



GOVERNMENT OPERATIONS, RULES & CLAIMS COMMITTEE

COMMITTEE MEETING

~ MINUTES ~

Thursday, February 15, 2024

9:00 AM

Sullivan Chamber

The Government Operations, Rules, and Claims Committee will hold a public hearing on Thursday, February 15, 2024 from 9:00a.m. – 11:00a.m. to review and discuss possible amendments to the City Council Rules.

Attendee Name	Present	Absent	Late	Arrived
Burhan Azeem	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Joan Pickett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jivan Sobrinho-Wheeler	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Paul F. Toner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

MINUTES OF THE CAMBRIDGE CITY COUNCIL GOVERNMENT OPERATIONS, RULES, AND CLAIMS COMMITTEE

Thursday, February 15, 2024 Recessed
Reconvened Monday, February 26, 2024

A public meeting of the Cambridge City Council's Government Operations, Rules, and Claims Committee was held on Thursday, February 15, 2024. The meeting was Called to Order at 9:00 a.m. by the Chair, Councillor Toner. Pursuant to Chapter 2 of the Acts of 2023 adopted by Massachusetts General Court and approved by the Governor, the City is authorized to use remote participation. This public meeting was hybrid, allowing participation in person, in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via Zoom.

At the request of the Chair, Clerk of Committees Erwin called the roll.

Councillor Azeem – Absent*

Vice Mayor McGovern – Present/In Sullivan Chamber

Councillor Pickett – Present/In Sullivan Chamber

Councillor Sobrinho-Wheeler – Present/Remote

Councillor Toner – Present/In Sullivan Chamber

Present – 4, Absent – 1. Quorum established.

*Councillor Azeem was marked present and remote at 9:10a.m.

The Chair, Councillor Toner offered opening remarks and shared that the Call of the meeting was to review and discuss possible amendments to the City Council Rules and made note that there would be no public comment. Present at the meeting was City Manager Yi-An Huang, City Clerk Diane LeBlanc, and First Assistant City Solicitor Elliott Veloso. Mayor Simmons and

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)

Councillor Nolan were also present. Proposed amendments to the City Council Rules were provided in advance of the meeting and included in the Agenda Packet.

The Chair, Councillor Toner shared that he would be reviewing the proposed amendments and recognize Councillors for questions and comments throughout the meeting. Councillor Toner reviewed proposed amendments to Rule #3 and Rule #5. Mayor Simmons was recognized and asked for clarification on the proposed amendment to Rule #5. Clerk LeBlanc responded and provided additional information for the Mayor and Committee members as to why this change was recommended.

The Chair, Councillor Toner continued to review proposed amendments to Rule #8, Rule #9, Rule #10, Rule #13, and Rule #17.

The Chair, Councillor Toner reviewed the proposed amendment to City Council Rule #18 regarding calling an emergency meeting with less than forty-eight hours' notice. Elliott Veloso was recognized to offer examples of what would define an emergency to call a meeting and shared the Law Department can provide more clarity on emergencies for future discussions. Mayor Simmons highlighted the importance of making sure who declares an emergency makes operational sense with how the City government works. City Manager Huang agreed, and pointed out that having the language relative to emergencies be kept subjective to allow flexibility would be beneficial, noting that strict language could cause limitations when declaring an emergency. The Chair, Councillor Toner recognized Councillor Pickett who shared they agree with suggestions made by previous speakers.

The Chair, Councillor Toner reviewed the proposed amendments to Rule #19 and Rule #21. City Clerk LeBlanc shared that the change to Rule #21 had language removed to help with the standard operational procedures for handling written communications in the City Clerk's Office. Mayor Simmons asked for more information on this change, which the City Clerk provided.

The Chair, Councillor Toner reviewed the proposed amendments to Rule #23A, explaining that moving consent policy orders and resolutions/non-consent policy orders and resolutions further up in the City Council Agenda packet for the order of business offers makes more sense operationally so that the City Manager and his staff can be available to respond if necessary. The Chair, Councillor Toner recognized Vice Mayor McGovern and Mayor Simmons who shared that they agree with the change. Mayor Simmons made it very clear that if this amendment does move forward, she does not want to change the expectations of the City Manager and his staff. Councillor Pickett provided comments, pointing out that having the City Manager present during Policy Orders would only benefit the discussions. City Manager Huang was recognized for comments and indicated that he was excited about this change and feels it is a way to move forward to have better communication. In addition, the City Manager provided suggestions on how to make the transition regarding the proposed change in the order of business more efficient. Councillor Toner noted that this change would help simplify operating procedures.

The Chair, Councillor Toner reviewed the proposed amendments to Rule #23D regarding the suggested change to public comment and the time allocated to speakers. The Chair, Councillor Toner reviewed Attachment A that was provided by the Law Department, which provided additional language relative to public comment and the City's Charter. The Chair, Councillor Toner recognized Vice Mayor McGovern and Mayor Simmons who explained that public comment is not a given and reviewed how neighboring cities offer or do not offer public comment. Vice Mayor McGovern, Councillor Sobrinho-Wheeler, and Councillor Azeem were recognized for comments and suggestions regarding public comment and how it could be more

useful and beneficial for the Council and the public. Mayor Simmons was recognized for additional comments and agreed that this specific topic may require further discussion in the future. Chair Toner recognized Councillor Nolan who offered similar comments and suggestions that were made by Committee members and noted the importance of hearing public comment. The Chair, Councillor Toner recognized Elliott Veloso who noted that although the Open Meeting Law does not require public comment, the Law Department will further review laws and legal areas that may have language regarding public comment and public hearings. Clerk LeBlanc provided additional comments relative to public comment and the City Charter. City Manager Huang was recognized for comments and pointed out how public comment has changed since COVID with the public being able to participate via Zoom, which has increased the number of voices being heard. Councillor Pickett shared that it may benefit the Committee to reflect on this topic in future discussions and offered suggestions on how public comment may be used in Committee hearings. The Chair thanked everyone for their comments and shared that the idea behind this amendment was to add language to the Council Rules that make it clear on how timing around public comment will be conducted moving forward and what the intentions of the City Council are.

The Chair, Councillor Toner reviewed proposed amendments to City Council Rule #24. Mayor Simmons shared she agreed with the change and suggested additional language.

The Chair, Councillor Toner reviewed proposed amendments to City Council Rule #31B, increasing the time to public hearings from two hours to three hours. The Chair, Councillor Toner recognized Mayor Simmons who shared concerns regarding the time change. The Chair, Councillor Toner recognized Councillor Azeem, Councillor Sobrinho-Wheeler, and Councillor Nolan who offered comments, concerns, and suggestions regarding the proposed amendment, noting that in general two-hour meetings are usually enough time, but there are instances where a three-hour meeting could be beneficial on rare occasions. City Manager Huang was recognized by the Chair and highlighted the importance of being mindful of all the staff that are involved in meetings and shared concerns about Committee meeting times being increased. Mayor Simmons and Vice Mayor McGovern agreed with the comments made by the City Manager, noting the importance of being respectful towards employees' schedules. Councillor Pickett shared that Chairs of Committees should be pushing to be more efficient and having the time in meetings be more useful. Councillor Pickett shared they were in favor of keeping meetings at two hours with the ability to extend the meetings when needed.

The Chair, Councillor Toner recognized Councillor Pickett who made a motion to recess the meeting.

Clerk of Committees Erwin called the roll.

Councillor Azeem – Yes

Vice Mayor McGovern – Yes

Councillor Pickett – Yes

Councillor Sobrinho-Wheeler – Yes

Councillor Toner – Yes

Yes -5. The meeting went into recess at approximately 10:55p.m.

On Monday, February 26, 2024, the Cambridge City Council's Government Operations, Rules, and Claims Committee that recessed on February 15, 2024, reconvened at 10:00a.m. by the Chair, Councillor Toner. Pursuant to Chapter 2 of the Acts of 2023 adopted by Massachusetts General Court and approved by the Governor, the City is authorized to use remote participation. This public meeting was hybrid, allowing participation in person, in the Sullivan

Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via zoom.

At the request of the Chair, Clerk of Committees Erwin called the roll.

Councillor Azeem – Absent

Vice Mayor McGovern – Present/In Sullivan Chamber

Councillor Pickett – Present/In Sullivan Chamber

Councillor Sobrinho-Wheeler – Present/In Sullivan Chamber

Councillor Toner – Present/In Sullivan Chamber

Present – 4, Absent – 1. Quorum established.

The Chair, Councillor Toner offered opening remarks and shared that the Call of the meeting was to continue the discussion and review possible amendments to the City Council Rules.

Present at the meeting was City Manager Yi-An Huang, City Clerk Diane LeBlanc, Acting City Solicitor Megan Bayer, and First Assistant City Solicitor Elliott Veloso. The Chair noted that Mayor Simmons was also present. Councillor Toner shared that he would like to review any clarifications or technical edits from the previous meeting, with the hopes of sending the proposed amendments to the full City Council with a favorable recommendation. Councillor Toner added that there was an updated version of the proposed amendments and that it was included in the Agenda Packet.

The Chair, Councillor Toner reviewed the previous proposed amendments that were discussed at the first meeting. Councillor Toner recognized Committee members to offer comments on proposed changes to Rule #23D regarding public comment. Megan Bayer was available to respond to any legal questions or comments relative to public comment. Mayor Simmons shared that she would like to hear more about the work that goes into managing public comment. Naomie Stephens, Executive Assistant to the City Council, was available to provide an overview of the multiple systems that are used for public comment and offered clarification on how public comment is run. The Committee agreed that the first 50 speakers who sign up for public comment will be given two minutes to speak and after 50 speakers it will be reduced to one minute per speaker.

The Chair, Councillor Toner reviewed the proposed amendments to Rule #31B. Councillor Toner shared that this amendment was created in consultation with the Law Department, with the goal of the amendment to help provide more clarity. Elliott Veloso was recognized for comments and offered an overview of the proposed language, noting that the language is more consistent and provides language on public hearings and those statutes where a public hearing is required by law.

The Chair, Councillor Toner reviewed proposed amendments to Rule #33 and Rule #35. City Clerk LeBlanc was recognized to offer an overview of the proposed amendments, noting that for Rule #35, the intent was to have the standard be the same for late Resolutions and late Policy Orders. City Clerk LeBlanc offered suggestions to the proposed amendment. Megan Bayer and Elliott Veloso were available to respond to any legal questions that came forward.

The Chair, Councillor Toner recognized Councillor Pickett who made a motion to forward the proposed amendments to the City Council Rules to the full City Council with a favorable recommendation.

Clerk of Committees Erwin called the roll.

Councillor Azeem – Absent

Vice Mayor McGovern – Yes
 Councillor Pickett – Yes
 Councillor Sobrinho-Wheeler – Yes
 Councillor Toner – Yes
Yes – 4, Absent – 1. Motion passed.

ORDERED: That the Rules of the City Council, Rule 3, be amended by substitution to read: Rule 3. The Mayor shall take the chair at the hour of the first Council meeting following Inauguration and election as chair and call the members to order. In the absence of the Mayor, the Vice-Chair of the City Council shall preside and, in the absence of both, the most senior member in length of service or if more than one have so served then the member senior in both age and length of service who is present shall serve as chair during the absence of both the Mayor and Vice-chair.

ORDERED: That the Rules of the City Council, Rule 5, be amended by substitution to read: Rule 5. The Chair shall state the motion that is before the Council before there can be discussion on the motion. The Chair shall declare all votes. If any member doubts the vote, the chair without further debate upon the question, shall require the members voting in the affirmative and negative, respectively, to be counted; the Mayor shall declare the results, but no such declaration shall be made unless a quorum of the City Council has voted.

ORDERED: That the Rules of the City Council, Rule 8, be amended by substitution to read: Rule 8. The chair shall place before the body all questions in the order in which they are moved, unless the subsequent motion be previous in its nature, except that in naming sums and fixing times, the largest sum and the longest time shall be placed before the body first. After a motion has been placed before the body by the chair, the mover may withdraw the motion before amendment or final action without objection.

ORDERED: That the Rules of the City Council, Rule 9, be amended by substitution to read: Rule 9. When a question is under debate the chair shall receive no motion, except to Adjourn.

Lay on the Table.

Postpone to a certain day.

End debate, move, or call the question.

Refer. Amend.

Postpone indefinitely.

These motions shall have precedence in the above order. A motion to adjourn shall be in order at any time except upon immediate repetition. A motion to adjourn, to lay on the table, to take from the table, or for the previous question shall be decided without debate.

ORDERED: That the Rules of the City Council, Rule 10, be struck from the City Council Rules.

ORDERED: That the Rules of the City Council, Rule 11, be amended by substitution to read: Rule 10. When two or more members ask to be recognized at once, the chair shall name the member who is entitled to the floor.

ORDERED: That the Rules of the City Council, Rule 12, be amended by substitution to read: Rule 11. Every member, when about to speak shall respectfully address the chair, and wait to be recognized. The members shall confine their remarks to the question under debate. During debate each Councillor will state their comments clearly and concisely with the understanding that other members are waiting to present their comments.

ORDERED: That the Rules of the City Council, Rule 13, be amended by substitution to read: Rule 12. No member speaking shall be interrupted by another except to make a point of order, request an explanation, or request a point of personal privilege.

ORDERED: That the Rules of the City Council, Rule 14, be amended by substitution to read: Rule 13. No member shall vote on any question, or serve on any committee, where their private interest is immediately concerned distinct from that of the public. All City employees, including all elected and appointed officials, are subject to the Massachusetts Conflict of Interest Law.

ORDERED: That the Rules of the City Council, Rule 15, be amended by substitution to read: Rule 14. When a question is put, every member present shall vote yes, no, or present and their vote shall be accepted by the chair and so recorded. A member that is recusing themselves from voting shall announce that they are recusing themselves prior to any discussion or deliberation of the matter and shall state the reason for recusal (a conflict of interest or to avoid the appearance of a conflict of interest). A member that has recused themselves shall not participate in the discussion while the matter is being deliberated and if present shall leave the Council Chamber or if participating remotely shall turn off their microphone and video during discussion and deliberation on the matter. Their recusal shall be accepted by the chair and so recorded.

ORDERED: That the Rules of the City Council, Rule 16, be amended by substitution to read: Rule 15. A question having been taken; it shall not be in order for any member to move a reconsideration thereof at the same meeting. A motion to reconsider may be made at the next meeting, provided written notice of such motion has been filed with the City Clerk within thirty-six hours of the day of the vote, Saturdays, Sundays, and legal holidays to be excluded in the computation of the thirty-six hours. No more than one motion for reconsideration of any vote shall be entertained. Any Councillor among those whose votes prevailed may move reconsideration; if reconsideration is not moved prior to the adjournment of the next regular or special meeting called for that particular purpose, the action taken by the City Council stands.

ORDERED: That the Rules of the City Council, Rule 17, be amended by substitution to read: Rule 16. Special Events Presentations. Before any regular meetings there may be a SPECIAL EVENTS PRESENTATION. At this time special events will be presented and may be broadcast on cable television. Special Events Presentations will be scheduled through the Mayor's Office. The Special Events Presentations will conclude at 5:30 p.m. No quorum of the City Council is required.

ORDERED: That the Rules of the City Council, Rule 18, be amended by substitution to read: Rule 17. Regular Meetings. All regular meetings of the City Council shall be held in the Sullivan Chamber, City Hall, Virtual, hybrid with virtual access, and access in the Sullivan Chamber or, at any other suitable public building as determined by the Chair within the City of Cambridge, at 5:30 p.m. on Monday of each week, from the first Monday in January to and including the last Monday in June, and from the second Monday in September to and including the last Monday in December. When a meeting day falls on a holiday, the succeeding Monday shall be the meeting. The City Council may at any meeting, by a majority vote, decide to discontinue any future meeting previously scheduled. All City Council meetings shall end no later than 12:00 midnight.

ORDERED: That the Rules of the City Council, Rule 19, be amended by substitution to read: Rule 18. The Mayor, or the Vice-Chair of the City Council, or any four members thereof, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person calling the same, to be delivered in hand to each member of the City Council, or left at their usual dwelling place, or delivered electronically with at least forty-eight hours' notice (excluding Saturdays, Sundays and legal holidays) to all members and with notice provided to the public by posting same at least forty-eight hours (excluding Saturdays, Sundays and legal holidays) prior to each meeting, unless the Mayor, in consultation with the City Manager and City Solicitor, determines an emergency exists and there is a need to call a meeting with less than forty-eight hours' notice. If necessary, the mayor may call one or more special meetings during July and August to conduct the council's business.

ORDERED: That the Rules of the City Council, Rule 20, be amended by substitution to read: Rule 19. Any ordinance, order or resolution may be passed through all its stages of legislation at one session, provided that no member of the City Council objects thereto; but if any member of the City Council objects, the measure shall be postponed for that meeting (the "Charter Right"). (Chapter 43, Section 22 of the General Laws.) At the next regular meeting, any member may move the item which has been subject to the Charter Right. If no action is taken at the next regular meeting by any member, then the item will be removed from the City Council Calendar. The provisions of this Rule, as well as M.G.L. c.43, §22, do not apply to the submission to the City Council of a proposed zoning ordinance, which, pursuant to M.G.L. c.40, §5, the City Council shall within fourteen days of receipt of such zoning ordinance submit to the Planning Board for review.

ORDERED: That the Rules of the City Council, Rule 21, be amended by substitution to read: Rule 20. All matters of whatever description, except Applications and Petitions, which require action by the City Council at its meeting shall be presented to the City Clerk by 12:00 p.m. on the Thursday preceding the regular meeting. During a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 12:00 p.m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require the City Manager to present to the City Council a matter which was not presented to the City Clerk by the 12:00 p.m. deadline, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

ORDERED: That the Rules of the City Council, Rule 21A, be amended by substitution to read: Rule 20A. Applications and Petitions which require action by the City Council at its meeting

shall be presented to the City Clerk by 3:00 p. m. on the Wednesday preceding the regular meeting. During a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 3:00 p.m. on the Tuesday preceding the regular meeting. Applications and Petitions submitted later will be held over for the next regular meeting.

ORDERED: That the Rules of the City Council, Rule 21B, be amended by substitution to read: Rule 20B. In the event of City Hall closure the City Clerk, after consultation with the City Manager, may change the deadlines accordingly for when matters must be presented to the City Clerk for inclusion on the agenda.

ORDERED: That the Rule of the City Council, Rule 22, be amended by substitution to read: Rule 21. The City Clerk shall prepare the minutes of the previous regular and/or special meetings and a calendar of all matters to come before the City Council at each meeting in accordance with the established order of business and shall deliver electronically or to the residence of each City Councillor a copy of the same not later than twenty-four hours prior to said meeting. On all matters on which there has been a roll-call vote, the minutes shall reflect the votes of the individual members.

ORDERED: That the Rules of the City Council, Rule 23, be amended by substitution to read: Rule 22. The City Clerk is authorized by these rules to order and publish notice of hearings on petitions presented to the City Clerk regarding public hearings before the Council.

ORDERED: That the Rules of the City Council, Rule 24A, be amended by substitution to read:

Rule 23A. At every regular meeting of this City Council, except for roundtable/working meetings, the order of business shall be as follows:

1. Public Comment.
2. Reading of the record, if requested by the City Council.
3. Motions for Reconsideration.
4. Manager's Consent Agenda.
5. Communications from the City Manager (Manager's non-Consent Agenda)
6. Consent policy orders and resolutions.
 - a. Non-Consent policy orders and resolutions.
7. Unfinished business from preceding meetings.
 - a. Charter Rights
 - b. On the Table
 - c. Unfinished Business
8. Consent Applications for permits or petitions which require City Council approval or referral.
 - a. Non-Consent applications and petitions.
9. Consent communications (petitions, memorials and other communications from individuals, employees, and others, which do not require action by the City Council).
 - a. Non-Consent communications.

10. Consent resolutions.
- a. Non-Consent resolutions.
11. Committee Reports.
12. Roundtable/working meeting minutes.
13. Communications and Reports from Other City Officers.
14. Announcements.
15. Adjournment.

