, keep and control all property and equipment belonging to the Department or held by the Department as evidence;
- i. Submit to the Board an annual report of the operations of the Department for forwarding to the City Manager, the mayor, the city council, and the public; and
- j. Present annually to the Board, City Manager, the mayor, the city council, and the public, any recommendations he or she deems necessary.

5. Discipline

- a. Manual. Chief of Police, in consultation with the Board, shall adopt a manual of rules, regulations and procedures for the Department. The manual shall define categories of major and minor offenses and shall set forth the maximum and minimum penalties for each offense. Said

offenses and penalties shall not be defined in a manner that is inconsistent with existing Civil Service laws.

b. Summary Discipline. The Chief of Police may implement summary discipline for a minor offense. A disciplined employee may request the Board to set aside the summary discipline.

c. General Discipline. The Chief of Police shall recommend to the City Manager the discharge or indefinite suspension of any employee of the Department for a major offense.

When the Chief of Police has made a recommendation concerning discipline for a major offense and the employee contests the recommended discipline, the matter shall be referred to a trial board. The procedure for trial boards shall be established by the Department's rules and regulations. All trial board proceedings concerning civilian complaints shall be public. The decision of a trial board may be appealed to the Board.

Instead of hearing an appeal itself, the Board may appoint a fact finder as provided in section six (6). The fact finder shall conduct a hearing and report findings of fact to the Board. The Board shall then make its recommendation concerning the final disposition

of the matter to the City Manager.

## 6. Complaints

Complaints concerning the Department and filed with the Department shall be forwarded immediately to the Board secretary. Copies of the complaint shall be made available to each member of the Board, the chief investigator, and the Chief of Police. The Chief of Police shall investigate a complaint immediately and file a report of findings with the Board within 45 days. The Board shall also receive complaints concerning any violation of its rules and regulations. The Board may, in its discretion, at any time order an investigation by its own investigative staff of complaints concerning the Department or violations of the Board's rules and regulations.

The Board secretary shall keep a public docket of complaints and the disposition of each complaint after investigation.

## 7. Resolution of Complaints

If a complaint is not resolved as a result of investigation to the satisfaction of the complainant, the respondent employee, or a member of the Board,

either the complainant, the respondent employee, or the Board member may request the full Board to hear or review the matter. The Board may, as its option, when it determines that a hearing or review is warranted by the evidence, hear or review the matter itself or refer the matter to a fact finder.

The fact finder shall be an attorney and, in the conduct of the hearing, may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the fact finder shall, with the assistance and approval of the City Solicitor, apply to the appropriate court. The costs of the fact finder shall be borne by the City.

After a hearing, the fact finder shall, within thirty (30) days, submit findings of fact to the Board. The Board, upon receipt of the report of the fact finder, shall within thirty (30) days recommend to the City Manager any discipline to be imposed. Any report or action involving a civilian complaint shall be made public.

Any employee against whom a complaint is filed is presumed innocent and shall not forfeit any pay or seniority rights pending final action by the Board, except with the concurrence of four members of the

**Board.** All pleadings filed and all hearings before the **Board** and the fact finder which involve a civilian **complaint** shall be public. The parties to any hearing **are the** complainant and the respondent employee. Each **has a** right to counsel. The complainant's case may be **presented** by the complainant or complainant's counsel. **Any probative** evidence may be admitted.

8. Hiring and Promotions.

Entry into employment with the Department as a police officer is by appointment of the City Manager, in accordance with the rules, regulations, and procedures established by this Commonwealth's Civil Service Laws.

Promotions shall be made on the basis of training, experience, education and competitive examinations, all in accordance with existing law. The City Manager shall make all promotions within the Department.

Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST;- Paul E. Healy, City Clerk.



# City of Cambridge

---

In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge. "

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter Twenty-four entitled "Employment" is hereby amended by adding at the end thereof a new Article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and Employment Resources, Inc", which reads as follows:

IMPLEMENTATION OF THE CAMBRIDGE EMPLOYMENT PLAN BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE EMPLOYMENT RESOURCES, INC.

SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 3(b) below, as follows:
  - (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
  - (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
  - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly;
- (1) Review spending plans for such projects;
  - (2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
  - (iv) denial of any further participation in future contracts for no less than three years.

#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with labor and trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

18.

COUNCILLOR VELLUCCI

IN CITY COUNCIL

May 14, 1984

- WHEREAS: There are many unemployed or underemployed persons in the City of Cambridge that are both white and minority residents; and
- WHEREAS: It is evident that the City of Cambridge is experiencing a rate of construction that will create an additional thirteen thousand jobs over the next fifteen years; and
- WHEREAS: These jobs are being created as a result of contracts, many of which make use of public funds derived from taxes paid by city residents; and
- WHEREAS: The vast majority of workers employed during the construction of projects funded by public funds in part or in full, are individuals who do not reside in the City of Cambridge; and
- WHEREAS: A recent ruling by the United States Supreme Court enabling the City of Boston to enforce a like ordinance and that this ruling indicates that there are no legal encumbrances in creating this ordinance with the full force of the law behind it, and that such a law would be legitimate and valid; and
- WHEREAS: The Cambridge Employment Plan is at this time already being implemented as a voluntary plan by Employment Resources Incorporated, and as an entity funded by the City of Cambridge, is in place and competent to administer the essence of this ordinance; and
- WHEREAS: The office of the City Manager has designated that the office of Community Development, a sub-structure thereof, has purview over the areas of compliance and enforcement of all areas pertaining to labor and the fulfillment of all requirements mandated by law pertaining to construction and it is in place and competent to administer compliance and enforcement of the essence of this ordinance; now
- THEREFORE: Be it ordained as follows:

## AN ORDINANCE

### SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

### SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by the City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 3(b) below, as follows:
  - (b)
    - (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
    - (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
    - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
  - (c)
    - (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
    - (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

### SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;
- (2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
  - (iv) denial of any further participation in future contracts for no less than three years.

#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

# City of Cambridge

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In City Council June 25, 1984

The ORDINANCE

Committee

comprised of the entire membership of the City Council  
*to which* was referred a proposed amendment to the General Ordinances of the City of Cambridge providing for construction jobs for Cambridge residents, minorities and women, relative to the implementation of Cambridge Employment Plan by Employment Resources, Inc. and the Community Development Department met on Tuesday, June 19, 1984 at eight o'clock and fifteen minutes p. m. in the City Council Chamber.

Presiding, Councillor David Sullivan, Chairman, Committee on Ordinances.

The Chair called for the proponents to appear and the committee heard from Councillor Vellucci who had submitted a City Council Order on May 14, 1984 together with a copy of the proposed ordinance.

Councillor Vellucci informed the committee that his proposal defined "resident" as any person whose principal place is where the person normally eats and sleeps and is within the city limits of Cambridge and where the person is subject to a Massachusetts resident income tax and said residency has occurred for at least six months. He further stated that his proposal defined "minority person" as including those persons who are Black, Hispanic Asian, or Native American, or Cape Verdean.

Councillor Vellucci stated that his proposal implemented a policy that any construction project, funded in whole or in part by city, state or federal funds or federal grant the city expends or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed in accordance with the contract provided as follows:

That no less than twenty-five percent of the total manhours in each trade shall be performed by actual Cambridge residents;

That no less than twenty-five percent of those employee manhours shall be performed by minorities;

That no less than ten percent of those employee manhours shall be performed by women.

He also stated that contracts with a value in excess of \$250,000.00 shall be performed only by contractors who are affiliated with apprenticeship programs approved by the Commonwealth of Massachusetts and that all contractors bidding on such projects provide a written commitment to employ a specific number of apprentices satisfactory to the city.

In his proposal Employment Resources Incorporated shall be designated as the Agency responsible for the implementation of the ordinance with the Community Development Department being responsible for the compliance and enforcement of the ordinance and that prior to any commencement of any construction project, capital works or city economic development plan both agencies shall review spending plans for the projects and to identify the number of job positions in all categories that will be created for the projects.

