



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

RECEIVED BY
OFFICE OF CITY CLERK
LAW DEPARTMENT

MAR 18 6 31 PM '74

CAMBRIDGE, MASS.

EDWARD D. MCCARTHY
ACTING CITY SOLICITOR

ROWENA E. TAYLOR
ASSISTANT CITY SOLICITOR

RUSSELL B. HIGLEY
SPECIAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

March 18, 1974

Paul E. Healy, City Clerk
City of Cambridge
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

You have asked my opinion on behalf of the City Council concerning the validity of their vote appointing James L. Sullivan City Manager effective April 1, 1974.

In my opinion this is a valid order declaring the intention of the City Council to effectuate a legal transfer of office from the present incumbent to Mr. Sullivan.

The condition precedent to the order becoming effective is obviously the retirement or resignation of the incumbent City Manager. Once that condition occurs the appointment of Mr. Sullivan becomes effective.

The order by its terms is conditional on a vacancy coming into existence. It is not necessary that there be an existing vacancy in order to pass this measure.

Very truly yours,

Edward D. McCarthy,
Acting City Solicitor

EDM:jmw

~~141~~

106

3/18/74

Placed on File-