ORDERED: That the Rules of the City Council be amended by substitution by removing language from 23A (formally 24A) and adding a new Council Rule to read: Rule 23B.

Requests to the City Manager for information regarding matters that have previously been referred to the City Manager for repair or replacement of items or attention to or implementation of matters which do not require City Council action shall not be placed on the agenda but shall be referred directly to the City Manager by the member making the request.

ORDERED: That the Rules of the City Council, Rule 24B, be amended by substitution to read: Rule 23C. At least six, no more than twelve meetings per year may be roundtable/working meetings; three of which will be with the School Committee. The date for a particular roundtable/working meeting shall be set by majority vote at a prior regular business meeting or at a special meeting. At a roundtable/working meeting, no votes shall be taken except upon a motion to adjourn. The roundtable/working meeting shall be broadcast on cable television and live streamed. The Mayor shall determine the agenda for the roundtable/working meeting in consultation with the City Manager and other members of the City Council.

ORDERED: That the Rules of the City Council, Rule 24C, be amended by substitution to read: Rule 23D. Public Comment.

1. Regular and Special Meetings

a. Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, individuals and employees of the city shall have reasonable opportunity to be heard at regular and special meetings of the City Council in regard to any matter considered thereat. Opportunities for individuals and employees of the City to be heard at all regular and special meetings, except for roundtable/working meetings, shall be provided directly before the reading of the record, if requested by the City Council (submission of the record of the previous meeting). Members of the public may comment upon items in the following categories of business: Motions for reconsideration, City Manager's consent agenda, Unfinished business from preceding meetings, Applications and Petitions requiring approval or referral by the City Council, Consent resolutions, Consent Policy orders and resolutions relating to policy analysis or development, Committee Reports, Roundtable/Working Meeting Minutes, Communications and Reports from Other City Officers. Each speaker shall limit their comments to no more than two minutes. In the event there are 50 or more speakers signed up, the amount of time allocated would be one minute. Individuals are not permitted to allocate the remainder of their time to other speakers.

b. Procedure: An individual may signup to speak before the City Council on-line via the City's website from 9:00 a.m. on the Friday before the meeting until 6:00 p.m. the day of the meeting or via telephone to the City Council office on the day of the meeting from 9:00 a.m. to 5:00 p.m. On the day of the meeting, between 5:00 p.m. and 6:00 p.m., a computer terminal will be available to the public in the City Council Office for on-line signup until 6:00 p.m. on the day of the meeting. There will be in-person assistance for those who need help signing up. The individual should indicate on the signup sheet their name, address, and which item(s) they are planning to address. Individuals will be heard in the order that they signed up whether they are participating in person or remotely.

2. Roundtable/working meetings.

Public comment shall not take place at roundtable/working meetings of the City Council, where no matter being discussed may be finally considered, in that no votes may be taken. Written comments will be accepted and made part of the record of the roundtable/working meeting. The opportunity for the public to make oral comments on items discussed at roundtable/working meetings shall be at the regular or special meeting at which the item may be considered for action by the City Council.

ORDERED: That the Rules of the City Council, Rule 24D, be amended by substitution to read: Rule 23E. Each consent agenda is voted on in its entirety, with no discussion. By request of a single City Councillor, item(s) may be removed for separate vote. Upon such request, the item will be moved to the appropriate section of the agenda. Placement of items on the City Manager's Consent Agenda shall be determined by the City Manager. Placement of items on the Communications Consent Agenda shall be at the discretion of the City Clerk.

ORDERED: That the Rules of the City Council, Rule 24E, be amended by substitution to read: Rule 23F. The City Clerk shall include the written statement of the mission and goals or priorities of the City Council and the City Manager with the materials prepared for the agenda of the City Council for its weekly meeting.

ORDERED: That the Rules of the City Council, Rule 25, be amended by substitution to read: Rule 24. The seats of the members of the City Council shall be determined by the Assistant to the City Council in consultation with the members; no member shall change their seat but by permission of the Chair.

ORDERED: That the Rules of the City Council, Rule 26, be amended by substitution to read: Rule 25. All communications, petitions, or resolutions addressed to the City Council which require action by the City Council at its meeting shall be filed with the City Clerk. The City Clerk shall place all new communications on the agenda for the next regular City Council meeting. Upon receipt of a communication that is a substantially unchanged copy of a previously submitted communication, the City Clerk shall not place the communication on the agenda and shall transmit said communication to the Mayor. Any communication, petition, or resolution that

does not meet the agenda deadline specified in Rule Twenty-One shall be held over for the subsequent City Council agenda unless it is of an emergency nature.

ORDERED: That the Rules of the City Council, Rule 27, be amended by substitution to read: Rule 26. The Mayor shall appoint the standing committees of the City Council. The Mayor shall appoint a chair for each committee and may appoint co-chairs for the committees that consist of at least five members. In the absence of the chair and co- chair of the committee the most senior member in length of service or if more than one has so served then the member senior in both age and length of service who is present shall chair. The City Clerk or their designee shall staff each committee and where deemed appropriate, the chair may request additional staff help through the City Manager.

Each committee shall meet regularly to review matters referred to it by the City Council or to take up other matters within its domain. To the extent possible, matters of policy shall be referred to the appropriate committee, so that careful study and consideration can be given to the subject matter. Where appropriate, the committee shall work with other committees of the City Council to assure the coordination of related aspects within the purview of those committees. The committee shall make policy and other recommendations to the City Council as a whole for discussion, consideration, and adoption. The committee may monitor implementation of City Council policies related to the subject matter within its purview as authorized by the City Council. If so authorized by the City Council, the committee may represent policy interests related to its subject matter at committees of the General Court of Massachusetts.

It is the goal of the City Council to involve individuals actively in the work of city government through these committees. All committees shall work with community and neighborhood groups and committees on issues that relate to these groups' mandates and interests. The committee staff shall keep lists of interested parties and shall keep individuals informed of the meetings and deliberations of the committees.

The standing committees of the City Council shall be as follows:

ORDINANCE COMMITTEE – A committee of the whole consisting of the Mayor and eight City Councillors – the quorum shall be five members.

Purposes

- To consider the merit of any ordinance presented to the City Council and to consider the form and legality thereof;
- To consider all legal matters for which no other provision is made; and
- To represent general interests of the city before committees of the General Court when so authorized by a vote of the City Council.

FINANCE COMMITTEE – A committee of the whole consisting of the Mayor and eight City Councillors – the quorum shall be five members.

Purposes

- To consider all matters relating to the financial interests of the city, including the city budget, sources of city revenue, appropriations and loans, and city bonding capacity;

- To work with the City Manager and other officers of the city for the financial benefit the city; and
- To work with groups and committees that might be formed from time to time to consider the financial health of the city.

GOVERNMENT OPERATIONS, RULES, AND CLAIMS COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider matters relating to the effective delivery of city services, the functions and operation of city government and city departments; and to consider the rules of the City Council and its committees and to recommend amendments and changes thereto;
- To consider matters relating to the hiring and evaluation of employees who report to the City Council;
- To consider claims that have been filed against the city.

ECONOMIC DEVELOPMENT AND UNIVERSITY RELATIONS COMMITTEE – A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider all issues regarding the relationship between the city, educational institutions, employers, business associations, and other partners within the city, to develop policies and programs that will enhance economic development, tax revenue and expand career and employment opportunities for Cambridge residents;
- To develop policies that will facilitate the regular and timely exchange of information between educational institutions, employers, business organizations, and other partners in the community, and the city administration and City Council, and monitor implementation of agreed on policies and programs;
- To review and evaluate agreements between the city and institutions for payments made by institutions in lieu of property taxes (PILOT), develop policies to ensure that the agreements are fair and equitable, and monitor implementation;
- To monitor and improve existing employment, diversity of opportunity, career, and workforce development programs.

HOUSING COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To develop policies for the maintenance and development of housing, with an emphasis on affordable housing;
- To coordinate with city and other agencies as necessary toward this goal;
- To monitor implementation.

CIVIC UNITY COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To promote civic unity;
- To consider matters relating to the civil rights, human rights, race, and class relations, and other aspects of civic unity in the City of Cambridge;
- To work with city and other agencies that deal with these issues;
- To respond to incidents or concerns that are brought to the attention of the City Council relating to civil and human rights, race and class relations and other aspects of civic unity and to bring in the appropriate agencies, departments, or legal services to assist in responding to such incidents; and
- To develop needed policies and legislation in this area;
- This committee shall strive to work towards promulgating policies, practices, and procedures that promote Equity, Inclusion, and Diversity throughout our community.

HEALTH AND ENVIRONMENT COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider and monitor matters relating to the health of the people of Cambridge and to improve city policies relating to health programs;
- To consider matters relating to the physical environment of the city including without limitation issues relating to air and water quality, solid and hazardous waste, climate change, visual quality and the environmental

HUMAN SERVICES COMMITTEE AND VETERANS' COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To develop and support policies assuring a broad human service delivery system to be provided by the city, other levels of government, and non-profit and private agencies for children, youth, families, single adults, and seniors of all backgrounds;
- To study policies, overall planning, and the delivery of human services to Cambridge people;
- To make recommendations to the City Council to improve the scope and quality of these services and to locate new sources of funding;
- To consider all matters affecting veteran services and benefits of the City.

NEIGHBORHOOD AND LONG TERM PLANNING, PUBLIC FACILITIES, ARTS, AND CELEBRATIONS COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To enhance the quality of life in Cambridge as it relates to the livability of neighborhoods, public art and art projects, and public celebrations;
- To consider all matters relating to land use planning, sustainability, open space, public facilities and public buildings, industrial and commercial development, especially as they relate to linkage and neighborhood protection, and other long- range planning;

- To consider matters related to the appearance of squares and neighborhoods of the city and their upkeep, and public planting.

PUBLIC SAFETY - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider all matters affecting the public safety of Cambridge; and
- To review matters relating to the performance, organization, and effectiveness of the police and fire departments, Public Works Department, the Inspectional Services Department as it relates to public safety issues, and the Police Review Board.

TRANSPORTATION AND PUBLIC UTILITIES COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider and recommend to the City Council policies on matters affecting transportation, traffic, and parking;
- To monitor transportation proposals and services of all kinds which affect Cambridge;
- To develop policies which promote a multi-modal and environmentally friendly traffic and transportation program which will balance the needs of residents and employees at a minimal cost to the environment;
- To consider issues relating to utilities and telecommunications, and consumer protection issues related therein.

ORDERED: That the Rules of the City Council, Rule 28, be amended by substitution to read: Rule 27. Every committee of the City Council to which any subject may be referred shall report on the subject within a reasonable time from the time of referral. Any committee report that has not been signed by the chair of the committee within seven days after submission of the committee report by the City Clerk will be placed on the City Council agenda unsigned. In the case that the chair of any committee shall fail for thirty (30) days from the time any subject has been referred to it to call a hearing of the committee, a quorum of the committee may call a hearing of said committee. Notice of all committee hearings must be given at least forty-eight (48) hours before the time of the hearing.

ORDERED: That the Rules of the City Council, Rule 29, be amended by substitution to read: Rule 28. Minutes shall be kept of all committee proceedings. All minutes, reports, and papers shall be submitted to the City Council by the City Clerk or their designee. Recommendations of each committee shall be made to the City Council for consideration and adoption.

ORDERED: That the Rules of the City Council, Rule 30, be amended by substitution to read: Rule 29. The Councillor first named thereto shall be the chair of any committee of which they are a member, and in case of their resignation or inability to serve, another member of the committee shall be named by the Mayor.

ORDERED: That the Rules of the City Council, Rule 31, be amended by substitution to read: Rule 30. No person will be admitted within the rail in the Sullivan Chamber or in Members' Lobby connected with said chamber at any meeting of the City Council except upon permission of the chair.

ORDERED: That the Rules of the City Council, Rule 32A, be amended by substitution to read: Rule 31A. Public hearings may be requested for matters of public interest or of legislative requirement. Public hearings may be held during regular business meetings of the City Council. The City Council shall refer such requests to a committee of the City Council. If the City Council deems it advisable, it may direct that the hearing be televised.

ORDERED: That the Rules of the City Council, Rule 32B, be amended by substitution to read: Rule 31B. The time devoted to public hearings shall not be more than two (2) hours at any one sitting. Any hearing not completed within the specified time may be continued to another meeting.

Any individual appearing before the City Council at a public hearing and claiming to represent another as agent or otherwise in the matter of being heard shall file with the City Council a written authorization signed by the individual, organization, or corporation whose interests such individual represents.

For matters where a public hearing is not required by law, the chair shall determine if there will be public comment and when it will occur. For matters where a public hearing is not required by law, and the chair has called for public comment, there shall be a two (2) minute time limit for each speaker. In the event there are 50 or more speakers signed up, the amount of time allocated would be one minute. Individuals are not permitted to allocate the remainder of their time to other speakers. Speakers shall be required to address themselves solely to the issue(s) before the City Council for discussion.

For matters where a public hearing is required by law, including but not limited to amendments to the City's Zoning Ordinance, amendments to the City's Municipal Code, annual determinations of the percentages of local tax levy for real and personal property pursuant to G.L. c. 40, § 56, and hearings related to the submission and approval of the City's annual budget pursuant to G.L. c. 44, §32, the chair shall allow individual members of the public up to two minutes to be heard. Individuals are not permitted to allocate the remainder of their time allotted to them to other speakers. Speakers shall be required to address themselves solely to the issue(s) before the City Council for discussion.

In all hearings before the City Council, the case of the petitioner shall be submitted first, except in matters affecting acceptance of highways or taking by right of eminent domain.

ORDERED: That the Rules of the City Council, Rule 32C, be amended by substitution to read: Rule 31C. The Housing Committee will hold a public hearing to review the City

Manager's appointments to the Cambridge Housing Authority prior to the City Council confirmation on the appointments. The Neighborhood and Long-Term Planning, Public Facilities, Arts and Celebrations Committee, or other suitable committee, will hold a public hearing to review the City Manager's appointments to the Cambridge Redevelopment Authority prior to the City Council confirmation of the appointments.

ORDERED: That the Rules of the City Council, Rule 32D, be amended by substitution to read: Rule 31D. Rules for Public Comment should be posted in a visible and prominent place both in person and online for the benefit of those wishing to participate in Public Comment.

ORDERED: That the Rules of the City Council, Rule 33, be amended by substitution to read: Rule 32. All by-laws passed by the City Council shall be termed ordinances, and the enacting style shall be "Be it ordained by the City Council of the City of Cambridge." In all votes by which the City Council expresses anything by order or command the form of expression shall be "Ordered," and in all votes by which the City Council expresses opinions, principles, facts or purposes, the form shall be "Resolved."

ORDERED: That the Rules of the City Council, Rule 34, be amended by substitution to read: Rule 33. The City Clerk shall determine the newspaper of the city in which shall be published any loan order or any ordinance.

ORDERED: That the Rules of the City Council, Rule 35, be amended by substitution to read: Rule 34. Every ordinance and every order, resolution or vote shall after its passage remain in the possession of the City Clerk for thirty-six (36) hours after the day of the meeting for the purpose of giving any Councillor among those whose votes prevailed an opportunity to file notice of their intention to move reconsideration.

ORDERED: That the Rules of the City Council, Rule 36A, be amended by substitution to read: Rule 35A. Any of the foregoing rules with the exception of Rule 20 may be suspended at any meeting by a two-thirds yea and nay vote of the entire membership of the City Council, provided that suspension of the rules to take up an item of business out of order may be moved only one time per meeting by each member. This limitation does not apply to motions to suspend the rules to move reconsideration hoping the same does not prevail.

There shall be a roll call vote for suspension of the rules to consider late items. Items will be taken up at the end of the regular business meeting, after the regular order of business has been concluded. A late item should only be considered if it cannot wait until the next regular meeting.

ORDERED: That the Rules of the City Council, Rule 36B, be amended by substitution to read: Rule 35B. No amendments or additions to the rules may be enacted until at least seven days have elapsed from the date of the submission of the proposed changes or additions and require a majority vote of the entire membership of the City Council.

ORDERED: That the Rules of the City Council, Rule 37, be amended by substitution to read: Rule 36. The City Council shall be governed by "Roberts' Rules of Order" in all questions of parliamentary practice not provided for by these rules.

ORDERED: That the Rules of the City Council, Rule 38, to be amended by substitution to read: Rule 37.

1. No one shall delay or interrupt the proceedings or refuse to obey the orders of the presiding officer.
2. All persons shall refrain from any private conversation, which would interfere with the proper conduct of the meeting or hearing.
3. No food or beverages of any kind except water is permitted in the public section of the Sullivan Chamber.
4. Signs, posters and placards must remain outside the Sullivan Chamber.
5. People are admitted to the Sullivan Chamber up to the fire safety capacity of the room which includes the balcony. Overflow crowds may listen to the proceedings on loudspeakers and television provided in the hallway.
6. All persons shall confine their remarks to the question under debate. The following will not be tolerated: profanity, uttering fighting words, slander, unreasonably loud or repetitive speech, and/or speech so disruptive of City Council proceedings that the legislative process is substantially interrupted.
7. Any person engaging in behavior that disrupts the proceedings such that the legislative process is substantially interrupted will be warned once by the chair that if their disruptive behavior continues, they will be requested to withdraw from the meeting, and if the behavior continues, the speaker will be asked to withdraw from the meeting. If the speaker does not withdraw from the meeting as requested by the chair, the chair may authorize a constable or other officer to remove the person from the meeting.
8. All rules of decorum and conduct for comment established by these rules shall be applicable to all individuals attending a meeting or hearing.
9. Every person addressing the City Council should speak into the microphone and should state the person's name and address in an audible tone of voice for the record. All remarks shall be addressed to the City Council as a body through the chair, and not to any individual member thereof.
10. While in the Sullivan Chamber, all persons with cell phones, pagers or other devices emitting audible signals shall either set the device to a non-audible signal mode or turn off the device.

ORDERED: That the Rules of the City Council, Rule 39, be amended by substitution to read: Rule 38. The City Council's travel and incidental expenses thereto shall be approved by five members of the City Council through the budget process. All individual expenses will be substantiated by receipts and requests for payments will be approved by the City Auditor prior to reimbursement. The City Auditor shall be required to keep copies of Travel Expense Reports for all City Council travel expenditures reimbursed by the City and make the same available on request to all interested persons. The City Council may adopt a Travel Policy consistent with this

rule to specify acceptable travel arrangements and limitations on reimbursable expenses. (*RULE 38 AMENDED SEPTEMBER 8, 2014 – TRAVEL POLICY IS APPENDED TO THE RULES*)

Cambridge City Council
Travel Policy as
Amended ADOPTED
SEPTEMBER 8, 2014
AMENDED JANUARY 29, 2018

1. Introduction

The City Council recognizes the value of travel for purposes clearly related to the overall improvement of the City and travel for the purpose of assisting the individual City Councillor in performing his or her official duties. City Council travel should be as economical as possible.

2. City Council Travel Budget

The City Council will set a total amount for annual travel expenses, based on the amount it considers reasonable for each member to expend each year for travel which relates to city business. The Executive Assistant to the City Council shall keep individual travel budgets for each City Councillor, to which an equal allocation of the total travel budget shall be made.

1. Travel plans for which the individual City Councillor expects reimbursement up to the amount budgeted for an individual Councillor do not require pre-approval by the City Council.
2. A member of the City Council who anticipates utilizing more than the total annual amount budgeted for his or her travel must request approval from the City Council for funding for additional travel relating to the member's duties or official capacity as a City Councillor. Said request shall be made by submission of a proposed order for the City Council's consideration and vote at a regular business meeting.
3. The Mayor's travel budget is approved separately, and mayoral expenses are not included in the City Council travel budget. In all other respects, the travel policy applies to the entire City Council, including the Mayor.

