

A PUBLIC MEETING OF THE CAMBRIDGE CHARTER REVIEW COMMITTEE

September 26, 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, September 26, 2023

- I. Roll Call 5:30 PM
- II. Introduction by Chair, Kathy Born
- III. Adoption of Meeting Minutes from the meeting of September 5, 2023
- 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 Valerie Bonds, regarding at-large city councillors.
 - Other Meeting Materials
- V. Public Comment
 - Members of the public are invited to share their ideas or comments with the committee.
- VI. Public Engagement Article: Resident Assembly
 - **Facilitator:** Anna, Pat, Mike. **Goal:** Review draft language for resident assembly, discussion, and vote.
- VII. Elections Provisions: Eligibility - 16/17-Year-Olds, Election Year, Other items
 - **Facilitator:** Anna. **Goal:** Discuss eligibility provisions: 16/17 year old and non-citizens.

**MINUTES OF THE CAMBRIDGE
CHARTER REVIEW COMMITTEE
TUESDAY, SEPTEMBER 5, 2023**

COMMITTEE MEMBERS

Kathleen Born, Chair
Kaleb Abebe
Jessica DeJesus Acevedo
Mosammat Faria Afreen
Nikolas Bowie
Kevin Chen
Max Clermont
Jennifer Gilbert
Kai Long
Patrick Magee
Mina Makarios
Lisa Peterson
Ellen Shachter
Susan Shell
Jim Stockard

The Cambridge Charter Review Committee held a meeting on Tuesday, September 5, 2023. The meeting was called to order at approximately 5:30p.m. by the Chair of the Committee, Kathleen Born. Pursuant to Chapter 2 of the Acts of 2023 adopted by Massachusetts General Court and approved by the Governor, this meeting was remote via Zoom.

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

**Kaleb Abebe – Present
Jessica DeJesus Acevedo – Present
Mosammat Faria Afreen – Present
Nikolas Bowie – Present
Kevin Chen – Present
Max Clermont – Present
Jennifer Gilbert – Absent
Kai Long – Present
Patrick Magee – Present
Mina Makarios – Present
Lisa Peterson – Present
Ellen Shachter – Present
Susan Shell – Present
Jim Stockard – Present
Kathleen Born – Present
Present – 14, Absent – 1. Quorum established.**

The Chair, Kathleen Born recognized member Lisa Peterson who made a motion to adopt the meeting minutes from August 1, 2023.

Clerk of Committees Erwin called the roll.

Kaleb Abebe – Yes

Jessica DeJesus Acevedo – Yes

Mosammart Faria Afreen – Yes

Nikolas Bowie – Yes

Kevin Chen – Yes

Max Clermont – Yes

Jennifer Gilbert – Absent

Kai Long – Yes

Patrick Magee – Yes

Mina Makarious – Yes

Lisa Peterson – Yes

Ellen Shachter – Yes

Susan Shell – Yes

Jim Stockard – Yes

Kathleen Born – Yes

Yes – 14, No – 0, Absent – 1. Motion passed.

The Chair, Kathleen Born recognized member Jim Stockard who made a motion to adopt communications from Committee members and communications from the public.

Clerk of Committees Erwin called the roll.

Kaleb Abebe – Yes

Jessica DeJesus Acevedo – Yes

Mosammart Faria Afreen – Yes

Nikolas Bowie – Yes

Kevin Chen – Yes

Max Clermont – Yes

Jennifer Gilbert – Absent

Kai Long – Yes

Patrick Magee – Yes

Mina Makarious – Yes

Lisa Peterson – Yes

Ellen Shachter – Yes

Susan Shell – Yes

Jim Stockard – Yes

Kathleen Born – Yes

Yes – 14, No – 0, Absent – 1. Motion passed.

The Chair, Kathleen Born introduced Anna Corning, Project Manager, who opened Public Comment.

Robert Winters offered comments on an article included in the Council Agenda titled “Beyond the Spoiler Effect”.

Julia Shephard offered comments on rank choice voting and the different methods within rank choice voting.

Anna Corning opened the discussion to Committee members on reviewing resident participation mechanisms. The four mechanisms include free petition, initiative, referendum, and recall. Anna Corning noted that the team from the Collins Center, Michael Ward and Patricia Lloyd, shared a memo with the Committee titled “Discussion of Citizen Relief Mechanisms” which was provided in advance of the meeting and included in the Agenda Packet.

