

# City of Cambridge

MASSACHUSETTS

In City Council 11/17/, 1997

Agenda #28 \$200. i

|                             | YEA | NAY | ABSENT | PRESENT |
|-----------------------------|-----|-----|--------|---------|
| V.M. Kathleen L. Born       | ✓   |     |        |         |
| Ms. Henrietta Davis         | ✓   |     |        |         |
| Mr. Francis H. Duehay       | ✓   |     |        |         |
| Mr. Anthony Galluccio       | ✓   |     |        |         |
| Mr. Kenneth E. Reeves       |     |     | ✓      |         |
| Mr. Michael A. Sullivan     | ✓   |     |        |         |
| Mr. Timothy J. Toomey, Jr.  | ✓   |     |        |         |
| Ms. Katherine Triantafillou | ✓   |     |        |         |
| Mayor Sheila T. Russell     | ✓   |     |        |         |

8 0 1

## **CITY OF CAMBRIDGE**

### **MAYOR'S DISASTER RELIEF ACCOUNT**

#### **ARTICLE I            TITLE**

This Account shall be known as the "City of Cambridge Mayor's Disaster Relief Account".

#### **ARTICLE II            PURPOSE**

This Account was established in accordance with Massachusetts General Laws, Chapter 44, Section 53A, and the City Treasurer is hereby authorized to accept contributions to the Account.

The City of Cambridge Mayor's Disaster Relief Account is established to provide emergency temporary relief to individuals or families in the event of disaster. The Account will allow for aid such as, but not limited to, money, temporary housing or supplies to enable those who are affected by a disaster to maintain some sense of normality during a period tragedy. The Board of Trustees will identify and designate the appropriate relief on a case by case basis. The Board of Trustees will have the power, upon a majority vote, to disband the account and transfer all assets to a recognized 501C3 for the purpose of providing emergency disaster relief.

#### **ARTICLE III            BOARD OF TRUSTEES**

##### **Section 3.1            Composition**

The Board shall consist of three (3) Ex Officio Trustees: the Mayor, the Assistant City Manager - Fiscal Affairs, and the Assistant City Manager - Human Services. Each trustee shall serve without compensation.

##### **Section 3.2            Term of Office**

The term of office for each Trustee shall be co-terminus with the office the Trustee holds in city government as Mayor, Assistant City Manager - Fiscal Affairs, and Assistant City Manager - Human Services.

#### **ARTICLE IV            DISTRIBUTION AND USE OF PRINCIPAL AND INCOME**

##### **Section 4.1            Use of Distribution**

The principal and income of all contributions received and accepted by the Trustees shall be held by them and their successors until such time as the account may be transferred to an established 501 c3. Any amounts received shall be deposited with the Assistant City Manager - Fiscal Affairs. The trustees may from time to time distribute such portion or portions of the Account, be it principal or income, as the Board deems to be appropriate and consistent with the purposes enumerated in Article II herein.

Section 4.2                      Method of Distribution

Each award shall require the favorable vote of at least two (2) members of the Board of Trustees.

Section 4.3                      Establishing Award Amount

The maximum award amount is established as the total balance of the Account. In no event with the sum available exceed the maximum award amount.

ARTICLE V                      POWERS AND OPERATION OF THE BOARD OF TRUSTEES

Section 5.1                      Chairperson

The Mayor shall serve as Chairperson and shall be responsible for convening, conducting and adjoining board meetings. Minutes of all meetings and votes of the Trustees shall be forwarded in a timely manner to the Assistant City Manager - Fiscal Affairs City who, as custodian of Accounts, shall maintain a permanent record of all meetings and transactions of the Account. The Chairperson shall be responsible for forwarding a record of all actions taken by the Board of Trustees to the Assistant City Manager - Fiscal Affairs City. The Chairperson may, from time to time, delegate any portion or all of his duties to any other Trustee, provided, however, that each such delegation shall be written and revocable.

Section 5.2                      Meetings

The Board shall meet quarterly on dates to be determined by the Chairperson. The Board may also meet at such other times as may be designated for special meetings by the Chairperson.

Section 5.3                      Quorum

A quorum shall be present at each meeting if at least two (2) of the members of the Board are present in person.

Section 5.4                      Votes and Actions Taken by Written Consent

Except as otherwise herein provided, the Board shall act by majority vote of the members of the Board present at the meeting. Any action required or permitted to be taken by the Board may be taken without a meeting if all members of the Board entitled to vote consent in writing to the taking of such action without a meeting. Such written consents shall be treated for all purposes as a vote at a meeting, and shall become part of the permanent records of the Board.