3. Travel Arrangements

All arrangements for air travel, lodging and rental cars will be made by the Executive Assistant to the City Council and the Assistant to the Mayor, and not by individual City Councillors, except in unusual or unforeseen circumstance, or where the individual City Councillor is able to make a less expensive travel arrangement. Sound business practices should be followed at all times.

Councillors should provide as much advance notice of travel requirements as possible to enable the staff to obtain advantageous rates for airfares, conference registration and lodging.

Travel arrangements should be made by government or convention rates whenever possible. Care should be taken to make cost effective arrangements, such as utilizing super-saver rates.

The City will pay only for standard hotel rooms, standard or “coach” A (no premium or First Class) airfare and midsize rental cars. The City will not pay for flight insurance. All additional costs caused by family members or other persons traveling with the City Council member will be the obligation of the City Councillor.

Economical travel is favored. If by extending travel through Saturday, airfare savings exceed additional hotel, meals, car rental and other expenses, then such an extension is allowed.

4. Travel Expense Reimbursement

All payments to City Councillor for their City Council travel expenses shall be by reimbursement. No expenses will be reimbursed without proper documentation and an expense report. City Councillors shall utilize the City of Cambridge Travel Expense Report required by the City Manager for all City Employee travel.

Proper documentation must include itemized receipts, except for the food category when an alternative reimbursement allowance is requested. The expense report must clearly state the purpose of the travel. Allowance amounts are as follows:

Transportation: Air or Rail

Standard or economy fare.

Related ground travel: Actual cost of trips between home – airport/train station, airport/train station – lodging and returns.

Transportation: Personal Automobile

Travel by personal automobile will be reimbursed per mile up to 450 miles one way at the City’s per mile reimbursement rate in effect at the time of the trip. The City will also reimburse toll expenses upon production of the relevant receipts. The City will only reimburse one day’s worth of per diem expenses for each leg of a trip except in cases of extraordinary and unforeseen events such as extreme weather that cause an unexpected delay in travel.

Lodging

Standard single occupancy. If travel is part of a convention, choose either the convention hotels or alternative hotels with rates within the range of the convention hotels. If not part of a convention, choose by informal quote procedure. Short-term rental, internet and access fees are allowable.

Food

Actual expenses based on detailed and reasonable itemized receipts for each City Councillor or \$100.00 per diem without itemized receipts. The City will not pay for alcohol. Where bill includes reimbursable food expenses and non-reimbursable alcohol expenses, the receipt should clearly identify what portion of the bill is reimbursable.

Ground Transportation

Taxis and Ride Hail Services

Reimbursement will be for actual expenses. Taxi and ride hail service receipts must be properly completed and signed by the individual City Councillor.

Rental Automobiles

Reimbursement for non-luxury midsize automobiles. Any upgrades must be paid by the individual City Councillors.

Miscellaneous Business Expenses

This category includes tips, telephone calls, parking, etc. Any individual expense over \$15 must be documented.

The auditor shall reject or adjust any receipts that they deem excessive or not properly documented.

Reimbursement shall not be approved under any circumstances for the following:

- Alcoholic Beverages
- Tobacco
- Laundry & Dry Cleaning
- Barber, Hairdresser, Manicure or Bootblack
- Entertainment
- Newspapers or Magazines
- Toiletries
- Articles of Apparel
- Pay Per View Television
- Conference events not related to the business travel

ORDERED: That the Rules of the City Council, Rule 40.1, be amended by substitution to read: Rule 40. That Home Rule Petitions are sent to the entire Cambridge delegation.

The Chair, Councillor Toner shared that he would like to review the seven suggested changes to the Council Rules that were submitted. This document was included in the Agenda Packet.

The Chair, Councillor Toner reviewed the first suggested change regarding public comment and recognized Vice Mayor McGovern, Councillor Sobrinho-Wheeler, and Councillor Pickett who offered comments that were not in support of the suggested change.

The Chair, Councillor Toner reviewed the second suggested change regarding foreign policy issues and recognized Councillor Sobrinho-Wheeler and Vice Mayor McGovern who shared they would not be in favor of the suggested change. The Chair, Councillor Toner recognized Mayor Simmons who offered comments that were in favor of the suggested change. Councillor Toner offered suggestions on how the Council would be able to voice their opinions relative to foreign policy matters. Megan Bayer responded and shared how Councillor Toner's suggestion could potentially violate the Open Meeting Law.

The Chair, Councillor Toner reviewed the third suggested change regarding policy orders and sponsors. Vice Mayor McGovern, Councillor Pickett, and Councillor Sobrinho-Wheeler shared that they would be in support of this change.

The Chair, Councillor Toner reviewed the fourth suggested change, noting that language regarding Inaugural Day is both in the City Council Rules and the City's Charter. The Chair shared that because this language is in the Charter, it would be something the Committee would have to discuss further at a future meeting. Mayor Simmons shared that she would like to hear from Naomie Stephens regarding the Inaugural Day. Naomie Stephens suggested that the second Monday of January be Inaugural Day, due to the challenges that come with planning around the New Year and the end of the Holiday Season.

The Chair, Councillor Toner reviewed the fifth suggested change regarding staff trainings. Mayor Simmons was recognized and shared comments of support, pointing out that if City Employees are required to take certain training courses, the City Council should be taking them as well.

The Chair, Councillor Toner reviewed the sixth suggested change regarding committee meetings and meeting materials, noting that this suggested change would only be reflective towards matters that are planning on being voted on in Committee. The City Clerk shared that this change would have no legal requirement, but it would be best practice. The Chair recognized Councillor Pickett who noted how difficult it is for the public to respond to meeting materials when they are not provided in advance. Councillor Pickett encouraged her colleagues take this suggestion as a best practice going forward. The Chair recognized Mayor Simmons who shared more efficient meetings and conversations would be had if materials were provided in advance. Mayor Simmons noted that this would allow for Councillors to review the materials with more time and prepare questions and comments relative to the topic that is being discussed. Chair Toner recognized City Manager Huang who offered comments and suggestions on how this practice could be incorporated into Committee meetings moving forward. Vice Mayor McGovern was recognized and agreed that this should be used as a best practice.

The Chair, Councillor Toner reviewed the seventh suggested change, which offered ideas on how the City Council and the City can address policy orders and awaiting reports moving forward. The Chair recognized Committee members for comments and discussion. Vice Mayor McGovern suggested using these ideas as guiding principles and best practices rather than a rule for Councillors to follow. Councillor Pickett and Councillor Sobrinho-Wheeler agreed. Committee members disagreed with the idea of limiting the number of policy orders a Councillor can be a lead sponsor on, and offered challenges that may come if that rule was put into effect. The Chair recognized City Manager Huang for comments. The City Manager suggested that it is more of looking at the awaiting reports list rather than policy orders and resolutions, and how the City Council as a body wants to think about awaiting reports moving forward. City Manager Huang noted that for the last couple of months, the City has been working with more transparency and has been very communicative regarding awaiting reports, and suggested that this is a topic that is revisited if need be. The Chair recognized Mayor Simmons and Councillor Sobrinho-Wheeler who offered suggestions on how certain policy orders and resolutions could be filed in the future.

The Chair, Councillor Toner recognized Councillor Pickett who made a motion to adjourn the meeting.

Clerk of Committees Erwin called the roll.

Councillor Azeem – Absent

Vice Mayor McGovern – Yes

Councillor Pickett – Yes

Councillor Sobrinho-Wheeler – Yes

Councillor Toner – Yes

Yes – 4, No – 0, Absent – 1. The meeting was adjourned at approximately 11:53a.m.

Attachment A – Redline version of proposed amendments to the City Council Rules.

Attachment B – Clean version of proposed amendments to the City Council Rules.

Attachment C – Written communications from the public.

Clerk's Note: The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. This is a permanent record. The video for these meetings can be viewed at:

February 15, 2024

https://cambridgema.granicus.com/player/clip/664?view_id=1&redirect=true

February 26, 2024

https://cambridgema.granicus.com/player/clip/667?view_id=1&redirect=true

A communication was received from Councillor Toner, transmitting suggested changes to the City Council Rules.

A communication was received from Councillor Toner, transmitting proposed draft edits to the City Council Rules.

City of Cambridge
PROVISIONALLY ADOPTED JANUARY 1, 2024
RULES OF THE CITY COUNCIL
2024-2025

These rules, after adoption by the City Council, shall be published and made available to the public. The rules of the City Council should be reviewed and provisionally adopted towards the beginning of every new City Council term.

Rule 1. At all meetings of the City Council five (5) Councillors shall constitute a quorum for the transaction of business.

DUTIES AND POWERS OF THE CHAIR

Rule 2. On the first Monday of January, following the regular municipal election, the City Council shall by a majority vote of all the members elected, elect a mayor from its own members who shall preside at all meetings of the City Council and perform such other duties as are prescribed in section one hundred (100) of Chapter 43 of the General Laws, and any acts in amendment thereof or supplementary thereto. The City Council shall, in like manner, elect a Vice-Chair who shall also be called Vice-Mayor.

Rule 3. The Mayor shall take the chair at the hour of the first Council meeting following Inauguration and election as chair to which the City Council has adjourned and call the members to order. In the absence of the Mayor, the Vice-Chair of the City Council shall preside and, in the absence of both, the most senior member in length of service or if more than one have so served then the member senior in both age and length of service who is present shall serve as chair during the absence of both the Mayor and Vice-chair.

Rule 4. The Mayor shall preserve decorum and order, and may speak to points of order, in preference to other members. The Mayor shall decide all questions of order, subject to an appeal to the City Council. If the ruling of the chair is questioned, no other business shall be in order until the question on the appeal shall have been decided; the question shall be put as follows: "Shall the decision of the chair stand as the judgment of the City Council?" The vote shall be by roll call, and it shall be decided in the affirmative unless a majority of the votes are to the contrary.

Rule 5. The ~~Chair~~Mayor shall state the motion that is before the Council before there can be discussion on the motion. The Chair~~Mayor shall -and then-~~ declare all votes. If any member doubts the vote, the chair without further debate upon the question, shall require the members voting in the affirmative and negative, respectively, to be counted; the Mayor shall declare the results, but no such declaration shall be made unless a quorum of the City Council has voted.

Rule 6. All final votes of the City Council on questions involving the expenditure of fifty dollars or more, or upon the request of any member, any vote of the City Council shall be by yeas and nays and shall be entered on the records.

Rule 7. All petitions, memorials, communications, or any matter before the City Council may be referred as follows:

1. To a standing committee of the City Council.
2. To a consent agenda.
3. To a special committee of the City Council.
4. To the City Manager.
5. To any department or department head or any person, group, or organization to whom referral is permitted, authorized, or allowed under the provisions of the Plan E Charter and under applicable provisions of the Massachusetts General Laws.

Any member offering a motion, order or resolution which is referred to a committee shall be given a hearing on the same by the committee before a report is made thereon, provided they so request at the time of the communication, or before final action by the committee.

Rule 8. The chair shall place before the body ~~put~~ all questions in the order in which they are moved, unless the subsequent motion be previous in its nature, except that in naming sums and fixing times, the largest sum and the longest time shall be placed before the body first ~~first put~~. After a motion has been placed before the body ~~put~~ by the chair, the mover may withdraw the motion before amendment or final action without objection ~~it shall not be withdrawn except by unanimous consent~~.

Rule 9. When a question is under debate the chair shall receive no motion, except ~~to put~~

- ~~To~~ Adjourn.
- ~~To~~ Lay on the Table.
- ~~To~~ Postpone to a certain day. For the Previous Question, End debate, move, or call the question.
- ~~To~~ Refer.
- ~~To~~ Amend.
- ~~To~~ Postpone indefinitely.

These motions shall have precedence in the above order. A motion to adjourn shall be in order at any time except upon immediate repetition. A motion to adjourn, to lay on the table, to take from the table, or for the previous question shall be decided without debate.

~~Rule 10. The previous question shall be put in the following form: "Shall the main question be put?" and all further amendments or debates of the main question shall be suspended until the previous question is decided.~~

Rule ~~10~~⁴. When two or more members ask to be recognized at once, the chair shall name the member who is entitled to the floor.

RIGHTS AND DUTIES OF MEMBERS

Rule 1~~12~~. Every member, when about to speak shall respectfully address the chair, and wait to be recognized. The member shall confine their remarks to the question under debate. During debate each Councillor will state their comments clearly and concisely with the understanding that other members are waiting to present their comments.

Rule 1~~23~~. No member speaking shall be interrupted by another except to make a point of order, request an explanation, or request a point of personal privilege.

Rule 1~~34~~. No member shall vote on any question, or serve on any committee, where their private interest is immediately concerned distinct from that of the public. ~~The City Council shall by ordinance establish and implement a code of ethics for its members and for all city employees.~~ All City employees, including all elected and appointed officials, are subject to the Massachusetts Conflict of Interest Law.

Rule 1~~45~~. When a question is put, every member present shall vote yes, no, or present and their vote shall be accepted by the chair and so recorded. A member that is recusing themselves from voting shall announce that they are recusing themselves prior to any discussion or deliberation of the matter and shall state the reason for recusal (a conflict of interest or to avoid the appearance of a conflict of interest). A member that has recused themselves shall not participate in the discussion while the matter is being deliberated and if present shall leave the Council Chamber or if participating remotely shall turn off their microphone and video during discussion and deliberation on the matter. Their recusal shall be accepted by the chair and so recorded.

Rule 1~~56~~. A question having been taken; it shall not be in order for any member to move a reconsideration thereof at the same meeting. A motion to reconsider may be made at the next meeting, provided written notice of such motion has been filed with the City Clerk within thirty-six hours of the day of the vote, Saturdays, Sundays, and legal holidays to be excluded in the computation of the thirty-six hours. No more than one motion for reconsideration of any vote shall be entertained. Any Councillor among those whose votes prevailed may move reconsideration; if reconsideration is not moved prior to the adjournment of the next regular or special meeting called for that particular purpose, the action taken by the City Council stands.

SPECIAL EVENTS PRESENTATIONS AND REGULAR MEETINGS

Rule 1~~67~~. Special Events Presentations.

Before any regular meetings there may be a *SPECIAL EVENTS PRESENTATION*. At this time special events will be presented and may be broadcast on cable television. Special Events Presentations will be scheduled through the Mayor's Office. The Special Events Presentations will conclude at 5:30 p.m. No quorum of the City Council is required.

Rule 1~~78~~. Regular Meetings.

All regular meetings of the City Council shall be held in the Sullivan Chamber, City Hall, ~~Virtual, hybrid with virtual access and access in the Sullivan Chamber or, if agreed to by a majority of the City Council,~~ at any other suitable public building ~~as determined by the Chair~~ within the City of Cambridge, at 5:30 p.m. on Monday of each week, from the first Monday in January to and including the last Monday in June, and from the second Monday in September to and including the last Monday in December. When a meeting day falls on a holiday, the succeeding Monday shall be the meeting. The City Council may at any meeting, by a majority vote, decide to discontinue any future meeting previously scheduled. All City Council meetings shall end no later than 12:00 midnight.

SPECIAL MEETINGS

Rule ~~189~~. The Mayor, or the Vice-Chair of the City Council, or any four members thereof, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person calling the same, to be delivered in hand to each member of the City Council, or left at their usual dwelling place, or delivered electronically with at least forty-eight hours' notice (excluding Saturdays, Sundays and legal holidays) to all members and with notice provided to the public by posting same at least forty-eight hours (excluding Saturdays, Sundays and legal holidays) prior to each meeting, ~~unless the Mayor, in consultation with the City Manager and City Solicitor, determines an emergency exists and there is a need to call a meeting with less than forty-eight hours' notice.~~ If necessary, the mayor may call one or more special meetings during July and August to conduct the council's business.

CALENDAR

Rule ~~1920~~. Any ordinance, order or resolution may be passed through all its stages of legislation at one session, provided that no member of the City Council objects thereto; but if any member of the City Council objects, the measure shall be postponed for that meeting (the "Charter Right"). (Chapter 43, Section 22 of the General Laws.) ~~At the next regular meeting, Any member may move the item which has been subject to the Charter Right. If no action is taken at the next regular meeting by any member, then the item will be removed from the City Council Calendar. Upon the objection of one Councillor, no action may be taken on any item not on the Calendar of the day and shall not be acted upon until the next regular meeting. The provisions of this Rule, as well as M.G.L. c.43, §22, do not apply to the submission to the City Council of a proposed zoning ordinance, which, pursuant to M.G.L. c.40, §5, the City Council shall within fourteen days of receipt of such zoning ordinance submit to the Planning Board for review.~~

Rule ~~2021~~. All matters of whatever description, except Applications and Petitions, which require action by the City Council at its meeting shall be presented to the City Clerk by 12:00 p. m. on the Thursday preceding the regular meeting. During a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 12:00 p.m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require the City Manager to present to the City Council a matter which was not presented to the City Clerk by the 12:00 p.m. deadline, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

Rule ~~2021~~A. Applications and Petitions which require action by the City Council at its meeting

shall be presented to the City Clerk by 3:00 p. m. on the Wednesday preceding the regular meeting. During a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 3:00 p.m. on the Tuesday preceding the regular meeting. Applications and Petitions submitted later will be held over for the next regular meeting.

Rule ~~2024~~B. In the event of City Hall closure the City Clerk, after consultation with the City Manager, may change the deadlines accordingly for when matters must be presented to the City Clerk for inclusion on the agenda.

Rule ~~2122~~. The City Clerk shall prepare the minutes of the previous regular and/or special meetings and a calendar of all matters to come before the City Council at each meeting in accordance with the established order of business and shall deliver electronically or to the residence of each City Councillor a copy of the same not later than twenty-four hours prior to said meeting. On all matters on which there has been a roll-call vote, the minutes shall reflect the votes of the individual members. ~~The City Clerk shall include with the minutes of the meeting any Communications from the public that were received at the meeting during Public Comment.~~

Rule ~~2223~~. The City Clerk is authorized by these rules to order and publish notice of hearings on petitions presented to the City Clerk regarding public hearings before the Council.

ORDER OF BUSINESS

Rule ~~234~~A. At every regular meeting of this City Council, except for roundtable/working meetings, the order of business shall be as follows:

1. Public Comment.
2. Reading of the record, if requested by the City Council.
3. Motions for Reconsideration.
4. Manager's Consent Agenda.
5. Communications from the City Manager (Manager's non-Consent Agenda)
- ~~640~~. Consent policy orders and resolutions.
 - a. Non-Consent policy orders and resolutions.
- ~~76~~. Unfinished business from preceding meetings.
 - a. Charter Rights
 - b. On the Table
 - c. Unfinished Business
- ~~87~~. Consent Applications for permits or petitions which require City Council approval or referral.
 - a. Non-Consent applications and petitions.
- ~~98~~. Consent communications (petitions, memorials and other communications from individuals, employees, and others, which do not require action by the City Council).
 - a. Non-Consent communications.
- ~~109~~. Consent resolutions.
 - a. Non-Consent resolutions.

- ~~10. Consent policy orders and resolutions.~~
- ~~a. Non-Consent policy orders and resolutions.~~
- 11. Committee Reports.
- 12. Roundtable/working meeting minutes.
- 13. Communications and Reports from Other City Officers.
- 14. Announcements.
- 15. Adjournment.

♦ **Rule 23B.** Requests to the City Manager for information regarding matters that have previously been referred to the City Manager for repair or replacement of items or attention to or implementation of matters which do not require City Council action shall not be placed on the agenda but shall be referred directly to the City Manager by the member making the request.

RULE 23~~4~~CB. At least six, no more than twelve meetings per year may be roundtable/working meetings; three of which will be with the School Committee. The date for a particular roundtable/working meeting shall be set by majority vote at a prior regular business meeting or at a special meeting. At a roundtable/working meeting, no votes shall be taken except upon a motion to adjourn. The roundtable/working meeting shall be broadcast on cable television and live streamed. The Mayor shall determine the agenda for the roundtable/working meeting in consultation with the City Manager and other members of the City Council.

RULE 23~~4~~DC. Public Comment.