Anna Corning recognized member Jim Stockard who asked the Collins Center representatives for clarification on language that was in Section I. Mass General Laws, referring to the City no longer being a Plan E city, which was in the memo provided by the Collins Center to the Charter Review. The Memo, Discussion of Citizen Relief Mechanisms, was provided in advance of the meeting and included in the Agenda Packet. Michael Ward responded and was able to provide more information.

Anna Corning recognized Marilyn Contrevas from the Collins Center, Patricia Lloyd and Michael Ward, who gave an overview of their memo on Citizen Relief Mechanisms. Committee Members were recognized for comments and suggestions and the team from the Collins Center were available to respond and clarify any questions that came forward.

Anna Corning shared that she would like to take a straw poll on the resident participation mechanisms to see which topics Committee members would be interested in discussing further and including them in the City Charter.

Free Petitions were voted in favor unanimously by the fifteen Committee members that were present. Citizen Initiatives had twelve members voting in favor. Referendum had six members voting in favor, and Recall had four members voting in favor. Anna Corning noted that these were not official votes and that this was just a tool to help the Committee continue to move forward with discussions.

Anna Corning gave an overview of a memo that was submitted from the Collins Center regarding Tracking of Council Measures. The memo was provided in advance of the meeting and included in the Agenda Packet. Anna Corning opened the discussion to Committee members. Many Committee members shared they were in favor of the language that was provided in the memo. Additionally, Committee members offered suggestions on how they believe the language could improve.

The Chair, Kathleen Born recognized member Jim Stockard who made a motion to adopt Public Tracking Mechanism of Council Policy Orders and other measures, as amended in Committee (Attachment A).

Clerk of Committees Erwin called the roll.

Kaleb Abebe – Yes

Jessica DeJesus Acevedo – Yes

Mosammart Faria Afreen – Yes

Nikolas Bowie – Yes

Kevin Chen – Yes

Max Clermont – Yes

Jennifer Gilbert – Absent

Kai Long – Yes
Patrick Magee – Yes
Mina Makarios – Yes
Lisa Peterson – Yes
Ellen Shachter – Yes
Susan Shell – Yes
Jim Stockard – Yes
Kathleen Born – Yes
Yes – 14, No – 0, Absent – 1. Motion passed.

Anna Corning reviewed the proposed drafted language for City Council Goal Setting, Budget priorities provisions, and the City Manager annual review provision. The team from the Collins Center, as well as Anna Corning, were available to respond to Committee members. Anna Corning shared that past suggestions that have been brought forward by Committee members have been added into the proposed draft language. Committee members offered additional suggestions on the proposed language and raised questions where they saw concerns in the draft language.

The Charter Review Committee adjourned at approximately 7:30p.m.

Attachment A - Public Tracking Mechanism of Council Policy Orders and other measures, as amended in Committee.

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 this meeting can be viewed at:

https://cambridgema.granicus.com/player/clip/565?view_id=1&redirect=true&h=37862a31da1059964dd49e7d37d543b7

Comments for Charter E Committee Members

Valerie Bonds <vbonds@icloud.com>

Thu 9/14/2023 4:31 PM

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

Good evening Members of the Charter E Committee,

I hope you are doing well.

I apologize for my recent absences.

I have a few thoughts. To share with you.

- I question the At Large concept of City Council members . We have had three incumbents visit our complex who live in Cambridgeport. I have yet to see or recall any incumbent candidates or new candidates involved in direct and personal outreach outside the community in which they reside. An exception to that would be the different neighborhood associations candidate forum yay Manu incumbents and new candidates attend throughout the city.

At the same time, I believe that the At -Large concept encourages all the City Councillors to be committed and accountable to our city, our neighborhoods, our residents, as well as those who work, study and visit.

Our system that requires, in this election , twenty-four individuals competing for the number one vote for nine seats often resulting with contentious gatherings to select a mayor and a need to deflate from the polarization occurring during campaign rhetoric directly or indirectly leveled at opponents during their campaigns.

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- I believe the Mayor should be directly elected by the residents of Cambridge. This would eliminate an unconscious need to placate those who supported the mayor's selection and would establish the mayor's allegiance to our community.
- The City Manager is someone who must have specific qualifications, expertise and a resume that prepares for financial administration of a city. All members of the city council may not have the skill set. The City Manager is public servant who does not make decisions based on the number of constituents ; the City Manager make decisions based on a belief of what is best for the city. The relationship between the City Manager and the city council should remain the same similar to a CFO with a Board of Directors contributing and the City Manager making the best decision for all.

