

City of Cambridge

MASSACHUSETTS

C. Trust

In City Council

5-2

1994

Suspension of Rules on Cal #2 to Reconsider
Placing the Item in file under Rule 19

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Mr. Francis H. Duehay
✓				Mr. Jonathan S. Myers
	✓			^{VM} Mrs. Sheila T. Russell
	✓			Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
			✓	Mr. William H. Walsh
✓				Mayor Kenneth E. Reeves
5	3	0	1	

Suspension of Rules - failed

Michael Brandon
27 Seven Pines Avenue
Cambridge, Massachusetts 02140

RECEIVED BY
OFFICE OF CITY CLERK

APR -8 AM 9:29

CAMBRIDGE MA.

April 7, 1994

Cambridge City Council
c/o City Clerk
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02140

Re: City Manager's circumvention of Council rules governing communications

deleted at request of
City Clerk
To the ~~City Council~~ City Council (and to Councilor Walsh):

Rule 25 of the Rules of the City Council states: "All communications, petitions, or resolutions addressed to the City Council 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. . . ."

Rule 20 states: "All matters of whatever description which may require action by the City Council shall be presented to the City Clerk. . . ."

On or about February 4, 1994, seeking to address an anticipated newspaper report and subsequent questions and allegations about his ethical conduct, City Manager Robert W. Healy wrote to the City Council concerning certain investment activities he did not disclose on the sworn financial statement he filed with the Election Commission last year, including a real estate venture he has been conducting with City Solicitor Russell Higley since the mid-1980s.

According to City Clerk Margaret Drury, Mr. Healy's letter was not filed with her office and thus it was never placed on the Council's agenda. Council Assistant Sandra Albano reports that the letter was not formally transmitted to the City Council through its office in City Hall, so it is not on file there either.

The City Manager's failure to file official correspondence with the City Clerk as required by the Council's rules creates a disturbing gap in the public record that impinges on the public's ability to inform itself about civic matters and monitor the performance of city officials. Moreover, it impedes the press in its role as watchdog and guardian of the public's right to know. Worst of all, it prevents open inquiry, discussion, and debate by the City Council and stifles public input—in other words, it squelches the free discourse that is crucial to a democracy.

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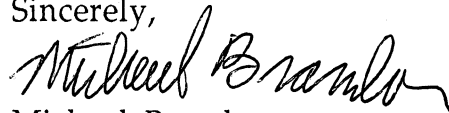
By shielding his financial dealings with one of his employees from scrutiny, and by failing to disclose fully or explain these "private" business transactions (including the City Solicitor's apparent financial interest in a bank that reportedly was given city business while the two officials were benefiting from no-money-down "insider" loans it made available to them), the City Manager creates suspicion in the public's mind and intensifies citizen concern about the propriety of such relationships.

Such secrecy and evasiveness reinforces rather than dispels any notions that he created the appearance of a conflict of interest. And it undermines confidence in local government at a time when it is already plummeting toward its nadir—mainly because the body elected to represent and to lead the people of Cambridge has not yet mustered the collective courage to address the delicate but inescapable fact that one of its senior members is an unrepentant felon and former federal fugitive who should be formally censured and parliamentarily ostracized for violating his oath of office and for refusing to apologize and resign.

And so I respectfully request that you ask the City Manager to file with the City Clerk a copy of his February 4 communication, together with an explanation of why he decided to disregard the established procedure for transmitting it to you.

Unless there is a compelling reason not to do so, the public's business should always be conducted publicly.

Sincerely,



Michael Brandon

cc: Cambridge Election Commission
Andrew B. Crane, Executive Director, State Ethics Commission
Supervisor of Public Records, Office of the State Secretary

Call # 2

Consent Communication #18 S-203

A communication was received from Michael Brandon regarding the City Manager's circumvention of Council rules governing ~~xxxx~~ communications.

In City Council April 25, 1994

Charter right exercised
by Councillor Triantafyllou

no action taken -
5/2/94 Placed on file
under Rule 19 of the
City Council Rules.

C. Triantafyllou made a motion
for suspension of the rules to move
reconsideration - Suspension failed
5-3-0-1.