1. Regular ~~business and Special M~~ meetings
 - a. Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, individuals and employees of the city shall have reasonable opportunity to be heard at ~~regular and special any~~ meetings of the City Council in regard to any matter considered thereat. Opportunities for individuals and employees of the City to be heard at all regular ~~and special~~ meetings, except for roundtable/working meetings, shall be provided directly ~~after before~~ the reading of the record, if requested by the City Council (submission of the record of the previous meeting). Members of the public may comment upon items in the following categories of business: Motions for reconsideration, City Manager's consent agenda, Unfinished business from preceding meetings, Applications and Petitions requiring approval or referral by the City Council, Consent resolutions, Consent Policy orders and resolutions relating to policy analysis or development, Committee Reports, Roundtable/Working Meeting Minutes, Communications and Reports from Other City Officers. Each speaker shall limit their comments to no more than ~~two~~three minutes. In the event there are ~~5029~~ or more speakers signed up, the amount of time allocated would be ~~one minute~~two minutes ~~speakers are signed up~~. Individuals are not permitted to allocate the remainder of their time to other speakers.
 - b. Procedure: An individual may signup to speak before the City Council on-line via the City's website from 9:00 a.m. on the Friday before the meeting until 6:00 p.m. the day of the meeting or via telephone to the City Council office on the day of the meeting from 9:00 a.m. to 5:00 p.m.

On the day of the meeting, between 5:00 p.m. and 6:00 p.m., a computer terminal will be available to the public in the City Council Office for on-line signup until 6:00 p.m. on the day of the meeting. There will be in-person assistance for those who need help signing up. The individual should indicate on the signup sheet their name, address, and which item(s) they are planning to address. Individuals will be heard in the order that they signed up whether they are participating in person or remotely.

2. Roundtable/working meetings.

Public comment shall not take place at roundtable/working meetings of the City Council, where no matter being discussed may be finally considered, in that no votes may be taken. Written comments will be accepted and made part of the record of the roundtable/working meeting. The opportunity for the public to make oral comments on items discussed at roundtable/working meetings shall be at the regular or special meeting at which the item may be considered for action by the City Council.

Rule ~~234D~~E. Each consent agenda is voted on in its entirety, with no discussion. By request of a single City Councillor, item(s) may be removed for separate vote. Upon such request, the item will be moved to the appropriate section of the agenda. Placement of items on the City Manager's Consent Agenda shall be determined by the City Manager. Placement of items on the Communications Consent Agenda shall be at the discretion of the City Clerk.

Rule ~~234E~~F. The City Clerk shall include the written statement of the mission and goals or priorities of the City Council and the City Manager with the materials prepared for the agenda of the City Council for its weekly meeting.

Rule ~~245~~. The seats of the members of the City Council shall be determined by the Assistant to the City Council~~City Clerk~~ in consultation with the members; no member shall change their seat but by permission of the Chair.

COMMUNICATIONS AND COMMITTEES

Rule ~~256~~. All communications, petitions, or resolutions addressed to the City Council which require action by the City Council at its meeting shall be filed with the City Clerk. The City Clerk shall place all new communications on the agenda for the next regular City Council meeting. Upon receipt of a communication that is a substantially unchanged copy of a previously submitted communication, the City Clerk shall not place the communication on the agenda and shall transmit said communication to the Mayor. Any communication, petition, or resolution that does not meet the agenda deadline specified in Rule Twenty-One shall be held over for the subsequent City Council agenda unless it is of an emergency nature.

Rule ~~267~~. The Mayor shall appoint the standing committees of the City Council. The Mayor shall appoint a chair for each committee and may appoint co-chairs for the committees that consist of at least five members. In the absence of the chair and co-chair of the committee the most senior member in length of service or if more than one has so served then the member senior in both age and length of service who is present shall chair. The City Clerk or their designee shall staff each

committee and where deemed appropriate, the chair may request additional staff help through the City Manager.

Each committee shall meet regularly to review matters referred to it by the City Council or to take up other matters within its domain. To the extent possible, matters of policy shall be referred to the appropriate committee, so that careful study and consideration can be given to the subject matter. Where appropriate, the committee shall work with other committees of the City Council to assure the coordination of related aspects within the purview of those committees. The committee shall make policy and other recommendations to the City Council as a whole for discussion, consideration, and adoption. The committee may monitor implementation of City Council policies related to the subject matter within its purview as authorized by the City Council. If so authorized by the City Council, the committee may represent policy interests related to its subject matter at committees of the General Court of Massachusetts.

It is the goal of the City Council to involve individuals actively in the work of city government through these committees. All committees shall work with community and neighborhood groups and committees on issues that relate to these groups' mandates and interests. The committee staff shall keep lists of interested parties and shall keep individuals informed of the meetings and deliberations of the committees.

The standing committees of the City Council shall be as follows:

ORDINANCE COMMITTEE – A committee of the whole consisting of the Mayor and eight City Councillors – the quorum shall be five members.

Purposes

- To consider the merit of any ordinance presented to the City Council and to consider the form and legality thereof;
- To consider all legal matters for which no other provision is made; and
- To represent general interests of the city before committees of the General Court when so authorized by a vote of the City Council.

FINANCE COMMITTEE – A committee of the whole consisting of the Mayor and eight City Councillors – the quorum shall be five members.

Purposes

- To consider all matters relating to the financial interests of the city, including the city budget, sources of city revenue, appropriations and loans, and city bonding capacity;
- To work with the City Manager and other officers of the city for the financial benefit the city; and
- To work with groups and committees that might be formed from time to time to consider the financial health of the city.

GOVERNMENT OPERATIONS, RULES, AND CLAIMS COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider matters relating to the effective delivery of city services, the functions and operation of city government and city departments; and to consider the rules of the City Council and its committees and to recommend amendments and changes thereto;

- To consider matters relating to the hiring and evaluation of employees who report to the City Council;
- To consider claims that have been filed against the city.
-

ECONOMIC DEVELOPMENT AND UNIVERSITY RELATIONS COMMITTEE

– A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider all issues regarding the relationship between the city, educational institutions, employers, business associations, and other partners within the city, to develop policies and programs that will enhance economic development, tax revenue and expand career and employment opportunities for Cambridge residents;
- To develop policies that will facilitate the regular and timely exchange of information between educational institutions, employers, business organizations, and other partners in the community, and the city administration and City Council, and monitor implementation of agreed on policies and programs;
- To review and evaluate agreements between the city and institutions for payments made by institutions in lieu of property taxes (PILOT), develop policies to ensure that the agreements are fair and equitable, and monitor implementation;
- To monitor and improve existing employment, diversity of opportunity, career, and workforce development programs.

HOUSING COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To develop policies for the maintenance and development of housing, with an emphasis on affordable housing;
- To coordinate with city and other agencies as necessary toward this goal;
- To monitor implementation.

CIVIC UNITY COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To promote civic unity;
- To consider matters relating to the civil rights, human rights, race, and class relations, and other aspects of civic unity in the City of Cambridge;
- To work with city and other agencies that deal with these issues;
- To respond to incidents or concerns that are brought to the attention of the City Council relating to civil and human rights, race and class relations and other aspects of civic unity and to bring in the appropriate agencies, departments, or legal services to assist in responding to such incidents; and
- To develop needed policies and legislation in this area;
- This committee shall strive to work towards promulgating policies, practices, and procedures that promote Equity, Inclusion, and Diversity throughout our community.

HEALTH AND ENVIRONMENT COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider and monitor matters relating to the health of the people of Cambridge and to improve city policies relating to health programs;
- To consider matters relating to the physical environment of the city including without limitation issues relating to air and water quality, solid and hazardous waste, climate change, visual quality and the environmental impact of development and the sustainability of our physical environment.

HUMAN SERVICES COMMITTEE AND VETERANS' COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To develop and support policies assuring a broad human service delivery system to be provided by the city, other levels of government, and non-profit and private agencies for children, youth, families, single adults, and seniors of all backgrounds;
- To study policies, overall planning, and the delivery of human services to Cambridge people;
- To make recommendations to the City Council to improve the scope and quality of these services and to locate new sources of funding;
- To consider all matters affecting veteran services and benefits of the City.

NEIGHBORHOOD AND LONG TERM PLANNING, PUBLIC FACILITIES, ARTS, AND CELEBRATIONS COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To enhance the quality of life in Cambridge as it relates to the livability of neighborhoods, public art and art projects, and public celebrations;
- To consider all matters relating to land use planning, sustainability, open space, public facilities and public buildings, industrial and commercial development, especially as they relate to linkage and neighborhood protection, and other long- range planning;
- To consider matters related to the appearance of squares and neighborhoods of the city and their upkeep, and public planting.

PUBLIC SAFETY - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider all matters affecting the public safety of Cambridge; and
- To review matters relating to the performance, organization, and effectiveness of the police and fire departments, Public Works Department, the Inspectional Services Department as it relates to public safety issues, and the Police Review Board.

TRANSPORTATION AND PUBLIC UTILITIES COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider and recommend to the City Council policies on matters affecting transportation, traffic, and parking;
- To monitor transportation proposals and services of all kinds which affect Cambridge;
- To develop policies which promote a multi-model and environmentally friendly traffic and transportation program which will balance the needs of residents and employees at a minimal cost to the environment;
- To consider issues relating to utilities and telecommunications, and consumer protection issues related therein.

Rule ~~27~~⁸. Every committee of the City Council to which any subject may be referred shall report on the subject within a reasonable time from the time of referral. Any committee report that has not been signed by the chair of the committee within seven days after submission of the committee report by the City Clerk will be placed on the City Council agenda unsigned. In the case that the chair of any committee shall fail for thirty (30) days from the time any subject has been referred to it to call a hearing of the committee, a quorum of the committee may call a hearing of said committee. Notice of all committee hearings must be given at least forty-eight (48) hours before the time of the hearing.

Rule ~~28~~⁹. Minutes shall be kept of all committee proceedings. All minutes, reports, and papers shall be submitted to the City Council by the City Clerk or their designee. Recommendations of each committee shall be made to the City Council for consideration and adoption.

Rule ~~29~~³⁰. The Councillor first named thereto shall be the chair of any committee of which they are a member, and in case of their resignation or inability to serve, another member of the committee shall be named by the Mayor.

MEMBERS LOBBY

Rule ~~30~~¹. No person will be admitted within the rail in the Sullivan Chamber or in Members' Lobby connected with said chamber at any meeting of the City Council except upon permission of the chair.

HEARINGS

Rule ~~31~~²^A. Public hearings may be requested for matters of public interest or of legislative requirement. Public hearings may be held during regular business meetings of the City Council. The City Council shall refer such requests to a committee of the City Council. If the City Council deems it advisable, it may direct that the hearing be televised.

Rule ~~31~~²^B. The time devoted to public hearings shall not be more than two (2) -hours at any one sitting. Any hearing not completed within the specified time may be continued to another meeting.

Any individual appearing before the City Council at a public hearing and claiming to represent another as agent or otherwise in the matter of being heard shall file with the City Council a written authorization signed by the individual, organization, or corporation whose interests such individual represents.

~~There shall be a three (3) to five (5) minute time limit for each speaker or, at the discretion of the chair where because the number of speakers or other circumstances would cause difficulty in completing the agenda for the hearing for each speaker to express their views on the matter being heard by the City Council. Speakers will be required to address themselves solely to the issue which is before the City Council for discussion.~~

For matters where a public hearing is not required by law, the chair shall determine if there will be public comment and when it will occur. ~~For matters where a public hearing is not required by law, and the chair has called for public comment, there shall be a two~~~~three~~ (23) minute time limit for each speaker. In the event there are ~~50~~20 or more speakers signed up, the amount of time allocated would be ~~one two~~ minutes and if more than 50 the amount of time allocated would be ~~one~~ minute. Individuals are not permitted to allocate the remainder of their time to other speakers. Speakers ~~shall~~~~will~~ be required to address themselves solely to the issue(s) ~~which is~~ before the City Council for discussion. _

For matters where a public hearing is required by law, including but not limited to amendments to the City's Zoning Ordinance, amendments to the City's Municipal Code, annual determinations of the percentages of local tax levy for real and personal property pursuant to G.L. c. 40, § 56, and hearings related to the submission and approval of the City's annual budget pursuant to G.L. c. 44, §32, the chair shall allow ~~individual members of the public up to two minutes as much time as possible for the public to be heard. Individuals are not permitted to allocate the remainder of their time allotted to them to other speakers. Speakers shall be required to address themselves solely to the issue(s) before the City Council for discussion.~~

In ~~all hearings~~all hearings before the City Council, the case of the petitioner shall be submitted first, except in matters affecting acceptance of highways or taking by right of eminent domain.

Rule 3~~12~~C. The Housing Committee will hold a public hearing to review the City Manager's appointments to the Cambridge Housing Authority prior to the City Council confirmation on the appointments. The Neighborhood and Long Term Planning, Public Facilities, Arts and Celebrations Committee, or other suitable committee, will hold a public hearing to review the City Manager's appointments to the Cambridge Redevelopment Authority prior to the City Council confirmation of the appointments.

~~Rule 312~~D. Rules for Public Comment should be posted in a visible and prominent place both in person and online for the benefit of those wishing to participate in Public Comment.

ORDINANCES AND ORDERS

Rule 3~~2~~3. All by-laws passed by the City Council shall be termed ordinances, and the enacting style shall be "Be it ordained by the City Council of the City of Cambridge." In all votes by which the City Council expresses anything by order or command the form of expression shall be "Ordered," and in all votes by which the City Council expresses opinions, principles, facts or purposes, the form shall be "Resolved."

Rule 334. The City Clerk shall determine the newspaper of the city in which shall be published any loan order or any ordinance, ~~and said publication.~~ ~~DELETE: shall be made in each newspaper in regular order, beginning with the oldest publication.~~

Rule 345. Every ordinance and every order, resolution or vote shall after its passage remain in the possession of the City Clerk for thirty-six (36) hours after the day of the meeting for the purpose of giving any Councillor among those whose votes prevailed an opportunity to file notice of their intention to move reconsideration.

AMENDMENT AND SUSPENSION

Rule 356A. Any of the foregoing rules with the exception of Rule 20 may be suspended at any meeting by a two-thirds yeas and nays vote of the entire membership of the City Council, provided that suspension of the rules to take up an item of business out of order may be moved only one time per meeting by each member. This limitation does not apply to motions to suspend the rules to move reconsideration hoping the same does not prevail.

~~No suspension of the rules shall be required to allow consideration of ceremonial resolutions (which appear on the agenda as Resolutions) filed after the meeting agenda is closed or before resolutions are voted on at the meeting. A roll call vote for suspension of the rules to consider late policy orders shall be required to allow consideration of policy orders at the end of the regular business meeting, after the regular order of business has been concluded. Late policy orders shall only be considered in an emergency or if action is required before the next regular meeting.~~

There shall be a roll call vote for suspension of the rules to consider late items. Items will be taken up at the end of the regular business meeting, after the regular order of business has been concluded. A late item should only be considered if it cannot wait until the next regular meeting.

Rule 356B. No amendments or additions to the rules may be enacted until at least seven days have elapsed from the date of the submission of the proposed changes or additions and require a majority vote of the entire membership of the City Council.

ROBERTS' RULES OF ORDER

Rule ~~367~~. The City Council shall be governed by "Roberts' Rules of Order" in all questions of parliamentary practice not provided for by these rules.

RULES OF

COURTESY Rule ~~378~~.

1. No one shall delay or interrupt the proceedings or refuse to obey the orders of the presiding officer.
2. All persons shall refrain from any private conversation, which would interfere with the proper conduct of the meeting or hearing.
3. No food or beverages of any kind except water is permitted in the public section of the Sullivan Chamber.
4. Signs, posters and placards must remain outside the Sullivan Chamber.
5. People are admitted to the Sullivan Chamber up to the fire safety capacity of the room which includes the balcony. Overflow crowds may listen to the proceedings on loudspeakers and television provided in the hallway.
6. All persons shall confine their remarks to the question under debate. The following will not be tolerated: profanity, uttering fighting words, slander, unreasonably loud or repetitive speech, and/or speech so disruptive of City Council proceedings that the legislative process is substantially interrupted.
- ~~7~~. Any person engaging in behavior that disrupts the proceedings such that the legislative process is substantially interrupted will be warned once by the chair that if their disruptive behavior continues, they will be requested to withdraw from the meeting, and if the behavior continues, the speaker will be asked to withdraw from the meeting. If the speaker does not withdraw from the meeting as requested by the chair, the chair may authorize a constable or other officer to remove the person from the meeting.
- ~~87~~. All rules of decorum and conduct for comment established by these rules shall be applicable to all individuals attending a meeting or hearing.
- ~~98~~. Every person addressing the City Council should speak into the microphone and should state the person's name and address in an audible tone of voice for the record. All remarks shall be addressed to the City Council as a body through the chair, and not to any individual member thereof.
- ~~109~~. While in the Sullivan Chamber, all persons with cell phones, pagers or other devices emitting audible signals shall either set the device to a non-audible signal mode or turn off the device.

RULES OF TRAVEL

Rule 3~~89~~. The City Council's travel and incidental expenses thereto shall be approved by five members of the City Council through the budget process. All individual expenses will be substantiated by receipts and requests for payments will be approved by the City Auditor prior to reimbursement. The City Auditor shall be required to keep copies of Travel Expense Reports for all City Council travel expenditures reimbursed by the City and make the same available on request to all interested persons. The City Council may adopt a Travel Policy consistent with this rule to specify acceptable travel arrangements and limitations on reimbursable expenses. (*RULE 3~~89~~ AMENDED SEPTEMBER 8, 2014 – TRAVEL POLICY IS APPENDED TO THE RULES*)

Cambridge City Council
Travel Policy as
Amended ADOPTED
SEPTEMBER 8, 2014
AMENDED JANUARY
29, 2018

1. *Introduction*

The City Council recognizes the value of travel for purposes clearly related to the overall improvement of the City and travel for the purpose of assisting the individual City Councillor in performing his or her official duties. City Council travel should be as economical as possible.

2. *City Council Travel Budget*

The City Council will set a total amount for annual travel expenses, based on the amount it considers reasonable for each member to expend each year for travel which relates to city business. The Executive Assistant to the City Council shall keep individual travel budgets for each City Councillor, to which an equal allocation of the total travel budget shall be made.

1. Travel plans for which the individual City Councillor expects reimbursement up to the amount budgeted for an individual Councillor do not require pre-approval by the City Council.
2. A member of the City Council who anticipates utilizing more than the total annual amount budgeted for his or her travel must request approval from the City Council for funding for additional travel relating to the member's duties or official capacity as a City Councillor. Said request shall be made by submission of a proposed order for the City Council's consideration and vote at a regular business meeting.
3. The Mayor's travel budget is approved separately, and mayoral expenses are

not included in the City Council travel budget. In all other respects, the travel policy applies to the entire City Council, including the Mayor.

3. *Travel Arrangements*

All arrangements for air travel, lodging and rental cars will be made by the Executive Assistant to the City Council and the Assistant to the Mayor, and not by individual City Councillors, except in unusual or unforeseen circumstance, or where the individual City Councillor is able to make a less expensive travel arrangement. Sound business practices should be followed at all times.

Councillors should provide as much advance notice of travel requirements as possible to enable the staff to obtain advantageous rates for airfares, conference registration and lodging.

Travel arrangements should be made by government or convention rates whenever possible. Care should be taken to make cost effective arrangements, such as utilizing super-saver rates. The City will pay only for standard hotel rooms, standard or "coach" A (no premium or First Class) airfare and midsize rental cars. The City will not pay for flight insurance. All additional costs caused by family members or other persons traveling with the City Council member will be the obligation of the City Councillor.

Economical travel is favored. If by extending travel through Saturday, airfare savings exceed additional hotel, meals, car rental and other expenses, then such an extension is allowed.

