



ORDINANCE COMMITTEE

COMMITTEE MEETING

~ MINUTES ~

Wednesday, April 13, 2022

11:00 AM

Sullivan Chamber
795 Massachusetts Avenue
Cambridge, MA 02139

The Ordinance Committee will meet to conduct a public hearing on Ordinance #2022-2 charter change municipal code amendments.

Attendee Name	Present	Absent	Late	Arrived
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Quinton Zondervan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Burhan Azeem	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Dennis J. Carlone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Alanna Mallon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Denise Simmons	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11:30 AM

Minutes Acceptance: Minutes of Apr 13, 2022 11:00 AM (Committee Reports)



CAMBRIDGE CITY COUNCIL ORDINANCE COMMITTEE

COUNCILLOR MARC C. MCGOVERN, CHAIR

COMMITTEE MEETING

TRANSCRIPT OF PROCEEDINGS

APRIL 13, 2022

11:00 AM, SULLIVAN CHAMBER

COUNCILLOR MARC C. MCGOVERN: I call today's meeting of April 13th, 2022 to order. The call of the meeting is in fact a public hearing on Ordinance Number 2022-2, Charter Change Municipal Code Amendments.

Pursuant to Chapter 20 of the Acts of 2021, adopted by Massachusetts General Assembly and approved by the governor, the City is authorized to use remote participation at meetings of the Cambridge City Council. To watch the meeting, please tune into Channel 22 or visit the Open Meeting Portal on the City's website.

Today's meeting will be conducted in a hybrid format. If you would like to provide public comment, please visit cambridgema.gov/publiccomment to sign up. We will not be allowing any additional public comment signup after 11:30 a.m. All of today's votes will be taken by roll call.

Mr. Clerk, please call the roll.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

Councillor Dennis J. Carlone - Present

Vice Mayor Alanna M. Mallon - Present

Councillor Patricia M. Nolan - Present

Mayor Sumbul Siddiqui - Present

Councillor E. Denis Simmons - Absent

Councillor Paul F. Toner - Present

Councillor Quinton Y. Zondervan - Present

Councillor Marc C. McGovern - Present

Present-7, Absent-2. Quorum established.

COUNCILLOR MARC C. MCGOVERN: Okay. Mr. Clerk, I don't see anyone from the Solicitor's Office.

CITY CLERK ANTHONY WILSON: So the solicitor, the solicitor is here in the chamber.

COUNCILLOR MARC C. MCGOVERN: Oh, okay. Great. I can't see that. Okay. So thank you, everyone, for being present. We're going to, I'm at a little bit of a, little bit of a loss. I understand that, I believe that the--that the solicitor sent out a communication or some information about today's meeting. I didn't receive it, or maybe I missed it, I don't know. But in any way, I haven't, I haven't seen it.

So I think what I'm first going to do is go to the solicitor to present her information, then we'll go to the Council for questions and then go to public comment.

So with that, Madam Solicitor, would you like to--

COUNCILLOR PATRICIA M. NOLAN: Chair McGovern?

COUNCILLOR MARC C. MCGOVERN: --your microphone? Yeah?

COUNCILLOR PATRICIA M. NOLAN: Could--I didn't remember getting a memo either, so could we make sure we all have it before the solicitor presents?

COUNCILLOR MARC C. MCGOVERN: Well, I don't know if we'll get it before the solicitor presents, because she's going to present right this second.

COUNCILLOR PATRICIA M. NOLAN: Okay.

COUNCILLOR MARC C. MCGOVERN: But if the clerk or whoever has it--

COUNCILLOR PATRICIA M. NOLAN: Did you send--

COUNCILLOR MARC C. MCGOVERN: --if you could send it to, email it to us, that would be great.

CITY SOLICITOR NANCY GLOWA: Mr. Clerk, would it be-- Mr. Chair, through you to the clerk, would it be possible to put it up on the screen?

CITY CLERK ANTHONY WILSON: I'm going to--I'm forwarding it to all the Councillors again, and then I'm also going to share it on the screen right now.

CITY SOLICITOR NANCY GLOWA: Great, thank you.

COUNCILLOR MARC C. MCGOVERN: All right, okay, thank you. Madam Solicitor, do you want to?

CITY SOLICITOR NANCY GLOWA: Certainly. So as you all know, there were two recent charter changes to the City's Plan E charter that were voted upon by the voters at the November election.

The first section related to the requirement to have an annual review by the City Council of the city manager's performance.

And the second provision was to create the obligation to form a special committee to review the city charter every 10 years.

And each of those two charter amendments required that there be an ordinance prepared and adopted by the Council to put these provisions into effect. My office had originally submitted a briefer version of these two proposed ordinance changes, and the Council asked for some additional detail.

So we've done the best we can to provide some suggested details as to these provisions, with the caveat that this is the Council's review of the manager's performance in particular. So we have put together a procedure that made sense to us and based upon just looking at other general practices and of course, this would be,

this is subject to the City Council's review and possible amendments.

So if you'd like, for those who haven't seen it previously, I'd be happy to read through the changes, or the proposed sections of this proposed ordinance.

COUNCILLOR MARC C. MCGOVERN: Why don't you, yeah. Why don't you highlight what--the recommendations?

CITY SOLICITOR NANCY GLOWA: Thank you, Mr. Chair. So through you, the first section, we've proposed adding a new section in the, in Chapter 2 of the Municipal Code. This section would be 2.02.090 entitled "Annual Review of City Manager's Performance", and there are four subsections included.

Subsection A provides, quote, "As provided in GL Chapter 43, Section 116:

A, the City Council shall prepare and deliver to the city manager an annual written performance review of the city manager's performance;

B, the annual written performance review shall address the city manager's performance during the prior year and the issues that the City Council would like to be addressed by the city manager in the following year;

C, the written report of the annual performance review of the city manager conducted by the City Council should be based upon written information submitted to the City Council, by the city manager, in the regular course of the business of the city, and upon an oral performance review meeting conducted individually or severally by and between the City Councillors and the city manager;

D, the annual written performance review shall be completed and delivered to the city manager by no later than March 30th of each year and shall encompass the city manager's performance during the preceding calendar year.

That concludes this proposed new ordinance. And Mr. Chair, I don't know whether you wish me to read the new proposed section relating to charter review or stop here if any councillors have questions about this first section on city manager performance?

COUNCILLOR MARC C. MCGOVERN: yeah, why don't we, why don't we take it piece by piece? So any thoughts, comments? Councillor Toner.

COUNCILLOR PAUL F. TONER: Thank you, Mr. Chair. through you to the solicitor. This language is pretty general, which is fine. One of my questions, just because

of evaluation processes I've been involved in in prior roles is often there's sort of a subcommittee of three or four board members, whatever. Committee members that sit down, do the hard work of, you know, drafting goals with, you know, the person to be evaluated, presenting them later to the full body and, and voting on them. And then, at a later point, writing the report and then having the full body approve the report or the evaluation.

Would the language you've drafted preclude us, from a procedural point of view, having a smaller subcommittee, let's call it the City Manager Evaluation Committee, that could be doing the--the work of evaluation and then reporting up to the full Council?

CITY SOLICITOR NANCY GLOWA: Through you, Mr. Chair, no, nothing would preclude that. Actually, that sounds like a good idea. And nothing would preclude this from simply happening with the language that's been drafted.

Or, if the Council prefers, you could--we could draft language that would address that happening and insert it here.

COUNCILLOR PAUL F. TONER: Thank you. I yield.

COUNCILLOR MARC C. MCGOVERN: Thank you. I have,

again, I can't see who's in the chamber, but I have the Vice Mayor. Going to the Vice Mayor.

VICE MAYOR ALANNA M. MALLON: Thank you, Mr. Chair. Through you to the city solicitor. In Section C, there's a phrase "in the regular course of the business of the City." I'm just curious why that was included and not just left at, you know, the written information submitted to the City Council by the city manager, comma, and upon an oral performance.

What, what is the--what was the rationale in putting "in the regular course of the business of the City" in this section?

CITY SOLICITOR NANCY GLOWA: Through you, Mr. Chair. Again, I mean, we, we, we worked on this in my office and tried to put provisions that we thought would be useful to the Council.

Since the Council appoints the city manager and he has, you know, both statutory responsibilities and responsibilities to respond to the Council with respect to policy orders as well as to bring forward issues and proposals, we thought perhaps that would be a starting point to say based upon his, the written information that

he submits to the Council, so this is just sort of everything he does that comes before you.

Obviously, this could be expanded upon or changed at the Council's wish.

COUNCILLOR MARC C. MCGOVERN: Madam Vice Mayor.

VICE MAYOR ALANNA M. MALLON: Thank you, Mr. Chair. Through you. So I guess I was reading this as the city manager would provide us sort of a written 360 review, right? Like he would, he or they would provide a written report to us on, you know, what they had done over the last year, what should be, you know, considered when we are performing, doing a performance review.

I guess I was thinking that this would be more of a 360, you know, review versus we just will be performing a performance review on someone based on the work that they've done, not on something that they had put together.

So I think that's something for the Council to think about, how we, how we want to get the information from the city manager on their, on their own views on their performance as part of an annual performance review.

Thank you, I'll yield back at this time.

COUNCILLOR MARC C. MCGOVERN: Thank you. If I, and Mr.

Clerk, if you could let me know who has their hands up in the, in the chamber but, and Councillor Nolan might correct me on this or maybe help me with this. I, I seem to remember when we did the city, the superintendent's evaluation that the superintendent would submit something to the School Committee ahead of time about all the accomplishments and all the things that he had accomplished, and then we would have a review, then we would do our own review with that information. So I think that's how, if I remember correctly. It wasn't that long ago, on the School Committee, that that's kind of how we do it.

Mr. Clerk, I don't want to just keep calling on people on Zoom, because I can't see who's in the chamber. So anyone in the chamber have their hand up?

CITY CLERK ANTHONY WILSON: I just sent you a message. So Councillor Nolan and Councillor Carlone have both, both raised their hands to speak.

COUNCILLOR MARC C. MCGOVERN: All right, let's go to Councillor Nolan then Councillor Carlone, and then we'll go to Councillor Zondervan, who has his hand up, and then Councillor Toner for a second round.

So, Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Thank you, Chair McGovern and Clerk Wilson. I, following on what the Vice Mayor had said and what you said, remembering correctly the superintendent performance review, which I'm sure Councillor Toner is well aware of also from his many years of service in the teachers.

I would like to add in be explicit about a point that the Vice Mayor made which is, and I can send the language, some kind of language to the clerk, that in their gathering of information, the City Council should ensure input from all stakeholders in the community and staff at all levels in the city.

That would get at the 360 review idea, which is certainly current best practice for any kind of review in play at any level, but I'm not sure the term 360 is understood. So I thought to get it that we could say that the City Council would be, would make sure that staff at all levels in the City would have input.

And that I don't think would necessarily come from the city manager. That would really more appropriately be the role of the City Council. And so that's one suggestion, and

this is in paragraph C.

The others, I'm not sure why we would limit ourselves to only an oral performance review meeting as opposed to written. It seems that, that both are really important. That having it in writing is, is often a way to ensure that it's more understood and that it's remembered and then it can be referred to.

So I would suggest we include the possibility of either oral or written performance, or just leave it stated upon a performance review meeting conducted individually.

So those are a couple of comments I would make. If it makes sense, I can send this language to the clerk and we can view them formally or other people can add to it and we can decide what language to use.

COUNCILLOR MARC C. MCGOVERN: Thank you, Councillor Nolan. Councillor Carlone?

COUNCILLOR DENNIS J. CARLONE: Thank you, Mr. Chair. I do want to thank the solicitor for the beginning text, because it's easy, easier to modify or add when you have a good chunk of information. I think Councillor Toner is right on target about forming a smaller group that spearheads this. It seems to me it should come, three

members should come from the Government Operations Committee, or four members, however we want to set it up. It seems the most appropriate.

I was part of a review group for three years and what the Vice Mayor has suggested made all the difference in making it more of a dialogue than a one-sided affair. And by having text from the manager's office, and maybe others, his team really made more of an in-depth discussion out of pluses and areas that need to be improved on both sides.

So I think both the Vice Mayor and Councillor Toner's recommendations are, make this process superior. And again, based on my experience, it makes it more of a dialogue that is productive.

I would also say it probably makes sense that if it's a committee of three, that they literally sit down with the manager and talk out drafts back and forth. To ask questions so that when we do get to a public meeting, a lot of the issues are already discussed. I don't mean resolved, but at least discussed and it doesn't appear as much as an ambush or overpraising; it's, it's more a true evaluation.

So I think both suggestions are very positive. Thank you, Mr. Chair.

COUNCILLOR MARC C. MCGOVERN: Thank you. Councillor Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Chair, and thanks for chairing today. And through you, my thanks to the solicitor as well for providing us with this initial draft that we can work from.

I, I concur with my colleagues on and all their comments so far, and I guess I would like to understand a little bit better what is meant by an oral performance review meeting conducted individually or severally by and between the city councillors. I'm particularly wondering about the Open Meeting Law.

And so are we imagining that one or two or three, or maybe even four councillors at a time would meet with the city manager to discuss their performance?

COUNCILLOR MARC C. MCGOVERN: Madam Solicitor.

CITY SOLICITOR NANCY GLOWA: Thank you, Mr. Chair. And through you, we based that upon past practice that has occurred, as we understand it, with some city managers, with the Council, with three members at a time of the Council meeting individually with the city manager and therefore, in three groups of three, without violating the

Open Meeting Law by talking about issues that may come before the Council. There could be more intimate, relaxed, informal discussions to help set the agenda, identify issues to be addressed in a more formal and public setting.

COUNCILLOR MARC C. MCGOVERN: Councillor Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you. Through you, Mr. Chair. I think that makes sense. I guess I would like to see it spelled out a little bit more specifically here, just so that it's clear that that's what we have in mind.

COUNCILLOR MARC C. MCGOVERN: Are you finished Councillor?

COUNCILLOR QUINTON Y. ZONDERVAN: Yes, thank you.

COUNCILLOR MARC C. MCGOVERN: And may I just say, good investment in the headphones and microphone. I can hear you much better. Councillor Toner.

COUNCILLOR PAUL F. TONER: Thank you, Mr. Chair. Just--sorry?

COUNCILLOR MARC C. MCGOVERN: Councillor, hold on. Madam Mayor, your hand--I forgot your hand was up and then it came down. Are you? Do you want, you haven't spoken?

MAYOR SUMBUL SIDDIQUI: Um, thanks. I'll just, I, I

agree with a lot of what's been said. On the School Committee side, because we've been doing a number of these, we have the Vice Chair who takes the lead on working with the superintendent and kind of, then there's like a composite put together. There's a lot of, um, there's the goal of trying to talk in, trying to have what is presented be in one voice and that we're all kind of working together on it.

And so, you know, I think I agree with having some kind of structure like that, because I think it is useful. But, you know, because, you know, we necessarily haven't done it for this, a city manager before, there could be, you know, some issues. And one councillor may see some things differently, one councillor may have a completely other view.

So I think thinking through how the Council wants to, if we want to present in some kind of voice just, there's a lot to think about there. So that's all I'll say for now.

Thanks.

COUNCILLOR MARC C. MCGOVERN: Thank you. Councillor Toner.

COUNCILLOR PAUL F. TONER: Thank you, Mr. Chair. Just,

I agree with pretty much everything people are saying. And again, just from my experience being on one corporate board a while ago, they had I thought a wonderful process where each of the board members had dialogue with the CEO, senior staff had some structured input into the evaluation through a structured survey.

Members, this is Blue Cross/Blue Shield I'm talking about, so members had the ability to chime in, again in a structured way. I would never want to see anybody evaluated via listserv or something like that. So I would want to make sure that we have some sort of structured way for the community members to give feedback.

And then the committee, the evaluation subcommittee, took all of that and brought it together in one document with the CEO. Also the CEO writing, as many of you said, the superintendent or somebody writing their, you know, their perspective of what they've done good work on and where they feel like they could improve, and then, you know, formulating that as the final package.

So whether we do something quite as elaborate or not, I'm just wondering from the city solicitor, do we leave it as broad as this or should we possibly add a few sentences

that say that there shall be a, the Government Operations Committee will work as a subcommittee to develop the specific process and procedures, whether we decide to do that or not. But do we need to get that specific?

Because one thing I wouldn't want to do is get overly specific and then if we want to change elements in the future we have to come back and change the ordinance. So I want to leave it broad enough to give us flexibility but also specific enough to, you know, make everybody clear on where we're going with it.

Thank you, I yield.

COUNCILLOR MARC C. MCGOVERN: Vice Mayor.

VICE MAYOR ALANNA M. MALLON: Well, thank you, Mr. Chair. Just following on what Councillor Toner said, I almost, I almost feel like this is a little specific given that we, I think the solicitor said that we can, you know, if it comes to an ad hoc committee or a subcommittee we can do that. Certainly none of this precludes us from doing it.

But I almost wonder if taking C out and just leaving it very broad, just that, you know, the performance for, written performance review of the city manager as provided in Mass General Law, A is fine. The annual written

performance shall address the city manager's performance during the prior, prior year. And that that, you know, it gives us a date for when we're supposed to be doing it by.

I think, just having A, B and D and then, you know, we can develop a process in Government Ops on how we want to do this, whether or not it'll be an ad hoc committee, and then it can change.

You know, we're doing this for the first time. I just don't want to be overly prescriptive in this and then have to go back and change it every time. So I would even be a proponent of making it less prescriptive, even what the language that we see right now and removing C.

COUNCILLOR MARC C. MCGOVERN: Thank you. Just sort of, and I don't want to, this is a slightly different question. You know, when we were, when we would do this, the superintendent evaluations, there were a number of types of evaluations that we could choose from, and we kind of, I think we mixed and matched a few things that we, that we wanted to do.

Are there, you know, is there any guidance, for Madam Solicitor or anyone else who knows, is there guidance for us on what other places do in terms of evaluating this type

of position in their cities and towns, and something that we could, Government Ops could sort of draw on?

You know, I think there's different, there's different types of evaluations, Councillor Toner will certainly remember and I think Councillor Nolan will too, the old teacher evaluations that basically, you know, you either didn't meet expectations, you met expectations, or you exceeded expectations.

And, you know, there was no, there was nothing in there and Councillor Toner I believe, as chair of the union really worked on this, was really trying to make an evaluation that was more thorough and, and helped with professional development, helped with growth. It wasn't as sort of a punitive, you know, yes or no, you're either doing a good job or you're not.

But it was much more in depth and it actually was more useful, I think, for--for teachers and others who were evaluated, because then they could see their strengths or weaknesses and then they were, you know, how is the District going to help you sort of achieve your, you know, the goals that you have?

So is there any kind of guidance like that for this

type of position? Does anyone know? Madam Solicitor or? I mean, we had the Mass School Committee Association that was very helpful in, in guiding that process and helping us. And I don't know if Mass Municipal Association or anything else does that. Um, Mister---

CITY SOLICITOR NANCY GLOWA: Through you---

COUNCILLOR MARC C. MCGOVERN: I'm sorry. Mr. Clerk?

CITY CLERK ANTHONY WILSON: Mr. Chair, I was just going to let you know that Councillor Nolan wants the floor when, when you get around to her turn.

COUNCILLOR MARC C. MCGOVERN: Okay. Madam Solicitor, did you, did you want to say something on that, and then I'll go to Councillor Nolan.

CITY SOLICITOR NANCY GLOWA: Through you, Mr. Chair. I think that's exactly the tension that exists. I mean, this is a law that we're creating. And whatever the law says must be complied with.

And as you all know, when there are certain types of ordinances that we create, we often have a provision that the department head can promulgate regulations to carry out the provisions of the chapter, in order to give some leeway and some latitude such as what the Vice Mayor seemed to be

suggesting.

So, but with respect to this specific question, I'm sure there are lots of different models out there. And the question is whether the Council wants to be that prescriptive in this ordinance, or whether you will deliberate and decide to say that the Government Ops Committee shall create a committee that shall develop a form and process to be used.

