



# City of Cambridge

7.

IN CITY COUNCIL

December 18, 1989

COUNCILLOR WALTER J. SULLIVAN

ORDERED:

That all items currently pending before the City Council with the exception of those items currently listed under "Unfinished Business" and not acted upon by the end of the 1989 legislative session be placed in the files of the City Clerk without prejudice, subject to recall by any member.

In City Council December 18, 1989.  
Adopted by the affirmative vote of nine members.  
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

# City of Cambridge

In City Council July 25, 1988

The Ordinance

Committee

The Committee on Ordinances, comprised of the entire membership of the City Council conducted a public hearing on Wednesday, July 20, 1988 beginning at 9:30 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to discuss a motion submitted by Councillor William Walsh relative to a proposed amendment to the General Ordinances which would limit to a maximum of ten years the time which individuals may serve on Municipal Boards and Commissions.

At this time, Councillor Walsh relinquished the Chair to Councillor Sheila Russell, so he may speak to the motion.

Councillor Walsh stated he submitted the original motion in an effort to provide some organizational structure to the appointment process while taking several factors into consideration, including people who serve in hold-over status for long periods of time, long-term vacancies, as well as the issue of individuals serving on dual Boards indefinitely. Consequently, he stated, he requested an opinion from the City Solicitor.

Councillor Francis Duehay stated he had a couple of questions on the proposed amendment and requested the City Clerk to communicate them to the City Manager. They are as follows:

First, may someone who completed consecutive terms as defined in the Ordinance on a Board or Commission be reappointed after having not served for the period of one full term?

Secondly, if someone's term expires and no new appointment is made by said expiration date, does the individual remain in hold-over status?

Thirdly, if a vacancy is not filed within the 90 day time period as proposed, what happens relative to the appointment?

He further stated that these issues should be addressed in amendment form to the proposal so that the final document is clear.

Councillor Sheila Russell requested the City Manager also answer the question as to whether or not this proposal, as written, would preclude someone from serving on more than one Board or Commission simultaneously. Furthermore, she questioned whether or not a person, upon completion of a term on one Board or Commission may serve on another.

Councillor Walter Sullivan moved the proposed amendment be referred to the full City Council without recommendation. The motion - prevailed.

The hearing was adjourned at 9:37 p.m.

For the Committee,

Councillor William H. Walsh  
Chairman.

# City of Cambridge

In City Council July 25, 1988

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## Committee

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beginning at 9:30 p.m. in the Chamber - City Hall. The purpose of the hearing was to hear the views of the public on the proposed amendment to the City Code which would amend the provisions of the City Code relating to the term of office of members of Boards and Commissions.

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*Conditions must comply w/ current code*

Chamber - City Hall  
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*this amendment was amended from the "new" and took which has not had a final vote?*

AS FOLLOWS:

First, may someone who completed consecutive terms as defined in the Ordinance on a Board or Commission be reappointed after having not served for the period of one full term?

Secondly, if someone's term expires and no new appointment is made by said expiration date, does the individual remain in hold-over status?

Thirdly, if a vacancy is not filed within the 90 day time period as proposed, what happens relative to the appointment?

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Councillor Sheila Russell requested the City Manager also answer the question as to whether or not this proposal, as written, would preclude someone from serving on more than one Board or Commission simultaneously. Furthermore, she questioned whether or not a person, upon completion of a term on one Board or Commission may serve on another.

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For the Committee,  
Councillor William H. Walsh  
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At this time, Councillor Walsh relinquished the Chair to Councillor Sheila Russell, so he may speak to the motion.

Councillor Walsh stated he submitted the original motion in an effort to provide some organizational structure to the appointment process while taking several factors into consideration, including people who serve in hold-over status for long periods of time, long-term vacancies, as well as the issue of individuals serving on dual Boards indefinitely. Consequently, he stated, he requested an opinion from the City Solicitor.

Councillor Francis Duehay stated he had a couple of questions on the proposed amendment and requested the City Clerk to communicate them to the City Manager. They are as follows:

First, may someone who completed consecutive terms as defined in the Ordinance on a Board or Commission be reappointed after having not served for the period of one full term?

Secondly, if someone's term expires and no new appointment is made by said expiration date, does the individual remain in hold-over status?

Thirdly, if a vacancy is not filed within the 90 day time period as proposed, what happens relative to the appointment?

He further stated that these issues should be addressed in amendment form to the proposal so that the final document is clear.