4. *Travel Expense Reimbursement*

All payments to City Councillor for their City Council travel expenses shall be by reimbursement. No expenses will be reimbursed without proper documentation and an expense report. City Councillors shall utilize the City of Cambridge Travel Expense Report required by the City Manager for all City Employee travel.

Proper documentation must include itemized receipts, except for the food category when an alternative reimbursement allowance is requested. The expense report must clearly state the purpose of the travel. Allowance amounts are as follows:

Transportation: Air or Rail

Standard or economy fare.

Related ground travel: Actual cost of trips between home – airport/train station, airport/train station – lodging and returns.

Transportation: ~~Personal~~ Automobile

Travel by personal automobile will be reimbursed per mile up to 450 miles one way at the City's per mile reimbursement rate in effect at the time of the trip.

The City will also reimburse toll expenses upon production of the relevant receipts. The City will only reimburse one day's worth of per diem expenses for each leg of a trip except in cases of extraordinary and unforeseen events such as extreme weather that cause an unexpected delay in travel.

Lodging

Standard single occupancy. If travel is part of a convention, choose either the convention hotels or alternative hotels with rates within the range of the convention hotels. If not part of a convention, choose by informal quote procedure. Short-term rental, internet and access fees are allowable.

Food

Actual expenses based on detailed and reasonable itemized receipts for each City Councillor or \$100.00 per diem without itemized receipts. The City will not pay for alcohol. Where bill includes reimbursable food expenses and non-reimbursable alcohol expenses, the receipt should clearly identify what portion of the bill is reimbursable.

Ground Transportation

Taxis and Ride Hail Services

Reimbursement will be for actual expenses. Taxi and ride hail service receipts must be properly completed and signed by the individual City Councillor.

Rental

Automobiles

Reimbursement for non-luxury midsize automobiles. Any upgrades must be paid by the individual City Councillors.

Miscellaneous Business Expenses

This category includes tips, telephone calls, parking, etc. Any individual expense over \$15 must be documented.

The auditor shall reject or adjust any receipts that they deem excessive or not properly documented.

Reimbursement shall not be approved under any circumstances for the following:

- Alcoholic Beverages
- Tobacco
- Laundry & Dry Cleaning
- Barber, Hairdresser, Manicure or Bootblack
- Entertainment
- Newspapers or Magazines
- Toiletries
- Articles of Apparel
- Pay Per View Television
- Conference events not related to the business travel

RULES RELATED TO HOME RULE PETITIONS

Rule 40-[4](#). That Home Rule Petitions are sent to the entire Cambridge delegation.

Commented [PT1]: Note - we have not made any changes to this rule but it is suggested that as a practice moving forward, any councillors bringing forward a Policy Order to request a filing of a Home Rule petition should identify in the policy order the specific state legislators they have been working with on the issue and who is responsible for filing at the State House.

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)

City of Cambridge

PROVISIONALLY ADOPTED JANUARY 1, 2024 RULES OF THE CITY COUNCIL 2024-2025

These rules, after adoption by the City Council, shall be published and made available to the public. The rules of the City Council should be reviewed and provisionally adopted towards the beginning of every new City Council term.

Rule 1. At all meetings of the City Council five (5) Councillors shall constitute a quorum for the transaction of business.

DUTIES AND POWERS OF THE CHAIR

Rule 2. On the first Monday of January, following the regular municipal election, the City Council shall by a majority vote of all the members elected, elect a mayor from its own members who shall preside at all meetings of the City Council and perform such other duties as are prescribed in section one hundred (100) of Chapter 43 of the General Laws, and any acts in amendment thereof or supplementary thereto. The City Council shall, in like manner, elect a Vice-Chair who shall also be called Vice-Mayor.

Rule 3. The Mayor shall take the chair at the hour of the first Council meeting following Inauguration and election as chair and call the members to order. In the absence of the Mayor, the Vice-Chair of the City Council shall preside and, in the absence of both, the most senior member in length of service or if more than one have so served then the member senior in both age and length of service who is present shall serve as chair during the absence of both the Mayor and Vice-chair.

Rule 4. The Mayor shall preserve decorum and order, and may speak to points of order, in preference to other members. The Mayor shall decide all questions of order, subject to an appeal to the City Council. If the ruling of the chair is questioned, no other business shall be in order until the question on the appeal shall have been decided; the question shall be put as follows: "Shall the decision of the chair stand as the judgment of the City Council?" The vote shall be by roll call, and it shall be decided in the affirmative unless a majority of the votes are to the contrary.

Rule 5. The Chair shall state the motion that is before the Council before there can be discussion on the motion. The Chair shall declare all votes. If any member doubts the vote, the chair without further debate upon the question, shall require the members voting in the affirmative and negative, respectively, to be counted; the Mayor shall declare the results, but no such declaration shall be made unless a quorum of the City Council has voted.

Rule 6. All final votes of the City Council on questions involving the expenditure of fifty dollars or more, or upon the request of any member, any vote of the City Council shall be by yeas and nays and shall be entered on the records.

Rule 7. All petitions, memorials, communications, or any matter before the City Council may be referred as follows:

1. To a standing committee of the City Council.
2. To a consent agenda.
3. To a special committee of the City Council.
4. To the City Manager.
5. To any department or department head or any person, group, or organization to whom referral is permitted, authorized, or allowed under the provisions of the Plan E Charter and under applicable provisions of the Massachusetts General Laws.

Any member offering a motion, order or resolution which is referred to a committee shall be given a hearing on the same by the committee before a report is made thereon, provided they so request at the time of the communication, or before final action by the committee.

Rule 8. The chair shall place before the body all questions in the order in which they are moved, unless the subsequent motion be previous in its nature, except that in naming sums and fixing times, the largest sum and the longest time shall be placed before the body first. After a motion has been placed before the body by the chair, the mover may withdraw the motion before amendment or final action without objection.

Rule 9. When a question is under debate the chair shall receive no motion, except to

- Adjourn.
- Lay on the Table.
- Postpone to a certain day.
- End debate, move, or call the question.
- Refer.
- Amend.
- Postpone indefinitely.

These motions shall have precedence in the above order. A motion to adjourn shall be in order at any time except upon immediate repetition. A motion to adjourn, to lay on the table, to take from the table, or for the previous question shall be decided without debate.

Rule 10. When two or more members ask to be recognized at once, the chair shall name the member who is entitled to the floor.

RIGHTS AND DUTIES OF MEMBERS

Rule 11. Every member, when about to speak shall respectfully address the chair, and wait to be recognized. The members shall confine their remarks to the question under debate. During debate each Councillor will state their comments clearly and concisely with the understanding that other members are waiting to present their comments.

Rule 12. No member speaking shall be interrupted by another except to make a point of order, request an explanation, or request a point of personal privilege.

Rule 13. No member shall vote on any question, or serve on any committee, where their private interest is immediately concerned distinct from that of the public. All City employees, including all elected and appointed officials, are subject to the Massachusetts Conflict of Interest Law.

Rule 14. When a question is put, every member present shall vote yes, no, or present and their vote shall be accepted by the chair and so recorded. A member that is recusing themselves from voting shall announce that they are recusing themselves prior to any discussion or deliberation of the matter and shall state the reason for recusal (a conflict of interest or to avoid the appearance of a conflict of interest). A member that has recused themselves shall not participate in the discussion while the matter is being deliberated and if present shall leave the Council Chamber or if participating remotely shall turn off their microphone and video during discussion and deliberation on the matter. Their recusal shall be accepted by the chair and so recorded.

Rule 15. A question having been taken; it shall not be in order for any member to move a reconsideration thereof at the same meeting. A motion to reconsider may be made at the next meeting, provided written notice of such motion has been filed with the City Clerk within thirty-six hours of the day of the vote, Saturdays, Sundays, and legal holidays to be excluded in the computation of the thirty-six hours. No more than one motion for reconsideration of any vote shall be entertained. Any Councillor among those whose votes prevailed may move reconsideration; if reconsideration is not moved prior to the adjournment of the next regular or special meeting called for that particular purpose, the action taken by the City Council stands.

SPECIAL EVENTS PRESENTATIONS AND REGULAR MEETINGS

Rule 16. Special Events Presentations.

Before any regular meetings there may be a *SPECIAL EVENTS PRESENTATION*. At this time special events will be presented and may be broadcast on cable television. Special Events Presentations will be scheduled through the Mayor's Office. The Special Events Presentations will conclude at 5:30 p.m. No quorum of the City Council is required.

Rule 17. Regular Meetings.

All regular meetings of the City Council shall be held in the Sullivan Chamber, City Hall, Virtual, hybrid with virtual access, and access in the Sullivan Chamber or, at any other suitable public

building as determined by the Chair within the City of Cambridge, at 5:30 p.m. on Monday of each week, from the first Monday in January to and including the last Monday in June, and from the second Monday in September to and including the last Monday in December. When a meeting day falls on a holiday, the succeeding Monday shall be the meeting. The City Council may at any meeting, by a majority vote, decide to discontinue any future meeting previously scheduled. All City Council meetings shall end no later than 12:00 midnight.

SPECIAL MEETINGS

Rule 18. The Mayor, or the Vice-Chair of the City Council, or any four members thereof, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person calling the same, to be delivered in hand to each member of the City Council, or left at their usual dwelling place, or delivered electronically with at least forty-eight hours' notice (excluding Saturdays, Sundays and legal holidays) to all members and with notice provided to the public by posting same at least forty-eight hours (excluding Saturdays, Sundays and legal holidays) prior to each meeting, unless the Mayor, in consultation with the City Manager and City Solicitor, determines an emergency exists and there is a need to call a meeting with less than forty-eight hours' notice. If necessary, the mayor may call one or more special meetings during July and August to conduct the council's business.

CALENDAR

Rule 19. Any ordinance, order or resolution may be passed through all its stages of legislation at one session, provided that no member of the City Council objects thereto; but if any member of the City Council objects, the measure shall be postponed for that meeting (the "Charter Right".) (Chapter 43, Section 22 of the General Laws.) At the next regular meeting, any member may move the item which has been subject to the Charter Right. If no action is taken at the next regular meeting by any member, then the item will be removed from the City Council Calendar. The provisions of this Rule, as well as M.G.L. c.43, §22, do not apply to the submission to the City Council of a proposed zoning ordinance, which, pursuant to M.G.L. c.40, §5, the City Council shall within fourteen days of receipt of such zoning ordinance submit to the Planning Board for review.

Rule 20. All matters of whatever description, except Applications and Petitions, which require action by the City Council at its meeting shall be presented to the City Clerk by 12:00 p. m. on the Thursday preceding the regular meeting. During a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 12:00 p.m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require the City Manager to present to the City Council a matter which was not presented to the City Clerk by the 12:00 p.m. deadline, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

Rule 20A. Applications and Petitions which require action by the City Council at its meeting shall be presented to the City Clerk by 3:00 p. m. on the Wednesday preceding the regular meeting. During a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 3:00 p.m. on the Tuesday preceding the regular meeting. Applications and Petitions submitted later will be held over for the next regular meeting.

Rule 20B. In the event of City Hall closure the City Clerk, after consultation with the City Manager, may change the deadlines accordingly for when matters must be presented to the City Clerk for inclusion on the agenda.

Rule 21. The City Clerk shall prepare the minutes of the previous regular and/or special meetings and a calendar of all matters to come before the City Council at each meeting in accordance with the established order of business and shall deliver electronically or to the residence of each City Councillor a copy of the same not later than twenty-four hours prior to said meeting. On all matters on which there has been a roll-call vote, the minutes shall reflect the votes of the individual members.

Rule 22. The City Clerk is authorized by these rules to order and publish notice of hearings on petitions presented to the City Clerk regarding public hearings before the Council.

ORDER OF BUSINESS

Rule 23A. At every regular meeting of this City Council, except for roundtable/working meetings, the order of business shall be as follows:

1. Public Comment.
2. Reading of the record, if requested by the City Council.
3. Motions for Reconsideration.
4. Manager's Consent Agenda.
5. Communications from the City Manager (Manager's non-Consent Agenda)
6. Consent policy orders and resolutions.
 - a. Non-Consent policy orders and resolutions.
7. Unfinished business from preceding meetings.
 - a. Charter Rights
 - b. On the Table
 - c. Unfinished Business
8. Consent Applications for permits or petitions which require City Council approval or referral.
 - a. Non-Consent applications and petitions.
9. Consent communications (petitions, memorials and other communications from individuals, employees, and others, which do not require action by the City Council).
 - a. Non-Consent communications.
10. Consent resolutions.
 - a. Non-Consent resolutions.
11. Committee Reports.
12. Roundtable/working meeting minutes.
13. Communications and Reports from Other City Officers.
14. Announcements.
15. Adjournment.

Rule 23B. Requests to the City Manager for information regarding matters that have previously been referred to the City Manager for repair or replacement of items or attention to or implementation of matters which do not require City Council action shall not be placed on the

agenda but shall be referred directly to the City Manager by the member making the request.

RULE 23C. At least six, no more than twelve meetings per year may be roundtable/working meetings; three of which will be with the School Committee. The date for a particular roundtable/working meeting shall be set by majority vote at a prior regular business meeting or at a special meeting. At a roundtable/working meeting, no votes shall be taken except upon a motion to adjourn. The roundtable/working meeting shall be broadcast on cable television and live streamed. The Mayor shall determine the agenda for the roundtable/working meeting in consultation with the City Manager and other members of the City Council.

RULE 23D. Public Comment.

1. Regular and Special Meetings

- a. Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, individuals and employees of the city shall have reasonable opportunity to be heard at regular and special meetings of the City Council in regard to any matter considered thereat. Opportunities for individuals and employees of the City to be heard at all regular and special meetings, except for roundtable/working meetings, shall be provided directly before the reading of the record, if requested by the City Council (submission of the record of the previous meeting). Members of the public may comment upon items in the following categories of business: Motions for reconsideration, City Manager's consent agenda, Unfinished business from preceding meetings, Applications and Petitions requiring approval or referral by the City Council, Consent resolutions, Consent Policy orders and resolutions relating to policy analysis or development, Committee Reports, Roundtable/Working Meeting Minutes, Communications and Reports from Other City Officers. Each speaker shall limit their comments to no more than two minutes. In the event there are 50 or more speakers signed up, the amount of time allocated would be one minute. Individuals are not permitted to allocate the remainder of their time to other speakers.
- b. Procedure: An individual may signup to speak before the City Council on-line via the City's website from 9:00 a.m. on the Friday before the meeting until 6:00 p.m. the day of the meeting or via telephone to the City Council office on the day of the meeting from 9:00 a.m. to 5:00 p.m. On the day of the meeting, between 5:00 p.m. and 6:00 p.m., a computer terminal will be available to the public in the City Council Office for on-line signup until 6:00 p.m. on the day of the meeting. There will be in-person assistance for those who need help signing up. The individual should indicate on the signup sheet their name, address, and which item(s) they are planning to address. Individuals will be heard in the order that they signed up whether they are participating in person or remotely.

2. Roundtable/working meetings.

Public comment shall not take place at roundtable/working meetings of the City Council, where no matter being discussed may be finally considered, in that no

votes may be taken. Written comments will be accepted and made part of the record of the roundtable/working meeting. The opportunity for the public to make oral comments on items discussed at roundtable/working meetings shall be at the regular or special meeting at which the item may be considered for action by the City Council.

Rule 23E. Each consent agenda is voted on in its entirety, with no discussion. By request of a single City Councillor, item(s) may be removed for separate vote. Upon such request, the item will be moved to the appropriate section of the agenda. Placement of items on the City Manager's Consent Agenda shall be determined by the City Manager. Placement of items on the Communications Consent Agenda shall be at the discretion of the City Clerk.

Rule 23F. The City Clerk shall include the written statement of the mission and goals or priorities of the City Council and the City Manager with the materials prepared for the agenda of the City Council for its weekly meeting.

Rule 24. The seats of the members of the City Council shall be determined by the Assistant to the City Council in consultation with the members; no member shall change their seat but by permission of the Chair.

COMMUNICATIONS AND COMMITTEES

Rule 25. All communications, petitions, or resolutions addressed to the City Council which require action by the City Council at its meeting shall be filed with the City Clerk. The City Clerk shall place all new communications on the agenda for the next regular City Council meeting. Upon receipt of a communication that is a substantially unchanged copy of a previously submitted communication, the City Clerk shall not place the communication on the agenda and shall transmit said communication to the Mayor. Any communication, petition, or resolution that does not meet the agenda deadline specified in Rule Twenty-One shall be held over for the subsequent City Council agenda unless it is of an emergency nature.

Rule 26. The Mayor shall appoint the standing committees of the City Council. The Mayor shall appoint a chair for each committee and may appoint co-chairs for the committees that consist of at least five members. In the absence of the chair and co-chair of the committee the most senior member in length of service or if more than one has so served then the member senior in both age and length of service who is present shall chair. The City Clerk or their designee shall staff each committee and where deemed appropriate, the chair may request additional staff help through the City Manager.

Each committee shall meet regularly to review matters referred to it by the City Council or to take up other matters within its domain. To the extent possible, matters of policy shall be referred to the appropriate committee, so that careful study and consideration can be given to the subject matter. Where appropriate, the committee shall work with other committees of the City Council to assure the coordination of related aspects within the purview of those committees. The committee shall make policy and other recommendations to the City Council as a whole for discussion, consideration, and adoption. The committee may monitor implementation of City Council policies related to the subject matter within its purview as authorized by the City Council. If so authorized by the City Council, the committee may represent policy interests related to its subject matter at

committees of the General Court of Massachusetts.

It is the goal of the City Council to involve individuals actively in the work of city government through these committees. All committees shall work with community and neighborhood groups and committees on issues that relate to these groups' mandates and interests. The committee staff shall keep lists of interested parties and shall keep individuals informed of the meetings and deliberations of the committees.

The standing committees of the City Council shall be as follows:

ORDINANCE COMMITTEE – A committee of the whole consisting of the Mayor and eight City Councillors – the quorum shall be five members.

Purposes

- To consider the merit of any ordinance presented to the City Council and to consider the form and legality thereof;
- To consider all legal matters for which no other provision is made; and
- To represent general interests of the city before committees of the General Court when so authorized by a vote of the City Council.

FINANCE COMMITTEE – A committee of the whole consisting of the Mayor and eight City Councillors – the quorum shall be five members.

Purposes

- To consider all matters relating to the financial interests of the city, including the city budget, sources of city revenue, appropriations and loans, and city bonding capacity;
- To work with the City Manager and other officers of the city for the financial benefit the city; and
- To work with groups and committees that might be formed from time to time to consider the financial health of the city.

GOVERNMENT OPERATIONS, RULES, AND CLAIMS COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider matters relating to the effective delivery of city services, the functions and operation of city government and city departments; and to consider the rules of the City Council and its committees and to recommend amendments and changes thereto;
- To consider matters relating to the hiring and evaluation of employees who report to the City Council;
- To consider claims that have been filed against the city.
-

ECONOMIC DEVELOPMENT AND UNIVERSITY RELATIONS COMMITTEE

– A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider all issues regarding the relationship between the city, educational institutions, employers, business associations, and other partners within the city, to develop policies and programs that will enhance economic development, tax revenue and expand career and employment opportunities for Cambridge residents;

- To develop policies that will facilitate the regular and timely exchange of information between educational institutions, employers, business organizations, and other partners in the community, and the city administration and City Council, and monitor implementation of agreed on policies and programs;
- To review and evaluate agreements between the city and institutions for payments made by institutions in lieu of property taxes (PILOT), develop policies to ensure that the agreements are fair and equitable, and monitor implementation;
- To monitor and improve existing employment, diversity of opportunity, career, and workforce development programs.

HOUSING COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To develop policies for the maintenance and development of housing, with an emphasis on affordable housing;
- To coordinate with city and other agencies as necessary toward this goal;
- To monitor implementation.

