

A PUBLIC MEETING OF THE CAMBRIDGE CHARTER REVIEW COMMITTEE

May 23, 2023, @ 5:30 p.m.
REMOTE ONLY – VIA ZOOM

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 at meetings of the Cambridge Charter Review Committee.

The zoom link is: <https://cambridgema.zoom.us/j/83253118929>

Meeting ID: 832 5311 8929

One tap mobile +13092053325,,83253118929# US

Agenda Items – Tuesday, May 23, 2023

- I. Roll Call 5:30 PM
- II. Introduction by Chair, Kathy Born
- III. Adoption of Meeting Minutes from the meeting of
- IV. Meeting Materials Submitted to the Committee to be placed on file
 - Communications from Committee Members
 - Communications from Council Members
 - Communications from the Public
 - i.* A communication was received from Kelly Dolan, regarding accountability for the legislative branch
 - 1. pg. 2-3**
 - ii.* A communication was received from Valerie A. Bonds, regarding support for 2-year city council terms, and comments about the current structure
 - 1. pg. 4-5**
 - iii.* A communication was received from Aram Harrow, regarding support for even-year elections and comments about the relationship between the city manager and council.
 - 1. pg. 6**
 - Other Meeting Materials
- V. Public Comment
 - Members of the public are invited to share their ideas or comments with the committee.
- VI. Review Key Decisions and Provisions under the two forms of government
 - **Facilitator:** Libby, Mike, and Anna **Goal:** Walkthrough chart outlining Mayor-CAFO-Council structures.

Charter Reform Discussions

Kelly Dolan <kelly.dolan.kd@gmail.com>

Wed 5/10/2023 8:57 AM

To: Cambridge Charter Review Committee <CharterReviewCommittee@Cambridgema.gov>

I've been following the Charter Reform Review discussions and was glad to hear the committee finally engage in some substantial topics during recent meetings.

But it was a bit frustrating to hear accusations that our current form of government isn't democratic enough nor is it accountable or addressing the needs of its people without specific examples and evidence. That made the discussions for a strong mayor vs a city manager too theoretical to effectively address such allegations.

There are over 50 boards and committees made up of residents involved with working with the city on various issues such as zoning, climate, justice and safety issues. Just recently the City's Health and Environment Committee held a working group meeting with the City's DPW, Urban Forestry, and the Department of Public Planting, with citizen lead groups Green Cambridge, and Cambridge 4Trees to discuss our urban forest. Similar city/resident groups created the recommendations for Envision Cambridge, Central Square C2K2 and Alewife Planning. Recently the City Council was granted more influence in who actually gets assigned to these boards and commissions.

According to the city's website there are currently 14 neighborhood groups in various forms of activity. One is the Cambridgeport Neighborhood Association, a great example of a citizen lead organization that has worked effectively with the city and DCR to maintain and improve local parks and Magazine Beach, as well as host an amazing array of educational and information programs.

The City Council's Ordinance Committee reviews and addresses at least 8 to 10 citizen lead zoning proposals every year for issues such as affordable housing, multifamily housing, climate resiliency, transportation solutions and even Central Square Starlight entertainment permits. Anyone who can get 10 resident signatures can propose zoning changes to the city's codes.

How the city establishes the budget is another confusing issue for the Committee. It's the City Council's responsibility to begin every Council with agreed upon goals and priorities for the city so that the city manager can address them through the budget. Sadly, there have been too many years when Councilors don't even bother to update and define their priorities, even as they complain about its complexity, or blame the city manager for not giving enough funding for one of their pet projects. Given the size of our budget, the numerous projects we support and the incredible detail the budget office provides, the budget book is rather large, but is clearly presented if anyone bothers to read it. Cambridge has been actively soliciting residents' input for the budget since 1996 under Healy, and good Councilors know how budgets work and how to get more funding to their programs.