Regards,

Valerie

M. Valerie A. Bonds

Rivermark aka 808-812 Memorial Drive Affordable Housing Complex
812 Memorial Drive
Cambridgeport

Draft2 Resident Assembly Text for CRC Discussion

Revised 09.20.23

I. OPTION ONE – More general approach

ARTICLE 10: PUBLIC COMMUNICATIONS AND ENGAGEMENT

SECTION 10-1 RESIDENT ASSEMBLY

In order to expand access to city government and include voices not typically heard in decision-making, the city council shall have the authority to establish and maintain a resident assembly. The assembly shall be created via a sortition, random representative sample, process to be provided by ordinance and shall be open to all citizen and non-citizen residents over the age of 16.

The council shall provide the assembly with its mission, authority, and responsibilities by ordinance.

The assembly shall discuss and deliberate on any items presented to it by the city council. These items can include, but are not limited to, the implementation of council goals, the consideration of proposed policies, or items raised via the initiative petition process provided in Section 10-2.

For any recommendation or proposal passed by the assembly by a simple majority of members present and voting, the council shall hold a public hearing on the matter not later than three months after notice is filed with the clerk of the council.

For any recommendation or proposal passed by the assembly by two-thirds of the members present and voting, the council shall hold a public hearing on the matter not later than three months after notice is filed with the clerk of the council. The council shall then take a vote on the matter not later than one month after the public hearing.

The assembly shall convene as provided by ordinance, but at least once annually. The assembly may create subcommittees or charge individual members with drafting recommendations for approval by the full assembly. The assembly shall provide a public report of its activities to the city council and the city manager.

The city shall take steps to remove barriers to participation. To ensure that participation is not a financial burden, assembly members shall be offered a stipend to be provided by ordinance, subject to appropriation. The stipend should be sufficient to compensate members for their time and for reasonable costs incurred by participation, including transportation to the meeting, dependent care, or similar expenses. The city shall provide interpretation and translation support and accessibility technology.

Subject to appropriation, the city shall provide resources for staff support to the resident assembly.

SECTION 10: TRANSITION

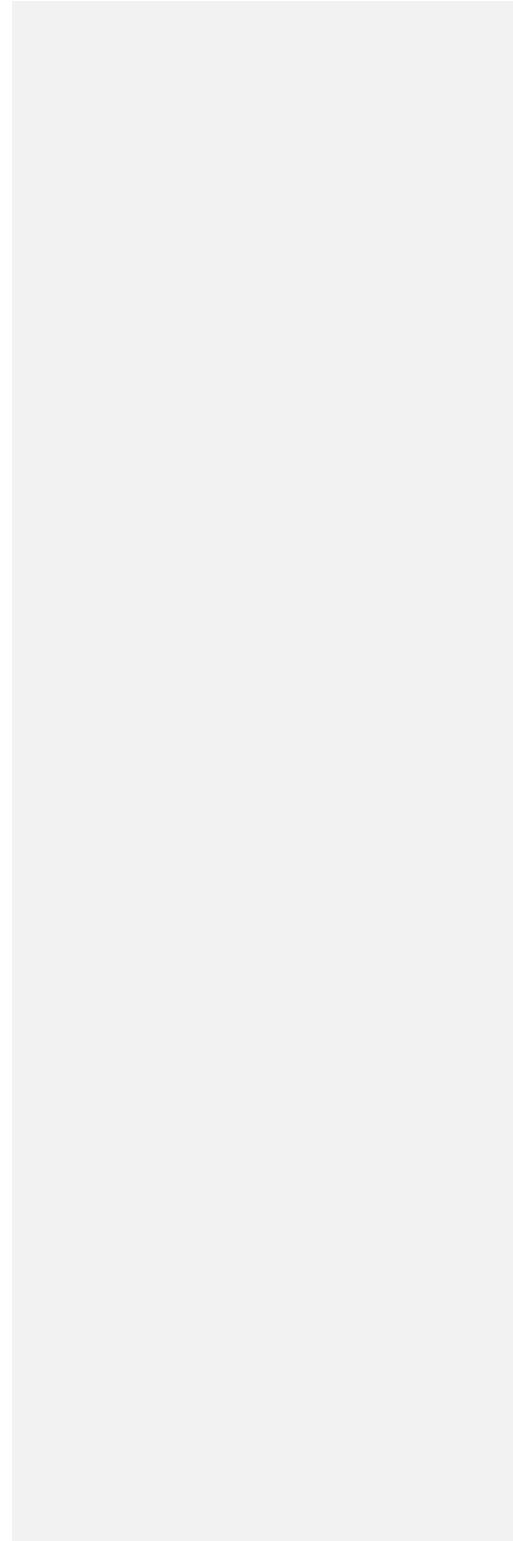
SECTION 10-1 RESIDENT ASSEMBLY

Commented [AC1]: Convened at least once annually.