Councillor Sheila Russell requested the City Manager also answer the question as to whether or not this proposal, as written, would preclude someone from serving on more than one Board or Commission simultaneously. Furthermore, she questioned whether or not a person, upon completion of a term on one Board or Commission may serve on another.

Councillor Walter Sullivan moved the proposed amendment be referred to the full City Council without recommendation. The motion - prevailed.

The hearing was adjourned at 9:37 p.m.

For the Committee,

Councillor William H. Walsh  
Chairman.

The Committee on Ordinances conducted a public hearing on Wednesday, July 20, 1988 beginning at 9:30 P.M. in the Sullivan Chamber City Hall. The purpose of the hearing was to discuss a motion submitted by Councillor William Walsh relative to a proposed amendment to the General Ordinances which would limit to a maximum of ten years the term <sup>individuals</sup> ~~members~~ which may serve on municipal boards and commissions.

At this time Councillor Walsh relinquished the chair to Councillor Sheila Russell so he may speak to the motion.

Councillor Walsh stated he submitted his original motion in an effort to provide some organizational structure to the appointment process while taking several factors into consideration including people who serve in hold over status for long periods of time, long term vacancies as well as the issue of individuals serving on dual boards indefinitely. Consequently, he stated, he requested an opinion from the City Solicitor.

Councillor Francis Dushay stated he had a couple of questions on the proposed amendments and requested the City Clerk to communicate

them to the City Manager.  
They are as follows:

First, may someone who completed <sup>as defined in the ordinance</sup> two consecutive terms on a board or commission

be re-appointed after having not served for the period of one full term?

Secondly, if someone's term expires and no new appointment is made by said expiration date does the individual remain as a holdover status.

Thirdly, if a vacancy is not filled within the 90 day time period as proposed what happens relative to the appointment.

He further stated that these issues should

be addressed in amendment form to the proposal so the final document is clear.

10 Councillor Sheila Russell requested the City Manager also answer the question as to whether or not this proposal as written would preclude someone from serving on more than one board or commission simultaneously.

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10 Councillor Walter Jutland would the

5

proposed amendment be referred to  
the full City Council without recommendations  
the motion prevailed

The hearing was adjourned at 9:37 P.M.

For the Committee

WAW



CITY OF CAMBRIDGE  
INTEROFFICE CORRESPONDENCE

To Robert W. Healy  
City Manager

Date July 25, 1988

From Joseph E. Connarton *JEC*  
City Clerk

Reference

Subject

Committee on Ordinance meeting held July 20, 1988.

Pursuant to the request of the Ordinance Committee, I am writing to outline several questions which have arisen relative to the proposed amendment to the General Ordinances regarding terms for members of boards and commission.

During the public hearing Councillor Duehay raised the following questions:

First, may a person who, having served consecutive terms be appointed at a future date once he or she has been off the board or commission for the period equal to one term?

Secondly, does an individual whose term has expired still remain in hold over status until a replacement is named within the proposed ninety day period or does the persons service cease immediately upon the expiration date?

Councillor Russell has the following questions:

First, does this ordinance preclude any individual from serving simultaneously on more than one board or commission?

Secondly, may a person who has served consecutive terms on a particular board or commission be eligible for appointment to a different one?

Both Councillors have suggested that the answers to these questions be made in amendment form prior to final action by the full City Council.

Thank you for your cooperation in this matter.

c.c. Donald Drisdell, Esq., Deputy City Solicitor  
Gail Gabriel, Esq., Legal Counsel



# CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9020

## LAW DEPARTMENT

RUSSELL B. HIGLEY  
CITY SOLICITOR

DONALD A. DRISDELL  
DEPUTY CITY SOLICITOR

MICHAEL C. COSTELLO  
ASSISTANT CITY SOLICITOR

SEVERLIN B. SINGLETON, III  
BIRGE ALBRIGHT  
GAIL S. GABRIEL  
LEGAL COUNSEL

TO: Robert W. Healy  
City Manager

FROM: Russell B. Higley *RBH*  
City Solicitor

DATE: March 10, 1988

RE: City Council Order No. 14 of March 7, 1988

I am responding to your request for an opinion to the City Council relative to the preparation of an ordinance amendment to restrict the maximum term for members of various City boards and commissions. The order makes specific reference to twenty-five (25) boards or commissions. This office has begun work on research and drafting, but we are unable to complete the work by the March 14, 1988 City Council meeting. Some complexity results from the fact that some of the boards or commissions are created by State statute; some are created by special ordinance of the City of Cambridge; still others are created by executive action without special statute or ordinance.

