

A PUBLIC MEETING OF THE CAMBRIDGE CHARTER REVIEW COMMITTEE

December 6, 2022 @ 5:30 p.m.
REMOTE ONLY – VIA ZOOM

Pursuant to Chapter 20 of the Acts of 2022 adopted by Massachusetts General Assembly and approved by the Governor, this meeting will be REMOTE ONLY via ZOOM.

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

Meeting ID: 832 5311 8929

One tap mobile

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Agenda Items – Tuesday, December 6, 2022

- I. Roll Call
- II. Introduction by Chair, Kathy Born
- III. Adoption of Meeting Minutes from meeting of November 8, and November 22, 2022
- IV. Meeting Materials Submitted to the Committee to be placed on file
 - Communications from Committee Members
 - Communications from Council Members
 - Communications from the Public
 - Other Meeting Materials
- V. Committee Values Statement Proposal (15 minutes)
 - **Facilitator:** Anna. **Goal:** Review final draft and take action
- VI. Review of Current Cambridge Charter Plan E and exemplar modern charter (30 minutes)
 - **Facilitator:** Libby and Anna. **Goal:** Discussion
- VII. **Question:** Does the committee want to amend the current plan E text or draft new language? (15 minutes)
 - **Facilitator:** Anna. **Goal:** Take action
- VIII. Review of forms of government: City Manager, Strong Mayor, Weak Mayor (30 minutes)
 - **Facilitator:** Libby and Anna. **Goal:** Introduction to forms of government
 - **Question:** What other information does the committee need to consider this decision? Do committee members have initial opinions on forms of government.

IX. Public Comment

- Members of the public are invited to share their ideas or comments with the committee

DRAFT

MINUTES OF THE CHARTER REVIEW COMMITTEE

Tuesday, November 8, 2022

The Cambridge Charter Review Committee held a meeting on Tuesday, November 8, 2022. The meeting was called to order at approximately 5:30 p.m. by the Chair of the Committee, Kathleen Born. Pursuant to Chapter 20 of the Acts of 2022 adopted by Massachusetts General Assembly and approved by the Governor, this public meeting was remote via zoom.

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

NAME	YES	NO	PRESENT	ABSENT
Kaleb Abebe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jessica Dejesus Acevedo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mosammat Faria Afreen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kathleen Born (Chairperson)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nikolas Bowie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Chen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Max Clermont	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jennifer Gilbert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kai Long	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patrick Magee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mina Makarious	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Peterson (joined at 5:40pm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ellen Shachter(joined at 5:40 pm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Shell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Stockard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VOTE TOTALS	13	0	0	2
	YES	NO	PRESENT	ABSENT

13 members recorded as present. 2 members recorded as absent.

The Chair opened the meeting with the Adoption of the Minutes of the October 25, 2022, meeting.

Chair Born recognized Member Jim Stockard who made a motion to adopt the minutes from the October 25, 2022, meeting. The motion was seconded by Member Susan Shell.

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

NAME	YES	NO	PRESENT	ABSENT
Kaleb Abebe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jessica Dejesus Acevedo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mosammat Faria Afreen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kathleen Born (Chairperson)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nikolas Bowie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Chen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Max Clermont	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Gilbert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kai Long	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patrick Magee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mina Makarious	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lisa Peterson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ellen Shachter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Susan Shell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Stockard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VOTE TOTALS	11	0	0	4
	YES	NO	PRESENT	ABSENT

The motion to amend the minutes from the October 25, 2022, meeting passed with 11 in the affirmative and 4 members recorded as absent.

The Chair brought forward the following Communications to the Committee to be placed on file:

- Communications from Committee Members
 - Communication from Chair Kathy Born
- Communications from Council Members
 - Communication from Councillor Patricia Nolan
- Communications from the Public
 - Communication from Jameson Quinn
 - Communication from robin Chen

Member Max Clermont stated that they had received a communication from a member of the public via Twitter DM, Chair Born allowed Member Clermont to read the Communication into the record and asked that it also be sent via email to the Charter Committee email address.

Chair Born recognized a motion from Member Max Clermont to place the Communications on file. The motion was seconded by Member Jim Stockard.

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

NAME	YES	NO	PRESENT	ABSENT
Kaleb Abebe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jessica Dejesus Acevedo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mosammat Faria Afreen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kathleen Born (Chairperson)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nikolas Bowie	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Chen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Mina Makarious	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lisa Peterson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ellen Shachter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Shell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Stockard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VOTE TOTALS	13	0	0	2
	YES	NO	PRESENT	ABSENT

The motion to place the Communications received by the Committee passed with 13 members voting in the affirmative and 2 members recorded as absent.

Chair Born introduced Elizabeth Corbo who presented the team from the Collin Center and their follow-up memo, the purpose of which is to align the themes and values discussed at the last meeting with the current Charter. Ms. Corbo identified emerging themes including enfranchising and equity, and how these tie in with the themes of participation and accessibility. Ms. Corbo stated that while some themes can't be addressed by the Charter, they were kept on the list. Ms. Corbo concluded the summary of the themes compiled in the memo with a question to the Committee of whether they would like to set a value statement where some of the emerging themes might be included. She then asked committee members for additional themes or questions.

Member Jessica Acevedo asked about stipends, specifically where does budget funding for these come from and who do stipends go to.

Member Ellen Schachter asked about incorporating technology and asked for clarification on how including this would not become obsolete quickly.

Member Susan Shell asked about deliberation beyond everyone getting a voice (good decision making) and whether the Charter has a role in changing the City's demographics (inclusive of working and middle class) and making it more people balanced.

Member Nikolas Bowie asked about how the committee will proceed, whether they will go through the charter section by section or start with key concepts and answer broader questions before narrowing down. He asked how concepts would be ordered (value statement) and what are the values that would be agreed upon. He asked what the method of decision making will be adopted by the committee. He also

asked for clarification on whether the value statement would be for the city (as in a preamble to the Charter), or values to guide decisions and operations of the committee

Chair Born asked about clarifying the process going forward and agreed that the committee might start by crafting a value statement.

Anna Corning presented a voting method called 'Fist to Five' as a method of gauging consensus among members to facilitate making decisions throughout the process, before making final votes.

Member Lisa Petersen asked if translation services should be required for the general operation of the city as a part of the theme of Enfranchising and Equity.

Member Jim Stockard stated that the committee should begin the discussion about the value statement saying that it's both important and limited and that he would look to the Collins Center to guide the committee through examples such as public financing of campaigning to increase diversity.