Commented [AC2]: A report of its recommendations?

The establishment of a resident assembly is intended to create an inclusive and representative group of voices that are not traditionally heard in city government. The resident assembly shall be selected by sortition from the general population, with effort made to reach residents of all backgrounds and experiences. Within 12 months of the effective date of this charter, the city council, in consultation with the city manager, city clerk, and relevant experts in the field, will complete a study on the best method for implementing the resident assembly as provided in Section _. Within 18 months of the effective date of this charter, the city council shall enact ordinances establishing the resident assembly and commence the process of selecting members.

DRAFT



Article _ : Elections

As a result of numerous discussions on increasing turnout, equity, and diverse participation in Cambridge city elections, the elections working group is recommending the following additions or changes to the elections article of the Cambridge City Charter. Included is provision language that can be incorporated into the elections article, as well as some background on the provision within Cambridge, Massachusetts, and municipalities across the country.

1. Eligibility in Municipal elections.

Recommending to include two changes to eligibility, that the city council has previously submitted special acts to the state. 1) Lowering the voting age to 16 and 2) allowing non-citizens to vote in municipal Elections. Currently, there are six other communities in Massachusetts that have current special legislation at the state level to make one or both of these changes at the municipal level.

The Joint Committee on Elections Laws held a hearing on June 21st, 2023 where state representatives and senators as well as the public were able to make statements regarding these (and other election-related) changes. It's unclear what the next steps are for these pieces of legislation at the state level. <https://malegislature.gov/Events/Hearings/Detail/4610>

a. Allow 16-and-17 year olds who are otherwise eligible, to vote in all Cambridge municipal elections.

General Bill - <https://malegislature.gov/Bills/193/S438>

Cambridge Bill - <https://malegislature.gov/Bills/193/H3576>

Massachusetts

There are four other municipalities in Massachusetts that have current bills at the state legislature requesting this change. Including:

- Southborough - 17-year-olds
- Northhampton - 16/17-year-olds
- Somerville - 16/17-year-olds
- Boston - 16/17-year-olds

In previous sessions other municipalities have had bills before the legislature: Shelburn, Ashfield and Wendell.

U.S.

Outside of Massachusetts: Tacoma, MD currently allows 16-and 17-year-olds to vote in all local elections, as does Hyattsville, Takoma Park Greenbelt, and Riverdale Park, MD. Oakland and Berkley, CA have lowered the voting age to 16 for school board elections.

San Francisco recently, in 2016, put this charter amendment to voters and it was defeated 52 to 47 percent.

Arguments

Advocates of this change argue:

- Youth are highly affected by education policy and school board decisions

- “The 26th Amendment to the US Constitution, which lowered the voting age to 18, was passed because of the clear double standard of making 18-year-olds fight for their country when they didn’t have a political voice. The idea that anyone directly affected by political decisions should have a right to voice their opinions on such decisions should not be limited to only military conscription.”
- Youth are politically knowledgeable and score higher than their adult counterparts in civic understanding
- Youth voter participation can have a positive affect on turnout overall for a household, in addition to the early establishment of voting as a habit

Critics argue:

- Youth might lack the ability or motivation to efficiently engage in elections
- Some argue youth might not take the responsibility seriously or be knowledgeable enough on the issues presented

Resources:

[Classroom Magazines: Should Teens Be Allowed to Vote?](#)

[Youth Rights: Voting Age](#)

<https://journals.sagepub.com/doi/abs/10.1177/0002716210382395>

Professors Daniel Hart and Robert Atkins argue that 16- and 17-year-olds should be able to vote in both state and federal elections by identifying the core components of citizenship and illustrating that 16- and 17-year-olds possess them.

[Are People More Inclined to Vote at 16 than at 18? Evidence for the First-Time Voting Boost Among 16- to 25-Year-Olds in Austria](#)

Political scientists Eva Zeglovits and Julian Aichholzer examine voter turnout of people aged 16 to 17 in Austria and conclude lowering voting age contributes to higher voter turnout rates.

b. Allow non-citizens who are otherwise eligible, to vote in all Cambridge municipal elections.