There are many local city groups that work with City Councilors to successfully influence budget appropriations and new programming and services. In 2019 the City Council voted down the city's budget for Technology until the city manager agreed to review investment in broadband, leading to an outside consultant and current proposals under consideration. The Bike Safety Committee helped enact an Ordinance that will force the city to spend many millions on bike lanes. Safety advocates have successfully lobbied the city to invest in an Alternative Police response.

Over the past few years there has been a focused effort from Councilors and citizens groups to shift more money into affordable housing, along with voters choosing to also include our Community Preservation Funds. So this year we have one of the highest rates of affordable housing funding in the state with \$44 million dollars, double the amount from just a few short years ago. We will be

spending \$39k per public school student in Cambridge vs the state's average of \$19k. The new proposed budget for FY24 has \$59 million more in new programs like Universal Pre K, bike lanes and a new Alternative Community Safety program.

In 2015 the city created the Participatory Budget program which allows residents to submit and vote to spend over \$1million of the city's budget for including trees, bike lanes and assorted neighborhood amenities to get more residents, especially young residents 12 and up involved with their governmental process. This is a wildly successful project that gets 8700 residents voting and has spent \$7.5 million dollars of the city's budget.

All of this citizen input and involvement does create a lot of complexity and adds enormous time to decision making. It's difficult to follow through on all the various ways issues are proposed, debated and finally decided. And because our system is so democratic, considerate and complex it's difficult to point to one person who's ultimately responsible for the final decision. A good example of this has been the issue for our police department to use body cams. An issue weighed down so much by the need to balance privacy rights with public safety that no decision was made until an unfortunate accident highlighted the lack of a final action plan.

So perhaps it's time to move on from the executive branch and examine the role of our legislative branch which has direct accountability to voters, is elected by a relatively small minority and selects a mayor and vice mayor based on horse trading and friendships instead of votes and expertise. 9 Councilors means there is one for every 13,000 people in this city, or one for every 5,272 households as the city continues to grow. Over the past 10 years the Councilor role grew from part time to full time, with the addition of aides and huge funding increases. I can't recall ever hearing about a review for the previous 3 City Managers, even though its listed as one of the duties of the City Council. Some Councilors don't bother to hold Committee meetings or publicize meeting notes. Yet there has been less and less direct responses from almost all of them, as well as from city staff. While there are many more options for one way public comment, especially since zoom, two way interactions and dialogues have decreased, leaving more residents with the frustrating feeling of not being heard, and not having enough information about how their city operates. Clearly the accountability of this branch of our government needs some attention.

Looking forward to more in depth conversations on these very important topics, and thank you all for the amount of work and personal time you have put into this effort.

Sincerely

Kelly Dolan
Upland Road

Charter E

vanbs <educatorvanbs@gmail.com>

Thu 5/11/2023 6:04 PM

To: Cambridge Charter Review Committee <CharterReviewCommittee@Cambridgema.gov>

Good afternoon Members of the Charter E Committee:

I hope you are doing well.

I continue to believe, at this time, members of the City Council should remain with a two year term. Other than the recently elected Councillors, terms of service of some sitting Councillors are from 3 terms to five terms.

Because Councillors have a two year term, they make an attempts to engage in outreach, direct contact with Residents during the second year of their term. They are more likely to attend community meetings, participate in hybrid events and yes, even knock on our doors to make in-person, individual connection.

City Councillors have the ability to receive funds through donation', response to constituents with wealth, organizational power, and influence often at the expense of the underserved, underrepresented and marginalized members of our community.

There are many who are not voting constituents who live in Cambridge and require the service of our City Councillors. Our Children, visiting Students, undocumented individuals, homeless individuals and those who have neither the wealth or the organizing power to get the attention of the City Councillors.

In a very recent Council meeting, in my opinion, our Mayor was more of a referee than a facilitator between members of the City Council.

Given the influx of large sums of money to political candidates and incumbents, the leaning toward policies that favor accumulation of votes to remain and sustain political presence, and the ever growing concerns related to ethics, moral compass, accountability and veracity among police figures at all levels of government, we must be very careful aligning professional politicians with those who choose public service.