Elizabeth Corbo and **Michael Ward** engaged in conversation with the members, answering some of their questions and clarifying points in the memo. Ms. Corbo concluded the discussion of the memo by saying that once the committee decides how they want to proceed, the Collins Center will provide discussion memos, trend data, and research to inform discussions.

Member Susan Shell asked for clarification on what the value statement was particularly for (Committee or the preamble for the city overall). She stated that she would be uncomfortable making a value statement for the city overall.

Ms. Corbo stated that the only value statement being discussed was pertaining to the Charter Review Committee alone.

Chair Born recognized a motion from Member Nikolas Bowie to discuss a value statement for the ensuing 30 minutes, with a limit of 2 minutes per member. At the request of the Chair, the Clerk took a voice vote, all members voted in the affirmative to proceed as stated in the motion

The committee spent the next 30 minutes discussing ideas for creation of its value statement. The committee reviewed examples of value statements from other communities including Framingham and Somerville, with members suggesting ideas that they would like to have incorporated. Ms. Corbo guided the group by suggesting a 2-part solution of having a value statement and separate operating principles. Chair Born suggested that each member email values to Anna Corning and Patrick Hayes to compile and come up with an outline of values and principles for the writing committee to begin working off. Member Lisa Petersen stressed the importance of clarifying through the values the lens which the committee will define as critical in looking at the Charter. Member Nikolas Bowie made a motion to invite the Collins Center to craft a document that mirrors the City Council's division including the discussion of this and previous meetings. Anna Corning suggested that the committee members take this up, so that it is coming from the committee, with members Mina Markarious and Jessica Acevedo volunteering to work with the Collins Center to prepare such a document. Elliot Veloso (Cambridge Law Dept.) reminded the committee that there are minutes and notes to facilitate production of a committee-driven document. Member Patrick Magee suggested a friendly amendment to Member Bowie's motion that the volunteer members join with the Collins Center in a call to inform the work of the Collins Center on this document.

Chair Born recognized the motion from Nikolas Bowie that the Collins Center work with members of the Committee to draft a value statement. The motion was seconded by member Patrick Magee.

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

NAME	YES	NO	PRESENT	ABSENT
Kaleb Abebe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jessica Dejesus Acevedo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mosammat Faria Afreen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kathleen Born (Chairperson)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Ellen Shachter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Shell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Stockard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VOTE TOTALS	13	0	0	2
	YES	NO	PRESENT	ABSENT

The motion that the Collins Center work with members of the Committee to draft a value statement passed with 13 members voting in the affirmative and 2 members recorded as absent.

The Chair opened the floor to hear from member of the public (Public Comment)

A comment was read by Patrick Hayes that was received from Jameson Quinn

Member Nikolas Bowie made a motion to adopt the Collins Center recommendation to proceed by discussion of general topics, starting with the structure of government, rather than going line-by-line through the Charter.

Chair Born recognized Member Nikolas Bowie’s motion. The motion was seconded by Member Ellen Schachter

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

NAME	YES	NO	PRESENT	ABSENT
Kaleb Abebe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jessica Dejesus Acevedo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Kevin Chen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Max Clermont	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jennifer Gilbert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kai Long	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patrick Magee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mina Makarious	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa Peterson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ellen Shachter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Shell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Stockard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VOTE TOTALS	13	0	0	2
	YES	NO	PRESENT	ABSENT

The motion to adopt the Collins Center recommendation to proceed by discussion of general topics, starting with the structure of government, rather than going line-by-line through the Charter passed with 13 members voting in the affirmative and 2 members voting absent.

The meeting was adjourned at 7:35 pm.

Recommendations

Little Star of Ours <littlestarofours@gmail.com>

Wed 11/30/2022 10:01 PM

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

To whom this concerns,

As a charter committee member, I would like to make recommendations for the following based **on** the **11/22/22** Memo:

Inform - Create objective and accessible information for the Cambridge community to understand the basics of a charter, the current structure of Cambridge's government, how city government affects their daily lives, and the goal of the charter review committee. Provide information in multiple languages and across various platforms.

- Social media (launch social accounts for the CRC, post about upcoming meetings, leverage existing city social media to reach a broader audience)

- A strategic outreach plan that includes but is not limited to email and all major social media platforms.
- I would also recommend that marketing and information highlights our committee members to inform our networks of the importance of participation- also could be used as a newsletter to highlight our committee members
- Having committee members share information and meetings on personal or professional platforms
- Email blasts on the day of public meetings
- Outreach to all major news outlets and social media networks that are community-based or focused
- All methods of outreach should be consistent with a monthly or bi-weekly schedule
- Flyers that are created should be created for multi-purpose functions and sharing
- Create a Q.R. code for the website to add to the materials and the meetings
- Run ads
- Make a short video or voice Memo thread to share with the public
- Multi forms of communication, visuals, and representation in all materials

Consult - Provide space for a broad cross-section of the Cambridge community and stakeholders to provide input and comment on charter issues.

- I would like for the committee to formally invite Lauren Marshall Director of Marketing and Civic Engagement Cambridge Community Foundationlmarshall@cambridgecf.org; 617-872-6543 to discuss with committee members and the public inequities in Cambridge
- Source: <https://cambridgecf.org/new-research-report-shows-a-widening-income-gap-in-cambridge/>
- I would also like for the committee to invite Griffin & Strong formally, P.C. to conduct a Disparity Study on the City of Cambridge
- I would encourage the consults to find meetings spaces that are historically or socially relevant to help support committee learning and engagement
- Public comment (continue to have a public comment section of each committee meeting, advertise timing and sign up)
 - Outreach about public comment at least three times before meetings using diverse platforms and methods
 - Public meeting (host at least four public forums - 3 in person, one virtual - providing space for the public to comment on proposed topics and thoughtful dialogue amongst the public)
 - First, for inclusivity, I would recommend if any in-person event is held, also have a hybrid option for committee members and residents
 - I would also request that any in-person meeting date be held on a scheduled public meeting date to limit schedule issues to ensure full committee participation
 - I would also survey committee members about their comfort levels in person since the original commitment was Zoom
 - I would like to hear from a diverse representation of community members and leaders, including but not limited to city officials, city staff, parents, students, researchers, lawyers, teachers, and small business owners who operate in 1. Commercial 2. Residential 3. Small businesses, Minority / Women-Owned Businesses & Small, Locally-Owned Businesses, landlords, homeowners, and tenants.
 - Additional options to outreach: gyms, schools, grocery stores, senior residents, small businesses, and institutions that are members of the Cambridge community but make not be residents
 -
- Attend community group events (outreach to existing committee networks of community groups, schedule sessions for members to attend, inform and dialogue, examples: DSA, Children Voting Coalition)

- I would be happy to attend and report out on a school committee meeting or city council meeting
- Interactive Social Media (pose questions to the public, initiate conversations, ask for direct feedback on committee deliberations)
- I would recommend that we create a Facebook group to have an additional platform to engage with residents and share committee work
- Facebook also allows for polling and data tracking
- I would request that our information and flyers be implanted in the City of Cambridge newsletter
- Tabling at events (farmers markets, Cambridge city events, cultural events, etc.)
- I would recommend connecting with Cambridge Local First
- I would recommend connecting with Cambridge Somerville black business network
- I would recommend connecting with the Sustainable Business Network (SBN) of Massachusetts

Involve - Continuously work directly with the public to ensure issues and concerns are understood and addressed.