The Employment Resources, Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to comply with the ordinance.

Along with compliance and enforcement of the ordinance, Community Development shall have the duties to require all contractors and subcontractors to submit weekly workforce charts, negotiate with all contractors/developers in order to identify and classify construction jobs and shall impose sanctions upon contractors and subcontractors as follows:

- suspension of payments
- termination of any and all contracts
- recovery by the city of one percent of the contract award price as liquidated damages and
- denial in participation of future contracts for not less than three years.

Councillor Vellucci further stated that there would be a subcommittee to review all reports made by Employment Resources, Inc. and the Community Development Department with the power to make recommendations to both Agency and department. He further stated that any independent agency operating on behalf of the city shall comply with the ordinance and that funding would be provided to establish a position in Employment Resources, Inc. to implement this ordinance and said position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry.

No one else appeared in favor at the call of the Chair.

The Chair called for the opposition to appear and be heard.

No one appeared in opposition at the call of the Chair.

At this time Councillor Vellucci moved that the proposed amendment to the General Ordinances be referred to the City Council, without recommendation, for consideration at its meeting of June 25, 1984.

There being no opposition the ordinance was so referred.

The hearing adjourned at eight o'clock and eighteen minutes p. m. on motion of Councillor Wolf.

For the Committee,

---

Councillor David Sullivan,  
Chairman.

# City of Cambridge

---

In City Council June 25, 1984

**The**      ORDINANCE      **Committee**

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The hearing adjourned at eight o'clock and eighteen minutes p. m. on motion of Councillor Wolf.

For the Committee,

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Councillor David Sullivan,  
Chairman.

# City of Cambridge

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In City Council June 25, 1984

The ORDINANCE

Committee

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The hearing adjourned at eight o'clock and eighteen minutes p. m. on motion of Councillor Wolf.

For the Committee,

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Councillor David Sullivan,  
Chairman.



# City of Cambridge

18.

COUNCILLOR VELLUCCI

IN CITY COUNCIL

May 14, 1984

- WHEREAS: There are many unemployed or underemployed persons in the City of Cambridge that are both white and minority residents; and
- WHEREAS: It is evident that the City of Cambridge is experiencing a rate of construction that will create an additional thirteen thousand jobs over the next fifteen years; and
- WHEREAS: These jobs are being created as a result of contracts, many of which make use of public funds derived from taxes paid by city residents; and
- WHEREAS: The vast majority of workers employed during the construction of projects funded by public funds in part or in full, are individuals who do not reside in the City of Cambridge; and
- WHEREAS: A recent ruling by the United States Supreme Court enabling the City of Boston to enforce a like ordinance and that this ruling indicates that there are no legal encumbrances in creating this ordinance with the full force of the law behind it, and that such a law would be legitimate and valid; and
- WHEREAS: The Cambridge Employment Plan is at this time already being implemented as a voluntary plan by Employment Resources Incorporated, and as an entity funded by the City of Cambridge, is in place and competent to administer the essence of this ordinance; and
- WHEREAS: The office of the City Manager has designated that the office of Community Development, a sub-structure thereof, has purview over the areas of compliance and enforcement of all areas pertaining to labor and the fulfillment of all requirements mandated by law pertaining to construction and it is in place and competent to administer compliance and enforcement of the essence of this ordinance; now
- THEREFORE: Be it ordained as follows:

## AN ORDINANCE

### SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

### SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 3(b) below, as follows:
- (b) (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
- (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
- (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

### SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- \*jointly; (1) Review spending plans for such projects;
- (2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
  - (iv) denial of any further participation in future contracts for no less than three years.

#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

# City of Cambridge

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In City Council June 25, 1984

The ORDINANCE

Committee

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The hearing adjourned at eight o'clock and eighteen minutes p. m. on motion of Councillor Wolf.

For the Committee,

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Councillor David Sullivan,  
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# City of Cambridge

18.