So all of those things are possible. We can try to see if there are evaluations like that. I'm not sure since there aren't that many strong city manager governments in Massachusetts, and many of the strong mayor governments might be set up differently with respect to the role and relationship between the mayor and the councils in those communities. So we could try to look around and provide something.

But I would also note that in any employment situation, there are many, many varieties of performance mechanisms that are used in different employment settings, so there's no one right answer. There may be some best practices but it may not be that clear. It may be that what works for one organization might not be preferred in

another.

And I do think that one of the tensions in any organization, such as places I've worked before, is how much free rein you want to provide in the process for things to just be developed in the process, as opposed to a specific form that's used? And that sometimes then becomes what drives the work as opposed to the other way around. So, not sure if that helps.

COUNCILLOR MARC C. MCGOVERN: So, thank you. Before I go to Councillor Nolan, so to the Vice Mayor's point of maybe removing C, would we want to put in, in the ordinance that the Government Operations Committee of the City Council will, will meet, you know, at such and such, you know, annually to? Again, I'm not getting the words right, but would meet annually to work with the city, excuse me, the city manager in developing a evaluation.

SO that it's, so that it's in there that at least that we know that each year this is, the Government Ops is going to, Committee will be the ones who are in charge of this? And again, I don't know what the language would be, but should that be something that gets put into the ordinance itself? Madam Solicitor.

CITY SOLICITOR NANCY GLOWA: Yes, Mr. Chair. Sorry, my mic was off. That certainly would be permissible. It also would be permissible to not have it but to simply do it. So whichever way the Council wants to go, that's certainly a process that, you know, I'm sure works. And as Councillor Toner suggested, you know, there are people who use that model so you can either put it in or not put it in, but you certainly can do that.

COUNCILLOR MARC C. MCGOVERN: I mean, the only reason I would say, I would lean towards putting it in is, really, we should have been evaluating the super--the city manager all the time and council has got away from it and we didn't do it. Whereas if it's in the ordinance, we have to do it. So five councils from now when, you know, maybe none of us are here, it's clear what the expect--what the responsibility is. I'm afraid of that getting lost as years go on. So I would want some, I think it's better to put it in, but Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Thank you, Chair McGovern. I had sent a couple of proposed amendments to the clerk. However, I'm fully supportive of Vice Mayor Mallon's suggestion that we could also just eliminate C. As the city

solicitor noted, and you noted, there's, there's a reason to be more specific and there's a reason not to be specific.

We would be the, the body. The City Council will be the body to perform this review and evaluation, to remind all of us that the, all three charter questions passed overwhelmingly. The city manager review passed of the highest of all with 79% of voters saying this is something the city should do.

As you noted, Councillor McGovern, prior councillors haven't done it. It's in the charter now so this is something that we hope to have happen.

What the changes are, which don't appear to be showing up in red, is that in B it, instead of the word issues, because there may not be issues. It's really the ideas, the work that the City Council would like to be performed by the city manager in the following year.

COUNCILLOR QUINTON Y. ZONDERVAN: Mr. Chair, point of order.

COUNCILLOR MARC C. MCGOVERN: Councillor Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Chair. I thought we were still in Q&A, and then we would go

to---

COUNCILLOR PATRICIA M. NOLAN: Okay.

COUNCILLOR QUINTON Y. ZONDERVAN: --to public comment and then do discussion. Because I, I feel like we might be getting down in the weeds here.

COUNCILLOR MARC C. MCGOVERN: Yeah, yeah.

COUNCILLOR PATRICIA M. NOLAN: I'm happy to, to not to--to discuss this later.

COUNCILLOR MARC C. MCGOVERN: Yeah, if you can, if you can hold on.

COUNCILLOR PATRICIA M. NOLAN: Yeah. And again, as I say, if we eliminate C then that other amendment doesn't even qualify and, thank you.

COUNCILLOR MARC C. MCGOVERN: Councillor Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: So, sorry. That was my point of order.

COUNCILLOR MARC C. MCGOVERN: Oh, okay. All right. So, um, if there are no further questions I guess we are into discussing possible amendments.

CITY CLERK ANTHONY WILSON: Mister--

COUNCILLOR MARC C. MCGOVERN: If so, I think the first, the first thing that was, that Councillor Nolan,

before we go back to you, the first thing that was raised was by the Vice Mayor about just eliminating C all together and making D Letter C. Are there any--Vice Mayor, is that what you wanted? Is that a formal--

VICE MAYOR ALANNA M. MALLON: Yes, that's a formal motion.

COUNCILLOR MARC C. MCGOVERN: --motion? Okay, so discussion. Councillor Toner.

COUNCILLOR PAUL F. TONER: Thank you. This is, I have a little bit, Mr. Chair. I am supportive of that and I, before we end up discussing major amendments, my suggestion might simply be that, you know, if we pass this very broad language, that's great. And then through Government Operations, I know Vice Mayor Mallon had been seeking suggestions for changes to the descriptions, or to the rules of the Council, that maybe during that process, we get into adding the role, the duty of the evaluation to the Government Operations Committee through that process. I yield. Thank you.

COUNCILLOR MARC C. MCGOVERN: Vice Mayor, is that up from before, or?

VICE MAYOR ALANNA M. MALLON: Yes, I just had my hand

up because I'm wondering, I know we have another thing to go to, you know, the Special Committee to Review the City Charter. I don't think there are many people in public comment. We may just want to hear from the public now, just as a friendly suggestion, prior to us making any amendments, and then we can, we can move on?

COUNCILLOR MARC C. MCGOVERN: Yeah, no, I think that, I think that sounds good. And if, if anybody wants to take a stab at adding some language that the Government Operations will oversee this process so that we know that that that, that will happen annually, that would--that would be great.

So Mr. Clerk, yeah, why don't we go, why don't we go to public comment now? And again, for public comment, you have three--three minutes. Please state your name and address for the record.

COUNCILLOR QUINTON Y. ZONDERVAN: Mr. Chair?

COUNCILLOR MARC C. MCGOVERN: Oh, Councillor Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: Sorry, a point of order again. I thought we were going to hear from the solicitor on the charter review first and then go to public

comment?

COUNCILLOR MARC C. MCGOVERN: Um, yeah, I mean, I'm open either way. I was trying to do this in, in pieces because it can get, it can get confusing. Um, so, well why don't--why don't we go to public comment now? The, the--and then we can hear people's feedback and we can certainly ask those questions. If, if folks in public comment have questions on either part of this then we can try to address those in the discussion.

COUNCILLOR QUINTON Y. ZONDERVAN: Okay, thanks.

COUNCILLOR MARC C. MCGOVERN: Okay. So, Mr. Clerk, will you take it from here?

PUBLIC COMMENT

Lee Farris, address not provided, spoke on Ordinance Number 2022-2, Charter Change Municipal Code Amendments. Ms. Farris supports the removal of Section C and not being overly specific and highlighted her concern over the phrase "meeting individually by councillors", as she feels multiple councillors should be participating, as the group setting will provide transparency and ensure the integrity of the process.

Support was also expressed for the City Manager to

provide a written self-evaluation and have the Ordinance state that input from all stakeholders be required.

Ms. Farris concluded her comments by expressing her desire for Committee Members to finish this process and begin building the Charter Reform Commission as soon as possible to facilitate the completion of charter reform this year.

Heather Hoffman, 213 Hurley Street, spoke on Ordinance Number 2022-2, Charter Change Municipal Code Amendments. Ms. Hoffman concurred with Ms. Farris' comments. Ms. Farris has been an active and involved resident of Cambridge since 1980 and indicated the importance for City Councillors to be bound by the requirements of ordinances and the wishes of the voters.

Ms. Hoffman asked how the Special Commission to review the Charter every 10 years corresponds to state law.

Ms. Hoffman stated the need for a Charter review, and her wish for the Charter review be conducted in a fair, accessible and open public process.

CITY CLERK ANTHONY WILSON: There are no further individuals signed up in public comment.

COUNCILLOR MARC C. MCGOVERN: On a motion to close

public comment, roll call.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Yes

Councillor Patricia M. Nolan - Yes

Mayor Sumbul Siddiqui - Yes

Councillor E. Denis Simmons - Absent

Councillor Paul F. Toner - Yes

Councillor Quinton Y. Zondervan - Yes

Councillor Marc C. McGovern - Yes

Yes-7, No=0, Absent-2. Motion Passed.

COUNCILLOR MARC C. MCGOVERN: Okay. Mr. Clerk, can you--can you put, share that language again and let's, let's deal with these amendments to that first section and then move on.

CITY CLERK ANTHONY WILSON: And Mr. Chair, as I do that, um, so I have received amendment language from Councillor Nolan, a second set, which I'll forward to the Council.

And I just wanted, just a piece of information for the Council as it makes its decisions, I just want to point out

that the committees, even the standing committees, are part of this, are created through the City Council's rules that are adopted every year. They can change more easily than ordinances. And there's, theoretically, the--the Ordinance Committee, Government Operations Committee, they can be, they can either be renamed or changed or deleted.

So just as that's the manager, the thing about adding one of the committees to the ordinance.

COUNCILLOR MARC C. MCGOVERN: Thank you.

CITY CLERK ANTHONY WILSON: The solicitor raised her hand as well.

COUNCILLOR MARC C. MCGOVERN: But before, but I think the, um, the amendment, the first amendment we need to take up is the Vice Mayor's. Vice Mayor, you have your hand up again?

VICE MAYOR ALANNA M. MALLON: I did. Just quickly to you, through you. I wanted to just bring up something that Councillor Toner said about, we do have a meeting in the Government Operations around our rules. That's coming up in a couple of weeks. And we could add a section to Government Operations that says something like "to develop the city manager's annual evaluation process" there.

And as the clerk mentioned, it would be easier for us to change the rules than an ordinance, so I would be a plus one in supporting changing it to the rules rather than adding anything about Government Operations into this section. So I just wanted to say that. Thank you.

COUNCILLOR MARC C. MCGOVERN: Yeah, I'd be fine with that, as long as it's somewhere. I'm just afraid if we all just sort of verbally agree that it's going to happen, it's not, you know, 10 years from now it might not.

