

City of Cambridge

ORDINANCE COMMITTEE MEMBERS

In City Council February 10, 2003

*Councillor David P. Maher, Co-Chair
Councillor Brian Murphy, Co-Chair
Vice Mayor Henrietta Davis
Councillor Marjorie C. Decker
Councillor Anthony D. Galluccio
Councillor Kenneth E. Reeves
Councillor E. Denise Simmons
Councillor Timothy J. Toomey
Mayor Michael A. Sullivan*

The Ordinance Committee held a public meeting on Wednesday, January 15, 2003, beginning at 4:20 P.M. in the Sullivan Chamber for the purpose of discussing a proposed amendment to the Municipal Code to provide for an Assistant City Manager for Public Safety.

Present at the hearing were Councillor David P. Maher and Councillor Brian Murphy, Co-Chairs of the Committee, Vice-Mayor Henrietta Davis, Councillor E. Denise Simmons, Mayor Michael A. Sullivan, City Clerk D. Margaret Drury and Elaine McGrath, Clerk's Office. The following residents of Cambridge spoke on the issue: Elie Yarden, 143 Pleasant St., Stephen Kaiser, 191 Hamilton St., and John Gintell, 9 West St.

Councillor Maher convened the hearing and asked Mayor Sullivan to describe the proposal.

Mayor Sullivan stated that there had been a great deal of discussion in City Council Roundtable meetings about the need for collaboration between city agencies and how a Chair of Public Safety could help achieve that collaboration. According to the Mayor, the Roundtables made clear that agency collaboration could be improved; the Roundtables were a much-appreciated opportunity for the agencies to confer with each other. Mayor Sullivan pointed out that there was precedent in some departments, such as Human Services and Community Development, which had already consolidated other departments. In addition, coordination on issues such as HAZMAT procedures and police training is done now; his opinion is that the city would be better served and run if other functions and departments are coordinated. He also stated that in both city and the newly elected state government, there is a drive to better coordinate and manage agencies, especially in public safety, coming from efforts in the area of homeland security. Mayor Sullivan noted that a different city manager may not be as hands-on as Mr. Healy, in which case individual departments would have to do more coordination. The Mayor asserted that it is appropriate to consider an Assistant City Manager for Public Safety given the current security situation in the country, and given the potential benefits to the city. He briefly summarized the proposed reorganization, by reading from the draft ordinance (**Attachment A**).

Vice-Mayor Davis stated that she would have questions on this issue for the city manager in the future when he is available. She asked the proponents to comment on whether some issues could be addressed by the manager convening departments on a regular basis. Mayor Sullivan responded that the manager does convene departments; however, this usually happens in emergencies. In addition, department heads meet every Tuesday. At the same time, Mayor Sullivan pointed out that the city's current focus is financial, given the state's budget shortfall and the loss of local aid to the city. Regarding the specific proposal for Cambridge, Mayor Sullivan indicated that the city manager is considering a technical amendment on the role of the Inspectional Services Department in the reorganization, but needs a report from the Law Department on the issue first.

The councillors then discussed possible next steps on the proposal. Vice-Mayor Davis stated that this kind of issue should be discussed in the Public Safety Committee and suggested referring the proposal to this committee for discussion. Alternatively, she recommended referring the issue to the full City Council, with a recommendation of referral to the Public Safety Committee to hold meetings as appropriate.

Councillor Simmons stated that it would be helpful to have an overarching sense of what comes under the proposed reorganization, especially a visual of the subdepartments. She recommended having a meeting to bring all the interested parties to the table. She also wants to know if there are models in other cities and towns for such a reorganization, and what it would require financially. Mayor Sullivan responded that the proposal mirrors the organization of the state department of public safety. Regarding the Council's consideration of the issue, Mayor Sullivan wants to avoid having two committees reviewing the issue at the same time.

Councillor Murphy then invited public comment. In light of the number of people in attendance for the 4:30 public hearing on the proposed Smoking Ordinance, Vice-Mayor Davis moved for limited public comment.

Mr. Yarden stated that he expected a public comment period on the issue, copies of the ordinance and a sign-in sheet, but that the latter two were not available.

Mr. Kaiser also noted the lack of a sign-in sheet and copies of the draft ordinance. Regarding the proposed reorganization, Mr. Kaiser is concerned about the inclusion of Traffic, Parking and Transportation (TP&T) in the Public Safety Department. He does not understand why TP&T would be included. He feels that TP&T needs more of a focus on engineering and is a function that belongs in the Department of Public Works. He recommends a larger public hearing on public safety with all interested parties.

Mr. Gintell noted that, with the city's current organizational chart, more collaboration is a good idea. He wants to hear from the city manager on this proposal and its cost.

Mayor Sullivan indicated that the original date for the hearing had been changed to allow the city manager to attend, but, because of an emergency, he could not be at the

hearing. The Mayor's suggestion was to refer the matter to the full Council, with a recommendation for referral for additional hearings by the Public Safety Committee.

