



# Programs & Services Committee Report

## City of Newton In City Council

Wednesday, February 8, 2017

Present: Councilors Rice (Chair), Leary, Auchincloss, Hess-Mahan, Schwartz and Baker

Absent: Councilors Sangiolo and Kalis

Also present: Councilors Ciccone, Blazar, Fuller, Albright, Yates, Cote, Harney, Laredo, Norton, Lennon, Lipof, Brousal-Glaser, Gentile, Crossley and Danberg

City Staff Present: Dori Zaleznik (Chief Administrative Officer), Donnalyn Kahn (City Solicitor), David MacDonald (Chief of Police), David Olson (City Clerk), Danielle Delaney (Committee Clerk)

### **#443-16(3) Ordinance amendment to create a “Welcoming City” Ordinance**

HIS HONOR THE MAYOR, CHIEF OF POLICE, PRESIDENT LENNON, COUNCILOR ALBRIGHT, AUCHINCLOSS, BLAZAR, BROUSAL-GLASER, CROSSLEY, DANBERG, FULLER, HARNEY, HESS-MAHAN, KALIS, LAREDO, LEARY, LIPOF, NORTON, RICE, SANGIOLO AND FORMER MAYOR COHEN requesting an ordinance amendment that reaffirms the City’s commitment to fair treatment for all and codifies current community policing practices. One of the city’s most important objectives is to enhance relationships with all residents and make all residents, workers and visitors feel safe and secure regardless of immigration status.

**Public Safety & Transportation Approved 6-2-0 (Ciccone and Cote opposed)**

**Action: Program & Services Approved 6-0**

**Note:** The Programs & Services Committee met jointly with the Public Safety and Transportation Committee on this item as well as #443-16 and #443-16(2). Please refer to the February 8<sup>th</sup> Public Safety and Transportation Committee report for details of the discussion.

### **Referred to Programs & Services Public Safety & Transportation Committees**

#### **#443-16 Ord. amendment re immigration status and guidelines for community policing**

HIS HONOR THE MAYOR, CHIEF OF POLICE, PRESIDENT LENNON, AND COUNCILOR KALIS proposing an amendment to the City of Newton Revised Ordinances Chapter 12, Article V; Human Rights Commission and Advisory Council, to add a new section (C) to §12-50 defining: 1) the Policy of the City of Newton regarding immigration status and 2) the final Foundational Guidelines for Community Policing. [12/16/16 @10:45 AM]

**Public Safety & Transportation Voted No Action Necessary 8-0**

**Action: Program & Services Voted No Action Necessary 6-0**

**Note:** See note above.

**Referred to Programs & Services Public Safety & Transportation Committees**

- #443-16(2) Ordinance amendment to protect undocumented residents**  
COUNCILORS ALBRIGHT, AUCHINCLOSS, HESS-MAHAN, NORTON, CROSSLEY, BROUSAL-GLASER AND HARNEY proposing an amendment to the City of Newton Revised Ordinances to protect undocumented residents which at a minimum does the following:
- 1) No city official will request or seek information regarding a person's immigration status.
  - 2) No city official will report to, respond to or cooperate with Immigration Customs Enforcement with regard to status of any persons who has contact with a city official or employee except in the case where that person has been convicted of a felony, is on a terrorist watch list, poses a serious substantive threat to public safety, or is compelled to by operation of law except as required by law.
- [12/16/16 @ 9:11 AM]

**Public Safety & Transportation Voted No Action Necessary 8-0**

**Action: Program & Services Voted No Action Necessary 6-0**

**Note:** See note above.

- #336-16 Request for a Resolution embracing Free Speech**  
COUNCILOR AUCHINCLOSS requesting a Resolution reflecting the will of the City Council that punishing Newton North High School students for displaying the Confederate Flag is contrary to Newton's embrace of free speech, and that the display does not rise to the Supreme Court's standard of protecting schools from substantial disruption to educational program or discipline. [09/30/16 @ 9:45 AM]

**Action: Programs & Services Voted No Action Necessary 5-0 (Schwartz not voting)**

**Note:** Councilor Auchincloss stated that he stands by this resolution but after speaking to School Committee Chairman Matt Hills, concluded that the climate right now is not conducive to this discussion. He did say that, nevertheless, the City should not be detaining people based on unpopular political speech. He moved No Action Necessary on this item and the Committee voted in favor.

**Referred to Finance and Appropriate Committees**

- #257-12 RECODIFICATION COMMITTEE** recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

**Action: Programs & Services Voted No Action Necessary 5-0 (Schwartz not voting)**

**Note:** The City will be undertaking recodification of the ordinances this year. Since this item is from the last recodification and no action has yet been taken, the Committee voted No Action Necessary 5-0.

#229-12      RECODIFICATION COMMITTEE recommending a review and possible amendment to the *Board of Aldermen Rules & Orders 2012-2013* relative to review of draft ordinances by the Law Department.

**Action:**      **Programs & Services Voted No Action Necessary 5-0 (Schwartz not voting)**

**Note:** The City will be undertaking recodification of the ordinances this year. Since this item is from the last recodification and no action has yet been taken, the Committee voted No Action Necessary 5-0

Meeting adjourned.

**Respectfully Submitted,**

**John B. Rice, Chair**