CIVIC UNITY COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To promote civic unity;
- To consider matters relating to the civil rights, human rights, race, and class relations, and other aspects of civic unity in the City of Cambridge;
- To work with city and other agencies that deal with these issues;
- To respond to incidents or concerns that are brought to the attention of the City Council relating to civil and human rights, race and class relations and other aspects of civic unity and to bring in the appropriate agencies, departments, or legal services to assist in responding to such incidents; and
- To develop needed policies and legislation in this area;
- This committee shall strive to work towards promulgating policies, practices, and procedures that promote Equity, Inclusion, and Diversity throughout our community.

HEALTH AND ENVIRONMENT COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider and monitor matters relating to the health of the people of Cambridge and to improve city policies relating to health programs;
- To consider matters relating to the physical environment of the city including without limitation issues relating to air and water quality, solid and hazardous waste, climate change, visual quality and the environmental impact of development and the sustainability of our physical environment.

HUMAN SERVICES COMMITTEE AND VETERANS' COMMITTEE - A committee of

five City Councillors – the quorum shall be three members.

Purposes

- To develop and support policies assuring a broad human service delivery system to be provided by the city, other levels of government, and non-profit and private agencies for children, youth, families, single adults, and seniors of all backgrounds;
- To study policies, overall planning, and the delivery of human services to Cambridge people;
- To make recommendations to the City Council to improve the scope and quality of these services and to locate new sources of funding;
- To consider all matters affecting veteran services and benefits of the City.

NEIGHBORHOOD AND LONG TERM PLANNING, PUBLIC FACILITIES, ARTS, AND CELEBRATIONS COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To enhance the quality of life in Cambridge as it relates to the livability of neighborhoods, public art and art projects, and public celebrations;
- To consider all matters relating to land use planning, sustainability, open space, public facilities and public buildings, industrial and commercial development, especially as they relate to linkage and neighborhood protection, and other long- range planning;
- To consider matters related to the appearance of squares and neighborhoods of the city and their upkeep, and public planting.

PUBLIC SAFETY - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider all matters affecting the public safety of Cambridge; and
- To review matters relating to the performance, organization, and effectiveness of the police and fire departments, Public Works Department, the Inspectional Services Department as it relates to public safety issues, and the Police Review Board.

TRANSPORTATION AND PUBLIC UTILITIES COMMITTEE - A committee of five City Councillors – the quorum shall be three members.

Purposes

- To consider and recommend to the City Council policies on matters affecting transportation, traffic, and parking;
- To monitor transportation proposals and services of all kinds which affect Cambridge;
- To develop policies which promote a multi-model and environmentally friendly traffic and transportation program which will balance the needs of residents and employees at a minimal cost to the environment;
- To consider issues relating to utilities and telecommunications, and consumer protection issues related therein.

Rule 27. Every committee of the City Council to which any subject may be referred shall report on the subject within a reasonable time from the time of referral. Any committee report that has not been signed by the chair of the committee within seven days after submission of the committee report by the City Clerk will be placed on the City Council agenda unsigned. In the case that the chair of any committee shall fail for thirty (30) days from the time any subject has been referred to it to call a hearing of the committee, a quorum of the committee may call a hearing of said committee. Notice of all committee hearings must be given at least forty-eight (48) hours before the time of the hearing.

Rule 28. Minutes shall be kept of all committee proceedings. All minutes, reports, and papers shall be submitted to the City Council by the City Clerk or their designee. Recommendations of each committee shall be made to the City Council for consideration and adoption.

Rule 29. The Councillor first named thereto shall be the chair of any committee of which they are a member, and in case of their resignation or inability to serve, another member of the committee shall be named by the Mayor.

MEMBERS LOBBY

Rule 30. No person will be admitted within the rail in the Sullivan Chamber or in Members' Lobby connected with said chamber at any meeting of the City Council except upon permission of the chair.

HEARINGS

Rule 31A. Public hearings may be requested for matters of public interest or of legislative requirement. Public hearings may be held during regular business meetings of the City Council. The City Council shall refer such requests to a committee of the City Council. If the City Council deems it advisable, it may direct that the hearing be televised.

Rule 31B. The time devoted to public hearings shall not be more than two (2) hours at any one sitting. Any hearing not completed within the specified time may be continued to another meeting.

Any individual appearing before the City Council at a public hearing and claiming to represent another as agent or otherwise in the matter of being heard shall file with the City Council a written authorization signed by the individual, organization, or corporation whose interests such individual represents.

For matters where a public hearing is not required by law, the chair shall determine if there will be public comment and when it will occur. For matters where a public hearing is not required by law, and the chair has called for public comment, there shall be a two (2) minute time limit for each speaker. In the event there are 50 or more speakers signed up, the amount of time allocated would be one minute. Individuals are not permitted to allocate the remainder of their time to other speakers. Speakers shall be required to address themselves solely to the issue(s) before the City Council for discussion.

For matters where a public hearing is required by law, including but not limited to amendments to the City's Zoning Ordinance, amendments to the City's Municipal Code, annual determinations of the percentages of local tax levy for real and personal property pursuant to G.L. c. 40, § 56, and hearings related to the submission and approval of the City's annual budget pursuant to G.L. c. 44, §32, the chair shall allow individual members of the public up to two minutes to be heard. Individuals are not permitted to allocate the remainder of their time allotted to them to other speakers. Speakers shall be required to address themselves solely to the issue(s) before the City Council for discussion.

In all hearings before the City Council, the case of the petitioner shall be submitted first, except in matters affecting acceptance of highways or taking by right of eminent domain.

Rule 31C. The Housing Committee will hold a public hearing to review the City Manager's appointments to the Cambridge Housing Authority prior to the City Council confirmation on the appointments. The Neighborhood and Long-Term Planning, Public Facilities, Arts and Celebrations Committee, or other suitable committee, will hold a public hearing to review the City Manager's appointments to the Cambridge Redevelopment Authority prior to the City Council confirmation of the appointments.

Rule 31D. Rules for Public Comment should be posted in a visible and prominent place both in person and online for the benefit of those wishing to participate in Public Comment.

ORDINANCES AND ORDERS

Rule 32. All by-laws passed by the City Council shall be termed ordinances, and the enacting style shall be "Be it ordained by the City Council of the City of Cambridge." In all votes by which the City Council expresses anything by order or command the form of expression shall be "Ordered," and in all votes by which the City Council expresses opinions, principles, facts or purposes, the form shall be "Resolved."

Rule 33. The City Clerk shall determine the newspaper of the city in which shall be published any loan order or any ordinance.

Rule 34. Every ordinance and every order, resolution or vote shall after its passage remain in the possession of the City Clerk for thirty-six (36) hours after the day of the meeting for the purpose of giving any Councillor among those whose votes prevailed an opportunity to file notice of their intention to move reconsideration.

AMENDMENT AND SUSPENSION

Rule 35A. Any of the foregoing rules with the exception of Rule 20 may be suspended at any meeting by a two-thirds yeas and nays vote of the entire membership of the City Council, provided that suspension of the rules to take up an item of business out of order may be moved only one time per meeting by each member. This limitation does not apply to motions to suspend the rules to move reconsideration hoping the same does not prevail.

There shall be a roll call vote for suspension of the rules to consider late items. Items will be taken up at the end of the regular business meeting, after the regular order of business has been concluded. A late item should only be considered if it cannot wait until the next regular meeting.

Rule 35B. No amendments or additions to the rules may be enacted until at least seven days have elapsed from the date of the submission of the proposed changes or additions and require a majority vote of the entire membership of the City Council.

ROBERTS' RULES OF ORDER

Rule 36. The City Council shall be governed by "Roberts' Rules of Order" in all questions of parliamentary practice not provided for by these rules.

RULES OF

COURTESY Rule 37.

1. No one shall delay or interrupt the proceedings or refuse to obey the orders of the presiding officer.
2. All persons shall refrain from any private conversation, which would interfere with the proper conduct of the meeting or hearing.
3. No food or beverages of any kind except water is permitted in the public section of the Sullivan Chamber.
4. Signs, posters and placards must remain outside the Sullivan Chamber.
5. People are admitted to the Sullivan Chamber up to the fire safety capacity of the room which includes the balcony. Overflow crowds may listen to the proceedings on

loudspeakers and television provided in the hallway.

6. All persons shall confine their remarks to the question under debate. The following will not be tolerated: profanity, uttering fighting words, slander, unreasonably loud or repetitive speech, and/or speech so disruptive of City Council proceedings that the legislative process is substantially interrupted.

7. Any person engaging in behavior that disrupts the proceedings such that the legislative process is substantially interrupted will be warned once by the chair that if their disruptive behavior continues, they will be requested to withdraw from the meeting, and if the behavior continues, the speaker will be asked to withdraw from the meeting. If the speaker does not withdraw from the meeting as requested by the chair, the chair may authorize a constable or other officer to remove the person from the meeting.

8. All rules of decorum and conduct for comment established by these rules shall be applicable to all individuals attending a meeting or hearing.

9. Every person addressing the City Council should speak into the microphone and should state the person's name and address in an audible tone of voice for the record. All remarks shall be addressed to the City Council as a body through the chair, and not to any individual member thereof.

10. While in the Sullivan Chamber, all persons with cell phones, pagers or other devices emitting audible signals shall either set the device to a non-audible signal mode or turn off the device.

RULES OF TRAVEL

Rule 38. The City Council's travel and incidental expenses thereto shall be approved by five members of the City Council through the budget process. All individual expenses will be substantiated by receipts and requests for payments will be approved by the City Auditor prior to reimbursement. The City Auditor shall be required to keep copies of Travel Expense Reports for all City Council travel expenditures reimbursed by the City and make the same available on request to all interested persons. The City Council may adopt a Travel Policy consistent with this rule to specify acceptable travel arrangements and limitations on reimbursable expenses. *(RULE 38 AMENDED SEPTEMBER 8, 2014 – TRAVEL POLICY IS APPENDED TO THE RULES)*

Cambridge City Council
Travel Policy as
Amended ADOPTED
SEPTEMBER 8, 2014
AMENDED JANUARY
29, 2018

1. *Introduction*

The City Council recognizes the value of travel for purposes clearly related to the overall improvement of the City and travel for the purpose of assisting the individual City Councillor in performing his or her official duties. City Council travel should be as economical as possible.

2. *City Council Travel Budget*

The City Council will set a total amount for annual travel expenses, based on the amount it considers reasonable for each member to expend each year for travel which relates to city business. The Executive Assistant to the City Council shall keep individual travel budgets for each City Councillor, to which an equal allocation of the total travel budget shall be made.

1. Travel plans for which the individual City Councillor expects reimbursement up to the amount budgeted for an individual Councillor do not require pre-approval by the City Council.
2. A member of the City Council who anticipates utilizing more than the total annual amount budgeted for his or her travel must request approval from the City Council for funding for additional travel relating to the member's duties or official capacity as a City Councillor. Said request shall be made by submission of a proposed order for the City Council's consideration and vote at a regular business meeting.
3. The Mayor's travel budget is approved separately, and mayoral expenses are not included in the City Council travel budget. In all other respects, the travel policy applies to the entire City Council, including the Mayor.

3. *Travel Arrangements*

All arrangements for air travel, lodging and rental cars will be made by the Executive Assistant to the City Council and the Assistant to the Mayor, and not by individual City Councillors, except in unusual or unforeseen circumstance, or where the individual City Councillor is able to make a less expensive travel arrangement. Sound business practices should be followed at all times.

Councillors should provide as much advance notice of travel requirements as possible to enable the staff to obtain advantageous rates for airfares, conference registration and lodging.

Travel arrangements should be made by government or convention rates whenever possible. Care should be taken to make cost effective arrangements, such as utilizing super-saver rates. The City will pay only for standard hotel rooms, standard or "coach" A (no premium or First Class) airfare and midsize rental cars. The City will not pay for flight insurance. All additional costs caused by family members or other persons traveling with the City Council member will be the

obligation of the City Councillor.

Economical travel is favored. If by extending travel through Saturday, airfare savings exceed additional hotel, meals, car rental and other expenses, then such an extension is allowed.

4. *Travel Expense Reimbursement*

All payments to City Councillor for their City Council travel expenses shall be by reimbursement. No expenses will be reimbursed without proper documentation and an expense report. City Councillors shall utilize the City of Cambridge Travel Expense Report required by the City Manager for all City Employee travel.

Proper documentation must include itemized receipts, except for the food category when an alternative reimbursement allowance is requested. The expense report must clearly state the purpose of the travel. Allowance amounts are as follows:

Transportation: Air or Rail

Standard or economy fare.

Related ground travel: Actual cost of trips between home – airport/train station, airport/train station – lodging and returns.

Transportation: Personal Automobile

Travel by personal automobile will be reimbursed per mile up to 450 miles one way at the City's per mile reimbursement rate in effect at the time of the trip. The City will also reimburse toll expenses upon production of the relevant receipts. The City will only reimburse one day's worth of per diem expenses for each leg of a trip except in cases of extraordinary and unforeseen events such as extreme weather that cause an unexpected delay in travel.

Lodging

Standard single occupancy. If travel is part of a convention, choose either the convention hotels or alternative hotels with rates within the range of the convention hotels. If not part of a convention, choose by informal quote procedure. Short-term rental, internet and access fees are allowable.

Food

Actual expenses based on detailed and reasonable itemized receipts for each City Councillor or \$100.00 per diem without itemized receipts. The City will not pay for alcohol. Where bill includes reimbursable food expenses and non-reimbursable alcohol expenses, the receipt should clearly identify what portion of the bill is reimbursable.

Ground Transportation

Taxis and Ride Hail Services

Reimbursement will be for actual expenses. Taxi and ride hail service receipts must be properly completed and signed by the individual City Councillor.

Rental

Automobiles

Reimbursement for non-luxury midsize automobiles. Any upgrades must be paid by the individual City Councillors.

Miscellaneous Business Expenses

This category includes tips, telephone calls, parking, etc. Any individual expense over \$15 must be documented.

The auditor shall reject or adjust any receipts that they deem excessive or not properly documented.

Reimbursement shall not be approved under any circumstances for the following:

- Alcoholic Beverages
- Tobacco
- Laundry & Dry Cleaning
- Barber, Hairdresser, Manicure or Bootblack
- Entertainment
- Newspapers or Magazines
- Toiletries
- Articles of Apparel
- Pay Per View Television
- Conference events not related to the business travel

RULES RELATED TO HOME RULE PETITIONS

Rule 40. That Home Rule Petitions are sent to the entire Cambridge delegation.

Erwin, Nicole

From: Robert Bledsoe <rhaydenb@hotmail.com>
Sent: Thursday, February 15, 2024 9:12 AM
To: City Clerk
Subject: Fw: Government Operations, Rules & Claims Committee Meeting

Clerk Diane,

My apologies for missing you on this email. Here is my communication to the councilors for the Committee meeting at 9am on February 15th.

Kind Regards,
 Robert Bledsoe
 The Port, Cambridge

From: Robert Bledsoe <rhaydenb@hotmail.com>
Sent: Thursday, February 15, 2024 2:25 AM
To: CityCouncil@CambridgeMA.GOV <CityCouncil@CambridgeMA.GOV>; bazeem@cambridgema.gov <bazeem@cambridgema.gov>; mmcgobern@cambridgema.gov <mmcgobern@cambridgema.gov>; jpickett@cambridgema.gov <jpickett@cambridgema.gov>; jsobrinhowheeler@cambridgema.gov <jsobrinhowheeler@cambridgema.gov>; ptoner@cambridgema.gov <ptoner@cambridgema.gov>
Subject: Government Operations, Rules & Claims Committee Meeting

Government Operations, Rules & Claims Committee,

The proposed changes to the city council rules as stated in Paul's communication dated February 13th lack both clarity and explanation. The opening claim in the communication that the attached changes "are mainly updates/clarifications of the current rules" relies extremely heavily on the word "mainly." The attached document has proposed changes in various styles with no explanation of who recommended them or why. Some of these are simply poorly written to make the rules less sensical, such as the proposed alteration to Rule 9 changing "Previous Question" to "End Debate" which brings the rule out of line with good practice according to RONR (12th ed.) 16. Other changes, like the proposed change to Rule 14 (Rule 13* in the draft) are obvious policy changes (in this case the loosening of ethical requirements of city council and city employees). Finally some rule changes (and rules left unchanged) bring the city out of line with legal requirements of public comment as ruled in *Barron v Kolenda* such as keeping content restrictions in rule 24C (23D*) and most egregiously (to the point I doubt the city solicitor recommended this) the insertion of p r o f a n i t y (sic) in Rule 38 (37*).

Paul presented these changes as a *fait accompli* and that you should "review and decide on these edits during the first part of the meeting" before getting on to the "suggestions from councilors and the city manager that require further discussion." This is a terrible framing, as these edits already contain policy and legal issues that should not be sent to the rest of the council apart from additional edits that Paul wants to push in the second half.

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)

First, before any serious consideration of Paul's attached rule changes, the committee needs to identify who was the actual source of these proposed changes and ask for a rationale seriatim. This will likely take until the subsequent committee meeting where final language for changes requiring further discussion is finalized, at which point the whole slate of recommended rule changes should go to the full council together.

As for further proposed rule changes:

1. Public Comment only for Cambridge Residents, business owners, or invited guests.

Why include business owners but not students who study in Cambridge? Invited by whom? This policy order seems to be in response to a conspiracy theory, and would be difficult to enforce.

2. Prohibit the Council from taking up issues of foreign policy or at least taking it off the table for regular council meetings.

Multiple problems with this rule, of which I am sure you are aware. If this gets out of committee, I'll be happy to explain in more detail.

3. All policy orders/resolutions must be seconded (maybe even a 3rd) before they can be put on the agenda

– meaning you must have the support of at least one (or two) other Councillor(s) before you can submit

to the clerk on Thursday for next week's agenda.

Ambivalent to needing a second on a small body like the council, flabbergasted at the idea of needing a third.

4. Inaugural Day – it is in the rules and the charter. We will want to change the language in both too avoid

future Inaugurals on New Years Day – it should be stated that it is January 2 in future.

Sounds like the council needs to update its Plan E charter.

5. Require in the rules that the Council participate in City offered Professional Development, especially

DEI trainings that we are requiring staff to complete.

Why would this be in city council rules of order? This could be in an ordinance or even a policy order.

6. Materials for committee meetings that are to be voted on should be posted with the agenda 48 hours

before the meeting. The example most cited was the Ordinance meetings when we were discussing Neighborhood Conservation districts and changes were being made minutes before or during the meeting not giving the public adequate notice of the proposal to be discussed.

This is actually a great recommendation. The rules regarding committees are very vague and need to be improved.

7. Discussion of how we handle policy orders and awaiting reports

I did not include the bullet points because these were all terrible. All of these recommendations would cede power from the city council and make it less effective and efficient. "Identify if it is one of the City Council Priorities" hamstring the council and locks out the public because of an 8am meeting that itself featured no public comment.

As for items the council should actually consider:

1. Bring public comment rules into compliance with state law. Remove content restrictions (including germaneness requirement).
2. Ensure public comment is extended to committees as well, and ensure committee agenda items are published in advance.
3. Remove the "present" option from final roll call votes as the Plan E Charter only recognizes a vote from a majority of the entire council, making any vote besides "Yes" functionally a "No" vote.

4. Fix the inconsistency regarding when public comment exists on the agenda between rules 24A and 24C (Whether it is before or after "Reading of the record, if requested by the City Council.")

Regards,
Robert Bledsoe
The Port, Cambridge

Post Scriptum: Make sure to review rule 23C* as added. Only "Rule 23C" was highlighted in red but a whole new rule was added.

Erwin, Nicole

From: Connolly, Mike - Rep. (HOU) <Mike.Connolly@mahouse.gov>
Sent: Thursday, February 15, 2024 7:00 AM
To: City Council
Cc: City Manager; City Clerk
Subject: Request not to change city council rules relating to home rule petitions

To the Honorable, the Cambridge City Council:

Late yesterday, it was brought to my attention by a Cambridge constituent that the City Council and/or the council's Government Operations, Rules, and Claims Committee will be considering certain changes to the Rules of the City Council for the 2024-25 term. My understanding is there is [a committee hearing on this topic](#) scheduled for 9 am today.