Vice-Mayor Davis then made the following motion:

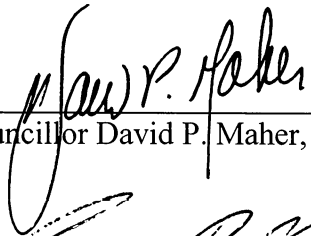
ORDERED: Refer the issue of a new Assistant City Manager for Public Safety to the full City Council, with the recommendation that the Council refer the matter to the Public Safety Committee to hold further discussions, pending a report from the Law Department on the inclusion of the Inspectional Services Department in the reorganization, and pending an opinion from the City Manager on the reorganization and an estimate of its cost.

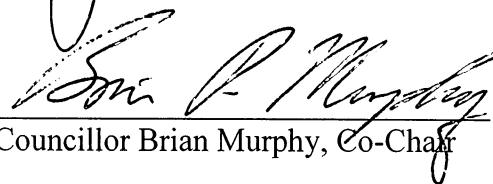
The motion passed by a voice vote.

Councillor Murphy thanked all those present for their attendance.

The meeting was adjourned at 4:37 P.M.

For the Committee,


Councillor David P. Maher, Co-Chair


Councillor Brian Murphy, Co-Chair

MAYOR SULLIVAN

ORDERED: that Chapter Two of the Municipal Code be amended to include the establishment of a new position entitled Assistant City Manager for Public Safety whose mission will be to protect the citizens of Cambridge by overseeing the various public safety entities at all levels; and be it further

ORDERED: that said amendment be referred to the Ordinance Committee for a hearing.

Chapter 2.123

ASSISTANT CITY MANAGER FOR PUBLIC SAFETY

Sections:

- 2.123.10 Division of Public Safety – Composition.**
- 2.123.20 Division of Public Safety – Director.**
- 2.123.30 Division of Public Safety – Authority.**
- 2.123.40 Appointment – Term.**
- 2.123.50 Powers and duties.**
- 2.123.60 Civil service or tenure rights.**
- 2.123.70 Compensation.**

Section 2.123.010 Division of Public Safety – Composition.

The Division of Public Safety shall consist of the Fire Department, Police Department, Division of Police Review Board, Emergency Communications, Emergency Management, License Commission – Consumers' Council, Electrical, Weights & Measures, Inspectional Services, Traffic, Parking & Transportation.

Section 2.123.020 Division of Public Safety – Director

The Division of Public Safety shall be under the control of the Assistant City Manager for Public Safety, who shall be the Director of Public Safety, and who shall be considered

a department head within the provisions of General Laws of the Commonwealth of Massachusetts Chapter 43, Section 103.

Section 2.123.030 Director of Public Safety – Authority

The Director of Public Safety shall be in charge of the Division of Public Safety.

Section 2.123.040 Appointment – Term

The Assistant City Manager for Public Safety shall be appointed by and serve at the pleasure of the City Manager. It is the intention of this provision to fix all responsibility and vest all authority for the appointment and removal of the Assistant City Manager for Public Safety in the City Manager.

Section 2.123.050 Powers and Duties.

The powers and duties of the Assistant City Manager for Public Safety shall be such as are designated and assigned from time to time to the Assistant City Manager for Public Safety by the City Manager. The Assistant City Manager for Public Safety shall have all the powers, rights and duties that the City Manager shall determine as are necessary for the proper functioning and general effectiveness, as well as for the general supervision and control of the departments, divisions, boards, agencies, commissions and officers, consistent with the powers and duties assigned to him/her by the City Manager.

Section 2.123.060 Civil service or tenure rights.

The Assistant City Manager for Public Safety shall have no rights under civil service, nor acquire any rights of tenure in any manner.

Section 2.123.070 Compensation.

The Assistant City Manager for Public Safety shall receive as annual compensation the same amount set forth in Chapter 2.62 of this title for Assistant City Manager.



City of Cambridge

O-11.

IN CITY COUNCIL

February 10, 2003

VICE MAYOR DAVIS
COUNCILLOR DECKER
COUNCILLOR GALLUCCIO
COUNCILLOR MAHER
COUNCILLOR MURPHY
COUNCILLOR REEVES
COUNCILLOR SIMMONS
MAYOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: Refer the issue of a new Assistant City Manager for Public Safety to the full City Council, with the recommendation that the Council refer the matter to the Public Safety Committee to hold further discussions, pending a report from the Law Department on the inclusion of the Inspectional Services Department in the reorganization, and pending an opinion from the City Manager on the reorganization and an estimate of its cost.

In City Council February 10, 2003.
Adopted by the affirmative vote of nine members.
Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

D. Margaret Drury
City Clerk

REFERRED TO THE PUBLIC SAFETY COMMITTEE.

S-42

Committee Report #2

Committee Report from Councillor David P. Maher and Councillor Brian Murphy, Co-Chairs of the Ordinance Committee, for a meeting held on January 15, 2003 for the purpose of discussing a proposed amendment to the Municipal Code to provide for an Assistant City Manager for Public Safety.

In City Council February 10, 2003

**REPORT ACCEPTED. ORDER
ADOPTED. SEE ORDER #11.
PLACED ON FILE.**