Unlike the members of the City Council, the City Manager must have specific education, knowledge, expertise and experience and I believe a skill set, that can be applied to the role, responsibility and function of the office of City Manager. A business acumen, financial expenditure knowledge and selfless service commitment is essential.

As a public servant, the City Manager's only obligation, level of accountability and purpose in office is the public good and welfare of all who reside in our community. The City Manager does not have to rely on donations to a campaign, consideration to large donators or how many constituents must be convinced to keep him or her in office. The City Manager cannot accept gifts or engage in any activity that may pose a conflict of interest. The need to keep corruption at bay must continues. The City Council must stay in their lane.

I am not sure about electing a Mayor. Having the Mayor appointed by the Council has concerns. Having a Mayor elected can lead to decisions based on the constituency than the community.

I have so much respect for this Committee. In many ways, the future of Cambridge rests in what you present to a Council that is looking for more power and authority instead of more accountability, consensus and commitment to all who reside in our community.

Best to you,

M. Bonds / Valerie

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election years and the city manager

Aram Harrow <harrow@gmail.com>

Fri 5/12/2023 3:21 PM

To: Cambridge Charter Review Committee <CharterReviewCommittee@Cambridgema.gov>

Dear CRC,

Thank you for your important work on these hard questions!

1. From your election data it is clear that odd-year elections significantly depress turnout. I hope you will recommend that Cambridge move its local elections to even years.
2. I am much less confident about this second point, but I think the city manager is too powerful. If we could move to a system where the elected officials set the policy priorities and the appointed officials implement them, that would be more democratic. Our city manager seems great but questions like whether Cambridge makes afterschool universal should really be decided by city council or an elected mayor, and not the city manager.

Thanks for taking the time to read this,
Aram Harrow (Cambridge resident)

DECISION CHART FOR ARTICLE 3: EXECUTIVE BRANCH

Potential Decision Areas	Council-Manager	Mayor-Council
<p>QUALIFICATIONS; TERM OF OFFICE; COMPENSATION; PROHIBITIONS; EVALUATION AND GOAL SETTING (for City Manager).</p>	<p>Appointed by Council</p> <ul style="list-style-type: none"> Majority or $\frac{2}{3}$ - (currently majority) <p>Qualifications / Eligibility</p> <ul style="list-style-type: none"> Resident / non-resident <p>Term</p> <ul style="list-style-type: none"> Years for the contract (up to 5?) - (currently typically 3) Multiple successive terms if approved by vote of the Council <p>Compensation</p> <ul style="list-style-type: none"> Set by City Council via ordinance and restrictions on when salary changes can go into effect <p>Prohibitions</p> <ul style="list-style-type: none"> Prohibitions on holding other offices concurrently and after leaving office. City Council cannot be appointed as City Manager <p>Evaluation</p> <ul style="list-style-type: none"> States that Council shall evaluate the City Manager <p>Goal Setting</p> <ul style="list-style-type: none"> New language about the Mayor and Manager collaboratively setting goals 	<p>Election</p> <ul style="list-style-type: none"> How elected (RCV) <p>Qualifications / Eligibility</p> <ul style="list-style-type: none"> "Any registered voter" (defined in the definition section to mean Cambridge voter) <p>Term</p> <ul style="list-style-type: none"> 2 or 4 years <p>Compensation</p> <ul style="list-style-type: none"> Set by City Council via ordinance and restrictions on when salary changes can go into effect <p>Prohibitions</p> <ul style="list-style-type: none"> Holding other elected office or compensated City position Compensation for work authorized as Mayor No compensated position for city for <u>(1)</u> years after leaving Mayor position
<p>POWERS / DUTIES</p>	<ul style="list-style-type: none"> Can be general (deferring specificity to ordinance) or specific but generally includes oversight of city departments, agencies, supervision of employees, development of and responsibility for budget 	<ul style="list-style-type: none"> General statement of executive powers (ex: The executive powers of the city shall be vested solely in the mayor and may be exercised by the mayor either personally or through the city agencies)

Commented [10R8]: How to make the goal setting and benchmarks for CM more public

Commented [11R8]: Types of goals - city manager and councils goals separate .

