OFFICE OF THE CITY CLERK

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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: **THE HONORABLE, THE CITY COUNCIL**

FROM: **D. MARGARET DRURY, CITY CLERK** DMD

DATE: **September 25, 1997**

RE: **CITY COUNCIL RULES**

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Attached please find a copy of the Rules of the City Council as amended to reflect the September 8, 1997 amendment to Rule 23B.

Your kind attention in this matter will be greatly appreciated.

CITY HALL, 795 MASSACHUSETTS AVENUE CAMBRIDGE, MASSACHUSETTS 02139

(AMENDED AS OF SEPTEMBER 8, 1997)

RULES OF THE CITY COUNCIL AS AMENDED

1996-1997

These rules, after adoption by the City Council, shall be published and made available to the public.

Rule 1. At all meetings of the City Council five (5) councillors shall constitute a quorum for the transaction of business.

DUTIES AND POWERS OF THE CHAIR.

Rule 2. On the first Monday of January, following the regular municipal election, the City Council shall by a majority vote of all the members elected, elect a mayor from its own members who shall preside at all meetings of the City Council and perform such other duties as are prescribed in section one hundred (100) of Chapter 43 of the General Laws, and any acts in amendment thereof or supplementary thereto. The City Council shall, in like manner, elect a Vice-Chairman who shall also be called Vice-Mayor.

Rule 3. The Mayor shall take the chair at the hour to which the City Council has adjourned and call the members to order. In the absence of the Mayor, the Vice-Chairman of the City Council shall preside and, in the absence of both, a temporary chair shall be chosen, who shall serve during the absence of both Mayor and Vice-chair.

Rule 4. The Mayor shall preserve decorum and order, and may speak to points of order, in preference to other members. The Mayor shall decide all questions of order, subject to an appeal to the City Council, regularly seconded. If the ruling of the Chair is questioned, no other business shall be in order until the question on the appeal shall have been decided; the question shall be put as follows: "Shall the decision of the chair stand as the judgment of the City Council?" The vote shall be by roll call, and it shall be decided in the affirmative unless a majority of the votes are to the contrary.

Rule 5. The Mayor shall declare all votes. If any member doubts the vote, the chair without further debate upon the question, shall require the members voting in the affirmative and negative, respectively, to be counted; the Mayor shall declare the results, but no such declaration shall be made unless a quorum of the City Council has voted.

Rule 6. 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.

Rule 7. All petitions, memorials, communications or any matter before the City Council may be referred as follows:

1. To standing committee of the City Council.
2. To a consent agenda.
3. To a special committee of the City Council.
4. To the City Manager.
5. To any department or department head or any person, group or organization to whom referral is permitted, authorized or allowed under the provisions of the Plan E Charter and under applicable provisions of the Massachusetts General Laws.

Any member offering a motion, order or resolution which is referred to a committee shall be given a hearing on the same by the committee before a report is made thereon, provided he so requests at the time of the communication, or before final action by the committee.

Rule 8. The chair shall put all questions in the order in which they are moved, unless the subsequent motion be previous in its nature, except that in naming sums and fixing times, the largest sum and the longest time shall be first put. After a motion has been put by the chairman, it shall not be withdrawn except by unanimous consent.

Rule 9. When a question is under debate the chair shall receive no motion, but

To Adjourn.
To Lay on the Table.
To Postpone to a certain day.
For the Previous Question.
To Refer.
To Amend.
To Postpone indefinitely.

These motions shall have precedence in the above order. A motion to adjourn shall be in order at any time except upon immediate repetition. A motion to adjourn, to lay on the table, to take from the table, or for the previous question shall be decided without debate.

Rule 10. The previous question shall be put in the following form: "Shall the main question be put?" and all further amendments or debates of the main question shall be suspended until the previous question is decided.

Rule 11. When two or more members ask to be recognized at once, the chair shall name the member who is entitled to the floor.

RIGHTS AND DUTIES OF MEMBERS

Rule 12. Every member, when about to speak shall respectfully address the Chair, and wait to be recognized. The member shall confine his/her remarks to the question under debate and avoid personalities.

Rule 13. No member speaking shall be interrupted by another except to make a point of order, request an explanation, or request a point of personal privilege.

Rule 14. No member shall vote on any question, or serve on any committee, where his private interest is immediately concerned distinct from that of the public. The City Council shall be ordinance establish and implement a code of ethics for its members and for all city employees.