So, okay, so the Vice Mayor has an amendment to strike C and then we would obviously make what is now D Letter C.

Vice Mayor, your hand is still up. Is that from before or no? Thank you. Um, so on, any discussion on, on that?

Mr. Clerk, anybody in the chamber?

CITY CLERK ANTHONY WILSON: The solicitor had her hand up a few moments ago. I don't know if it was related to the amendment in particular.

COUNCILLOR MARC C. MCGOVERN: Madam Solicitor, is this regarding the amendment?

CITY SOLICITOR NANCY GLOWA: No, Mr. Chair, I can--I can discuss it afterwards. Thank you.

COUNCILLOR MARC C. MCGOVERN: Okay. Okay, so on that

amendment to strike C and make D Letter C. Roll call.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Yes

Councillor Patricia M. Nolan - Yes

Mayor Sumbul Siddiqui - Yes

Councillor E. Denis Simmons - Yes

Councillor Paul F. Toner - Yes

Councillor Quinton Y. Zondervan - Yes

Councillor Marc C. McGovern - Yes

Yes-8, No=0, Absent-1. Motion Passed.

COUNCILLOR MARC C. MCGOVERN: Okay, now we'll go to Councillor Nolan's amendments. Do you want to share those, Mr. Clerk?

COUNCILLOR PATRICIA M. NOLAN: Chair McGovern?

COUNCILLOR MARC C. MCGOVERN: Yes, Councillor.

COUNCILLOR PATRICIA M. NOLAN: So given that we've just eliminated C, the second set I sent, it still had the suggested change in B. Just to make it clear, I just didn't want to be that we're only working on issues, it really is more broad; that there may be no issues to be addressed,

but there will be work to be performed.

And on C, if we take it out entirely that's, which I just voted for, that's fine. The second I just sent, you had asked for possible language around the Government Operations Committee is charged with overseeing the annual review and establishing procedure to conduct the review.

But again, if we've decided that's not necessary and we can deal with it in our rules, I will withdraw that amendment and--and just ask that we consider the two-word changes in B. It's really up to the full council.

COUNCILLOR MARC C. MCGOVERN: And councillor, that's-- you sent that separately, the thing about Government Ops, which I think, I think--

COUNCILLOR PATRICIA M. NOLAN: Yes, it's on--it's on the screen now.

COUNCILLOR MARC C. MCGOVERN: I'm fine with doing it in the rules.

COUNCILLOR PATRICIA M. NOLAN: Okay, great. Then why don't-- can I, am I allowed to withdraw that and just we'll focus, I believe the clerk has put the amendment up on the screen.

COUNCILLOR MARC C. MCGOVERN: Yeah. He, what's up on

the screen is the--

CITY CLERK ANTHONY WILSON: So currently, what's--so what I received from Councillor Nolan included C. C's been deleted so it appears in purple as already deleted, so that's, there's nothing to do there.

COUNCILLOR MARC C. MCGOVERN: Thank you.

CITY CLERK ANTHONY WILSON: There are, so currently the motion would be the changes in Paragraph B, which is issues to work, addressed to perform.

COUNCILLOR MARC C. MCGOVERN: Okay. Any discussion?

COUNCILLOR QUINTON Y. ZONDERVAN: Mr. Chair?

COUNCILLOR MARC C. MCGOVERN: None. Oh, Councillor Zondervan, did you say something?

COUNCILLOR QUINTON Y. ZONDERVAN: Yes. Thank you, Mr. Chair. I would love to hear from Councillor Nolan why she wants to change those two words.

COUNCILLOR MARC C. MCGOVERN: Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Thank you. Just work is more broad, so it's not just issues. I view work as just everything that we would want to be done. And instead of addressed, it's more like the work to be performed.

I think it's a broader issue. It's a broader, a--a

word that, a word that incorp--encompasses a much broader array of, of things that we would like to be seen.

But again, it's, I'd like us to get to the--to the next section. I realize time is running out and we're going to be talking about the Charter Review Commission. So if this is not something people want to do, I would certainly vote to move on.

COUNCILLOR MARC C. MCGOVERN: Okay. The amendment is in front of us. Roll call.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Yes

Councillor Patricia M. Nolan - Yes

Mayor Sumbul Siddiqui - Yes

Councillor E. Denis Simmons - Yes

Councillor Paul F. Toner - Yes

Councillor Quinton Y. Zondervan - Yes

Councillor Marc C. McGovern - Yes

Yes-8, No=0, Absent-1. Motion Passed.

COUNCILLOR MARC C. MCGOVERN: Great. All right.

COUNCILLOR PATRICIA M. NOLAN: Chair McGovern?

COUNCILLOR MARC C. MCGOVERN: Yes, Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: Would we separately have a motion to refer this with a favorable recommendation to the full City Council, or do we wait until the next one?

COUNCILLOR MARC C. MCGOVERN: Yeah, we can, I think that would probably be wise because we don't know what's going to happen in the next section. So on a motion by Councillor Nolan to refer the amended, I don't have it, I forget what the number is now. Mr. Clerk, do you want to do the best language? I don't--

CITY CLERK ANTHONY WILSON: So the motion, for the record, is to amend--I'm sorry, is to refer with a positive recommendation the proposed Section 2.02.090 as recommended by the Law Department and amended by the Committee to the full City Council with a favorable recommendation.

COUNCILLOR MARC C. MCGOVERN: Great. Roll call.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Yes

Councillor Patricia M. Nolan - Yes

Mayor Sumbul Siddiqui - Yes

Councillor E. Denis Simmons - Yes

Councillor Paul F. Toner - Yes

Councillor Quinton Y. Zondervan - Yes

Councillor Marc C. McGovern - Yes

Yes-8, No=0, Absent-1. Motion Passed.

COUNCILLOR MARC C. MCGOVERN: Great. All right, let's move on to the next recommendation. If you could share that, Mr. Clerk, and then we'll go to the city solicitor to walk us through that.

Great, Madam Solicitor.

CITY SOLICITOR NANCY GLOWA: Thank you, Mr. Chair, and through you. This next section is a proposed new section to Chapter 2 of the Municipal Code, which would be a new Section 2.02.100 entitled "Special Committee to Review the City Charter every 10 years."

I just wanted to add a note that this is not technically a Charter Commission, as that term is used in Chapter 43-B, Section 3. This rather is the type of charter review that was voted upon and approved by the council, and submitted to the voters and approved by the voters. So it's a special committee format tailored to Cambridge specifically.

So the first section is Section A. As provided in GL Chapter 43, Section 116(b), no later than July 1st in each year ending in 2, beginning in 2022 and every 10 years thereafter, the City Council shall establish a special committee tasked with reviewing the city charter and recommending any proposed changes the special committee deems necessary or desirable;

B, the special committee shall:

1. Be made up of -- and then you put a number -- of registered voters of the city not currently holding any elective office in the city.

2. Include -- again, insert a number -- of special committee members appointed by the Mayor, insert a number of special committee members appointed by the city manager, and insert a number of special committee members appointed by the superintendent of schools.

3. Hold all of its meetings in accordance with the requirements of the Open Meeting Law and keep written minutes of all meetings, which shall be submitted to and approved by the special committee at its next meeting.

4. Hold not less than, insert a number, of duly posted and advertised public meetings to seek input from members

of the community on whether any changes to the city charter should be made, and the reasons why any proposed changes would be desirable; the beneficial effects than any such changes would have upon the electorate and the community in general; and the beneficial effects that any such changes would have upon the reasonable operation and effectiveness of city government.

5. Submit a written report to the City Council within one year of its appointment, unless the special committee seeks an extension of the one-year period for enumerated reasons stated by the special committee, and the City Council approves the requested extension of the one-year period by majority vote. The written report shall include any charter changes the special committee recommends as necessary or desirable by a two-thirds vote of the special committee and shall include the reasons for the recommended changes to be made and the anticipated effects of the changes as set forth in Subsection 4 above.

6. Dissolve once it files its written report with the City Council.

Section C, action on any proposed charter changes shall be as authorized by law.

COUNCILLOR MARC C. MCGOVERN: Okay, thank you. Let's open for discussion. Councillor Toner.

COUNCILLOR PAUL F. TONER: Thank you, Mr. Mayor (sic). I'm not sure who some of these questions will be for. Some of them are political for, for us but also for people that filed this charter amendment.

The first thing I just have to ask is on B-4, where it talks about holding no less than so many number of meetings, is--is the intent of this charter review committee or commission intended to be an activist committee or a neutral committee?

Where, you know, for instance, in the union I had a bylaws committee and every year, any member could bring in a proposal for a change to the bylaws and they would then vet it, ask questions and make determinations about whether that was a good idea or not. And then they would then recommend to the annual meeting of the MTA, where 1,500 members would vote on whether to make that change or not.

But the bylaws committee itself was neutral and they, they were there to just vet the proposal and then put it to the floor for the delegates to vote on.

And I say, whether it's neutral or activist, because

if we appoint however many people were appointed to it, are we appointing people who already have certain ideas about what should change in the charter, and that they will then be proposing the changes? Or are we going to rely on individual residents of Cambridge to come with their ideas and this committee vets it? So that's my one is philosophical question about what the purpose of the committee is, ultimately?

And then, my last question, or second question is the one under C, "Action on any proposed charter changes shall be as authorized by law." Is it the intent that if it goes through this process and is voted on by this charter review committee, and that they approve of it, that it becomes law?

I was hoping that, essentially, this would be a committee where people come with ideas. They vet them, they write a report to us, the City Council, and then the City Council determines whether it goes on the ballot to the people of Cambridge or not, similar to what you did with these charter issues originally.

I'd be concerned if it's simply, you know, a few people on a charter review committee make a decision and

then it becomes the law of Cambridge.

So those are my questions. I don't know whether it's the city solicitor should answer it or we as a group should be pondering it, but those are my questions. Thank you, Mr. Chair.

COUNCILLOR MARC C. MCGOVERN: I don't want to speak for the solicitor, but my guess that you probably could have more input on the second question than the first. Did you want to comment on Councillor Toner's question about, is it, does it become law once this committee recommends it? Or is there further process to--to make these changes?