COUNCILLOR VELLUCCI

IN CITY COUNCIL

May 14, 1984

- WHEREAS: There are many unemployed or underemployed persons in the City of Cambridge that are both white and minority residents; and
- WHEREAS: It is evident that the City of Cambridge is experiencing a rate of construction that will create an additional thirteen thousand jobs over the next fifteen years; and
- WHEREAS: These jobs are being created as a result of contracts, many of which make use of public funds derived from taxes paid by city residents; and
- WHEREAS: The vast majority of workers employed during the construction of projects funded by public funds in part or in full, are individuals who do not reside in the City of Cambridge; and
- WHEREAS: A recent ruling by the United States Supreme Court enabling the City of Boston to enforce a like ordinance and that this ruling indicates that there are no legal encumbrances in creating this ordinance with the full force of the law behind it, and that such a law would be legitimate and valid; and
- WHEREAS: The Cambridge Employment Plan is at this time already being implemented as a voluntary plan by Employment Resources Incorporated, and as an entity funded by the City of Cambridge, is in place and competent to administer the essence of this ordinance; and
- WHEREAS: The office of the City Manager has designated that the office of Community Development, a sub-structure thereof, has purview over the areas of compliance and enforcement of all areas pertaining to labor and the fulfillment of all requirements mandated by law pertaining to construction and it is in place and competent to administer compliance and enforcement of the essence of this ordinance; now
- THEREFORE: Be it ordained as follows:

## AN ORDINANCE

### SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

### SECTION 2 POLICY:

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- (b) (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
- (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
- (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

### SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;
- (2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
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#### SECTION 5 REVIEW COMMITTEE

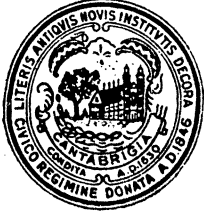
A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge. "

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter Twenty-four entitled "Employment" is hereby amended by adding at the end thereof a new Article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and Employment Resources, Inc", which reads as follows:

IMPLEMENTATION OF THE CAMBRIDGE EMPLOYMENT PLAN BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE EMPLOYMENT RESOURCES, INC.

SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by the City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 2(b) below, as follows:
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SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

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The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

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#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

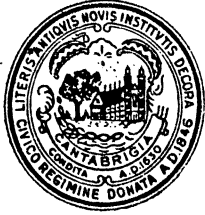
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#### SECTION 7 FUNDING

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Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge. "

*Be it ordained by the City Council of the City of Cambridge as follows:*

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IMPLEMENTATION OF THE CAMBRIDGE EMPLOYMENT PLAN BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE EMPLOYMENT RESOURCES, INC.

SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 2(b) below, as follows:
  - (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
  - (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
  - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;  
(2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
  - (iv) denial of any further participation in future contracts for no less than three years.

#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

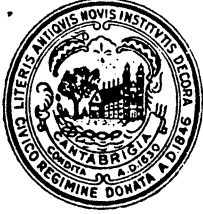
Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge. "

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter Twenty-four entitled "Employment" is hereby amended by adding at the end thereof a new Article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and Employment Resources, Inc", which reads as follows:

IMPLEMENTATION OF THE CAMBRIDGE EMPLOYMENT PLAN BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE EMPLOYMENT RESOURCES, INC.

SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 2(b) below, as follows:
  - (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
  - (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
  - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;  
(2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
  - (iv) denial of any further participation in future contracts for no less than three years.

#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

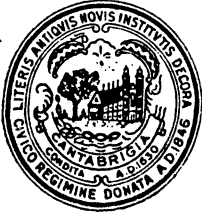
Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

---

In the Year One Thousand, Nine Hundred Eighty-Four

## AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge. "

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter Twenty-four entitled "Employment" is hereby amended by adding at the end thereof a new Article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and Employment Resources, Inc", which reads as follows:

IMPLEMENTATION OF THE CAMBRIDGE EMPLOYMENT PLAN BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE EMPLOYMENT RESOURCES, INC.

SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 2(b) below, as follows:
  - (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
  - (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
  - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c) (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
- (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;  
(2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
  - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
  - (iv) denial of any further participation in future contracts for no less than three years.

#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

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#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

18.

COUNCILLOR VELLUCCI

IN CITY COUNCIL

May 14, 1984

- WHEREAS: There are many unemployed or underemployed persons in the City of Cambridge that are both white and minority residents; and
- WHEREAS: It is evident that the City of Cambridge is experiencing a rate of construction that will create an additional thirteen thousand jobs over the next fifteen years; and
- WHEREAS: These jobs are being created as a result of contracts, many of which make use of public funds derived from taxes paid by city residents; and
- WHEREAS: The vast majority of workers employed during the construction of projects funded by public funds in part or in full, are individuals who do not reside in the City of Cambridge; and
- WHEREAS: A recent ruling by the United States Supreme Court enabling the City of Boston to enforce a like ordinance and that this ruling indicates that there are no legal encumbrances in creating this ordinance with the full force of the law behind it, and that such a law would be legitimate and valid; and
- WHEREAS: The Cambridge Employment Plan is at this time already being implemented as a voluntary plan by Employment Resources Incorporated, and as an entity funded by the City of Cambridge, is in place and competent to administer the essence of this ordinance; and
- WHEREAS: The office of the City Manager has designated that the office of Community Development, a sub-structure thereof, has purview over the areas of compliance and enforcement of all areas pertaining to labor and the fulfillment of all requirements mandated by law pertaining to construction and it is in place and competent to administer compliance and enforcement of the essence of this ordinance; now
- THEREFORE: Be it ordained as follows:

## AN ORDINANCE

### SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

### SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 3(b) below, as follows:
  - (b)
    - (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
    - (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
    - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c)
  - (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
  - (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

### SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;
- (2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
  - (i) suspension of payments
  - (ii) termination of any or all contracts,
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#### SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

#### SECTION 6 INDEPENDENT AGENCIES

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#### SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

(Original)

May 14, 1985

(order # 18 as submitted)

C. V. ...

- WHEREAS There are many unemployed or underemployed persons in the city of Cambridge that are both white and minority residents; and
- WHEREAS It is evident that the city of Cambridge is experiencing a rate of construction that will create an additional thirteen thousand jobs over the next fifteen years; and
- WHEREAS These jobs are being created as a result of contracts, many of which make use of public funds derived from taxes paid by city residents; and
- WHEREAS The vast majority of workers employed during the construction of projects funded by public funds in part or in full, are individuals who do not reside in the City of Cambridge; and
- WHEREAS A recent ruling by the United States Supreme Court enabling the City of Boston to enforce a like ordinance and that this ruling indicates that there are no legal encumbrances in creating this ordinance with the full force of the law behind it, and that such a law would be legitimate and valid; and
- WHEREAS The Cambridge Employment Plan is at this time already being implemented as a voluntary plan by Employment Resources Incorporated, and as an entity funded by the City of Cambridge, is in place and competent to administer the essence of this ordinance; and
- WHEREAS The office of the City Manager has designated that the office of Community Development, a sub-structure thereof, has purview over the areas of compliance and enforcement of all areas pertaining to labor and the fulfillment of all requirements mandated by law pertaining

to construction and it is in place and  
competent to administer compliance and  
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ordinance; and

THEREFORE

Be it ordained as follows;

## AN ORDINANCE

### SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

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*Ref. to Ordinance Committee*

Order # 18 0-31

C. Vellucci order re: a proposed ordinance relative to implementation of the Cambridge Employment Plan by Employment Resources Incorporated & being funded as an entity by the City of Cambridge.

9-10-84 Passed to be  
ordained

9-0-0

copy sent to Councilor David Sullivan,  
Chairman, Committee on Ordinances  
in his Friday Council package of  
May 18, 1984 mk  
In City Council,

May 14, 1984

5/14/84

Referred to the  
Committee on Ordinances