- Provide individuals or residents who submit public feedback also time to present to the committee members and public for 2-5 minutes. Automate this process to ensure they active participation and engagement is a priority on our agenda regularly

Propose that committee members conduct informal interviews or discussions with residents Inn small business owners

- Workshops (targeted around issue areas, dialogue between community members, and possible outside facilitator)
- Themes for potential workshops or community engagement events: community organizing, planning for retirement, family planning, minor business enhancement, parent-focused meetings to support the public and private schools,

Best,

Jessica D Acevedo, M.Ed.

Little Star of Ours, LLC

LittleStarofOurs.com

Family-Based Childcare

Cambridge, MA 02141

" Making a difference, one child at a time."

Draft Proposal: Values Statement

Purpose

The following is a proposed values statement that can work as a guide for the direction of the committee. This statement can be used to convey the priorities of this committee to the public and be a foundation for the committee to lean on in considering charter changes and making decisions.

Option 2: Committee Values Statement

This Cambridge Charter Review Committee strives to work effectively and efficiently to produce a recommendation that empowers equitable, just, and democratic opportunities for all individuals who make up our community.

Civility

- We will hold all committee members with equal decision making capabilities and acknowledge the dignity and humanity of the entire community.
- We will engage each other and the public with respect, tolerance, humility, and open-mindedness throughout the process.

Community

- We will work to engage a cross section of the community, focusing on historically marginalized groups, to incorporate interests of people of all income levels who work, live, pray, and learn in Cambridge to create equitable change in our local government.
- We will seek participation and feedback from residents, community organizations, youth, workers, businesses and other stakeholders in both virtual and in-person spaces and use engagement methods most accessible to them.

Social Justice

- We will strive to improve Cambridge's Charter by addressing the historical inequities built into the government foundation and power structures, acknowledging that Cambridge was built on land stolen from Indigenous people and built and financed by brutal slavery.
- We will strive to make the committee's work, communications, and deliberations transparent and available to the public.

Plan E Charter*

*Please note that the full text of the Cambridge Plan E Charter, as amended by three amendments effective January 1, 2022 (one added a paragraph to Section 105, and the two others added two subsections to Section 116), appears in its entirety below. It exists without the three amendments of January 1, 2022 within separate sections of The Commonwealth of Massachusetts General Laws Chapter 43, beginning with Section 93 and continuing in separate listings. See link immediately below:

<http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter43>

PLAN E: Government by a city council including a mayor elected from its number, and a city manager, with all elected bodies elected at large by proportional representation (from Chapter 43 of the Massachusetts General Laws)

*Chapter 43:
Section 93. Plan E; effective upon adoption* **Section 93.** The method of city government provided for in the following twenty-three sections shall be known as Plan E. Upon the adoption by a city of Plan E, it shall become operative as provided in sections one to forty-five, inclusive, except as otherwise provided by the following sections.

*Chapter 43:
Section 94.
Definitions* **Section 94.** The terms “city clerk” and “registrars of voters” when used in sections ninety-three to one hundred and sixteen, inclusive, shall have the respective meanings given them by section one of chapter fifty.

*Chapter 43:
Section 95.
Governing power of city council, etc.* **Section 95.** The government of the city and the general management and control of all its affairs shall, except as otherwise provided in this chapter, be vested in a city council, which shall exercise its powers in the manner hereinafter set forth, but subject to sections one to forty-five, inclusive, insofar as not inconsistent; except that the city manager shall have the authority hereinafter specified, that the general management and conduct of the public schools of the city and of the property pertaining thereto shall be vested in the school committee, and that the city clerk, the city auditor, any official of the city appointed by the governor and any trustees or other officers whose election by the voters of the city is required by reason of the fact that the city has accepted any gift, devise or bequest shall have the powers and duties which may be conferred and imposed upon them by law.

*Chapter 43:
Section 96. City council; membership; tenure* **Section 96.** The city council shall consist of seven or nine members, as provided in this section, all of whom shall, at each regular municipal election, be elected at large for terms of two years each by proportional representation as hereinafter provided and shall serve until their successors are qualified. The city council in any city having seven wards or less at the time of adoption of this plan shall be composed of seven members and the city council in any city having more than seven wards at the time of adoption thereof, nine members. Section eight of chapter thirty-nine shall apply to members of the city council. All trustees or other officers mentioned in section ninety-five shall at each regular municipal election be elected at large for terms of two years each by [proportional representation](#) as hereinafter provided.

*Chapter 43:
Section 97. City council; powers and duties; organization* **Section 97.** The city council shall have and exercise all the legislative powers of the city, except as such powers are reserved by this chapter to the school committee and to the qualified voters of the city.
The city council, elected as aforesaid, shall meet at ten o’clock in the forenoon of the first Monday of January following the regular municipal election, and the members of the city council shall severally make oath, before the city clerk or a justice of the peace, to perform faithfully the duties of their respective offices, except that any member-elect not present shall so make oath at the first regular meeting of the city council thereafter which he attends. For the purposes of organization, the city clerk shall be temporary chairman until the mayor or vice-chairman has qualified.

Thereupon the city council shall, by a majority vote of all the members elected, elect a mayor and a vice-chairman from its own members and the persons elected as such shall likewise make oath to perform faithfully the duties of the respective offices to which they are so elected, and they may so make oath at the same meeting at which they are so elected. The organization of the city council shall take place as aforesaid, notwithstanding the absence, death, refusal to serve or non-election of one or more of the members; provided, that a majority of all the members elected to the city council are present and have qualified. If the office of mayor or vice-chairman becomes vacant, the city council shall in like manner elect one of its members to fill such office for the unexpired term; provided, that no such vacancy shall be filled so long as there is any vacancy in the council.