CITY SOLICITOR NANCY GLOWA: Certainly, Mr. Chair. And through you, actually, I could offer a comment on Question 1 as well.

So the language that was voted upon by the council and then put to the voters says, "The City Council--", this is in Section A, "The City Council shall establish a special committee tasked with reviewing the charter and recommending any proposed changes."

So to the extent that the question is whether it's active or passive, I think the intent from these words as I read them is that they're tasked with debating specific

changes and hearing from other people at public meetings.

And yes, I understand that that raises the question of who the council would appoint and what viewpoints they may bring with them or not.

As "authorized by law" means there are a couple of different ways that charter changes can be approved by law. I think that the intent, as I understood it, of this charter change was that, at the very least, the committee would report back to the Council and there are a couple of different vehicles for amending charters.

So this charter, this special committee would be reviewing things and coming up with ideas for what should change. It does not prescribe exactly how such changes would be enacted into law. That would require further analysis of what the options are for the Council to consider.

COUNCILLOR PAUL F. TONER: Thank you. That helps, Mr. Chair, on that particular question. The--the phraseology just had me believing that once they review it they--it becomes law, so thank you on that one.

COUNCILLOR MARC C. MCGOVERN: Okay, great. Thank you. Councillor Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Chair. And through you again, my thanks to the solicitor for putting this together.

Do we want to consider numbers to fill in, in the blanks at this point?

COUNCILLOR MARC C. MCGOVERN: Let's go, before we do that I know that--I know that Councillor Nolan has some suggestions, or at least I believe she does and I don't know if that's going to impact that discussion or not. So let's, but I mean, I think we, you know, certainly before we pass this to the City Council with a recommendation, we would have to figure that out, I would imagine, or send it somewhere to be figured out.

So let's hold, let's hold on that for just a second if that's okay, Councillor.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Chair. I'll hold on that. So I have two other comments besides those. I'm not, maybe I just don't understand, but I'm not supportive of the superintendent of schools appointing members to this committee.

So maybe if the solicitor could explain a little bit more why we want to do that?

COUNCILLOR MARC C. MCGOVERN: Madam Solicitor.

CITY SOLICITOR NANCY GLOWA: Through you, Mr. Chair.

Because there are two elected bodies that govern in Cambridge, one being the City Council and the other being the School Committee, and the Mayor is the chair of both of those bodies.

And then the number of people would be appointed by the manager, and then another number appointed by the manager's counterpart, which is the superintendent of schools. So both bodies, that the voters elect to carry out the functions both of the School Committee and the City Council would be represented in this process.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Chair. Through you to the solicitor, I appreciate that symmetry. I guess the School Committee got lost in that wording somehow, because they're not explicitly referenced.

And also, depending on what charter reform happens in the future, there may not be a city manager, although I suppose the ordinance could be amended at that point, but.

But I would be more supportive of language that indicated some number of appointments by the mayor, and then a representative from the School Committee, and maybe

leave it at that. But I guess we'll pick that up again later.

And then my second question was on the two-thirds majority vote. Why, why not a simple majority?

CITY SOLICITOR NANCY GLOWA: Through you, Mr. Chair. I think that what we were trying to do was to, I mean, first of all, we did look at some other models. I believe that Somerville has recently enacted something like this, we looked at that. We tried to look at other communities. There really weren't any other communities that had something specific like this model.

But certainly, I mean, with respect to the Council versus School Committee the, neither the Council nor the committee, School Committee here, would be selecting. It would just be the mayor as the head of each of those two bodies, and then the others would be the Executive Branch.

With respect to the--sorry. Forgive me, Councillor Zondervan, I lost track of your question.

COUNCILLOR QUINTON Y. ZONDERVAN: No worries. Through you, Mr. Chair, the two-thirds majority? Two-thirds majority.

CITY SOLICITOR NANCY GLOWA: Thank you. Thank you.

Through you, Mr. Chair. That was just a proposal. Since this is a weighty matter, it seemed to us that you may want a supermajority, but that's completely up to the Council.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Chair. I yield. Thank you.

COUNCILLOR MARC C. MCGOVERN: Okay. I'm going to go to the mayor next. I know, I just, I was wondering if you had a comment on where--you raised your hand when the conversation about the School Committee came up, so I didn't know if you wanted to follow up on that specifically, or?

MAYOR SUMBUL SIDDIQUI: I just wanted to say I'll yield to Councillor Nolan. She has some suggested language around kind of number B-2, which, you know, I agree with and so I'll yield to her.

COUNCILLOR MARC C. MCGOVERN: Okay. Councillor Nolan, before we go to you since you're going to offer amendments, I do want to just hear from the other Councillors as to what's in front of us right now before we go and, and they can have their chance to ask some clarifying questions. So I'll go to you in a second. I have Councillor Simmons and then Councillor Toner.

COUNCILLOR E. DENIS SIMMONS: Thank you, Mr. Chair.

Just a quick question. I had, I also had a question around the superintendent piece of it. I wanted to hear a little bit and I, Ms. Glowa, would you talk a little bit about that? I don't know if I'm on board about that yet. We can have more conversation, because I really just don't, I don't understand it. We don't weigh in on the superintendent in any way. So not to say that we should cut them off. I don't know where the language came. Is it in some other city and town that they do it that way, and that's why it's there? So I do have a question around having someone from the point of the superintendent piece of it.

The other thing it said, I think it's in Number 1, the special committee shall be made of registered voters. Is that standard?

You know, we spent a lot of time in the past talking about who we would allow to vote in some of our elections. And we had said there are citizens of our city that have legal status, they're immigrants, they have working papers, they're here. What they don't have is naturalization, which gives them the ability to vote.

So I have some concerns about kind of cutting them out of this and I want to hear us talk about that a little bit.

The other thing, and as many of my colleagues know, I'm very keen on working around issues of anti-bias. And I don't know if that's an operational piece that gets laid onto this, because in terms of how we make sure that people don't come bringing their biases into the process.

And then lastly, it just talks about particular groups. Could we introduce some language that speaks to cultural, ethnic, linguistic, that mandates that there's diversity of these special committees?

Because we understand only too well that some people are very proactive. You can say there's a committee, you don't even have to say what it's for, and they're ready to sign up for it. Where there's others, you really have to work at getting them to participate, but their opinion should be equal in value and it's important to be heard.

And so my question through you Mr. Chair, to the solicitor, is where would we inject or insert the notion that these committees have to be representative of the city?

And then last question, I think I said the last but it

wasn't the last. When it said not currently holding any elective office in the city, so what if you're an elected officer of the state? On the state side, but you represent Cambridge. Would you be able to participate?

CITY SOLICITOR NANCY GLOWA: Through you, Mr. Chair, I'll try to remember them all. I'm going to take the last one first.

COUNCILLOR E. DENIS SIMMONS: Mm-hm.

CITY SOLICITOR NANCY GLOWA: We specifically put in simply not currently holding elective office in the city, and that would mean a elective office in the City of Cambridge, not elected office in the state, representing Cambridge. So I think that the language clearly states that.

With respect to registered voters, I think that the, the presumption at law, in many laws and practices around issues of governance of a citizenry, has in the past been reflected in registered voters. Meaning that they are of a majority age and by registering in Cambridge, they've-- they've committed to that being their domicile or, you know, legal place of residence in the City of Cambridge. And so that has traditionally been some of the indicia of

commitment to the community that can be used to help select appropriate people for such a committee.

So I think it would be up to the Council to get rid of that and put something else. And I do think that you could also include that it would need to be bias-free by having representatives from, and then a list of characteristics such as Councillor Simmons' recommended, that would need to be represented in the membership of the committee. And I think that probably those changes would all be appropriate in Subsection B-1.

I would say that with respect to the superintendent, again, this is not a committee of the Council. This is a law that the Council is enacting for the citizenry of Cambridge to look at whether the charter that governs government in Cambridge should be changed.

And our charter dictates the governance of both the business of the City Council as well as the business of the School Committee, and our electorate elects both the City Council and the School Committee at elections.

So the superintendent and the School Committee both are interested parties to the charter which governs their conduct, their et cetera, as set forth in the charter.

So I think that that is important to remain in some way or to have some representative participation by the different constituencies that the elections serve. Thank you.

COUNCILLOR E. DENIS SIMMONS: Thank you. Through you, Mr. Chair. Ms. Glowa, I guess the way I view governance of the schools, um, a little bit differently, or maybe I'm misunderstanding you.

I know that we, um, as voters can elect the School Committee, but we as a City Council who hire the city manager can have no jurisdiction over the schools so just see it a little differently. Not the hill that I'm going to die on, I just want to raise that to you.

And in terms of the other matter, adding the Subsection B-1, something that speaks to the committees will be representative, you know, will include, will be diverse and include but not limited to, you know, we want to pay attention to gender and the, you know, culture and sexual preference. You know, things that we generally put in most of our advertisements when we talk about committees or jobs or things of that nature. I just think that is important.

I'm not poised to write that language out right now but I would love to see that there. With that, I am for this, for this moment. Mr. Chair, I will yield.

COUNCILLOR MARC C. MCGOVERN: Thank you.

CITY SOLICITOR NANCY GLOWA: Mr. Chair.

COUNCILLOR MARC C. MCGOVERN: Before--sorry, before we do that, Councillor Zondervan, could you please take the chair? I got a text, I have a situation that I need to deal with right now and I'm going to have to leave. Can you please take the Chair?

COUNCILLOR QUINTON Y. ZONDERVAN: Yes.

COUNCILLOR MARC C. MCGOVERN: All right, thank you.

COUNCILLOR QUINTON Y. ZONDERVAN: Madam Solicitor, go ahead.

CITY SOLICITOR NANCY GLOWA: Thank you, Mr. Chair. I just wanted to note that the charter actually says that all committee members shall be voters of the city. So that provision in Section B-1 needs to remain. Thank you.

COUNCILLOR E. DENIS SIMMONS: Thank you, Madam Solicitor. Thank you, Mr. Chair. I yield.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Councillor Simmons. I believe we have, um, Councillor Nolan

next and then Councillor Toner and Mayor Siddiqui still have their hands up.