Commented [1]: would changing this give city council more power?

Commented [2R1]: higher threshold give the CM more of a mandate and sets up for productive relationship

Commented [3]: How might residency requirements affect quality of candidates.

Commented [4]: Would term limits deter potential candidates from applying or taking the position?

Commented [5]: What are other enforcement mechanisms to force CM to implement policy orders from city council.
- what are some examples of stronger recourse for this?
-

Commented [6R5]: Research some strong town manager charters - how the legislative body provides more oversight. Certain actions require oversight/approval from legislative

Commented [7R5]: A way to say in the charter for the council and manager shall come to an agreement in how the review , budget, or goal setting might work.

Commented [8]: How often would this occur? Every two years with new elected council?

Commented [9R8]: Goal setting aligning with length of term.

Commented [12]: Representation of Cambridge in regional bodies

	<ul style="list-style-type: none"> Personnel appointment and supervision 	<p>under the general supervision and control of the office of the mayor)</p> <ul style="list-style-type: none"> Enforcement of laws, ordinances and charter Supervision of all city activities and functions placed under the control of the mayor by law or by this charter
APPOINTMENTS BY OFFICE	<ul style="list-style-type: none"> Appointment of Department Heads, Multiple Member Bodies (MMBs) Collaboration with City Council (consult / confirmation) Notification to City Council of appointments and removals Interference by City Council prohibited Possibility of Resident Advisory Committee for MMBs (define composition, term, responsibilities or leave to ordinance) 	<ul style="list-style-type: none"> Appointment of specific positions (i.e. City Solicitor, CAFO) Appointment of Department Heads, Multiple Member Bodies (MMBs) Collaboration with City Council (consult / confirmation) Notification to City Council of appointments and removals Interference by City Council prohibited Possibility of Resident Advisory Committee for MMBs (define composition, term, responsibilities or leave to ordinance)
TEMPORARY APPOINTMENTS	<p>Defining temporary appointment dept heads & mmbms</p> <ul style="list-style-type: none"> how many days, limits on authority extensions of temporary appointments 	<p>Defining temporary appointment</p> <ul style="list-style-type: none"> how many days, limits on authority extensions of temporary appointments
TEMPORARY VACANCY IN OFFICE	<p>How is acting manager appointed</p> <ul style="list-style-type: none"> designation by City Manager, City Council override of City Manager designation, period of temporary appointment and renewals 	<p>How is acting mayor is appointed</p> <ul style="list-style-type: none"> designation by Mayor, City Council override of Mayor designation, period of temporary appointment and renewals
PERMANENT VACANCY IN OFFICE	<p>Appointment process by City Council</p>	<p>Method of filling vacancy</p> <ul style="list-style-type: none"> Special Election – when to hold a special election (i.e., if the vacancy occurs more than 180 days before next municipal election)

Commented [13]: Examples from other communities, and any outcomes from those cities/towns. Outside of MA?

Commented [14]: challenging if too difficult, lack of quorum challenges for committees

Commented [15]: Is there a way to have a veto process for CM that would require a policy order to get a 2/3 vote? No current examples of this

		<ul style="list-style-type: none"> • Allowing a vacancy in office with acting Mayor at certain time frame before next municipal election)
REMOVAL (only City Manager)	<ul style="list-style-type: none"> • Suspensions • Removal (quantum of vote, opportunity to publicly respond to removal) 	
VETO (only Mayor)		<p>Veto Process</p> <ul style="list-style-type: none"> • Timeframes for veto, return and reconsideration by City Council, • Supermajority vote to override veto • Effect of no action by Mayor (i.e. pocket veto, failure to sign or return within 10 days)