*Chapter 43:
Section 98.
Meetings of city
council*

Section 98. The city council shall fix suitable times for its regular meetings. The mayor, or the vice-chairman of the city council, or any four members thereof, or any three members thereof in the case of a city council composed of seven members, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person or persons calling the same, to be delivered in hand to each member of the city council, or left at his usual dwelling place, at least twelve hours before the time of such meeting. Meetings of the city council may also be held at any time when all the members of the city council are present and consent thereto. Except in the cases of executive sessions authorized by section twenty-three A of chapter thirty-nine, all meetings of the city council shall be open to the press and to the public, and the rules of the city council shall provide that citizens and employees of the city shall have a reasonable opportunity to be heard at any such meeting in regard to any matter considered thereat.

*Chapter 43:
Section 99.
Quorum;
presiding officer;
duties of city
clerk; voting
procedure*

Section 99. A majority of all the members elected to the city council shall constitute a quorum. The mayor, if present, shall preside at the meetings and may vote. In the absence of the mayor, the vice-chairman of the city council shall preside and, in the absence of both, a temporary chairman shall be chosen, who shall serve during the absence of both the mayor and the vice-chairman. The city clerk shall be, ex-officio, clerk of the city council, and shall keep records of its proceedings; but, in case of his absence or disability or of a vacancy in the office, the city council shall elect a temporary clerk, who shall be sworn to the faithful discharge of his duties and shall act as clerk of the city council until the city clerk resumes his duties or a new city clerk is qualified. 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. The affirmative vote of a majority of all the members elected to the city council shall be necessary for the passage of any order, ordinance, resolution or vote, except that the affirmative vote of a majority of the members present shall be sufficient to adjourn any meeting of the city council.

*Chapter 43:
Section 100.
Mayor; official
head of city;
powers and
duties; vice-
chairman*

Section 100. The mayor shall be recognized as the official head of the city for all ceremonial purposes and shall be recognized by the courts for the purpose of serving civil process and by the governor for military purposes. In time of public danger or emergency, as determined by the city council, he may, with its consent, take command of the police, maintain order and enforce the laws; and he shall have all the authority and powers conferred upon mayors by sections eighteen and nineteen of chapter thirty-three. He shall be chairman of the city council and chairman of the school committee. He shall have no power to veto but shall have the same powers as any other member of either such body to vote upon all measures coming before it. He shall perform such other duties consistent with his office and with sections ninety-three to one hundred and sixteen, inclusive, as may be imposed upon him by the city council. During the absence or disability of the mayor, or during the time such office is vacant, his duties shall be performed by the vice-chairman. In case, at any time, there shall be neither a mayor nor a vice-chairman, the member of the council senior in length of service, or, if more than one have so served, then the member senior both in age and length of service shall perform the duties of mayor until a new mayor has qualified. The mayor shall have no power of appointment, except of the employees mentioned in section twenty-five and except as provided in section one hundred and two.

*Chapter 43:
Section 101.
Repealed, 1952,
259, Sec. 3*

*Chapter 43:
Section 102.
Vacancies in
elective bodies*

Section 102. Except as provided in this section, a vacancy in any elective body shall be filled in the manner provided in section thirteen of chapter fifty-four A. If, under said section, no regularly nominated candidate of the city council or school committee remains, the vacancy shall be filled for the unexpired term by a majority vote of the remaining members, except that if the remaining members fail to fill such vacancy within thirty days after they shall have been notified by the city clerk that such vacancy exists, such vacancy shall be filled by the appointment of any qualified voter of the city by the mayor, or, if there is no mayor, by the vice-chairman, or if there is no mayor or vice-chairman, by the member of the council or of the school committee, as the case may be, senior in length of service, or, if more than one have so served, then the member senior both in age and length of service.

Chapter 43: **Section 103.** The city council shall appoint a city manager who shall be sworn to the faithful performance of his duties and who shall be the chief administrative officer of the city and shall be responsible for the administration of all departments, commissions, boards and officers of the city, whether established before its adoption of this plan or thereafter, except that of the city clerk, city auditor, any official appointed by the governor or any body elected by the voters of the city. He shall be appointed on the basis of his administrative and executive qualifications only, and need not be a resident of the city or commonwealth when appointed. He shall hold office during the pleasure of the city council and shall receive such compensation as it shall fix by ordinance. No member of the city council shall during his term of office be chosen as city manager, and no person who has within two years been elected to or served in any elective office in the city or in the county in which the city is located shall be chosen as city manager.

Before the city manager may be removed, if he so demand, he shall be given a written statement of the reasons alleged for his removal and shall have the right to be heard publicly thereon at a meeting of the city council prior to the final vote on the question of his removal, but pending and during such hearing the city council may suspend him from office. The action of the city council in suspending or removing the city manager shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such suspension or removal in the city council. In case of the absence, disability or suspension of the city manager, the city council shall designate the head of some department to perform the duties of city manager during such absence, disability or suspension, and, in case the office of city manager becomes vacant, the city council shall designate the head of some department to serve as acting city manager until a new city manager is appointed.

Chapter 43: **Section 104.** Except as otherwise specifically provided in this chapter, it shall be the duty of the city manager to act as chief conservator of the peace within the city; to supervise the administration of the affairs of the city; to see that within the city the laws of the commonwealth and the ordinances, resolutions and regulations of the city council are faithfully executed; and to make such recommendations to the city council concerning the affairs of the city as may to him seem desirable; to make reports to the city council from time to time upon the affairs of the city; and to keep the city council fully advised of the city's financial condition and its future needs. He shall prepare and submit to the city council budgets as required of the mayor by section thirty-two of chapter forty-four and, in connection therewith, may, to the extent provided by said section thirty-two in the case of a mayor, require the submission to him, by all departments, commissions, boards and offices of the city, of estimates of the amounts necessary for their expenses. He shall make all appointments and removals in the departments, commissions, boards and offices of the city for whose administration he is responsible, except as otherwise provided in this chapter, and shall perform such other duties as may be prescribed by this chapter or be required of him by ordinance or resolution of the city council. The city manager shall have and possess, and shall exercise, all the powers, rights and duties, other than legislative, had, possessed or exercised, immediately prior to the adoption of this plan, by the mayor, board of aldermen, common council and all other boards, commissions and committees of the city and their members, severally or collectively, except such as are by this chapter conferred upon the school committee or are otherwise provided for thereby.