Section 5.5                      Rules and Regulation

The Board shall establish and periodically review written rules and regulations for the operation of the Account and the Board, including rules and regulation for evaluating records for

the purpose for which this Account has been created. Rules and regulations shall be consistent with the terms as provided herein. A copy of such rules and regulations, and all amendments thereto, shall be maintained in the permanent record.

## ARTICLE VI            CUSTODIAN OF ACCOUNT

The Assistant City Manager - Fiscal Affairs shall serve as custodian of all monies contributed to the Account and shall maintain all financial records of the Account. The Assistant City Manager - Fiscal Affairs shall invest and reinvest the principal and income of the Account as he deems proper and in accordance with Massachusetts General Laws.

## ARTICLE VII ACCOUNTS

The Account shall be audited annually by the City of Cambridge's independent public accounting firm, in conjunction with the City's annual independent audit. Copies thereof shall be recorded and kept in the same manner as the City's annual independent audit.

## ARTICLE VIII        AMENDMENTS

The terms of this Account may be amended from time to time by majority vote of the Board, provided, however, that no such amendment shall violate the purpose of this Account as set forth in Article II. In addition, no amendment of this Account shall authorize the Board to conduct the affairs of the Account in any manner, or for any purpose, contrary to the provisions of Massachusetts General Laws. Any amendment made pursuant to this Article shall be attached to each original counterpart of this instrument and shall not take effect until recorded as provided in Article X.

## ARTICLE IX            MISCELLANEOUS

### Section 9.1            Titles and Subtitles

Titles of Articles and Section subtitles are placed herein for reference only, and in any case of conflict, the text of this instrument, other than such titles and subtitles, shall be controlling.

### Section 9.2            Massachusetts Law

This Account shall at all times be governed by the laws of the Commonwealth of Massachusetts.

### Section 9.3            Counterpart Copies

This Account may be printed and executed in as many counterparts as deemed desirable by the Board, and each counterpart shall be an original and may be recorded as herein provided. At least one original counterpart shall always be kept on file and open to public inspection in the Office of the Cambridge City Clerk.

### Section 9.4            Recording

Executed counterparts of this Document shall be recorded in the Office of the Cambridge City Clerk and in the Division of Public Charities of the Office of the Attorney General of said Commonwealth (or such other office of said Commonwealth as shall be authorized to receive account from public charities).

IN WITNESS THEREOF, this Declaration is hereby made and executed as of \_\_\_\_\_, 1997

\_\_\_\_\_  
**Robert W. Healy**  
**City Manager**

APPROVED AS TO FORM: \_\_\_\_\_

**Russell B Higley**  
**City Solicitor**



# City of Cambridge

Agenda Item No. 28

IN CITY COUNCIL

November 17, 1997

ORDERED: That the City Council go on record establishing a new trust account entitled "The Mayor's Disaster Relief Account" to provide temporary relief to individuals or families in the event of disaster; and be it further

ORDERED: That in accordance with Chapter 44, Section 53A of the Massachusetts General Laws, the City Council go on record accepting a donation of \$200.00 for the Mayor's Disaster Relief Account

In City Council November 17, 1997.

Adopted by a ye and nay vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in black ink, reading "D. Margaret Drury". The signature is written in a cursive style with a large, looped "D" and "M".

ATTEST:-

D. Margaret Drury  
City Clerk



EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349 4300  
FAX. 349 4307



28.

November 14, 1997

To The Honorable, The City Council:

Attached please find an order accepting \$200.00 in donations for emergency disaster relief and an order establishing the Mayor's Emergency Disaster Relief Account. The purpose of the account is be to establish a tax exempt depository for individuals, corporations, and charitable trusts to donate to for the care and relief of those hurt by disasters such as last year's Upton Street fire. Because many corporations and charitable trusts prefer to donate to 501 c3 tax exempt organizations, it is expected that ultimately this account and any assets will be converted to an established 501 c3 tax exempt organization once the details can be finalized. In the interim this account which is also tax exempt is established to receive donations, particularly those from a fund raising benefit to be held at the House of Blues on November 25, 1997.

Passage of this order is strongly recommended.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec

Consent Agenda #28

F-171

Relative to a request for the City Council  
to accept \$200.00 for the purpose of  
establishing the Mayor's Disaster Relief  
Fund to provide temporary relief to individuals  
or families in the event of a disaster.

In City Council November 17, 1997

**ORDER ADOPTED**

8-0-1