COUNCILLOR PATRICIA M. NOLAN: Thank you to--

COUNCILLOR PAUL F. TONER: Just Councillor Zondervan, sorry. When Councillor McGovern said before he went to Councillor Nolan who had some amendments, he wanted to just hear from people with thoughts or questions. Is--are we going straight to the proposed amendments?

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Toner. Yeah, if--if you have more questions or general comments, then let's hear those now and then we'll go to the amendments.

COUNCILLOR PAUL F. TONER: Great. Just thank you, Mr. Chair. So the reason I want to ask these questions before is because it, it's, it's going to inform me on, you know, how to vote on who should be on this committee and things like that.

But, I mean, I'm going to go back to my philosophical question, although Solicitor Glowa said she thought she might be able to answer it. Is, I mean, if this is a committee that takes in ideas, vets them and talks about the pros and cons, and then writes a report, that's one

type of committee.

For instance, you know, the bylaws committee I mentioned earlier with the MTA, if nobody came with any new ideas, the bylaws committee simply reported there were no proposed new bylaws, and that was the end of it.

If nobody comes before this charter review committee with any new ideas of suggested changes, do committee see it as their role to make recommendations themselves? Because if that's the case, then who's on the charter review committee and what thoughts and ideas and presumptions they bring to the committee is going to impact what comes out of that charter review committee. So that's, that's one thing if Solicitor Glowa is able to answer that.

The second one, question for her as well is, in this language is that, is it presumed that somebody from the City Solicitor's Office would be there advising the committee? Or do we need to, you know, put something in there so that as people are talking about ideas, they understand the municipal and state law issues that need to be, be dealt with?

And then finally, just on the selection, just as an idea. I actually thought the criteria we came up for the,

for this committee to select the selection committee or the screening committee for city manager was, was pretty good. I think once you see who was selected, when that, once that becomes public, you'll see that it's a pretty broad, diverse group of people from all sorts of backgrounds in Cambridge. So, you know, we might want to think about something like that as well.

So if the city solicitor or anybody is able to answer those three questions or those two questions, it's appreciated. Thank you. I yield.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Councillor Toner. Madam Solicitor.

CITY SOLICITOR NANCY GLOWA: Thank you, Mr. Chair. And through you, I'm trying to remember them all. So the first, the philosophical question, I think that it really is up to the Council. But the way I read the actual language that the voters approved, was to review and recommend any proposed changes that the committee deems necessary or desirable.

To me, that wording suggests that there may not be any proposed changes the committee deems necessary or desirable. I understand that--

COUNCILLOR PAUL F. TONER: But those ideas can come from the committee or from people outside the committee?

CITY SOLICITOR NANCY GLOWA: Thank you, Mister-- Councillor Toner. Yes, I agree. And through you, Mr. Chair, I think that that could be clarified. That people, members of the public would need to come forward and submit ideas for the committee to consider.

Or you could say, the committee shall come forward with ideas, or the committee shall not come forward with ideas. So I think that those are valid points that the Council should commit, consider and decide upon. There's nothing in that language that says one way or the other. So I think that's a Council decision.

With respect to the role of the city solicitor, you know, I and my staff serve at the, you know, pleasure of the appointing authority, but representing all the departments of the City as well as the City Council. So if that's something that the Council thought was helpful to put in to assist in guiding proper conduct or consideration of appropriate issues in that process, that would certainly be appropriate to put into this ordinance if the Council wishes.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Madam Solicitor. I'll just briefly weigh in. Councillor Toner, I think it would be challenging to prescribe that the committee cannot or shall not or will not introduce ideas. That may be difficult to ascertain whether that happened or not. And, and as they are themselves residents, they could certainly suggest ideas, and you know, they could plant ideas with other people. So I'm not sure that we could effectively legislate that.

COUNCILLOR PAUL F. TONER: Well, sorry, I--I know we're not going to vote on the final-final language, I would just say that there are ways to make it so that the committee itself is neutral because, and the reason I bring it up, Mr. Chair, if you forgive me for interrupting is just that if we staff this with a bunch of people that, for instance, believe in getting rid of the city manager and having a strong mayor or changing term limits to five years or something like that, then, then we're pretty much creating a self-fulfilling set of recommendations as opposed to having a committee that is going to review proposals and then make decisions about whether they're good proposals or not. So that's, that's the reason I asked

it. Thank you very much.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Councillor Toner. So are there any other clarifying questions or discussion questions before we go to--to Councillor Nolan's amendments? Okay, seeing none, I'm going to go to Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Thank you, Chair Zondervan. This is partly comments and partly amendments. And I, all of these amendments are ones that Mayor and I had reviewed and worked on, and I know Vice Mayor has expressed some interest as well.

A few things about the process. By law, as we all learned from the six meetings we had last year, over the year before the charter review change, the charter changes were proposed, any charter change, this addresses Councillor Toner's question, any charter change cannot happen without a vote eventually of the voters in the entire city.

The Council cannot do that. The commission, the special committee, cannot do that. The only way the charter can be changed is by the voters voting on it.

There's a couple of paths to get to the voters, as we

learned last year, through a process of the Attorney General's office or a home rule petition, but eventually changes have to be approved by the voters, which was very clear in the information that was sent to every single voter in this city.

With a special committee, the special committee reviews and recommends and then, as it says in the charter language that was approved, the City Council must vote on them in order to then get them onto the ballot.

So there's several layers in this going forward, which is the special committee, once convened, which has to be convened by our charter, our governing document, has to be convened, by the way, by July 1. Which means I hope we do pass language today, because we need to establish a special committee in time for them to convene by July 1.

That, but whatever they end up recommending, the Council would get the report, vote on it, and then it would go to the voter. So this is not something that even if we appointed 12 people, all of whom wanted something, if the Council didn't agree and the voters didn't agree, it just wouldn't happen.

I highly recommend, if you haven't, to look at other

cities' charter process. They are extensive. They include input from around the city. Somerville is doing one now, Watertown did one, Framingham did one. There's, the Collins Center has a list of about 50 different charter changes that happened in the last decade. They're all comprehensive and including the whole community in the input.

And the language proposed by the solicitor in Paragraph 4 says explicitly, that whole duly posted advertised public meetings to seek input from members of the community on whether new changes should be made.

So I hope we can put to rest of the idea that this would be a secret group behind closed doors, deciding on a bunch of changes and then just get put in place.

I'm glad the city solicitor confirmed something that that, um, that is really important for us to know, to Councillor Simmons question on whether we can expand this beyond registered voters. We cannot, because literally the law of our city right now, the charter change approved, said "all members of the special committee shall be voters of the city not holding elective office."

That not holding elective office, it doesn't say not holding city elective office or municipal., it says not

holding elective office. Which really means nobody was holding any elective office at any level can serve on this special committee.

To remind us all, 74% of voters in the election -- 74%, that never happens with ballot questions -- voted yes. And explicitly it was said that the Council would be deciding on the special commission. Overwhelming support for the Council to set up a special committee to review the charter.

And that's, so one of the amendments I'm proposing is that the special committee members should be selected by an ad hoc committee of four councillors, we can change that to three, appointed by the Mayor.

In other words, Let's replicate exactly the same process we just used with the city manager search. As Councillor Toner just noted, it was a comprehensive, extensive process. It was set up through appointments by the Mayor to several councillors to review applications from across the city. We had set it through a Council order, which I think is appropriate for this as opposed to including it in the charter, in the ordinance language, the range of attributes that we want, including the, however

diversity is defined. The range that Councillor Simmons has been quite good at ensuring we include that diversity, that can be in a Council order with a charge basically to the ad hoc committee that is set up.

So I would propose that we should make sure that this process is, again, what we followed for the city manager. The Council is the one who overwhelmingly the voters trusted us, the Council, to decide on who to appoint to a special committee.

So I hope we can all agree that we should be following the public will have the overwhelming support of voters across this city that we should be setting up this special committee.

I would say on the question of ensuring that we have some expertise represented for, in the--in the special committee, we hired the Collins Center to lead us through the process of establishing whether to put forth charter changes. They are experts in this field at UMass Donahue Institute. They have worked with hundreds of cities across the Commonwealth on a range of things, including Cambridge. And they have facilitated charter, special committees for charter review in many cities, including involved in some

right now.

They are available. They know this is a possibility and they do have, depending on when we vote on this and when we reach out to them, they could be hired to lead this process. Obviously, if we need to do an RFP we could. I just can't imagine anyone else is more expert in charter change in Massachusetts in the Collins Center, but it would be up to the will of the Council. We don't, wouldn't obviously put that in the, in the ordinance.

So in the proposal for the amendments, since we do need to establish a number, the proposal would be to establish a range of 12 to 18, so that depending on the applications and what we feel is best, we would set a maximum of 12 and a--maximum of 18, a minimum of 12. That's based again on what seems to be working for the City Manager Search Committee.

Those, and then what that also means is, if we appoint 18 or 17 and one or two drop out, we still meet the minimum of the 12 that's in the ordinance.

Again, the reason it's registered voters of the city not holding any, currently holding any elective office, it's not just in the city. Again, the language in our

charter, which is our governing constitution, says "voters of the city not holding elective office." So if we need to make it clear, we either should strike "in the city not holding any elective office" would probably be the best, or we should say "in or representing the city." It's probably best just to strike, to say "not holding any elective office", because that is literally taken from the charter itself.

The change on Paragraph 2 suggestion is that the appointments made, the special committee members will be selected by an ad hoc committee of four Councillors appointed by the Mayor. Very simple. It's what we've done with the city manager search.

And then on the, on Number 4, I'm not sure if we need a number of meetings. Why not just say "hold duly posted and advertised meetings"? It may be that we want a lot more meetings. I'm not sure why we would limit ourselves to say we have to have a set, specific number of meetings.

I think given Cambridge and given the number of meetings we have, it's going to be [Break in audio 1:29:32 to 1:29:37]

So those are the amendments I'm proposing. I really

hope that we understand we are under a time limit here. This is, the charter requires that not later than July 1st, we will have a review of the city charter by a special committee. And in order for us to have this in place in time for us to have a possibility, if any changes are recommended, and again, changes might not be recommended. But if any changes are recommended for us to ensure that they were on the ballot for next November, we would need this to be established by July 1. The whole intent of that was then the report could be delivered within a year, and then that would be time for the City Council to deliberate and decide whether to forward to the, um, to the voters of the city any proposed charter changes.