*Chapter 43:
Section 105. City
officers and
employees;
appointments
and removals*

Section 105. Such officers and employees as the city council, with the advice of the city manager, shall determine are necessary for the proper administration of the departments, commissions, boards and offices of the city for whose administration the city manager is responsible shall be appointed, and may be removed, by the city manager. The city manager shall report every appointment and removal made by him to the city council at the next meeting thereof following such appointment or removal. The city manager may authorize the head of a department, commission or board, or the holder of an office, for whose administration he is responsible, to appoint and remove subordinates in such department, commission, board or office. All appointments by, or under the authority of, the city manager, if subject to chapter thirty-one and the rules and regulations made under authority thereof, shall be made in accordance therewith, and all other appointments as aforesaid shall be on the basis of executive and administrative ability and training and experience in the work to be performed.

The City Manager shall refer to the City Council and simultaneously file with the Clerk the name of each person the City Manager desires to appoint or reappoint as a member of a board or commission. Appointment of a member of a board or commission made by the City Manager will be effective upon a majority vote of the city council, which vote shall occur within 60 days after the date on which notice of the proposed appointment was filed with the City Clerk. The appointment may be approved or rejected by a majority of the full City Council before 60 days. An appointment or reappointment shall take effect if the City Council fails to act within those 60 days.

*Chapter 43:
Section 106.
Officers and
employees;
regulations;
penalty for
violations*

Section 106. Officers and employees of the city appointed by, or under the authority of, the city manager shall perform the duties required of them by the city manager, under general regulations of the city council. Any violation of this section shall constitute sufficient grounds for removal of any such officer or employee.

*Chapter 43:
Section 107.
Interference with
city manager by
council
forbidden;
penalty*

Section 107. Neither the city council nor any of its committees or members shall direct or request the appointment of any person to, or his removal from, office by the city manager or any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in that portion of the service of said city for whose administration the city manager is responsible. Except for the purpose of inquiry, the city council and its members shall deal with that portion of the service of the city as aforesaid solely through the city manager, and neither the city council nor any member thereof shall give orders to any subordinate of the city manager either publicly or privately. Any member of the city council who violates, or participates in the violation of, any provision of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both, and upon final conviction thereof his office in the city council shall thereby be vacated and he shall never again be eligible for any office or position, elective or otherwise, in the service of the city.

*Chapter 43:
Section 108.
Solicitation of
political
contributions by
employees;
penalties*

Section 108. No employee of any department, board or commission of the city shall, directly or indirectly, solicit or receive, or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political party, for any candidate for city office or for any political committee organized on behalf of such candidate. This section shall not prevent such persons from being members of political organizations or committees. The soliciting or receiving of any gift, payment, contribution, assessment, subscription or promise of money or other thing of value by a non-elected political committee organized to promote the candidacy for city office of an employee of any department, board or commission of the city shall not be deemed to be a direct or indirect solicitation or receipt of such contribution by such person, provided, however, that no such gift, payment, contribution, assessment, subscription or promise of money or other thing of value may be solicited or received on behalf of such a person from any person or combination of persons if such person so employed knows or has reason to know that the person or combination of persons has an interest in any particular matter in which the person so employed participates or has participated in the course of such employment or which is the subject of his official responsibility. A person who violates any provision of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both such fine and imprisonment, and upon final conviction thereof the office or position in the service of the city held by such person shall be vacated and such person shall not be eligible for an office or position, elective or otherwise, in the service of the city.

*Chapter 43:
Section 109.
Regular
municipal
election; date*

Section 109. The regular municipal election under this plan shall take place on the Tuesday next following the first Monday of November in every odd numbered year, and all members of the city council, the school committee and any board of trustees or other officers referred to in section ninety-five, and no others, shall be elected at each such election.

*Chapter 43:
Section 110.
Candidates;
statement and
petition*

Section 110. Any registered voter of the city who is eligible for election to any elective municipal body shall be entitled to have his name printed as a candidate therefor on the official ballot to be used at the regular municipal election; provided, that at least twenty-eight days prior to such election there shall be filed with the city clerk a statement in writing of his candidacy, signed by him, and with such statement the petition of not less than fifty nor more than one hundred registered voters of the city, whose signatures shall have been certified as required by law. Except as aforesaid, no person shall be entitled to have his name printed as a candidate on such ballot. Said statement and petition shall be in substantially the following form:

Statement of Candidate

I (), on oath declare that I reside at (number, if any) on (name of street) in the city of ; that I am a voter therein, qualified to vote for a candidate for the hereinafter mentioned office; that I am a candidate for the office of (name of office) to be voted for at the regular municipal election to be held on Tuesday, the day of , nineteen hundred and ; and I request that my name be printed as such candidate on the official ballot for use at said election.

(Signed) Commonwealth of
Massachusetts

ss.

Subscribed and sworn to at () on this day of , nineteen hundred and before me,

(Signed)

Justice of the Peace.

(or Notary Public).

Petition Accompanying Statement of Candidate

Whereas (name of candidate) is a candidate for the office of (state the office), we, the undersigned, voters of the city of , duly qualified to vote for a candidate for said office, do hereby request that the name of said (name of candidate) as a candidate for said office be printed on the official ballot to be used at the regular municipal election to be held on the Tuesday of , nineteen hundred and . The petition may be on one or more papers and need not be sworn to.

*Chapter 43:
Section 111.
Nomination
papers*

Section 111. Any nomination papers filed under section one hundred and ten bearing more than the maximum number of signatures permitted thereby shall be invalid. No voter may sign the nomination papers of more than one candidate for election as a member of any elective municipal body; and if a voter signs nomination papers of more than one such candidate his signature shall be invalid on all such papers except the one first acted upon by the registrars of voters.

*Chapter 43:
Section 112.
Ballots; form
and contents*

Section 112. There shall be a separate form of ballot for each body to be elected, and each such separate form of ballot shall be of a different and clearly distinguishable color from that of any other form of ballot prepared and furnished at the public expense for use at the same election. On such ballots for use in electing members of any elective body there shall be printed the following directions to voters, the first sentence under the heading to be printed in prominent bold faced type:

DIRECTIONS TO VOTERS

Do not use X marks.

Mark your choices with numbers only.

Put the figure 1 opposite your first choice; the figure 2 opposite your second choice; the figure 3 opposite your third choice; and so on. Mark as many choices as you please.

Do not put the same figure opposite more than one name.

If you spoil this ballot, tear it across once, return it to the election officer in charge of the ballots and get another from him.

No official ballot used at any regular municipal election shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything showing how he was nominated or indicating his views or opinions.