We require additional time to answer any legal questions raised in each category and to identify the proper mechanisms to accomplish the City Council's goals.



**CITY OF CAMBRIDGE**

**CAMBRIDGE, MASSACHUSETTS 02139  
TEL. 498-9011**

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

March 14, 1988

To the Honorable, the City Council:

In response to City Council Order No. 14 of March 7, 1988,  
enclosed please find a copy of the opinion of the City Solicitor relative to  
the preparation of an ordinance amendment to restrict the maximum term for  
members of various City boards and commissions.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mbf  
Enc.

Agenda Item No. 7 0

Re: preparation of an ordinance amendment to  
restrict the maximum term for members of various  
City boards & commissions.

In City Council,  
March 14, 1988

3-14-88

Placed on file



# City of Cambridge

14

IN CITY COUNCIL

March 7, 1988

Mayor Vellucci  
Councillor Danehy  
Councillor Russell  
Councillor Sullivan  
Councillor Walsh

*WJ Sullivan*

ORDERED:

That the City Manager is hereby asked to have the City Solicitor prepare an Ordinance Amendment to the General Ordinances of the City of Cambridge for the next regularly scheduled meeting of Cambridge City Council stating that no present or future member shall serve a term on the below listed Boards and Commissions of the City of Cambridge for more than ten (10) years regardless whether such service has been continuous or consists of one (1) or more shorter terms which in the aggregate total ten (10) years and the City manager shall immediately give ninety (90) days notice to those members whose terms exceed ten (10) years on the following City of Cambridge Boards and Commissions:

Animal Commission, Arts Council, Assessment Methodology Review Committee, Board of Examiners, Building Code Board of Appeal, Cambridge Public Access Corporation, Cambridge Public Access Corporation Advisory Congress, Civic Unity Committee, Civilian Review Board, Conservation Commission, Consumer Advisory Committee, Council on Aging, Handicapped Commission, Historical Commission, Human Rights Commission, Human Services Commission, Nuclear Disarmament and Peace Establishment Commission, Planning Board, Recycling Committee, Redevelopment Authority, Rent Control, Scientific Advisory Committee, Status of Women Commission, Traffic and Parking Commission, Water Board; and be it also

ORDERED:

That it is the sense of Cambridge City Council that if a vacancy shall exist on any board or commission of the City of Cambridge including the aforementioned but not limited thereto it shall be filled by the City Manager within ninety (90) days of the date of said vacancy or ninety (90) days from the date of resignation, death or removal of a member whichever shall be the shorter period.

*ACU*



# City of Cambridge

MAYOR VELLUCCI  
 COUNCILLOR DANEHY  
 COUNCILLOR RUSSELL  
 COUNCILLOR WALTER J. SULLIVAN  
 COUNCILLOR WALSH

14.  
 IN CITY COUNCIL

March 7, 1988

ORDERED: That the City Manager is hereby asked to have the City Solicitor prepare an Ordinance amendment to the General Ordinances of the City of Cambridge for the next regularly scheduled meeting of the Cambridge City Council stating that no present or future member shall serve a term on the below listed Boards and Commissions of the City of Cambridge for more than ten (10) years regardless whether such service has been continuous or consists of one (1) or more shorter terms which in the aggregate total ten (10) years and the City Manager shall immediately give ninety (90) days notice to those members whose terms exceed ten (10) years on the following City of Cambridge Boards and Commissions:

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ORDERED: That it is the sense of the Cambridge City Council that if a vacancy shall exist on any board or commission of the City of Cambridge including the aforementioned but not limited thereto it shall be filled by the City Manager within ninety (90) days of the date of said vacancy or ninety (90) days from the date of resignation, death or removal of a member whichever shall be the shorter period.

In City Council March 7, 1988.  
 Adopted by the affirmative vote of 9 members.  
 Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

*Joseph E. Connarton*  
 Joseph E. Connarton, City Clerk.

Order #14

0-14

M. Vellucci & C.'s Danehy, Russell, Walter Sullivan & Walsh order re: that the City Manager be requested to have the City Solicitor prepare an amendment to the General Ordinances stating that no present or future member of boards & commissions listed in the text of this order shall serve a term of more than ten years, regardless of whether such service has been continuous or consists of more shorter terms which the aggregate total ten years.

In City Council,

March 7, 1988

3-7-88  
M. Vellucci, C.'s Danehy Russell  
W. J. Sullivan & Walsh

Order Adopted

9-0-0-0