Rule 15. When a question is put, every member present shall vote unless the City Council for special reasons excuses him. A vote of "Present" shall be accepted by the Chair and so recorded. Application to be excused from voting must be made before the vote of the City Council has been decided. Such application shall be accompanied by a brief statement of the reasons and shall be decided without debate.

Rule 16. A question having been taken, it shall not be in order for any member to move a reconsideration thereof at the same meeting. A motion to reconsider may be made at the next meeting, provided written notice of such motion has been filed with the City Clerk within thirty-six hours of the day of the vote, Saturdays and Sundays to be excluded in the computation of the thirty-six hours. No more than one motion for reconsideration of any vote shall be entertained. Any member may move reconsideration; if reconsideration is not moved prior to the adjournment of the next regular or special meeting called for that particular purpose, the action taken by the City Council stands.

REGULAR MEETINGS

Rule 17. Section 17. Meetings.

All regular meetings of the City Council shall be held in the Sullivan Chamber, City Hall, or, if agreed to by a majority of the City Council, at any other suitable public building within the City of Cambridge, at 5:30 p.m. on Monday of each week, from the first Monday in January to and including the last Monday in June, and from the second Monday in September to and including the last Monday in December.

When a meeting day falls on a holiday, the succeeding Monday shall be the meeting day. The City Council may at any meeting, by a majority vote, decide to discontinue any future meeting previously scheduled. All City Council meetings shall end no later than 12:00 midnight.

SPECIAL MEETINGS

Rule 18. The Mayor, or the Vice-Chairman of the City Council, or any four members thereof, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person calling the same, to be delivered in hand to each member of the City Council, or left at his usual dwelling place, at least forty-eight hours notice to all members and the public prior to each meeting. (Chapters 303 of the Acts of 1975).

CALENDAR

Rule 19. Any ordinance, order or resolution may be passed through all its stages of legislation at one session, provided that no member of the City Council objects thereto; but if any member of the City Council objects, the measure shall be postponed for that meeting. (Chapter 43, Section 22 of the General Laws.)

Any member may move the item which has been subject to the Charter Right. If no action is taken at the next regular meeting by any member, then the item will be removed from the City Council Calendar.

Upon the objection of one Councillor, no action may be taken on any item not on the Calendar of the day and shall not be acted upon until the next regular meeting.

Rule 20. All matter of whatever description which require action by the City Council at its meeting shall be presented to the City Clerk by 5:00 p. m. on the Thursday preceding the regular meeting, except that during a week in which a legal holiday falls on a Friday, said matters shall be presented to the City Clerk by 5:00 p. m. on the Wednesday preceding the regular meeting. Communications submitted later will be held over for the next regular meeting, except that where the City Manager believes that emergency or exigent circumstances require him to present to the City Council a matter which was not presented to the City Clerk by 5:00 p.m. on Thursday, the City Manager may present such matters to the City Council at its meeting in writing as part of a Supplemental Agenda of the City Manager.

Rule 21. The City Clerk shall prepare the minutes of the previous regular and/or special meetings and a calendar of all matters to come before the City Council at each meeting in accordance with the established order of business and shall deliver to the residence of each Councillor a copy of the same not later than twenty-four hours prior to said meeting. On all matters on which there has been a roll-call vote, the minutes shall reflect the votes of the individual members.

Rule 22. The City Clerk is authorized by these rules to order and publish notice of hearings on petitions presented to him regarding public hearings before the Council.

ORDER OF BUSINESS

Rule 23. At every regular meeting of this City Council the order of business shall be as follows:

1. Reading of the record, if requested by the City Council.

1a. Public comment - the procedure is as follows:
An individual may in person or via telephone to the City Council Office on Mondays from nine o'clock (9:00) A. M. to three o'clock (3:00) P. M.; or in person from five o'clock (5:00) P. M. to six o'clock (6:00) P. M. via a sign up sheet available in the Sullivan Chamber indicate their desire to comment before the City Council on any matter on the agenda of the evening regardless if a Councillor exercises his or her Charter Right on a particular matter prior to Public Comment.

2. Motions for Reconsideration
3. Manager's Consent Agenda
4. Communications from the City Manager (Manager's Non-Consent Agenda)
5. Consent Communications (petitions, memorials, and other communications from citizens, employees and others)
6. Consent orders and resolutions
7. Committee Reports
8. Communications and Reports from City Officers
9. Unfinished business from preceding meetings
   a. Charter Rights
   b. On the Table
   c. Unfinished Business
10. Non-Consent Communications (petitions, memorials and other communications removed from the Consent Communication Agenda by request of a member of the City Council or placed initially on the Non-Consent list because the communication includes a request to speak to the City Council at its meeting.
11. Motions, orders or resolutions which have been removed from the Consent Order Agenda by request of a member of the City Council.