*Chapter 43:
Section 113.
Preparing
ballots, etc.;
procedure*

Section 113. The provisions of sections five, six and seven of [chapter fifty-four A](#) and so much of section eight thereof as relates to the order of polling places by which ballots are to be counted shall apply with respect to municipal elections in a city adopting this plan.

*Chapter 43:
Section 114.
Counting of
ballots;
procedure*

Section 114. As soon as the polls have closed, the election officials at each polling place shall seal the ballot box without opening it, and in such manner that ballots cannot be removed therefrom or inserted therein without breaking the seal, and shall deliver such ballot box at once, as the city clerk may direct, to the central counting place, together with the voting lists, a record of the ballot box register, a record of the number of ballots given out, the ballots spoiled and returned, and the ballots not given out, all of which shall be enclosed in an envelope, and the election officials shall certify thereon as to the identity of the contents thereof. At the central counting place the ballot boxes shall be opened and the number of ballots found therein recorded and compared with the records sent from the polling places. Any discrepancies discovered shall be recorded and dealt with according to the principles laid down by the general election laws, so far as such principles may be applicable. The ballots for the city council shall be counted first and the ballots for the school committee shall be counted second. Ballots cast for other purposes than the election of members to elective bodies shall be counted at the central counting place in accordance with the laws otherwise applicable to the counting thereof. No information regarding the state of the balloting shall be disclosed before the close of the polls.

*Chapter 43:
Section 115.
Repealed, 1972,
596, Sec. 1*

*Chapter 43:
Section 116.
General election
laws;
applicability*

Section 116. Except as otherwise provided in this chapter, all regular elections held under this plan shall be subject to all general laws relating to elections and corrupt practices, so far as applicable and not inconsistent with this chapter.

Section 116(a). Annually the City Council shall prepare and deliver to the City Manager a written review of the City Manager's performance in a manner provided by ordinance.

Section 116(b). Not later than July 1, in each year ending in a 2, the City Council shall provide for a review to be made of the city charter by a special committee to be established by ordinance. All members of the special committee shall be voters of the city not holding elective office. The special committee shall file a report with the City Council within 1 year of its appointment recommending any changes to the city charter which it deems necessary or desirable, unless an extension is authorized by vote of the City Council. Action on any proposed charter changes shall be as authorized by the Massachusetts constitution or general laws

Summary Exemplar Charter

(Summary of from modern municipal charters for Cambridge's consideration)

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The Preamble is an optional section in which the City can articulate value statements for the City operation (as opposed to the Committee's operation).

PREAMBLE

General guidelines for preambles:

- While value statements can be incorporated, the more contentious a piece of work is the less likely it is to get the approval required for implementation.
- Preambles should be a collective vision of the charter that is shared by the community
- Length should be minimal. The preamble to the US Constitution has 52 words. The longest Massachusetts municipal charter preambles we are aware of are Watertown (169 words) and Harvard (156 words) and these are at the high end of what should be contained in a charter preamble.

ARTICLE 1
INCORPORATION; SHORT TITLE; DEFINITIONS

SECTION 1-1: INCORPORATION

SECTION 1-2: SHORT TITLE

SECTION 1-3: DIVISION OF POWERS

SECTION 1-4: POWERS OF THE CITY

SECTION 1-5: CONSTRUCTION

SECTION 1-6: INTERGOVERNMENTAL RELATIONS

SECTION 1-7: DEFINITIONS

- Definition of key terms, such as days, quorum, City agency, department, multiple member body.

This is where the Charter begins to define the division of powers between the executive and legislative branch. It will look different depending on what that Committee decided for the form of government – Mayor vs. City Manager.

ARTICLE 2 LEGISLATIVE BRANCH

SECTION 2-1: COMPOSITION; TERM OF OFFICE; ELIGIBILITY

- how the Council is composed, how many councilors, ward vs. at-large, 2 vs. 4 years, qualifications for office (ex: resident, voter).

SECTION 2-2: MAYOR (OR PRESIDENT AND VICE-PRESIDENT), ELECTION; TERM; POWERS

- how Council leadership is established (ex: highest vote getter from general election, election among council members, most senior), term of office and duties (ex: agenda setting, conducting meetings etc., right to vote, appointment of committees)

SECTION 2-3: PROHIBITIONS

- whether City Council members can hold other compensated positions for the City, appointed / volunteer positions, length of prohibition (some extend after term is complete), may place limits on Councilors giving direction to department heads

SECTION 2-4: COMPENSATION

- whether Councilors are compensated and how compensation shall be fixed (ex: by ordinance) and limitations on adjustment of compensation (ex: has to be established by / when takes effect)

SECTION 2-5: GENERAL POWERS

- scope of authority (typically broad, limited by General laws or charter)

SECTION 2-6: EXERCISE OF POWERS; QUORUM; RULES

- how authority is exercised, what constitutes a quorum, rules of procedure, roll call votes, how meetings are called, public comment / access, special meetings of the Council, notice, keeping of minutes.

SECTION 2-7: ACCESS TO INFORMATION

- how the City Council gains access to City information, including information from City Departments and the Mayor / Manager (calling department heads / Manager to meetings, notice, time for response to information requests from Council)

SECTION 2-8: APPOINTMENTS OF THE CITY COUNCIL

- whether the City Council is allowed to appoint staff, how compensation is determined, method of removal / suspension of City Council Staff.

SECTION 2-9: ORDINANCES AND OTHER MEASURES

- how ordinances are established, requirement of mayor approval / veto, emergency measures, raising a “charter objection” to voting on a measure (postponing a vote).

SECTION 2-10: CITY COUNCIL CONFIRMATION OF CERTAIN APPOINTMENTS

- whether City Council should be required to confirm appointments of the Mayor / Manager, how that confirmation occurs, limitations on ability to reject appointments, time period.

SECTION 2-11: FILLING OF VACANCIES

- how a vacancy on City Council is filled and the term of the replacement member.

This is further definition of the division of powers between the executive and legislative branch. It will look different depending on what that Committee decided for the form of government – Mayor vs. City Manager.

ARTICLE 3 EXECUTIVE BRANCH

SECTION 3-1: CITY MANAGER / MAYOR: QUALIFICATIONS; APPOINTMENT/ TERM OF OFFICE; COMPENSATION; PROHIBITIONS

- the appointment method (selection by electorate, appointment by City Council, the quantum of vote required to confirm, the term of office, qualifications – registered voter, resident, or otherwise), prohibition on holding other elective public office, term of office (when it commences, length, swearing in). Compensation, how fixed and limitations on adjustment of compensation (ex: has to be established by / when takes effect)

SECTION 3-2: EXECUTIVE POWERS; ENFORCEMENT OF ORDINANCES

- establishes how executive branch authority (including responsibility for enforcement of the charter, laws, ordinances and other city orders) is exercised, including general supervision of city departments and agencies. Defines head of the executive branch's role in relation to departments, multiple member bodies, ex officio roles.