I am writing to respectfully discourage you from adopting the proposed change under the section entitled "RULES RELATING TO HOME RULE PETITIONS."

The 2022-23 Rules stated:

Rule 40.1. That Home Rule Petitions are sent to the entire Cambridge delegation.

The proposed 2024-25 rule change reads as follows, by inserting the text marked in **red**:

Rule 40. That **requests for** Home Rule Petitions are sent **to the senior member of the House of Representatives and copies sent** to the entire Cambridge delegation.

I would respectfully suggest this proposed rule change is unnecessary and problematic for several reasons.

For one thing, some home rule petitions are specific to a certain location or area of the city that is located in a particular Representative district. In these cases, it makes sense to direct a home rule petition to the most local legislators, as they are the ones directly responsible for representing the City's interests in that specific location. For example, in 2018, I filed a home rule petition (H.4598, 190th General Court) in the House of Representatives to enable the recent re-design of Vellucci Plaza in Inman Square (because this location is a part of the state legislative district I represent).

Also, given that Cambridge now has a total of six State Representatives, most of whom represent greater territory in other municipalities than they do inside the City of Cambridge, it's not at all clear or likely that the "Senior Rep" would be a Rep. with the most day-to-day focus on the City of Cambridge specifically.

Moreover, there could be issues if whoever happens to be the Senior Rep. doesn't agree with filing a particular home rule request that the City Council has duly made. For my part, I was very proud to file the "net zero" home rule petition to enable the City of Cambridge to participate in the state's new fossil fuel-free pilot program (H.4705, 192nd General Court). But under the proposed rule change, it's not clear if this petition would have been filed in time to ensure the City's participation in this program that was authorized in *An Act Driving Clean Energy and Offshore Wind* based in large part on the order of the first ten home rule petition filings on the topic of a net zero emissions standard for newly constructed buildings.

Another fact to consider is that in many cases, it can make more sense for a state Senator to take the lead on filing a home rule petition, so here again, limiting delivery of the petition to a single Rep. may not make sense.

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)

Most legislative delegations — for example, the delegation I am a part of in the City of Somerville — have no problem working collaboratively to file home rule petitions. In Somerville, our legislative delegation regularly meets with the city's Chief Executive and her staff to collectively discuss our priorities and legislative strategies. In these meetings, our plans for filing home rule petitions are regularly discussed, as is the status of each pending home rule petition. If we are going to change our process for home rule petitions, I would suggest something along these lines, perhaps calling upon the City Manager to be in dialog with our delegation regarding the most effective filing strategies, rather than a new rule directing all petition filings to a single Representative.

I would be happy to discuss further or answer any questions. All this said, I will continue to faithfully support your home rule petition requests on Beacon Hill in whatever manner you deem most appropriate. Thank you kindly for considering these comments.

Yours in service,

Mike

Rep. Mike Connolly
26th Middlesex District
State House Room 156
Boston, MA 02133
Office: (617) 722-2240
Cell: (857) 236-1901
[Subscribe to my newsletter](#)

Erwin, Nicole

From: Lee Farris <Lee@LeeFarris.net>
Sent: Wednesday, February 14, 2024 11:23 PM
To: City Council
Cc: City Clerk
Subject: Council should all discussion of foreign policy issues

Dear Councilors,

I am writing regarding the hearing of the [Government Operations, Rules & Claims Committee](#) "to review and discuss possible amendments to how the City Council runs, including whether to continue allowing debate and orders on foreign policy." I urge the Council to continue to allow discussion and orders on foreign policy.

As the Cambridge Residents Alliance wrote recently: "Urged on by its constituents, the Cambridge City Council has a long and proud history of passing resolutions in support of humanitarian and progressive causes. These have ranged from the struggle against apartheid in South Africa to the liberation movements in Central America to the nuclear disarmament campaigns during the Cold War and beyond. We consider such actions not only to be *necessary* from a moral perspective (going on record that we will not be bystanders), but *effective*, helping build a nationwide movement of localities to challenge the decisions of our federal government.

To say that we alone cannot change the policies of the Netanyahu government, or even the Biden Administration's support for Israel's actions, is like saying that one person casting a vote cannot determine the outcome of an election. Of course, this is true. But it does not mean that we should not vote. Such an understanding has deep roots in American constitutional law, including Justice John Marshall's 1819 statement that national decisions must start from the local level, because 'the American people cannot be compounded into one common mass.' "

Sincerely,

Lee Farris (she/her)
Lee@LeeFarris.net
 Norfolk St. 02139

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)

Erwin, Nicole

From: Dan Totten <dantottencambridge@gmail.com>
Sent: Wednesday, February 14, 2024 10:19 PM
To: City Council
Cc: City Clerk
Subject: rules thoughts

1. Not allowing public comment tomorrow comes across as a cowardly decision on the part of the chair.

2. In general, public comment works pretty well.

3. I get that PSL's tactics around the ceasefire resolution were disruptive on a new level and perhaps uncomfortable, but that was clearly an exceptional and generational circumstance, so reacting to it by changing the rules seems excessive. Don't disenfranchise the entire city based on PSL's actions. Instead, try to see this as a watershed moment for Millennials and Gen Z: one of the most brutal wars/genocides to occur in our lifetime, unfolding before our eyes on social media via posts from on the ground.

4. Not only does it seem unnecessary to adjust the rules based on this one episode, it also frankly won't succeed in preventing future agitational tactics. If anything, I think restricting public input could result in more of the outside agitation that you found so unpleasant because people will have to get creative in finding a way to make sure they are heard.

5. Downsides of restricting comments to people who live in the city:

- Many working-class people have been displaced from this expensive city, so the idea comes across as exclusionary
- Anyone could just claim they live in Cambridge and it would be impossible to prove in the moment.
- Forcing people to state their address could put someone in an uncomfortable or unsafe position of revealing to the world where they live in order to weigh in.
- The myth spread by conservative blogger/town bigot Robert Winters that most of the pro-Palestine speakers were from outside the city is baseless and false. I'm sure that some were from outside Cambridge, but many of them live in the city and go to school here. The fact that insiders don't know them personally doesn't automatically mean that they live elsewhere. Also worth pointing out that the pro-Israel side had a national/outside presence as well. Don't pretend like only one side had people from outside the city, especially when some random address in LA sent the entire city a mailer targeting Black and Muslim students just six weeks ago. And don't forget about the truck. That wasn't coming from inside the city.

5. In terms of banning international resolutions, again I think doing so is unnecessarily reactionary and could be challenged and/or could rile the community up more than they otherwise would have been if you had just left it alone. I think most of these types of resolutions go very smoothly and you've already done the one topic that consistently gets contentious. **Sometimes it really is best to let sleeping dogs lie.** Cambridge's history of passing these types of resolutions is longer than any of us have been alive,

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)

and I have witnessed how over the years they have been an important outlet for various ethnic communities to feel like they are represented in city hall.

6. Finally, worth pointing out that before last term, the rule about reducing time to 2 minutes when there are a certain number of speakers did not exist. I think having some kind of threshold makes sense given the higher volume that we see from Zoom, but you might want to increase the threshold so that it does not trigger basically every single week.

Best,

Dan



Erwin, Nicole

From: John Hawkinson <jhawk@alum.mit.edu>
Sent: Wednesday, February 14, 2024 12:01 PM
To: Toner, Paul
Cc: City Clerk; Bayer, Megan; LeBlanc, Diane; Azeem, Burhan; McGovern, Marc; Joan Pickett; Sobrinho-Wheeler, Jivan; Simmons, Denise
Subject: Hawkinson letter as to Rules for Feb. 15 Government Operations meeting
Attachments: 2024.02.14.hawkinson.councilrules.pdf

Please see attached for tomorrow's meeting. Thank you.
I am disappointed there is no public comment at this meeting.

--

jhawk@alum.mit.edu
John Hawkinson

Freelance Journalist
+1 617 797 0250
twitter: @johnhawkinson

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)

John A. Hawkinson, freelance news reporter
 Box 397103
 Cambridge, MA 02139-7103
 617-797-0250, jhawk@alum.MIT.EDU

February 14, 2024

Government Operations Committee
 Councillor Paul F. Toner, Chair
 795 Massachusetts Avenue
 Cambridge, MA 02139
By electronic mail: council@cambridgema.gov

Re: 2024–25 City Council Rules

Dear Councillor Toner and members of Government Operations:

I write to offer my feedback on the City Council Rules, current and proposed.

Prefatorily, I want to express my deep concern and frustration over the practice of removing public comment from Government Operations meetings. Government Operations meetings are fairly wonky and are not so well-attended by the public that public comment is a burden, but the unwillingness to hear the public, especially when the very topic of the meeting is the management of public comment, seems quite troubling. Also ironic.

I would ask you to keep some principles in mind:

- Rules should be fair
- Rules should not cater to repeat players
 (rules should not privilege the experienced members of the public over newcomers)
- Rules should not be pointless

It is clear that the management of public comment is becoming a larger issue for the City Council. The switch to remote meetings means it is easier than ever for citizens to address the City Council. That means lower friction, which is both good and bad: it is now so easy to speak to the City Council that “everyone” wants to do it, and that means some of the natural limits that came from in-person meetings no longer apply.

(a) The two-hour limit

The two-hour limit on committee meetings is intended to offer some predictability for meetings, for Council members, for the public, and especially for City staff.

Some would argue that Cambridge has the system exactly backward, with unbounded regular meetings and time-limited committee meetings. In some communities, it is the Council meetings that are short and the committee meetings that run for many hours. If the idea is that the real work is done in committees, this makes sense.

Given the amount of work allotted to committees at yesterday’s goal setting meeting, and the experience in the past term, it seems clear that the two-hour limit on committee

meetings is simply impractical. And the practice of suspending the rules to extend the time of the meeting is perhaps worse than no limit at all — it means that anyone who actually schedules around the rule will have a nasty surprise (again, favoring repeat players over newcomers) when a vote to extend a meeting occurs.

The proposed draft changes the committee meeting limit (Rule 32B, proposed 31B) to three hours instead of two. I'm not sure that this is the best way to grapple with the problem, but it superior to the current state.

I think I would favor a rule that directs committee chairs to set an end time for committee meetings in the meeting notice.

(b) Large numbers of speakers

It is a problem that the appearance of a large divisive issue on the regular council agenda operates to limit time for speakers on all issues. If Person A wishes to address the Council on their curb cut or banner application, and they prepare a three minute explanation, the presence of Persons B1 through B100 to speak about critical foreign policy issues can unpredictably and unfairly reduce their time to 60 seconds. Again, this is really hard for neophyte speakers to deal with, and favors repeat players.

This is a hard problem and one that is going to require work and experimentation to get right. The committee should not expect that merely writing a rule is going to solve it. It will be necessary to try some things and have them fail and see what works best.

One approach would be to enforce the time limits based on topic. E.g. speakers who wish to address Israel/Palestine get one minute, speakers who wish to address a hypothetical report on City Council Goals get three minutes. This is much harder to administer. And is subject to gamesmanship if speakers try to address multiple agenda items.

Another approach would be to remove a divisive topic from the agenda of a regular business meeting, by voting to refer it to committee prior to public comment (or as soon as it becomes clear it may dominate the conversation) and disallow further public comment at that meeting on that topic. This hurts predictability and may result in members of the public who expected to speak being unable to do so. But it also means that people who came to speak on topics of individual importance (rather than as part of large groups offering a limited number of viewpoints) are re-enfranchised.

I would encourage the Council to experiment with ways to manage this problem that do not reduce the time for individual ordinary citizens to address local matters that don't have multiple speakers.

Also, the current numbers of speakers and thresholds do not make a lot of sense. Nineteen speakers at three minutes is 57 minutes. Twenty speakers at two minutes is 40 minutes. Forty-nine speakers at two minutes is 98 minutes. Fifty speakers at one minute is 50 minutes.

It is peculiar that the entire public comment period for 25 speaker (50 minutes) is shorter than the amount of time for 19 speakers (57 minutes). It's not until there are 28 speakers at 2 minutes that the 2-minute rule catches up to the amount of time allotted for

19 speakers at 3 minutes.

It would make more sense if reduction in time to two minutes did not kick in until it actually saved time, e.g. 30 speakers at 2 minutes for 1 hour. The council should not need to reduce the amount of time for public comment beneath 1 hour.

(c) Signup cutoff for committee meetings

I am also concerned about practices that are not rules, which appear to be treated as rules, and serve to disenfranchise people. For instance, the boilerplate text at the beginning of committee meetings limits public comment signup to the first 30 minutes of the meeting. This is a rule for council meetings, but is not a rule for committee meetings, and it should not be!

Committee meeting are fluid and sometimes public comment is best taken after a staff presentation, to hear public feedback on it; sometimes it is best taken after a council debate and prior to a vote, to hear responses to positions offered; sometimes it is best taken at the beginning, to let the public set the tone. Requiring signup within the first 30 minutes encourage people to sign up prophylactically to ensure they have the opportunity to speak if the need arises, which favors repeat players with experience, and encourages unnecessary signups.

The committee should look to eliminating this practice.

That could be by directing the clerk's office to remove the boilerplate text, or by making clear in the rule governing public comment at committee meetings (present rule 32B, proposed rule 31B): "The sign-up cutoff times in Rule 24C(1)(b) [proposed 23C(1)(b)] do not apply to committee meetings." (It never did anyhow, but there has been substantial confusion that merits clarity.)

(d) Adjournment / Recess

Another practice the council has adopted, not covered by rule, is the management of public comment at subsequent (continued) committee hearings through the choice to "recess" a meeting versus "adjourn" it.

This is not how those terms are defined in Robert's Rules or the Council Rules, and there is no rule-based support for applying this distinction in this way. It leads to confusion among members of the public (again, favoring repeat players), and even among staff.

The Council has the discretion to allow public comment at committee meetings or not, and it has nothing to do with whether a meeting is *recessed* (which should be a short delay, such as a 1 hour break for lunch in an all-day finance committee meeting), or *adjourned* (closed for the day).

A vote to continue a meeting to a later date should state clearly whether "there will be no further public comment" or not, rather than mis-using terms like "adjourn" or "recess"; and if not specified, leaving the question open, the Chair should endeavor to figure it out before the meeting notice of the resumed meeting.

(e) "Opening" and "Closing" public comment

The Council should not take unnecessary votes.

There is no requirement, in law or in Council Rules or in Robert's Rules or in ordinance for the Council to vote to "open public comment" or to "close public comment."

Given that the Chair has the discretion to call on whomever they like at whatever time, and any vote to close public comment can be followed by a vote to reopen public comment, such votes merely serve as broad signaling and increasing the friction of hearing from members of the public.

Increasing that friction makes sense when there is a lot of public comment, like at regular city council meetings or at committee meetings on divisive topics with scores of people signed up. But sending that signal makes little sense at small committee meetings that address multiple topics where a member of the public with real life expertise or pertinent professional background might raise a hand and seek to address the committee. The Chair can easily decide whether to call on such people or indicate "public comment is over," there's no need for a motion. (And if a committee votes to close public comment, that suggest it needs to vote to reopen it, an ambiguity which can be read as an unnecessary limitation on the Chair's discretion).

There is further confusion on this topic because of the concept of a "public hearing" (not "public comment") which the proposed amendments expand upon. But there is no explicit requirement to vote to close public hearings, although there are times it may be prudent. If so, the motion should clearly distinguish between a "public hearing," frequently a creature of statute (e.g. The Zoning Act), and "public comment," which is just a section of a meeting.

The Council should stop the practice of moving to close public comment unless it is deemed necessary, and in no event should it be said, "we need to vote to close public comment."

(f) Committee meeting time limits on public comment

Historically, the Council allowed five minutes of public comment, per person, at committee meetings and three minutes at regular meetings. After several ungrammatical amendments over many years, the text has become confused, and five minutes became "three to five minutes" which in practice became three minutes. The proposed rules change the upper limit to three minutes, which is line with current practice.

I would favor making clear the Chair's discretion to allow more time where it makes sense, especially in small committee settings. It makes sense that if a speaker is allowed 3 minutes at the full city council, they should be allowed more time than that at a committee meeting.

(g) Toner's eight changes

I wanted to give some quick thoughts on the proposed eight "Suggested changes to Council Rules" memo of Feb. 13:

1. Not permitting public comment from people who work in Cambridge but do not own their own business seems a very harsh step to take. There are plenty of people who spend more of their waking hours in Cambridge than anywhere else. It would also be

very difficult to enforce a residency and business ownership requirement.

2. I agree that foreign policy issues deserve to go to committee or a special meeting with different rules for public comment. They should not prevent local politics from functioning, which they seem to have.

3. A lot of legislative work seems to happen at the last minute, and requiring multiple sponsors for a policy order may make that difficult. Such a rule would seem to invite more “late” policy orders submitted after the deadline, which may be an unintended consequence.

6. I have long asked for committee materials to be posted with sufficient time to digest them. For instance, I would very much have appreciated seeing the proposed rules amendments for tomorrow’s meeting earlier than this morning. This is true whenever there are technical proposals of any kind, be they about rules or ordinances or just about anything.

(g) Please don’t renumber rules.

As a matter of drafting, I would urge you not renumber any rules, as is currently proposed by the “draft of the edits that were suggested by the City Clerk and the City Solicitor.” Keeping numbers stable from year to year reduces confusion and reduces the likelihood of errors when people reference rules, especially references in places that are outside the rules.

When a rule is removed, it should simply be marked “Repealed on {DATE}.” This is, also, why we have letter suffixes, like Rule 21A — a new rule inserted between Rule 21 and Rule 22. The current proposal renumbers 24A to 23A after the deletion of Rule 10, which is just silly: although I think rules should not be renumbered, if you *are* going to renumber them, then Rule 24A and Rule 24B should become Rule 23 and Rule 24, etc. and suffixes should be eliminated.

(h) City Clerk and the City Solicitor suggested changes

Amendments to Rule 9 make reference to “calling the question” as well as “moving the question.” Given that there is no mechanism to “call” a question without a vote, and usually attempts to “call” a question result in confusion over whether a vote is required, removing that option from the list may be prudent.

Amendments to prior Rule 14 (proposed 13) appear to move the reference to municipal ordinance. It’s certainly more than strange for a Council Rule to require the Council to establish an ordinance, so that removal makes sense, but its wholesale excision seems odd.

Amendments to prior Rule 18 (proposed 17) should separate the list of locations with semicolons rather than commas, as “Sullivan Chamber, City Hall” includes a comma. Also it is a list of adverbial phrases, so should say “Virtually” rather than “Virtual.” Please remove the extraneous hyphen from “12:-00 midnight.”

Amendments to prior Rule 24A (proposed 23A) move policy orders ahead of unfinished business. This would appear to have the effect of requiring the City Manager to stay

for the full policy order discussion should there be any Manager's Agenda items subject to the Charter Right from the prior meeting. Is this the intent?

Amendments to prior Rule 32B (proposed 31B) say "For matters where a public hearing is required by law, the chair shall allow as much time as possible for the public to be heard." This is so ambiguous as to do more harm than good. Is the idea that the Chair should let a public hearing on a zoning petition run to midnight so that each member of the public can speak for sixty minutes? Or just for six? It is so loose as to give no guidance and only raise uncertainty.

Amendments to prior rule 36A (proposed 35A) offer this confusing language: "There shall be a roll call vote for suspension of the rules to consider late items that the public is allowed to comment on including resolutions, policy orders and communications from other city officers."

This is the sole mention of public comment on late items, and its intent should be clarified. What is a "late item that the public is allowed to comment on" and does it differ from a late item where public comment is *not* permitted? Please re-draft this.

Thank you very much for your time.

I would welcome the opportunity to address the Committee orally.