Public hearings shall be scheduled by the City Clerk and Chair at the request of the City Council, but not on the same night as requested except in the case of a public emergency.

Under the provisions of Chapter 43, Section 98 of the General Laws, Tercentenary Edition, citizens and employees of the city shall have reasonable opportunity to be heard at any meeting of the City Council in regard to any matter considered thereat. All opportunities for citizens and employees of the city to be heard shall be provided during that portion of the order of business entitled **"Public Comment,"** and that portion of the meeting shall take place directly after the order of business entitled **"Reading of the Record", if requested, by the City Council."** The time allowed for each person and employee shall be limited to a total of ten minutes provided that the time allocated shall not exceed two hours, and where necessary to ensure that all those who have indicated a desire to speak during this Public Comment time may have an equal opportunity to speak, the Chair may provide a shorter comment time for all individuals.

Rule 23A: Each of the three consent agendas is voted on in its entirety, with no discussion and separate vote by request of a single City Councillor. Upon such request, the item would be moved to the appropriate section of the agenda. Placement of items on the City Manager's Consent Agenda shall be determined by the City Manager. Placement of items on the Communications Consent Agenda shall be at the discretion of the City Clerk.

Rule 23B: The City Clerk shall include the written statement of the mission and goals or priorities of the City Council and the City Manager with the materials prepared for the agenda of the City Council for its weekly meeting, along with a list of the four dates per year for which discussion of these items shall be in order.

Rule 24. The seats of the members of the City Council shall be determined by the City Clerk in consultation with the members; no member shall change his seat but by permission of the Chair.

COMMUNICATIONS AND COMMITTEES

Rule 25. All communications, petitions, or resolutions addressed to the City Council which require action by the City Council at its meeting shall be filed with the City Clerk. The City Clerk shall place all new communications on the agenda for the next regular City Council meeting. Upon receipt of a communication that is substantially unchanged copy of a previously submitted communication, the City Clerk shall not place the communication on the agenda and shall transmit said communication to the Mayor. All communications, petitions, or resolutions that do not meet the agenda deadline specified in Rule Twenty shall be held over for the subsequent City Council agenda unless it is of an emergency nature.

Rule 26. The Mayor shall appoint standing committees of the City Council. The City Clerk or his/her designee shall staff each committee and, where deemed appropriate, the Chair may request additional staff help through the City Manager.

Each committee shall meet regularly to review matters referred to it by the City Council or to take up other matters within its domain. To the extent possible, matters of policy shall be referred to the appropriate committee, so that careful study and consideration can be given to the subject matter. The committee shall make policy and other recommendations to the City Council as a whole for discussion, consideration and adoption.

It is the goal of the City Council to involve citizens actively in the work of city government through these committees. All committees shall work with community and neighborhood groups and committees on issues that relate to these groups' mandates and interests. The committee staff shall keep lists of interested parties and shall keep citizens informed of the meetings and deliberations of the committees.

The standing committees of the City Council shall be as follows:

Ordinance Committee -- a committee of the whole to consider the merit of any ordinance presented to the City Council and to consider the form and legality thereof; to consider all legal matters for which no other provision is made; and to represent general interests of the city before committees of the General Court when so authorized by a vote of the City Council.

Finance Committee -- a committee of the whole to consider all matters relating to the financial interests of the city, including the city budget, sources of city revenue, appropriations and loans, and city bonding capacity; to work with the City Manager and other officers of the city to benefit the city from a financial perspective; and to work with citizen groups and committees that might be formed from time to time to consider the financial health of the city.

Rules Committee -- to consist of three City Councillors to consider the rules of the City Council and its committees and to recommend amendments and changes thereto.

Government Operations Committee -- to consist of three City Councillors to consider matters relating to the delivery of City services and the operation of City departments.

Health and Hospitals Committee -- to consist of five City Councillors to consider policies and all other matters that relate to the health system provided for the citizens of Cambridge; to work toward maintaining and financing a strong, high quality system, including the Cambridge Hospital, the neighborhood health clinics, Neville Manor, school health program, and the Cambridge Health Department; and to work with the Health Policy Board and other citizen groups towards these ends.

Environment Committee -- to consist of three City Councillors to work toward an environmentally safe and clean city both in the short term and the long run; to consider proposals relating to environmental issues including those relating to air and water quality, solid and hazardous waste, visual quality, and the environmental impact of development; and to make recommendations to the City Council for legislation to prevent further pollution of the environment and to clean it up.

