



## **CITY COUNCIL**

City Clerk's Office      3/17/2021 12:00:00 PM

### **Special Meeting Agenda~**

I hereby notify you that the following items of business have been filed with this office and can be acted upon at the meeting of the City Council **Monday March 22, 2021** at 05:30 PM.

City Clerk

#### **COVID-19 Advisory:**

In order to enable municipal government to continue its important work during the COVID-19 pandemic, and to ensure that elected officials can satisfy CDC social distancing guidelines to avoid exposure to contagions, the City of Springfield is providing public notice that it will conduct this meeting utilizing remote collaboration technology in accord with Governor Baker's Order concerning the Open Meeting Law. FOCUS Springfield Community TV will continue to broadcast meetings utilizing the technology listed below.

There are three (3) methods for City residents to be present during the meeting or, in the alternative, watch the meeting at a later date:

1. Viewers used to watching "live" or "on-demand" recordings via Livestream will continue to watch meetings using the same link: <https://livestream.com/focusspringfield/citycouncil>
2. Viewers used to watching "live" or recordings played back on Springfield's Comcast Channel 17 will continue to watch meetings on the same channel, and it is repeatedly aired several times a week until the next meeting
3. At any point, City Council meetings can be viewed at the FOCUS Springfield website <http://focusspringfield.com/>

#### **Call to Order**

5:30 PM Meeting called to order on March 22, 2021 at Virtual Meeting (Zoom) , Virtual Meeting, N/A, NA.

#### **Open Session**

The City Council will begin the meeting in Open Session and will move into Executive Session upon an affirmative roll call vote. The Council will reconvene in Open Session.

#### **Executive Session**

The purpose of the Executive Session is to discuss strategy with respect to litigation as an open meeting may have a detrimental effect on the litigating position of the body. The Council will reconvene in Open Session.

**Open Session**

**Orders**

- (1.) Order to Retain Legal Counsel-Conservation Law Foundation (Councilor Lederman)
- (2.) Order Authorizing Appeal of Zoning Enforcement Decision-1000 Page Blvd (Councilor Lederman)



## City Council

**SCHEDULED**

Meeting: 03/22/21 05:30 PM

Initiator: Tasheena Davis

Sponsors: Jesse Lederman

DOC ID: 6111

4.A.1

### **Order to Retain Legal Counsel-Conservation Law Foundation (Councilor Lederman)**

#### **Order to Retain Counsel**

#### **AN ORDER OF THE CITY COUNCIL IN THE CITY OF SPRINGFIELD, MASSACHUSETTS**

BE IT ORDERED THAT the Springfield City Council hereby retains the pro bono legal representation of the Conservation Law Foundation with regard to appeal of the Zoning Enforcement Decision issued by Building Commissioner Steven Desilets February 23, 2021 in response to the Request for Zoning Enforcement Action submitted by Councilors Jesse Lederman, Justin Hurst, Tracye Whitfield, Kateri Walsh, Adam Gomez, Michael Fenton, Melvin Edwards, Malo Brown, Marcus Williams, Victor Davila, Timothy Allen, and Orlando Ramos on October 14, 2020 with regard to the Building Permit at 1000 Page Blvd., and

BE IT FURTHER ORDERED THAT the Springfield City Council authorizes the Conservation Law Foundation to provide legal advice to the City Council with regard to the appeal described above and, if directed by a vote of the City Council, to bring a formal appeal of the Building Commissioner's decision before the Springfield Zoning Board of Appeals, and

BE IT FURTHER ORDERED THAT the Springfield City Council hereby authorizes the City Council President, Marcus J. Williams, to sign and execute an engagement letter between the Springfield City Council and the Conservation Law Foundation for the purposes of the above referenced representation.



## City Council

SCHEDULED

4.A.2

Meeting: 03/22/21 05:30 PM

Initiator: Tasheena Davis

Sponsors: Jesse Lederman

DOC ID: 6112

# Order Authorizing Appeal of Zoning Enforcement Decision- 1000 Page Blvd (Councilor Lederman)

## Order Authorizing Appeal of Zoning Enforcement Decision RE: 1000 Page Blvd.

*An order in the City Council in the City of Springfield, Massachusetts*

WHEREAS, on October 14, 2020 City Councilors Jesse Lederman, Justin Hurst, Tracye Whitfield, Kateri Walsh, Adam Gomez, Michael Fenton, Melvin Edwards, Malo Brown, Marcus Williams, Victor Davila, Timothy Allen, and Orlando Ramos submitted a request for Zoning Enforcement Action to Building Commissioner Steven Desilets in his capacity as Zoning Enforcement Officer of the City of Springfield under the provisions afforded by MGL Chapter 40A Subsection 7, and

WHEREAS, the Request for Zoning Enforcement Action requested that a cease and desist order be issued on construction of the proposed biomass project at 1000 Page Blvd. by Palmer Renewable Energy based on the expiration of the project's original building permit and the project's lack of a special permit from the City Council in compliance with the current Springfield Zoning Ordinance, and

WHEREAS, on February 26, 2021 Commissioner Desilets, through administrative staff, transmitted his decision dated February 23, 2021 to Councilor Jesse Lederman via e-mail, effectively declining the Request for Zoning Enforcement Action, and

WHEREAS, the Springfield Zoning Ordinance authorizes appeal of decisions issued by the Building Commissioner to the Springfield Zoning Board of Appeals,

NOW, THEREFORE BE IT ORDERED, that the Springfield City Council authorizes the Conservation Law Foundation to file on its behalf an appeal of the Building Commissioner's February 23, 2021 decision with regard to the aforementioned October 14, 2020 Request for Zoning Enforcement Action, and

BE IT FURTHER ORDERED, that such services be provided by the Conservation Law Foundation in a pro-bono capacity.