Very truly yours,

/s/ John A. Hawkinson
John A. Hawkinson

cc: City Clerk, City Solicitor

Erwin, Nicole

From: John Hawkinson <jhawk@alum.mit.edu>
Sent: Monday, February 26, 2024 1:25 PM
To: Toner, Paul
Cc: City Clerk; City Council; Azeem, Burhan; McGovern, Marc; Sobrinho-Wheeler, Jivan; Simmons, Denise; Pickett, Joan
Subject: Fwd: Some additional rules thoughts on the staff draft

Government Ops Committee (cc'd city council and city clerk for inclusion in the committee meeting record): Please see the below email from Feb. 20 that I sent to Chair Toner and the staff in the hopes that the issues raised could be addressed in a revised staff draft. It looks like that is not how the process went for today's meeting. Since these issues were also not raised in the discussion and some of them should be easy (fixing typos) and others are topics I hope are worthy of some deliberation, I am forwarding this to the committee entire for your consideration. Thank you.

It does not reflect anything that transpired at today's meeting, of course, since it was written on Feb. 20.

Thank you.

--
jhawk@alum.mit.edu
 John Hawkinson

Freelance Journalist
 +1 617 797 0250
 twitter: @johnhawkinson

----- Forwarded message -----

From: John Hawkinson <jhawk@alum.mit.edu>
Date: Tue, Feb 20, 2024 at 1:25 PM
Subject: Some additional rules thoughts on the staff draft
To: Toner, Paul <ptoner@cambridgema.gov>, Elliott J. Veloso <eveloso@cambridgema.gov>, Diane Leblanc <dleblanc@cambridgema.gov>
Cc: Megan Bayer <mbayer@cambridgema.gov>

Hi, Councillor Toner, Elliott, Diane (cc Megan):

I wanted to give some thoughts on the staff draft presented at last Thursday's Government Operations meeting (maybe don't say GOP next time, it feels partisan!) in light of the clarifications provided at the meeting. This is intended as a less formal communication (not copied to the committee or the full council), but I have no objection to it being part of the formal record or forwarded on if someone wants to do that.

Please let me know if this email is useful.

¶ As a prefatory note, regardless as to whether you agree with my point (g) about renumbering from my Feb. 14 letter, redlines and discussions would be a lot more clear if any rules renumbering were kept out of the redline, and any renumbering adopted separately after everything is hashed out. Also, I missed it at

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)

the time, but the reference to "Rule 20" in current Rule 36A (proposed Rule 35A) went unchanged, which is maybe the poster child for why renumbering is bad.

I'm not going to repeat the remarks from my letter in this email, though, unless someone would like me to add them in. These are all different issues from those raised there, which remain valid.

¶ "Mayor"

Rule 5. The Mayor shall state the motion that is before the Council before there can be discussion on the motion. The Mayor shall ~~and then~~ declare all votes. If any member doubts the vote, the chair without further debate upon the question, shall require the members voting in the affirmative and negative, respectively, to be counted; the Mayor shall declare the results, but no such declaration shall be made unless a quorum of the City Council has voted.

The discussion of this suggested that "Mayor" should be changed to Chair. That's fine and proper, but it requires a pair of concomitant change in Rule 4:

Rule 4. The Mayor shall preserve decorum and order, and may speak to points of order, in preference to other members. The Mayor shall decide all questions of order, subject to an appeal to the City Council. If the ruling of the chair is questioned, no other business shall be in order until the question on the appeal shall have been decided; the question shall be put as follows: "Shall the decision of the chair stand as the judgment of the City Council?" The vote shall be by roll call, and it shall be decided in the affirmative unless a majority of the votes are to the contrary.

(My highlights are in yellow. The red and blue are from your Feb. 15 proposal. And I'm not sure what's up with the messed up redline. In a redline, removed text should be struck through and red; new text should be boldface and blue. I have no idea what the blue text that is struck through is intended to mean. And when the red and blue are both underlined but neither struck through nor boldface, it means black and white printout or copies are incredibly tough to decypher.)

I don't think there are any other references that need to change, however..

¶ It was suggested that these changes to Rule 8 increased clarity. I'm afraid that is not true for this reader, and I see more ambiguity than was there before:

Rule 8. The chair shall place before the body ~~put~~ all questions in the order in which they are moved, unless the subsequent motion be previous in its nature, except that in naming sums and fixing times, the largest sum and the longest time shall be placed before the body first first ~~put~~. After a motion has been placed before the body ~~put~~ by the chair, the mover may withdraw the motion before amendment or final action without objection ~~it shall not be withdrawn except by unanimous consent.~~

The change from "put" is fine. But the change from "it shall not be withdrawn except by unanimous consent" to "the mover may withdraw the motion before amendment or final action without objection" is not!

(Tangent, mostly for Paul and the Clerk: I do think the Council should use "unanimous consent" a lot more than it does -- it is silly to force an oral vote on a motion to suspend the rules when the Chair can just say "hearing no objection," and it's even a reasonable interpretation that you can dispense with the open meeting law's requirement for a roll call vote at a meeting with remote members by following that path. Obviously only for procedural votes, not substantive ones.)

But the original text was clear: "unanimous consent" was required to withdraw.

The new text is not. Is it "(may withdraw (the motion before amendment or (final action without objection)))" or is it "(may withdraw (the motion before amendment or final action) without objection)"?

That is, does "without objection" modify "withdrawal," or does it modify "final action"? And indeed, what is a "final action"? Is it the nominal vote on the question that takes it off the floor, or is it the motion to reconsider (hoping the same will not prevail, perhaps)? Or is it that funky thing that appears on the meeting portal website after "Agenda Packet" and before "Minutes" ("Final Actions")?

And if there is no motion to reconsideration, is it the constructive finalization that occurs on the Wednesday following? So does that mean a councillor may withdraw a motion on Tuesday after it passed on Monday night?

That seems unlikely to be the intended meaning, but the words are not written in a way that makes them clear.

If one is willing to sit down and think out the logical possibilities and say, "did the drafters intend this possibility and is it reasonable or logical," you can resolve much of the ambiguity. But a well-written rule should not have that ambiguity in the first place or require that much brain power to figure out. (There is a joke about *Chevron* deference in here that I have not adequately workshopped.)

Also, the new text restricts the possibility of withdrawal. Under the old language, Councillor A can make a motion and Councillor B could offer an amendment and Councillor A could say, "You know what, your amendment makes it clear this was a mistake. I seek unanimous consent to withdraw the whole motion" at which point Councillor B (and all others) could consent; or perhaps Councillor B would say, "sorry, I've offered my amendment and I think that's better than doing nothing, let's proceed with the debate on the amendment."

But under the new language, well...first of all, the grant of power to withdraw is limited to prior to the amendment. Is there reason to restrict that? Why?

But I guess, instead of barring such a withdrawal, it is just silent on it?

So therefore we have to ask whether it preempts the general Robert's Rules requirements as to withdrawal of motions, and I genuinely don't know if it does. If preempted, then I guess no withdrawal is allowed. And if not preempted, then withdrawal would be allowed with consent, meaning that basically this part of Rule 8 would be totally pointless? Except there is value in stating some common practices in the Council Rules, even where they are redundant with respect to Robert's Rules, because it's not reasonable to assume good familiarity with Robert's Rules (this is an understatement).

I would suggest it is best to leave the language alone (except for "put") . (Although I don't think there's anything wrong with "put." It sure is more succinct!)

If not, though, the proposal needs a re-work.

Also, the Mayor asked several direct questions about the intention of this change, and she got back many answers to many questions she did not ask, and I do not think that a good answer was given. That doesn't really have much to say about the language, since her question was not about the specifics of the language, but to me it was an indication that...well, it was a mess. Sorry to raise this, but direct answers sure would be helpful in these kind of discussions.

¶ Oh yes, that reminds me! Current Rule 37 (proposed Rule 36) of the Rules says:

Rule 36~~7~~. The City Council shall be governed by "Roberts' Rules of Order" in all questions of parliamentary practice not provided for by these rules.

This is not what RONR12 recommends, which is "The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the Society..."

That is very helpful because it eliminates most questions about which version of Robert's Rules to use, given that there are what — fifteen? — floating around?

Of course, that text is written by the people who are trying to sell you a new set of books every five or ten years, and given that there are copies of RONR10 floating around on the dias (it's been a few years since I've been up there) and on councillor's desks (in my parliamentary dreams!), I don't think it's wise to peg the rules to a floating target.

But I do think someone should just pick one (probably the current edition, RONR12) and change Rule 37 to say, "The City Council shall be governed by *Robert's Rules of Order Newly Revised, 12th Edition* in all questions of parliamentary..." In any case, the apostrophe goes before the s. Although some of Henry M. Robert's children and grandchildren have been involved in his parliamentary empire, it was never Roberts', only Robert's.

My recollection is that Ann Macfarlane (Jurassic Parliament) who has done council rules training in the past has a similar recommendation. See, e.g., <https://jurassicparliament.com/bylaws-are-old-and-conflict-with-roberts-rules/> and perhaps also <https://jurassicparliament.com/special-rules-of-order-in-roberts-rules/> (under "Avoiding automatic adoption of 12th edition of Robert's Rules").

¶ Emergencies. The oral discussion about Rule 19 (proposed Rule 18) was very confusing:

Rule 18~~9~~. The Mayor, or the Vice-Chair of the City Council, or any four members thereof, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person calling the same, to be delivered in hand to each member of the City Council, or left at their usual dwelling place, or delivered electronically with at least forty- eight hours' notice (excluding Saturdays, Sundays and legal holidays) to all members and with notice provided to the public by posting same at least forty-eight hours (excluding Saturdays, Sundays and legal holidays) prior to each meeting, **unless the Mayor determines an emergency exists and there is a need to call a meeting with less than forty-eight hours' notice.** If necessary, the mayor may call one or more special meetings during July and August to conduct the council's business.

It would be been helpful if the discussion explained that this proposal was consistent with the Open Meeting Law's emergency exceptions, and that the OML does not define what "emergency" means, and it would be imprudent for the Council to attempt to do so either, for much the same reason: by their nature emergencies are unpredictable. Also, the current text could be read to unnecessarily restrict the

Council's ability to call a special meeting beyond the Open Meeting Law's restrictions, and this proposal syncs up the Council Rules with state law. Maybe that's what was said, but if so I didn't hear it clearly.

¶ Zoning Act

Rule ~~1920~~. Any ordinance, order or resolution may be passed through all its stages of legislation at one session, provided that no member of the City Council objects thereto; but if any member of the City Council objects, the measure shall be postponed for that meeting (the "Charter Right".) (Chapter 43, Section 22 of the General Laws.) At the next regular meeting, Any member may move the item which has been subject to the Charter Right. If no action is taken at the next regular meeting by any member, then the item will be removed from the City Council Calendar. ~~Upon the objection of one Councillor, no action may be taken on any item not on the Calendar of the day and shall not be acted upon until the next regular meeting.~~ The provisions of this Rule, as well as M.G.L. c.43, §22, do not apply to the submission to the City Council of a proposed zoning ordinance, which, pursuant to M.G.L. c.40, §5, the City Council shall within fourteen days of receipt of such zoning ordinance submit to the Planning Board for review.

Oops, this is clearly intended to refer to Ch. 40A, the Zoning Act. General Laws Ch. 40 §5 is "Appropriation of money for exercise of corporate powers."

As a matter of form, it is not proper for the City Council Rules to offer legal interpretation of statutes. A reader might read this rule and conclude that the rule is attempting to limit the applicability of Ch. 43 §22, since that's what the words do by their plain terms, but of course Council Rules don't have that authority. It would be better to phrase this differently. If I were drafting rules, I'd put this sort of thing in a footnote to make it clear it was explanatory and offer a citation to some legal authority that Ch. 43 §22 has been found to not supersede Ch. 40A §5, but adding footnotes to the Council Rules at this stage seems a deviation from style. There are a lot of ways to phrase this better, but one might be to use a parenthesis to increase clarity and separate dicta from rule. Or perhaps to substitute "like those of" for "as well as" to make it clear that the Rules are not opining on any conflict, but rather referencing a conflict someone else has resolved elsewhere.

¶ Communications

Rule ~~2122~~. The City Clerk shall prepare the minutes of the previous regular and/or special meetings and a calendar of all matters to come before the City Council at each meeting in accordance with the established order of business and shall deliver electronically or to the residence of each City Councillor a copy of the same not later than twenty-four hours prior to said meeting. On all matters on which there has been a roll-call vote, the minutes shall reflect the votes of the individual members. ~~The City Clerk shall include with the minutes of the meeting any Communications from the public that were received at the meeting during Public Comment.~~

I understood Diane's explanation for this change to be that the rule can be read to require emails received by the Clerk's Office between 5:30pm and 6:00pm to be included in the minutes of the meeting, and that the Clerk's Office would prefer to keep emailed communications in the Communications Section of the agenda and have a simple cutoff for that of noon Thursday. Obviously removing the language increases flexibility, but I think an alternative interpretation is that the final sentence (proposed to be struck) requires only that a handout provided to the Council (whether electronically or on paper) accompanying a public comment speech appear in the minutes (presumably along with a rendition of

the remarks of that speaker). I'd suggest the Clerk's Office is free to put all post-noon Thursday emails on the agenda for the next Council agenda under the current rule, and only have to grapple with that final sentence if someone speaks and references a new communication that is transmitted to the clerk during that portion of the meeting, whether during, immediately before or immediately after their speech.

¶ Not everything has to be a rule.

Rule 245. The seats of the members of the City Council shall be determined by the Executive Assistant to the City Council, and in their absence, by the City Clerk in consultation with the members; no member shall change their seat but by permission of the Chair.

The City Clerk can certainly delegate seating arrangements to Naomie without it needing to be in a rule. I suppose there's no problem with this rule, and I'm not sure why it makes me wary to add references to the Executive Assistant to the City Council into the rules where not were present before. (But it does!) (But, *contra*, the Executive Assistant is referenced in sections 2 and 3 of the Travel Policy which a naive person would think was incorporated into Rule 39 (proposed Rule 38), although that's not actually what it says. And since the rules are re-adopted every term, the Travel Policy would need to also be re-adopted every term, and the language of the document does not do so. That is probably something that should be fixed as well, because "appended" does not imply automatic "adoption":

Rule 389. The City Council's travel and incidental expenses thereto shall be approved by five members of the City Council through the budget process. All individual expenses will be substantiated by receipts and requests for payments will be approved by the City Auditor prior to reimbursement. The City Auditor shall be required to keep copies of Travel Expense Reports for all City Council travel expenditures reimbursed by the City and make the same available on request to all interested persons. The City Council may adopt a Travel Policy consistent with this rule to specify acceptable travel arrangements and limitations on reimbursable expenses. (RULE 389 AMENDED SEPTEMBER 8, 2014 – TRAVEL POLICY IS APPENDED TO THE RULES)

¶ Late items

I know I said I would not repeat myself, but here we are:

Rule 356A. Any of the foregoing rules with the exception of Rule 20 may be suspended at any meeting by a two-thirds ye and nay vote of the entire membership of the City Council, provided that suspension of the rules to take up an item of business out of order may be moved only one time per meeting by each member. This limitation does not apply to motions to suspend the rules to move reconsideration hoping the same does not prevail.

~~No suspension of the rules shall be required to allow consideration of ceremonial resolutions (which appear on the agenda as Resolutions) filed after the meeting agenda is closed or before resolutions are voted on at the meeting. A roll call vote for suspension of the rules to consider late policy orders shall be required to allow consideration of policy orders at the end of the regular business meeting, after the regular order of business has been concluded. Late policy orders shall only be considered in an emergency or if action is required before the next regular meeting.~~

There shall be a roll call vote for suspension of the rules to consider late items that the public is allowed to comment on including resolutions, policy orders and communications from other city officers. Late items will be taken up at the end of the regular business meeting, after the regular order of business has been concluded. A late item should only be considered if it cannot wait until the next regular meeting.

What is a "late item that the public is allowed to comment on" and does it differ from a late item where public comment is not permitted?

Is this a grant of authority to the public to comment on some or all late items?

Or a recognition that such a grant may exist outside the rules?

Is the "should only be considered" guidance to the movers of late items, or guidance to the Chair in what to accept? Who determines "cannot wait"?

Please re-draft this. (Some of the above answers are obvious to people, I think, but not all to all).

¶ Profanity and numbering Rule 38

Rule 3~~7~~8.

1. No one shall delay or interrupt the proceedings or refuse to obey the orders of the presiding officer.
2. All persons shall refrain from any private conversation, which would interfere with the proper conduct of the meeting or hearing.
3. No food or beverages of any kind except water is permitted in the public section of the Sullivan Chamber.
4. Signs, posters and placards must remain outside the Sullivan Chamber.
5. People are admitted to the Sullivan Chamber up to the fire safety capacity of the room which includes the balcony. Overflow crowds may listen to the proceedings on loudspeakers and television provided in the hallway.
6. All persons shall confine their remarks to the question under debate. The following will not be tolerated: **profanity.** uttering fighting words, slander, unreasonably loud or repetitive speech, and/or speech so disruptive of City Council proceedings that the legislative process is substantially interrupted.
7. Any person engaging in behavior that disrupts the proceedings such that the legislative process is substantially interrupted will be warned once by the chair that if their disruptive behavior continues, they will be requested to withdraw from the meeting, and if the behavior continues, the speaker will be asked to withdraw from the meeting. If the speaker does not withdraw from the meeting as requested by the chair, the chair may authorize a constable or other officer to remove the person from the meeting.
87. All rules of decorum and conduct for comment established by these rules shall be applicable to all individuals attending a meeting or hearing.

98. Every person addressing the City Council should speak into the microphone and should state the person's name and address in an audible tone of voice for the record. All remarks shall be addressed to the City Council as a body through the chair, and not to any individual member thereof.

109. While in the Sullivan Chamber, all persons with cell phones, pagers or other devices emitting audible signals shall either set the device to a non-audible signal mode or turn off the device.

Someone, I guess it was Robert Bledsoe, suggested the restriction on profanity was inappropriate in light of *Baron v. Kolenda*. Whether or not that's true, the restriction is probably imprudent.

Public comment is for the public to give feedback to the Council, and sometimes that feedback can be respectful but still profane. For instance "Respectfully[*], Councillors, the proposal to annex Somerville is *bullshit*. For the following reasons," ([*] just because something starts with "Respectfully" does not make it respectful; so too, just because someone uses barnyard language does not make them disrespectful.)

Also, who decides the scope of profanity (the Chair, obviously)? I mean, is this language not the sort a court would find to be void-for-vagueness? Is *bullshit* disallowed but *bullcrap* okay? Is "*stinks to high heaven*" okay? Etc.

Also, as to renumbering, the stakes are lower here, but for all the same reasons, please resist the temptation to insert a section 7 between the current 6 and 7. Remove the paragraph break, number it 6A, add a bullet, or just accept there is an unnumbered paragraph between 6 and 7, or that 6 has two paragraphs. Any of those choices would be better, I think, than renumbering. (That said, it's only three, but I stand on principle!)

Also, I did not mention it this term, but last term I offered the heartfelt opinion that it is beyond unreasonable for the Council to require speakers to state their address. Whether we are domestic violence survivors or fear retaliations at our homes for speaking or simply people who do not wish our addresses to be broadcast publicly on the entire Internet and archived in video livestreams for decades to come, we should not be required to provide that level of vulnerability to petition the Government. The Council may establish a norm as to providing names and addresses and politely request public disclosure, but I do not think it may legally condition whether it hears speech on whether members of the public are willing to engage in this form of vulnerability that we teach our children in the modern world never to do ("don't tell anyone your home address on the Internet"), and with good reason. Indeed, arguably it's not good for the Council to do this and it is exploitive. You can ask for it in the signup form if people are willing to provide it, or look it up in the street listing, or whatever.

Of course, this is only a "should," not a "must," so I guess we are free to ignore it.

Thanks for your attention.

--
jhawk@alum.mit.edu
 John Hawkinson

Freelance Journalist
 +1 617 797 0250
 twitter: @johnhawkinson

Minutes Acceptance: Minutes of Feb 15, 2024 9:00 AM (Committee Reports)