Rent Control Committee -- to consist of three City Councillors to study and make recommendations on all proposals related to legislation and the administration of rent control; to make appropriate recommendations on complaints and suggestions received from tenants, landlords, special interests groups, and other citizens; to study the effectiveness of the rent control system and to make recommendations to improve its capacity to meet the goals outlined in the rent control law.

Housing and Community Development -- to consist of five City Councillors to enhance the quality of life in Cambridge as it relates to the livability of neighborhoods and to housing Cambridge people; to consider all matters relating to land use and to planning and development of housing in the city; to develop goals and an action plan for the maintenance and development of housing, with an emphasis on the needs of low income and working people and to coordinate with the Rent Control Committee toward this goal; to work with city and other agencies and other City Council committees on issues related to industrial and commercial development, especially as they relate to linkage and neighborhood protection, and to job development.

Economic Development, Training, and Employment Committee -- to consist of three City Councillors to work to enhance the employability of Cambridge residents, especially of young people, and to enhance employment opportunities for Cambridge residents, especially youth; to work with the Housing and Community Development Department, Housing and Community Development Committee, the School Department, the Cambridge Chamber of Commerce, the Private Industry Council, and other private sector groups, to develop policies and programs that will enhance economic development in the city and expand employment opportunities for Cambridge residents; and to monitor and improve existing employment programs.

Public Safety Committee -- to consist of three City Councillors to consider all matter affecting the public safety of Cambridge citizens; and to review matters relating to the performance, organization, and effectiveness of the police and fire departments, the traffic department as it relates to public safety issues, and the Police Review Board.

8/

Human Services and Youth Committee -- to consist of three City Councillors to work toward the assurance that a broad human service delivery system, provided by the city, other levels of government, and non-profit and private agencies, exists to meet the human needs of all Cambridge people, including those of children, youth, families, and single adults of all backgrounds; to study policies, overall planning, and the delivery of human services to Cambridge people; to make recommendations to the City Council to improve the scope and quality of these services and to locate new sources of funding; to work with the city's Human Services Department, Human Services Commission, and other human service agencies to meet these ends.

Civil and Human Rights Committee -- to consist of three City Councillors to work with and oversee City agencies that deal with civil and human rights issues; to respond to incidents or concerns that are brought to the attention of the City Council relating to civil and human rights and to bring in the appropriate agencies, departments or legal services to assist in responding to such incidents; and to develop needed programs and legislation in this area.

Elder Affairs Committee -- to consist of three City Councillors to consider all matters affecting senior citizens of Cambridge; to work in conjunction with city, non-profit, and private agencies, as well as other City Council committees, to further the well-being of our older citizens in all areas of concern, including but not limited to, housing, employment, health care, social services and recreation opportunities; and to make recommendations to the City Council with regard to state and federal legislation that impacts senior citizens.

Public Service -- to consist of three City Councillors to consider matters of the appearance and services of the city that are related to public works; to work on matters related to the municipal lighting system, park system, public cemeteries and burial grounds, historical sites, and streets and sidewalks; to deal with the appearance of squares and neighborhoods of the city and their upkeep.

Claims Committee -- to consist of three City Councillors to consider all claims that have been filed against the city; to make recommendations on these claims to the City Council which shall give final approval of the disposition of these claims; and to consider and make recommendations issues related to litigation of claims that may be referred to the City Council by the City Manager.

Traffic and Transportation -- to consist of three City Councillors to consider and recommend action on matters affecting traffic, including public and regional transportation proposals which affect Cambridge; and to work closely with other City Council Committees, especially the Public Safety and Economic Development, Training and Employment, and Environment Committees to develop a sound traffic and transportation program that will meet the needs of residents and employees at a minimal cost to the environment.

Cable TV and Communications -- to consist of three City Councillors to consider all matters relating to cable television within Cambridge and to develop and recommend tools for effective communication by the City Council and other City agencies.

82

Veteran's Committee -- to consist of three City Councillors to consider all matters affecting veteran services and benefits of the City.

Sister Cities -- to consist of three City Councillors to monitor and provide oversight on the existing sister-city relationships; to assist in the development of additional relationships; to assess the potential for cooperation with the private sector in matters relating to development of business opportunities through sister cities; to make recommendations with regard to administration of sister cities activities.

Food Policy Committee -- to consist of three City Councillors to consider all matters relating to the problem of hunger in the city and to study and recommend solutions as well as establishing a food access policy for the City of Cambridge.