So that, those are the amendments. That's my background. Again, I just want to remind us all, for all of our questions, all of which are appropriate to this conversation, to just step back and remember that 74% in a, in a relatively, well, high-turnout election of voters wanted the Council to do this and gave us full 100% authority to--to appoint a special committee as we see fit with the charges we see fit.

So I'm hoping we do it, and again, I hope we can pass

this to the full Council with a favorable recommendation today with these amendments I proposed.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Councillor Nolan. So the amendments are before us, I believe the solicitor would like to comment, and then I will go to committee members with, with questions and comments.

CITY SOLICITOR NANCY GLOWA: Thank you, Mr. Chair. And through you, thank you to Councillor Nolan, because I agree that the wording in the, uh, in the ballot question was "not currently holding any elective office". So I think that would actually be best to just put it back to that language and not say "in or representing the city" just to stop there.

I would also point out that such a committee does need to comply with the constitution and general laws of the Commonwealth. I do have questions about whether these special committee members simply being selected by an ad hoc committee of only four city councillors is sufficient as a matter of law to be representative of the community. So if the Council agreed, I could look into whether that is something that's either recommended or necessary for any

legal reason. Thank you.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Madam Solicitor. And would it help or improve things if we said that the committee members will be recommended by an ad hoc and then approved by the Council?

CITY SOLICITOR NANCY GLOWA: Mr. Chair, I think that first of all, I don't understand why an ad hoc committee would be recommended in a situation where you're talking about changing the very law that governs the city and its operations, as opposed to committee appointed by the Council. So that is not clear to me.

But again, you're not having any members of the committee representing any of the other constituencies of the government. And I, I do not know it, it may be possible that that's not required legally. But if the Council is interested, again, I would be happy to have an opportunity to research that question.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you. I see Councillor Simmons and then Vice Mayor Mallon have their hands raised. Councillor Simmons, did you have a question or comment?

COUNCILLOR E. DENIS SIMMONS: No, thank you did not.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Councillor.
Your hand was raised in the Zoom. Vice Mayor Mallon.

VICE MAYOR ALANNA M. MALLON: Thank you, Mr. Chair.
Through you, I'm certainly supportive of Councillor Nolan's amendments and thanks to the solicitor for weighing in on that, removing "in or representing the city" and I, I think that makes it cleaner.

I do want to offer one friendly amendment to the amendment in 2. I think that the language should probably follow "the special committee shall". So right now it reads "the special committee shall" special committee members will be selected. I think it could be possibly changed to "the special committee shall" and then read "be made up of members selected by an ad hoc committee of four Councillors appointed by the Mayor, just so that it's cleaner in the language. I can, I can send that to the clerk, but that was a friendly amendment that I wanted to offer.

And I do think, you know, I know that there is some concern around, you know, who's going to be appointed to this? I do, you know, we are going to be making this initial screening committee selection for the city manager search public soon, and I think, I kind of saw it from a

distance as a really good process. And, you know, I think it is a good one to follow for future processes in committee selections, so I would certainly be supportive of doing that. And thank you to Councillor Nolan for bringing that forward.

Certainly the solicitor can do that research and make sure that we are following all the letters of the law. But as Mayor Siddiqui mentioned and then Councillor Nolan said, We've got to get this out of committee, um, and to the full city council as quickly as possible to meet that July 1st deadline. So I hope that we can move forward in putting this forward today and in making sure that the city solicitor provides that information in the meantime.

You know, one thing that people keep talking about is, what if there are no charter, no changes to the charter? I will just remind everybody that in the charter right now, it assumes that the city manager identifies as male. Everywhere in the charter it says "he". So there are changes to be made, large and small, and I look forward to this charter commission looking at each and every aspect of our charter to see where we can modernize it and make changes where it makes sense.

So I yield back at this time, but I will be sending that change to the clerk, just on that friendly amendment on, on Section 2. Thank you, Mr. Chair.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Vice Mayor. I did have a comment as well. I'm certainly supportive of the process, and I participated in it myself, that we used for appointing the screening committee for the city manager. But I do worry a little bit that this is a very different process that we're, that we're dealing with in terms of charter review and the solicitor does seem to have some legal concerns.

I agree with the Vice Mayor that we need to send this out of committee. So I'm wondering if instead of being this prescriptive, if we simply said that the special committee members will be appointed by the City Council, and then we can either further amend it later based on the solicitor's feedback or, you know, again have it determined through rules or regulations exactly how that happens.

But this does feel a little bit too prescriptive to me to put in the, in the ordinance, but certainly open to comments on that suggestion. And I would like to hear from the solicitor as well if she has any comments on that.

CITY SOLICITOR NANCY GLOWA: Mr. Chair, did you wish to hear from me now?

COUNCILLOR QUINTON Y. ZONDERVAN: Yes, thank you.

CITY SOLICITOR NANCY GLOWA: Thank you. And through you, I think that makes sense to me. And I think that if, since the committee would like to forward this, I think it might make sense to say appointed by the Council, and then it could be left to the Council to develop a rule or policy as to how that selection would be made. And I, in the meantime, can do some legal research to make sure that there isn't any other requirement to have a process that involves more than that.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Madam Solicitor. Okay, so we have some amendments to the amendment before us. So I guess the first amendment to the amendments that we should vote on is to strike "in or representing the city" in B, Number I. So any discussion on that?

Seeing none, Mr. Clerk, if we can vote on that amendment to the amendments.

CITY CLERK ANTHONY WILSON: Mr. Chair, Councillor Nolan had her hand raised to a moment ago. I don't know if

it was about this particular amendment to the amendment, or if she wishes to wait.

COUNCILLOR PATRICIA M. NOLAN: It's about another amendment. I'm, I agree we should strike "in the city".

CITY CLERK ANTHONY WILSON: On that motion--

COUNCILLOR QUINTON Y. ZONDERVAN: Sorry, just to be clear that right now, the proposed amendments say "in or representing the city". So, so the amendment would be to strike that phrase.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

COUNCILLOR DENNIS J. CARLONE: Clarification, Mr. Clerk, it's what is on the screen?

CITY CLERK ANTHONY WILSON: So let me, let me -- I didn't want to make the change until the vote was made but let me clarify for the, anyone watching.

So the change would be to delete the section that I've just crossed out, to delete those words.

City Clerk Anthony Wilson called the roll:

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Yes

Councillor Patricia M. Nolan - Yes

Mayor Sumbul Siddiqui - Yes

Councillor E. Denis Simmons - Yes

Councillor Paul F. Toner - Yes

Councillor Quinton Y. Zondervan - Yes

Councillor Marc C. McGovern - Absent

Yes-7, No=0, Absent-2. Motion Passed.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr.

Clerk. And then I believe the Vice Mayor is submitting a further amendment to these amendments.

CITY CLERK ANTHONY WILSON: I have not yet received it.

VICE MAYOR ALANNA M. MALLON: I just sent it, Councillor Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: Okay. Thank you, Vice Mayor. So do we, is there an interest in, in amending it to say "special committee members will be appointed by the City Council" and then resolving it later? Or, or does the committee feel like we want to have this specific language now?

VICE MAYOR ALANNA M. MALLON: Mr. Chair?

COUNCILLOR QUINTON Y. ZONDERVAN: Vice Mayor.

VICE MAYOR ALANNA M. MALLON: I would suggest that we

say with the specific language for that board, and have the city solicitor come back and advise us at the time that it's in front of the City Council. I think that would be the best vehicle at this moment.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Vice Mayor. Any other comments on that?

COUNCILLOR PATRICIA M. NOLAN: Chairman Zondervan.

COUNCILLOR QUINTON Y. ZONDERVAN: Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Yes, I'm fully supportive. I think we should stay with this language.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you. So the clerk, I believe, has put up the amendment to the amendments. So, Mr. Clerk, if we can do a roll call on that?

COUNCILLOR PATRICIA M. NOLAN: Clarification? I just want to make sure, yes, what we're doing is replacing all of what's in, currently in 2, including any proposed amendments I had with this, with the special committee members, right?

CITY CLERK ANTHONY WILSON: Yes, that's, so currently, as proposed by Councillor Nolan, Subsection 2 would read, "Special committee members will be selected by an ad hoc

committee of four Councillors appointed by the Mayor." And the proposed amendment to the amendment from Vice Mayor Mallon, I will put on the screen again, states and again, correct me if I'm wrong, Vice Mayor, but I believe it, you intend to say "Special committee members be made up of members selected by an ad hoc" in 2? Is, is this meant to replace 2 entirely or is it meant to just replace--

VICE MAYOR ALANNA M. MALLON: Meant to replace, replace 2 entirely.

CITY CLERK ANTHONY WILSON: Okay. So then 2 would read after the amendment, "Be made up of members selected by an ad hoc committee of four Councillors appointed by the Mayor."?

VICE MAYOR ALANNA M. MALLON: Correct, because then it follows the same format above where it says special committee members, I can't remember the exact wording, at the top.

CITY CLERK ANTHONY WILSON: So would you like to await a vote, Mr. Chair?

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Clerk. I think I need a little bit more clarification, just, okay. Yeah, so Section B says "The special committee

shall" and so then this language, which would continue that phrase, "be made up of members."

VICE MAYOR ALANNA M. MALLON: That's correct.

COUNCILLOR QUINTON Y. ZONDERVAN: Got it. Thank you.
So, so yes, I'm ready to vote on that.

CITY CLERK ANTHONY WILSON: On the amendment to the amendment.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent
Councillor Dennis J. Carlone - Yes
Vice Mayor Alanna M. Mallon - Yes
Councillor Patricia M. Nolan - Yes
Mayor Sumbul Siddiqui - Yes
Councillor E. Denis Simmons - Yes
Councillor Paul F. Toner - Yes
Councillor Quinton Y. Zondervan - Yes
Councillor Marc C. McGovern - Absent

Yes-7, No=0, Absent-2. Motion Passed.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Clerk. So take your time, but when you're ready, if you could put the amended amendments before us. Does anybody have any comments or questions in the meantime?