General Bill - <https://malegislature.gov/Bills/193/H712>

Cambridge Bill - <https://malegislature.gov/Bills/193/H671>

Massachusetts

There are three other municipalities in Massachusetts that have current bills at the state legislature requesting this change. Including:

- Sharon - permanent resident aliens
- Amherst - lawful permanent residents
- Northhampton - noncitizens

Previously other municipalities have made an initiative or submitted bills before the legislature: Boston, Newton, Brookline, Wayland, Shelburn, Ashfield and Wendell.

U.S.

Outside of Massachusetts: Oakland, MD, and San Francisco, CA allow non-citizens to vote in school board elections. Eleven towns in Maryland enfranchised non-citizens for all local elections: Barnesville, Cheverly, Chevy Chase, Garrett Park, Glen Echo, Hyattsville, Martin’s Additions, Mount Rainier,

Riverdale Park, Somerset, Takoma Park. Two Vermont municipalities Montpelier and Winooski recently made this change, as did Washington, DC.

New York City City Council passed legislation in 2021 extending the right to vote in municipal elections to lawful permanent residents and other non-citizens authorized to work in the US (800,000 individuals). However, following a lawsuit in early 2023 claiming the law diluted the vote of “legitimate U.S. citizens.”. New York State Supreme Court for Staten Island overturned the law, ruling it violated the state constitution.

[Noncitizens’ Right to Vote Becomes Law](#)
[Noncitizens’ Voting Right Change - Ruling](#)

Arguments

Proponents:

- Supporters state that Noncitizens are established parts of the community, living, working, paying taxes, and attending school they deserve to have a say
- Supporters argue often timelines between work permission and citizenship can often take decades, leaving residents out of the political process

Opposition:

- Several states have made state constitutional amendments (with varying language) specifying only citizens are eligible to vote at all election levels including, Alabama, Colorado, Florida, Ohio, Louisiana, Arizona, Minnesota, and North Dakota.
- Opponents suggest this change will disincentivize non-citizens from striving to become lawful citizens.
- Similarly opponents argue it is a violation of the constitution

Resources

[Noncitizens allowed to vote spurs backlash](#)
[Understanding voting rights](#)
[Our City Our Vote](#)
[Ballotpedia - Arguments for and against noncitizen voting](#)

2. Change Municipal Elections to Even Years in November

Recently, Cambridge sees turnout rates typically in the low 30s for municipal elections and 50-80% in state and/or presidential elections. Within Massachusetts, cities and towns have similar or lower levels of turnout in their local elections.

Cambridge Election Turn Out

2022 State Election	52%
2021 Municipal Election	33%
2020 State/Presidential Election	75%

2019 Municipal Election	32%
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Several communities outside of Massachusetts have moved their municipal elections to even years including Florida, Washington, Texas, California, Colorado and New Mexico. Many of these changes are recent, so there isn't documentation on the change in turnout.

San Francisco previously elected their city council on even years and the mayor on odd years. Mayoral elections saw turnout rates in the low 40s, but in council/state/ president elections the turnout rate ranged from 65-85 percent.

California passed legislation requiring any city with turnout more than 25% lower in local elections than in the most recent presidential elections must change their city elections to even-years

Based on Cambridge election data, even year turnout is at least 1.5 and sometimes as high as 2.5 times higher than the previous years odd year turnout.

Possible Charter Language: "Regular Elections. The regular city election shall be held on the Tuesday following the first Monday, in November in each even-numbered year, and every 2 years thereafter. "

Argument:

Proponents:

- Elected officials are less responsive to the general public because they are only directly accountability to a small fraction of voters.
- Will have a positive effect on voter turnout
- Advocates also suggest this isn't a solution for all elections-related concerns including informed and engaged voters but is an important step to reduce barriers

Opponents:

- Logistical hurdles and complications in the implementation of this change, especially in Massachusetts where elections are run at the city level rather than the county level
- Another common criticism is that local politics will be drowned out by statewide and national races. And some question if it would lead to increased turnout but not engagement, or ballot drop-off.

Resources

[Governing: Voter Turnout Plummeting in Local Elections](#)

[Research Brief Odd Year vs Even Year Consolidated Elections in California](#)

[Governor Oks Consolidated Most Local Elections](#)

[Michigan House Votes](#)

[MUNICIPAL INSTITUTIONS AND VOTER TURNOUT IN LOCAL ELECTIONS](#)

[Boulder Voters Approve Move to Even Year City Council Elections](#)

[Committee - Elections Data](#)