Rule 27. Every committee of the City Council to which any subject may be referred shall report on the subject within a reasonable time from the time of referral. In the case that the chairman of any committee shall fail for thirty (30) days from the time any subject has been referred to it to call a meeting of the committee, a majority of the committee may call a meeting of said committee. Notice of all committee meetings must be given at least forty-eight (48) hours before the time of the meeting.

Rule 28. Minutes shall be kept of all committee proceedings. All minutes, reports, and papers shall be submitted to the City Council by the clerk of Committees at the request of the chairman or a majority of the committee thereof. Recommendations of each committee shall be made to the City Council for consideration and adoption.

Rule 29. The Councillor first named thereto shall be the chair of any committee of which he/she is a member, and in case of his/her resignation or inability to serve, another member of the committee shall be named by the Mayor.

MEMBERS LOBBY

Rule 30. No person will be admitted within the rail in the Sullivan Chamber or in Members' Lobby connected with said chamber at any meeting of the City Council except upon permission of the Mayor.

HEARINGS

Rule 31A. Public hearings may be requested for matters of public interest or of legislative requirement. Where appropriate, the City Council may refer such requests to a committee of the City Council.

Rule 31B. The time devoted to public hearings at any meeting of the City Council shall not be more than two (2) hours at any one sitting. Any hearing not completed within the specified time may be continued to another meeting.

Any individual appearing before the City Council at a public hearing and claiming to represent another as agent or otherwise in the matter of being heard shall file with the City Council a written authorization signed by the individual, organization or corporation whose interests such individual represents.

There shall be a ten (10) minute time limit for each speaker to express his views on the matter being heard by the City Council. Each speaker will be required to address himself solely to the issue which is before the City Council for discussion and shall not engage in personal or rude remarks.

In all hearings before the City Council, the case of the petitioner shall be submitted first, except in matters affecting acceptance of highways or taking by right of eminent domain.

ORDINANCES AND ORDERS

Rule 32. All by-laws passed by the City Council shall be termed ordinances, and the enacting style shall be "Be it ordained by the City Council of the City of Cambridge." In all votes by which the City Council expresses anything by order or command the form of expression shall by "Ordered," and in all votes by which the City Council expresses opinions, principles, facts or purposes, the form shall be "Resolved."

Rule 33. The City Clerk shall determine the newspaper of the city in which shall be published any loan order or any ordinance and said publication shall be made in each newspaper in regular order, beginning with the oldest publication.

Rule 34. Every ordinance and every order, resolution or vote shall after its passage remain in the possession of the City Clerk for thirty-six (36) hours after the day of the meeting for the purpose of giving any Councillor an opportunity to file notice of his intention to move reconsideration.

AMENDMENT AND SUSPENSION

Rule 35A. Any of the foregoing rules with the exception of Rule 19 may be suspended at any meeting by a two thirds vote of the entire membership of the City Council.

Rule 35B. No amendments or additions to the rules may be enacted until at least seven days have elapsed from the date of the submission of the proposed changes or additions and require a majority vote of the entire membership of the City Council.

ROBERTS' RULES OF ORDER

Rule 36. The City Council shall be governed by "Roberts' Rules of Order" in all questions of parliamentary practice not provided for by special rules of order.

RULES OF COURTESY

Rule 37.

1. No one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.

2. All persons shall refrain from any private conversation which would interfere with the proper conduct of the meeting or hearing.

3. All persons should refrain from smoking, drinking or eating in the Sullivan Chamber.

4. Poster or placards must remain outside the Sullivan Chamber.

5. People are admitted to the Sullivan Chamber up to the fire safety capacity of the room which includes the fourth floor balcony. Overflow crowds may listen to the proceedings on loud speakers and television provided in the hallway.

6. All persons shall confine their remarks to the question under debate and avoid personalities.

RULES OF TRAVEL

Rule 38. The City Council's travel and incidental expenses thereto shall be approved by five members of the City Council through the budget process. All individual expenses will be substantiated by receipts, and requests for payments will be approved by the City Auditor prior to reimbursement. Any unexpended funds for an individual's travel will be remitted to the City Treasurer within thirty (30) days of receipt. The City Auditor shall be required to keep an up-to-date journal of all City Council expenditures and make same available on request to all interested persons. Duplicate copies of expenses and vouchers will be kept on file in the Mayor's Office.

Communications and Reports From City Officers #1

S-608

A communicatin was received from D. Margaret Drury, City Clerk, transmitting a copy of the amended copy of the Rules Of The City Council.

In City Council September 29, 1997

PLACED ON FILE