SECTION 3-3: APPOINTMENTS BY CITY MANAGER / THE MAYOR

- defines the appointment authority of the head of the executive branch and specifies limitations (ex: appoints department heads subject to approval of CC, or members of multiple member bodies), whether authority can be delegated, and timeframes and procedures for filling vacancies.

SECTION 3-4: TEMPORARY APPOINTMENTS TO CITY OFFICES

- how vacancies are handled while a permanent appointment is pending.

SECTION 3-5: COMMUNICATIONS; SPECIAL MEETINGS

- the preferred method of communication between the executive head and City Council (ex: the Mayor / Manager shall by written communication, keep the council fully informed of the financial and administrative condition of the city) and whether the executive head has the authority to call a meeting of City Council, and the protocols for calling a “special” meeting.

SECTION 3-6: APPROVAL OF CITY MANAGER / MAYOR, VETO

- whether ordinances, resolutions or votes by city council require approval or action by the head of the executive branch, and if so, the process required and timeframes. Whether the City Council can override with a 2/3 or another quantum of vote.

SECTION 3-7: TEMPORARY ABSENCE OF THE CITY MANAGER / MAYOR

- protocols for when there is a temporary absence of the head of the executive branch, including who declares absence / inability to perform, appointment process of person in acting capacity, and the authority / limitations of person appointed in acting capacity.

SECTION 3-8: DELEGATION OF AUTHORITY BY CITY MANAGER / MAYOR

- authority to delegate powers, limitations and revocation of delegation of authority.

SECTION 3-9: VACANCY IN OFFICE OF CITY MANAGER / MAYOR

- in contrast to a temporary vacancy, this section addresses protocols for handling a permanent vacancy in the office of the head of the executive branch. Addresses whether person is appointed in an acting capacity, whether filled by appointment or special election, and the timeframes involved.

ARTICLE 4 SCHOOL COMMITTEE

SECTION 4-1: COMPOSITION; TERM OF OFFICE; ELIGIBILITY

- establishes the composition of the school committee (how many members, at-large vs. ward, whether the head of executive or legislative has a role, the term of office, qualifications (ex: resident, voter), addresses issue of elected member who becomes ineligible (ex: moves from ward or out of district).

SECTION 4-2: SCHOOL COMMITTEE CHAIR. VICE CHAIR. CLERK (if applicable)

- how Committee leadership is established (ex: election among council members, most senior), term of office (typically a year) and duties (ex: agenda setting, conducting meetings etc., right to vote, appointment of committees)

SECTION 4-3: PROHIBITIONS

- limitations on ability to hold other elected or appointed positions and the duration of any limitations

SECTION 4-4: COMPENSATION

- whether Committee members are compensated and how compensation shall be fixed (ex: by ordinance) and limitations on adjustment of compensation (ex: has to be established by / when takes effect)

SECTION 4-5: SCHOOL COMMITTEE POWERS AND DUTIES

- restates authority conferred by general laws and any additional authority provided by Charter (ex: role in school building projects, school maintenance)

SECTION 4-6: FILLING OF VACANCIES

- how a vacancy on the Committee is filled (whether by appointment, joint appointment, election), timeframes and the term of the replacement member.

ARTICLE 5 ADMINISTRATIVE ORGANIZATION

SECTION 5-1: ORGANIZATION OF CITY AGENCIES

- defines the authority for determining the administrative organization for the City and its divisions and departments and prescribes the process for making changes to the City's organizational structure (ex: if consolidating departments, the authority for making that decision and the process for accomplishing a reorganization).

SECTION 5-2: MERIT PRINCIPLES

- general statement about fitness for position being qualifying factor in hiring, (anti-nepotism)

ARTICLE 6 FINANCIAL PROCEDURES

SECTION 6-1: FISCAL YEAR

SECTION 6-2: ANNUAL BUDGET MEETING

- establishes the timeframe for budget meetings and any required participants

SECTION 6-3: SUBMISSION OF OPERATING BUDGET; BUDGET MESSAGE

- establishes the process for budget development and the timeframe for budget submission

SECTION 6-4: ACTION ON THE OPERATING BUDGET

- establishes the protocols for adopting the budget, including holding of public hearings, ability to modify, reject, timeframe for adoption and posting requirements

SECTION 6-5: CAPITAL IMPROVEMENT PROGRAM

- establishes the protocols for creating and adopting the capital budget

SECTION 6-6: INDEPENDENT AUDIT

- authority and protocol for independent audit process

SECTION 6-7: EXPENDITURES IN EXCESS OF APPROPRIATIONS

- restatement of prohibition of expenditures beyond appropriations

ARTICLE 7 ELECTIONS

SECTION 7-1: PRELIMINARY ELECTIONS

- establishes the dates of the preliminary election, including date for preliminary election to fill a vacancy

SECTION 7-2: PRELIMINARY ELECTION PROCEDURES

- establishes the number of certified signatures required for each office, and the form required, including the date the forms are available, the position names appear on the ballot, how candidates for the ballot are determined (highest number of votes, resolution of ties) and defining the conditions under which no preliminary election is required (ex: uncontested)

SECTION 7-3 REGULAR CITY ELECTION

- establishes date of regular city election

SECTION 7-4: BALLOT POSITION, REGULAR CITY ELECTION

- establishes the order in which candidate names appear on the ballot

SECTION 7-5: NON-PARTISAN ELECTIONS

- restates that local elections are non-partisan

SECTION 7-6: WARDS

- establishes number of wards, and timeframe for review of wards (process of establishing the ward boundaries is defined outside of the Charter)

SECTION 7-7: APPLICATION OF STATE GENERAL LAWS

- restating that unless otherwise provided in the Charter, City elections are governed by Massachusetts General Laws.

Articles regarding citizen participation define optional mechanisms that allow citizens to directly (as opposed to through the legislative branch) participate in government by creating laws, overturning laws, and removing elected officials.

ARTICLE 8 CITIZEN PARTICIPATION MECHANISMS

SECTION 8-1: FREE PETITION

- provides mechanism for citizens to petition government, and signature requirement necessary to compel action / response from the government body petitioned (ex: petition to establish bike lanes in certain area may require 150 signatures from registered voters to compel a public hearing by city council). Also includes notice requirements for action, and limitations (ex: no hearing shall be required on any one subject more than 1x every 12 months).