COUNCILLOR PATRICIA M. NOLAN: Councillor Zondervan?

CITY CLERK ANTHONY WILSON: Just one moment.

COUNCILLOR QUINTON Y. ZONDERVAN: Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: The only other question is whether we want to either specify the number of meetings that would be held in Paragraph 4, or just take out a specific number and just say "hold duly posted and advertised public meetings". Because right now, what's before us is it says not less than number, but we either have to put in a number or take out that phrase, I think, to have it be clear.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Councillor Nolan. Yeah, we're going, we're going to vote on the remainder of your amendments in a minute, once the clerk can put them back on the screen.

Um, I did want to discuss the number of committee members and see if there was any interest in a fixed number. If, if we said 15 instead of having it specified as a range, particularly if there's going to be voting, we may want the committee to be an odd number of members. Any, any thoughts or discussion on that?

CITY CLERK ANTHONY WILSON: Mr. Chair, if I may before

you go to the question, so the amended amendment is on the screen, and the only--is on the screen before the body.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr. Clerk. So, so yeah, any discussion or comments on shall be made up of 12 to 18? So my, my question or suggestion would be to, say 15 instead, but I'm open to comments and suggestions from the body.

CITY CLERK ANTHONY WILSON: Councillor Nolan has her hand raised.

COUNCILLOR PATRICIA M. NOLAN: Councillor Zondervan. Well, I agree, I also believe this is a kind of thing where, as we heard from the Collins Center, if any of the changes that we're proposing can barely get a majority, they're not likely to pass the voter. So I think having, for me, having an even number is, is fine. But I'd be happy to amend it if you want to make it 13 to 19.

The idea to have a range is so that we ensure that, again, if someone drops out we're still in compliance with the law, so that we should have more than the minimum to start with.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Councillor Nolan. I do understand the reason for range, but

I guess I'm, I would just feel more comfortable if we had a set number. I mean, if--if somebody were to drop out, we can have alternates, we can have a process for, for appointing replacement, but it just feels a little too fuzzy to me. You know, we might have 12, we might have 18. That's a big difference, so. But I'm interested in, in what other committee members think.

Okay, I don't see any raised hands. Any comments on hold not less than number of duly posted and advertised public meetings? Okay, seeing none, Mr. Clerk, if we can vote on these amendments.

CITY CLERK ANTHONY WILSON: So we're going to go to a vote on the amendments. Again, just to clarify for the body, the vote will be to take everything that's currently on the screen, that's changes to Sections 1, 2, 3, and 4 and make those part of the language recommended by the Law Department.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Yes

Councillor Marc C. McGovern - Absent

Councillor Patricia M. Nolan - Yes

Mayor Sumbul Siddiqui - Yes

Councillor E. Denis Simmons - Yes

Councillor Paul F. Toner - Yes

Councillor Quinton Y. Zondervan - Yes

Yes-7, No=0, Absent-2. Motion Passed.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr.

Clerk. So what is the will of the body?

COUNCILLOR PATRICIA M. NOLAN: Move to the full Council with a favorable recommendation.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Councillor Nolan. Mr. Clerk, if you could restate the motion and go to a roll call, unless there's discussion.

CITY CLERK ANTHONY WILSON: The motion is to refer the proposed language, the proposed ordinance as amended to the full City Council with a favorable recommendation.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Yes

Councillor Patricia M. Nolan - Yes

Mayor Sumbul Siddiqui - Yes

Councillor E. Denis Simmons - Absent

Councillor Paul F. Toner - Yes

Councillor Quinton Y. Zondervan - Yes

Councillor Marc C. McGovern - Absent

Yes-6, No=0, Absent-3. Motion Passed.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr.

Clerk. Is there any other business before us?

CITY CLERK ANTHONY WILSON: I have no further business for the body.

COUNCILLOR QUINTON Y. ZONDERVAN: Thank you, Mr.

Clerk. So on a motion to adjourn.

COUNCILLOR PAUL F. TONER: So moved.

CITY CLERK ANTHONY WILSON: On a motion to adjourn.

City Clerk Anthony Wilson called the roll:

Councillor Burhan Azeem - Absent

Councillor Dennis J. Carlone - Yes

Vice Mayor Alanna M. Mallon - Yes

Councillor Patricia M. Nolan - Yes

Mayor Sumbul Siddiqui - Yes

Councillor E. Denis Simmons - Absent

Councillor Paul F. Toner - Yes

Councillor Quinton Y. Zondervan - Yes

Councillor Marc C. McGovern - Absent

Yes-6, No=0, Absent-3. Motion Passed.

COUNCILLOR QUINTON Y. ZONDERVAN: Thanks, everyone.

The Cambridge City Council Ordinance Committee
adjourned at approximately 12:50 p.m.

C E R T I F I C A T E

I, **Susan Ireland**, a transcriber for Datagain, do hereby certify: That said proceedings were listened to and transcribed by me and were prepared using standard electronic transcription equipment under my direction and supervision; and I hereby certify that the foregoing transcript of the proceedings is a full, true, and accurate transcript to the best of my ability.

In witness whereof, I have hereunto subscribed my name this 6th day of December 2022.



Signature of Transcriber

A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 21-93, regarding proposed amendments to the Municipal Code relative to recent charter changes. (Ordinance #2022-2) CHARTER RIGHT EXERCISED BY COUNCILLOR NOLAN IN COUNCIL JANUARY 31, 2022

Minutes Acceptance: Minutes of Apr 13, 2022 11:00 AM (Committee Reports)



ORDINANCE COMMITTEE

COMMITTEE MEETING

~ AGENDA ~

Wednesday, April 13, 2022	11:00 AM	Sullivan Chamber
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The Ordinance Committee will meet to conduct a public hearing on Ordinance #2022-2 charter change municipal code amendments.

A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 21-93, regarding proposed amendments to the Municipal Code relative to recent charter changes. (Ordinance #2022-2) CHARTER RIGHT EXERCISED BY COUNCILLOR NOLAN IN COUNCIL JANUARY 31, 2022

Minutes Acceptance: Minutes of Apr 13, 2022 11:00 AM (Committee Reports)



City of Cambridge

Executive Department

LOUIS A. DePASQUALE
City Manager

April 13, 2022

To the Honorable, the City Council:

In response to Awaiting Report Item Number 21-93, regarding proposed amendments to the Municipal Code to comply with the recent charter changes, City Solicitor Nancy E. Glowa has provided the attached proposed amendments for your consideration.

Very truly yours,

Louis A. DePasquale
City Manager

LAD/mec
Attachment(s)

Minutes Acceptance: Minutes of Apr 13, 2022 11:00 AM (Committee Reports)



Be it ordained by the City Council as follows:

That Cambridge Municipal Code Chapter 2.02 entitled "City Council" shall be amended by the addition of the following two sections:

Section 2.02.090 Annual Review of City Manager's Performance

As provided in G.L. c. 43, § 116(a) the City Council shall prepare and deliver to the City Manager an annual written review of the City Manager's performance.

Section 2.02.100 Special Committee to Review the City Charter Every Ten Years

As provided in G.L. c. 43, §116(b), no later than July 1 in each year ending in 2, beginning in 2022 and every 10 years thereafter, the City Council shall establish a special committee tasked with reviewing the City Charter and recommending any changes the special committee deems necessary or desirable. The special committee shall be made up of [NUMBER] registered voters of the City, not currently holding elective office. The special committee shall file a report with the City Council within 1 year of its appointment, unless the City Council extends the one-year period by vote. Action on any proposed Charter changes shall be as authorized by law.

Be it ordained by the City Council as follows:

That Cambridge Municipal Code Chapter 2.02 entitled "City Council" shall be amended by the addition of the following two sections:

Section 2.02.090 Annual Review of City Manager's Performance

A. As provided in G.L. c. 43, § 116(a) the City Council shall prepare and deliver to the City Manager an annual written performance review of the City Manager's performance.

B. The annual written performance review shall address the City Manager's performance during the prior year and the issues that the City Council would like to be addressed by the City Manager in the following year.

C. The written report of the annual performance review of the City Manager conducted by the City Council should be based upon written information submitted to the City Council by the City Manager in the regular course of the business of the City, and upon an oral performance review meeting conducted individually or severally by and between the City Councilors and the City Manager.

D. The annual written performance review shall be completed and delivered to the City Manager by no later than March 30 of each year and shall encompass the City Manager's performance during the preceding calendar year.

Section 2.02.100 Special Committee to Review the City Charter Every Ten Years

A. As provided in G.L. c. 43, §116(b), no later than July 1 in each year ending in 2, beginning in 2022 and every 10 years thereafter, the City Council shall establish a special committee tasked with reviewing the City Charter and recommending any proposed changes the special committee deems necessary or desirable.

B. The special committee shall:

(i) be made up of [NUMBER] of registered voters of the City, not currently holding any elective office in the City;

(ii) include [NUMBER] of special committee members appointed by the Mayor, [NUMBER] of special committee members appointed by the City Manager, and [NUMBER] of special committee members appointed by the Superintendent of Schools;

(iii) hold all of its meetings in accordance with the requirements of the Open Meeting Law and keep written minutes of all meetings which shall be submitted to and approved by the special committee at its next meeting;

(iv) hold not less than [NUMBER] of duly posted and advertised public meetings to seek input from members of the community on whether any changes to the City Charter should be made and the reasons why any proposed changes would be desirable, the beneficial effects that any such changes would have upon the electorate and the community in general, and the beneficial effects that any such changes would have upon the reasonable operation and effectiveness of City government;

- (v) submit a written report to the City Council within one (1) year of its appointment, unless the special committee seeks an extension of the one-year period for enumerated reasons stated by the special committee and the City Council approves the requested extension of the one-year period by majority vote. The written report shall include any charter changes the special committee recommends as necessary or desirable by a two-thirds vote of the special committee, and shall include the reasons for the recommended changes to be made and the anticipated effects of the changes as set forth in subsection iv above; and
 - (vi) dissolve once it files its written report with the City Council.
- C. Action on any proposed Charter changes shall be as authorized by law.