SECTION 8-2: CITIZEN INITIATIVE MEASURES

- process for requesting that the legislative body (city council or school committee) pass a certain measure, including number of signatures required, review by city solicitor, submission to city clerk, and review by registrars or election commissioners. Also includes the timeframe for acting on citizen initiative measures, presumption of rejection if inaction, supplemental petitions (if rejected by legislative body, may bring petition direct to ballot), publication requirements, form of question on ballot and the time the measure takes effect if passed by voters.

SECTION 8-3: CITIZEN REFERENDUM PROCEDURES

- process for requesting that the legislative body (city council or school committee) reconsider action on a measure, including signature requirements and other protocols provided above in section 8-2. Also includes submission to voters via ballot at special election or regular election.

SECTION 8-4: INELIGIBLE MEASURES

- list of actions that are exempt from citizen initiative / referendum process

SECTION 8-5 RECALL

- establishes process for citizen petition to remove elected official from office, including affidavit process, signature requirement for affidavit and petition, timeframe, process of election, form of ballot question, actions of office holder pending recall election, process for filling vacancy from recalled office holder, and effect of recall on office holder's ability to be appointed to other city positions.

SECTION 8-6: REQUIRED VOTER PARTICIPATION

- establishes minimum number of voters participating in election required for citizen initiative measure to be valid

SECTION 8-7: SUBMISSION OF OTHER MATTERS TO VOTERS

- ability of city council / school committee to submit a voter referendum provision

SECTION 8-8: CONFLICTING PROVISIONS

- when two conflicting measures are passed at the same election, this provision establishes which shall take effect (ex: the measure receiving the greatest number of votes)

ARTICLE 9 GENERAL PROVISIONS

SECTION 9-1: CHARTER CHANGES

- process for amending charter

SECTION 9-2: SPECIFIC PROVISION TO PREVAIL

- restates general principle that specific language prevails over more general provisions

SECTION 9-3: RULES AND REGULATIONS

- establishes effective date for “rules and regulations” adopted by city agencies and location where copies of such rules shall be filed / maintained.

SECTION 9-4: PERIODIC REVIEW OF ORDINANCES

- establishes interval for review of ordinances and procedures for review (ex: establishing a committee etc.)

SECTION 9-5: PERIODIC REVIEW OF CHARTER

- establishes interval for review of charter and procedures for review (ex: establishing a committee etc.)

SECTION 9-6: UNIFORM PROCEDURES GOVERNING MULTIPLE-MEMBER BODIES

- establishes basic requirements for all MMBs including officers required, meeting requirements, notices, quorum, recording of votes and filing / maintenance of document requirements.

SECTION 9-7: REFERENCES TO GENERAL LAWS

SECTION 9-8: COMPUTATION OF TIME

- how time is computed (ex: when counting days are holidays, weekends included)

SECTION 9-9: OATHS OR AFFIRMATIONS

- process for administering oaths / affirmations, including persons authorized to administer oaths, date/timing, and the process for recording.

SECTION 9-10: CERTIFICATE OF ELECTION OR APPOINTMENT

- provides how elections / appointments shall be recorded and maintained and record of oaths / affirmations shall be documented

SECTION 9-11: LIMITATION ON OFFICE HOLDING

- specifies limitations on holding multiple offices, or positions of employment within the City and process for obtaining a waiver

SECTION 9-12: FELONY CONVICTION

- effect of felony conviction on ability to hold elected office

SECTION 9-13: GROUP HEALTH AND LIFE INSURANCE

- eligibility of elected official to participate in group health or life insurance and other City benefit programs

SECTION 9-14: ENFORCEMENT OF CHARTER PROVISIONS

- responsibility for charter enforcement, and process for filing notice of charter compliance objection

ARTICLE 10 TRANSITION PROVISIONS SECTION

SECTION 10-1: CONTINUATION OF EXISTING LAWS

- provides that existing laws not otherwise repealed by the Charter shall continue in full force and effect

SECTION 10-2: CONTINUATION OF GOVERNMENT AND ADMINISTRATION

- provides that all City agencies and officials shall continue to perform their duties

SECTION 10-3: TRANSFER OF RECORDS AND PROPERTY

- provides that where the Charter reassigns duties / powers between City agencies, the corresponding records and property are also reassigned

SECTION 10-4: CONTINUATION OF PERSONNEL

- provides that personnel shall continue to fulfill their role until duties have been otherwise assigned to another person or City agency

SECTION 10-5: EFFECT ON OBLIGATIONS, TAXES, ETC.

- provides that the City's legal obligations and debts shall remain in full force and effect

SECTION 10-6: DISPOSITION OF CERTAIN SPECIAL ACTS

- list of special acts recognized and retained

SECTION 10-7: TIME OF TAKING EFFECT TBD

- specifies when Charter provisions shall take effect (ex: immediately upon passage, within 6 months of effective date, within a year of effective date)

ADDENDUM

Excerpt from Collins Center Memo 1, dated March 11, 2021

LINK TO FULL MEMO HERE: [Cambridge Charter Review Project Memo1 - 03.11.21.pdf](#)

Typical Massachusetts municipal charters written in the last 30 years contain nine or ten articles, often in the same order. The charter below provides a comparison of what is included in each common article of modern charters with what Plan E includes to address the topic.

Typical Article	Content of Typical Charter Article	How Plan E Addresses The Topic
Incorporation, etc.	Affirms the status of municipalities and their authority under state law; identifies the form of government	Implied, as Plan E authorized by state law
Legislative	Composition, term, powers, and duties of the council	Plan E contains all these features, term, powers, and duties of the council
Executive	Identifies mayor or manager as chief executive; defines authority and responsibilities	Plan E identifies the city manager as having authority/responsibility for all city functions
School Committee/Other Elected Officials	Composition, term, powers, and duties of the school committee	Plan E contains all these features
Organization	Provides for adoption of ordinances or administrative code defining departments, boards, offices, etc. Allows for combining, dissolving, or similar organizational changes	Not addressed in the Plan governments
Finance	Describes budget process and timelines, capital plan requirements, preparation of financial forecasts, approval of budget transfers. Some recent charters include process for setting yearly budget policy, preparing financial forecast	Plan E: the roles of the city manager and council in the process are defined; contains none of the features of more recent charters
Elections	Describes process for preliminary and general elections, including signature collection requirements, timeline, ballot position	With the exception of the explanation of proportional representation, the Plans do not focus to a great degree on election procedures as most are governed by state law; Plan